

THE HISTORICAL MANUSCRIPTS COMMISSION: AN ARCHIVAL EVOLUTION

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Abstract

The creation of the Royal Historical Manuscripts Commission formed part of a wider movement of institutional renewal and reform in mid-Victorian Britain, including growing professionalisation of both public administration and the academic study of history, particularly from the 1850s. Two features of the Commission's work continued to influence its development and The National Archives' engagement with the archives sector today: firstly, the need to respect the legitimate rights and interests of both individuals and organisations, and secondly the relationships by necessity based on collaboration with many partners. This has led to the evolution of a distinctive British mixed economy embracing public and private archives.

This article considers the Commission's evolution from surveying and publishing reports on the contents and location of private collections to becoming the central advisory body on all issues related to archives and manuscripts not covered by the 1958 Public Records Act. The social and technological changes over this time have had a profound influence on the Commission's professional practices. In addition, the range and rights of stakeholders have evolved presenting new challenges. Meeting all the demands and possibilities of the Commission's delivery needs to be seen in the context of frequently operating with significant resource constraints.

Keywords: archives, archival history, archival practice, collections development, Historical Manuscripts Commission, private archives, records at risk, The National Archives.

From the point of view of the scholar and historian of posterity, it matters relatively little, if at all, whether a “record” is publicly or privately owned’, Lord Evershed, Master of the Rolls¹

Introduction²

The 150th anniversary of the Royal Commission on Historical Manuscripts (HMC) in 2019 provided an opportunity to consider the Commission’s influence on the development of Britain’s archival eco-system and why it continues to be an integral part of The National Archives’ contemporary offer to the archives sector and to its users. The way the Commission has evolved reflects a continuity of purpose over the last 150 years of perceiving private archives as forming an essential element in the nation’s archival heritage and to quote the Commission’s first Royal Warrant the ‘considerable public advantages of their location and contents being known for the purposes of research’.³

Private archives, in this context, means those records that do not have the legal status of public records. At the point of the Commission’s creation, this included the records of ancient municipal corporations, ecclesiastical corporate bodies such as the older cathedrals as well the archives of the leading aristocratic families who were still a significant if waning political force in 1869. Over 150 years, the Commission’s Royal Warrant has been reinterpreted generation upon generation, to reflect wider changes in society and continuing technological advances. This has influenced an evolving understanding about what constitutes our national archival heritage, and how it might be sustained. Two factors have fundamentally influenced the Commission’s development throughout its history: a respect for the rights and interests of

¹ Memorandum by the Master of the Rolls on the future of the Historical Manuscripts Commission, June 1958, Hilary Jenkinson’s HMC file, TNA Ref. PRO30/75/534

² All citations from the archives of HMC, PRO and the personal papers Sir Hilary Jenkinson held at The National Archives indicate the archive (Collection ref. HMC/PRO) then file reference.

³ The Royal Warrant of the Historical Manuscripts Commission, 2 April 1869 as published in preface to the 1st Report of the Historical Manuscripts Commission, 1874

individuals and a reliance on collaboration with other partners driven in part by the limited resources at its disposal. This article will explore how these factors have played out over the last 150 years and tentatively consider how this shaped the present archival environment of a mixed economy of publicly and privately owned collections, a complex web of legislation and regulation, and a multiplicity of archival bodies and communities.

Enlightenment project?

In many ways the creation of the Commission in 1869 is best seen as part of a wider evolution of archival institutions across the world as societies became more economically and intellectually interlinked during the last 300 years. These developments can be seen as part of the Enlightenment which viewed the human mind as having the right to be freed from the pressure of preconceptions, authorities and traditions, and to have the freedom to enquire and to develop a society based on rational understanding and interpretation of the evidence: a process that was not always smooth, and could involve disruption. For example the turmoil of the French Revolution saw both the destruction of many records, particularly of title deeds, charters, and other business records associated with the ancien regime, many of them medieval, and the creation of Archives Nationale in Paris in 1790, arguably the first modern national archive.⁴ Records were becoming increasingly specialised and central to daily lives not just for state administration, but for businesses, professions and individuals, as reflected by the growing sophistication of patient records during the late nineteenth century, notably in Germany to support the evaluation of the effectiveness of treatments at institutions such as the Charité Hospital in Berlin.⁵ While in Britain government departments, such as the

⁴ See, *Archives Lost: The French Revolution And The Destruction of French Medieval Manuscripts*, blog by Thomas Lecaque, posted 29 April 2019, Retrieved 23 January 2020: <https://ageofrevolutions.com/2019/04/29/archives-lost-the-french-revolution-and-the-destruction-of-medieval-french-manuscripts/>

⁵ *Taking and Keeping: A Note on the Emergence and Function of Hospital Patient Records*, Volker Hess and Sophie Ledebur, *Journal of the Society of Archivists*, Vo. 32, April 2012 pp. 21-33

Register-General established in 1837 and the Home Office, were driven by a growing preoccupation with statistics and were systematically collecting and analysing data to better understand policy issues such as crime and public health. For example William Farr⁶, Compiler of Abstracts at the General Register Office developed a national system of public health statistics which ultimately influenced legislation and speaking in 1860 Lord Brougham noted that

Judicial statistics were absolutely necessary to good legislation, indeed to good government, inasmuch as without them they had no means of judging of the effect of existing laws or of the effects of any alterations made in them, and without such *data* he considered that legislation had no title to be called a science of induction.⁷

The reform of record keeping was societal and embraced much more than the government, being tied to a growing belief that records should not only be preserved, but also be accessible as part of a wider national heritage; the creation of the Commission should be seen in this context. Significantly, the Commission's first Royal Warrant emphasised the public value of archives for 'the elucidation of History, and the illustration of Constitutional Law, Science and Literature', and that the location and content of such material should be published.⁸ These words reflect a lively cultural and intellectual environment in a period that witnessed the publication of Charles Darwin's *On the Origin of Species* and John Stuart Mill's *Essay on Liberty*, both in 1859, Sir Henry Maine's *Ancient Law* in 1861 and Walter Bagehot's *English Constitution* in 1867 and growing awareness of the importance of primary sources for the study of an increasing number of academic disciplines.

⁶ William Farr (1807-1883) doctor, epidemiologist and statistician. Oxford Dictionary of National Biography entry. Retrieved 20 July 2020: <https://www-oxforddnb-com.tnaezproxy.koha-ptfs.co.uk/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-9185>

⁷ Motion calling for the Report of International Statistical Conference, House of Lords, Hansard, 2 August 1860, Vol. 160

⁸ The Royal Warrant of the Historical Manuscripts Commission, 2 April 1869 see above

In 1857, the National Association for the Promotion of Social Science held its first Congress and George Harris, who is credited with providing the foundational work for the Commission, read a paper entitled ‘The manuscript treasures of this country: and the best means of making them available for the purposes of education, history and legislation’. He subsequently began to campaign for this cause and in 1859, the then Prime Minister Lord Palmerston, received a Memorial signed by 141 Peers, MPs and other notable figures calling for the ‘rescue from oblivion and in many cases from decay valuable collections of papers’.⁹ These included prominent cultural figures such as Lord Macaulay who signed ‘though not without misgivings. I fear that the enquiry is far too extensive to be useful’¹⁰ although some of those who were approached declined to do. These included politicians like Sir Charles Dilke¹¹ who thought owners would not co-operate with the enquiry and the historian Henry Thomas Buckle¹² who wrote ‘I have such strong feeling against any interference with any recommendation from government respecting literature’.¹³ The Memorial was passed to the then Master of the Rolls, Lord Romilly, who was not supportive of this endeavour. Whilst this continued to be discussed, it was some ten years before action was taken, largely due to discussions on financing such an endeavour. In 1859, Romilly was seeking to complete the building of the Public Record Office in Chancery Lane London, which was quite likely to have influenced his focus and priorities.¹⁴ In addition, perhaps not surprisingly, there have been many debates over the decades on the extent to which public money should be invested into mapping the private archival landscape. Over time, the public good in this endeavour has

⁹ *The Historical Manuscripts Commission 1869–1969*, by R. H. Ellis, (1962) *Journal of the Society of Archivists*, 2:6, 233.

¹⁰ Correspondence and papers relating to the memorial, letter to George Harris, 8 Dec 1858, Ref. HMC 1/10

¹¹ Sir Charles Dilke, 1st Baronet (1810-1869), Whig politician, art patron, horticulturist and one of the leading promoters of the 1851 Great Exhibition.

¹² Thomas Henry Buckle (1821-1862), historian and one of the pioneers of ‘scientific history’.

¹³ Letter to George Harris, 21 February 1858, Ref. HMC 1/10

¹⁴ *The Centenary of the Royal Commission on Historical Manuscripts: origins and transformations*, by R. H. Ellis, (1962) *Journal of the Society of Archivists*, 3:9, 442-33.

been largely accepted although the financial fortunes of the Commission have fluctuated significantly throughout its 150 year history. In 1869 the Government accepted a proposal from Lord Romilly to establish a Historical Manuscripts Commission at the cost of £500 per annum which was one quarter of the amount originally requested by George Harris but based on a proposal largely aligned to Harris's plans.

The Commission reflects the society it serves

Archives reflect the societies that created them; for much of their history they have been expressions of power, often created by elites with authority over others, whether it is the power of the landlord over a tenant through a lease or the state collecting taxes from sometimes unrepresented citizens. A graphic colonial example is the system of land registration introduced in South Australia in the late 1850s adapting the registry practice used by the British Shipping Registry to record settlers' ownership of land as it was granted by the Crown. The interests of the aboriginal population were not at all visible, still less their rights.¹⁵

The Commission's original focus reflected the power structure of 1869 with an emphasis on the history of the United Kingdom, which at the time of its creation included the whole of the island of Ireland as seen through the archives of the great landed families, the House of Lords, medieval cathedrals, Oxford and Cambridge Colleges and the ancient municipal corporations.¹⁶ Notably the original Royal Warrant specifically excluded any records 'of a

¹⁵ *The Torrens System of Land Registration*, R G. Patton, Minnesota Law Review, 1935, University of Minnesota law School Scholarship Repository. Retrieved from, 23 Jan 2022:

<https://scholarship.law.umn.edu/cgi/viewcontent.cgi?article=3105&=&context=mlr&=&sei-redir=1&referer=https%253A%252F%252Fwww.bing.com%252Fsearch%253Fq%253DTorrens%252Bland%252Bregistration%252Bsyteum%2526qs%253Dn%2526form%253DQBRE%2526sp%253D-1%2526pq%253Dtorrens%252Bland%252Bregistration%252Bsy%2526sc%253D0-28%2526sk%253D%2526cvid%253D906921E995F1495BA8758AE8FB54229D#search=%22Torrens%20land%20registration%20syteum%22>

¹⁶ It is to be noted that in a United Kingdom context, each nation has evolved somewhat differently the approach to managing private records. For example, the National Register of Archives for Scotland undertakes an advisory role in relation to private owners 'regarding the preservation and administration of your papers,

private character’ or that related to the property titles of private owners. It provided for surveying and publication of details of private collections with their owner’s consent which led to the published series of *Reports and Calendars* which eventually extended to 240 volumes published over 130 years. A pragmatic accommodation to the major private interests of the day was necessary. The proposal for the investigation into private papers was still however greeted in some quarters with suspicion. Thomas Kerslake, bookdealer and editor of *‘Kerslake’s Catalogue of Books’* reviewing the Commission’s’ s first report referred to the ‘portentous eyes of a Royal Commission’ and accused those Commissioners who were ‘Antiquaries by profession’, writing ‘A certain or special communism is obviously current among them. They evidently think, and often do not scruple to avow, that manuscripts are by their own nature public property.’¹⁷ In 1882, *The Times* reporting the appointment of new commissioners observed of the Commission

Its functions are delicate. The value of the investigations it controls arises from the perpetual intermixture of English and public and private history. From the same cause it is peculiarly necessary to take precautions not to annoy private feelings while illustrating public affairs out of private memorials.¹⁸

In the discussions during the 1950s prior to the Public Records Act 1958, concerning the abortive proposal to create a National Archives Council, the same sensitivity to private interests was expressed. A.L. Atkinson, Secretary of the Commission in a memorandum addressed to the Master of Rolls on this proposal in 1955 wrote, ‘However sparingly any

including questions of deposit and access.’ NRAS for Owners’. Retrieved: 26 July 2020:

<https://www.nrscotland.gov.uk/record-keeping/national-register-of-archives-for-scotland/nras-for-owners>

¹⁷ *Kerslake Catalogue of Books*, January 1871, Historical Manuscripts Commission Press Cuttings, pp. 37-39 Ref. HMC 1/7 Thomas Kerslake (1812-1891), antiquarian and bookseller who strongly defended the market for manuscripts who wrote in the same review ‘For the last three hundred and fifty years the market this has created has been almost only conservative agent’ for the preservation of manuscripts. See also Oxford Dictionary National Biography entry: Retrieved 23 Jan 2020: <https://doi-org.tnaezproxy.koha-ptfs.co.uk/10.1093/ref:odnb/15478>

¹⁸ *The Times* 30 Aug 1882, Historical Manuscripts Commission Press Cuttings, p.130, Ref. HMC 1/7

compulsory powers might be used, their mere existence would be sufficient to make such legislation controversial and would gravely prejudice the good relationships built up with owners through many years of contact on a voluntary level.¹⁹

There has been a century of special arrangements for safeguarding the nation's cultural heritage through schemes that relieve owners from the full burden of capital taxes. Respect for the rights of private ownership has strongly influenced the evolution of a variety of tax incentives such as Acceptance in Lieu, Conditional Exemption and the Cultural Gifts Scheme, as well as the regulatory system of export licensing. Significantly the Commission with its long-standing engagement with private owners was well placed to develop an advisory role in support of these measures²⁰. Over time this has led to a steady flow of collections into publicly funded and accessible archive services that has greatly enriched the sources available to researchers. The respect given to rights and interests of private ownership is a notable feature of the British cultural environment and one where the mechanisms to safeguard the national heritage are numerous and nuanced compared to a more patrimonial approach adopted by the heritage legislation in some European States.²¹

In the latter part of the twentieth century and into the twentieth first century, the nature of private records has been further challenged by the growth of digital information with complexities in ownership and location. In addition, the capture of the records of in essence 'the establishment', has been rightly challenged. From the latter part of the twentieth century, the Commission started to record, register and engage with community archives and

¹⁹ Memorandum by A.L. Atkinson, Secretary of the HMC to Master of the Rolls Archives Committee, 24 February 1955, Ref. PRO 39/11/11

²⁰ For an overview of current mechanisms to safeguard the national heritage, see The National Archives cultural property web pages. Retrieved 21 June 2020: <https://www.nationalarchives.gov.uk/archives-sector/advice-and-guidance/managing-your-collection/cultural-property/>

²¹ The European University Institute maintains a database of international art and heritage law, Retrieved 21 June 2020: <https://www.eui.eu/Projects/InternationalArtHeritageLaw>

radical archives. The nature of what is a record or archive continues to be contested and is an evolving landscape.

Roles, Responsibilities and Professionalization

As a result of the chain of events in the Commission's creation, the Masters of the Rolls has continued to have a significant influence within the Commission and the wider archives, impacting on the Commission's delivery and wider heritage landscape. In the twentieth century, for example Lord Hanworth had a major role in establishing the British Record Association in 1932, and Lord Greene chaired in wartime the National Building Record, formed to preserve the documentation of endangered buildings. In the post War period Lord Evershed strongly supported the proposal for a National Archives Council²², while Lord Denning and Lord Woolf can also be marked out in particular for their endeavours to promote the preservation of archives held outside central government.

Until 1996, the Master of the Rolls chaired the Board of Commissioners²³ who had the responsibility to provide strategic direction and oversight of the Commissioner's activities. The first Commissioners appointed reflected the elite whose papers they were seeking to document. In 1869 these included Lord Romilly, Master of the Rolls,²⁴ Thomas Duffy Hardy, Deputy Keeper of the Public Records, the Marquess of Salisbury, both a major private owner of manuscripts and a future Prime Minister, and academics such as Dr Charles Russell, Professor of Ecclesiastical History of St Patrick's College, Maynooth. This pattern of a mixed male membership of academics, custodians, owners and later users as Commissioners persisted for decades. These Victorian partnerships had a decisive and conservative influence

²² His memorandum of June 1958 succinctly reviews developments in the archives sector of previous twenty years, Hilary Jenkinson's HMC file, Ref. PRO 30/75/53

²³ Lord Bingham of Cornhill (1933-2010) on ceasing to be Master of the Rolls in 1996 following his appointment as Lord Chief Justice of England and Wales continued at his own request to Chair the Commission until 2003.

²⁴ John Romilly, 1st Baron Romilly (1802-1874), Master of the Rolls, 1851-1873 and had a political career representing Bridport and Devonport.

on the Commission's pattern of work which persisted until the Second World War.²⁵ Tellingly not until 1953 was the first woman appointed to the Commission, the historian C. V. Wedgewood²⁶, and it was a further 21 years before the next woman, V .L. Pearl²⁷ was appointed.²⁸ Undoubtedly the Commission was weaker for not embracing such energetic archival female pioneers such as Ethel Stokes²⁹ and culturally more conservative; tellingly the Commission's centenary exhibition at the end of the "swinging sixties" hosted at the National Portrait Gallery was called 'Manuscripts and Men'. The activity and engagement of individual Commissioners varied through the decades. In 1890 Lord Salisbury, when replying to a parliamentary question on the Commission, remarked that 'by special desire of the Commission I, like most of the other Commissioners, never attend. The Commission prefers to work principally in the absence of most of its members, and it works, I imagine, much better in consequence of their non-attendance.'³⁰

The practical, work of inspecting private archival holdings and writing the reports was undertaken by appointed inspectors under the paid supervision of the Secretary to the Commission. The Secretary to the Commissioners until 1959 was a part time role carried by one of the assistant keepers at the Public Record Office and only fully developed into a key executive role following the Commission's liberation from the premises and culture of the

²⁵ *The Historical Manuscripts Commission (HMC)*, article by Norman James in *The Making History Series* Retrieved 23 January 2020:

https://archives.history.ac.uk/makinghistory/resources/articles/historical_manuscripts_commission.html

²⁶ Cicely Veronica Wedgewood, (1910-1997) historian and who served as a Commissioner for 25 years.

²⁷ Valerie Louise Pearl (1926-2016), historian who served as Commissioner for 6 years,

²⁸ In a period of 130 years there were 121 Commissioners and only 9 were women, *Archives at the Millennium Twenty-Eighth Report of the Royal Commission on Historical Manuscripts*, The Stationary Office, 1999 List of Commissioners 1969-1999, Appendix 6, HMSO, 1999. The first woman appointed as Keeper of the Public Record was Sarah Tyacke who was appointed in 1991 and subsequently oversaw the creation of The National Archives in 2003.

²⁹ Ethel Stokes (1870-1944), record agent and pioneering archivist was a decisive influence in establishing and running the Records Preservation Committee in 1929 and the British Record Association in 1932. See also *Pioneering women archivists in England: Ethel Stokes (1870-1944), record agent*, by Elizabeth Shepherd, *Archival Science* 17 pp. 175-194, 2017. Retrieved 22 June 2020:

<https://link.springer.com/article/10.1007/s10502-016-9272-x>

³⁰ Hansard, House of Lords, 13 May 1890, Vol 344, p. 805

Public Record Office. After 1959 Roger Ellis who served as Secretary for the years 1957-1972 managed the development of the Commission's work under the terms of the new Royal Warrant. He left the Commission 'independent and forward-looking, exerting quiet influence in archival circles, and in good relations both with owners of manuscripts and with scholars'³¹

The inspectors in 1869 were paid two guineas a day and 'their actual expenses of locomotion'³² and appear to have been appointed primarily for their research skills and familiarity with archive sources. They initially included two barristers, Arthur. J. Horwood and Henry Thomas Riley, supplemented by Revd Joseph Stevenson³³ who inspected several collections at the request of their owners. When Revd Stevenson converted to Roman Catholicism, he harnessed this interest to research Vatican archives. The inspectors were soon joined by additional members in the form of John Stuart³⁴ of the General Register House, Edinburgh and John Gilbert who played a significant role in the creation of the Public Record Office, Dublin.³⁵ The first woman to serve as inspector for the Commission appears to have been Mrs Sophia Crawford Lomas who was trained by her aunt the historian Mary Anne Everret and was one of few women employed at the Public Record Office in the early 1900's.³⁶ Their reports varied in their length and quality and focused on gathering

³¹ Obituary by Felicity Strong, *Journal of the Society of Archivists*, Vol. 19. No.2, October 1998, pp 235-238

³² Introduction to 'Manuscripts and Men, centenary exhibition catalogue, MSO, 1969, p.11

³³ Joseph Stevenson (1806-1894) clergyman, historian and archivist who was commissioned by the government to research the Vatican archives to identify 'material of interest to English-speaking historians', Dictionary of Dictionary National Biography entry, Retrieved 19 July 2020: <https://www-oxforddnb-com.tnaezproxy.koha-ptfs.co.uk/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-26434>

³⁴ John Stuart (1813-1877), archivist and genealogist, secretary of the Society of Scottish Antiquaries and in 1873 became principal keeper of the register of deeds. ' Dictionary of Dictionary National Biography entry, Retrieved 19 July 2020: <https://www-oxforddnb-com.tnaezproxy.koha-ptfs.co.uk/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-26719?rskey=i9c68T&result=29>

³⁵ Sir John Thomas Gilbert (1829-1898), historian and campaigner for the establishment of the Public Record Office in Dublin established in 1867 and served as its first secretary. See *The Irish Administration 1801-1914*, by R.B. McDowell, London 1964 and reprinted Greenwood Press, 1976, pp 278-279

³⁶ Mary Anne Everret Green (1818-1895) a historian who edited calendars for the Public Record Office. After her death her niece was only woman employed at the Public Record office in a professional capacity. See *Manuscripts and Men*, centenary exhibition catalogue, HMSO, 1969, p.10 and *Why She Lived at the PRO: Mary*

information on individual collections. The Secretary of the Commission writing in 1890 about the municipal records at Shrewsbury commented ‘I may add that it forms no part of the duties of the Commissioners to arrange & put in order documents belonging to corporations or private persons.’³⁷ Until 1959, the Commission operated out of the Public Record Office building in Chancery Lane before moving at this date a few doors down to Quality Court.³⁸ This marked a period of independence and increased powers under 1959 Royal Warrant.

In 2000, a review of the Commission was initiated, conducted by Sir Geoffrey Chipperfield, which concluded in 2002 that the Commission and the Public Record Office should be brought together.³⁹ This came to fruition in 2003, resulting in the formation of The National Archives (TNA). From a legislative perspective, the functions of the Commission continue to be separate. However, the Board of Commissioners was abolished, with the Keeper of The National Archives taking the title of sole Commissioner. Whilst the Commission’s Warrant provides for independent comment, the Keeper/Commissioner are one and the same person with the role of the Keeper as a civil servant introducing certain restrictions. The role of the Board of Commissioners, in terms of its advisory powers were transferred to the National Advisory Council on Records, which is Chaired by the Master of the Rolls.⁴⁰ In 2010, a subcommittee, the Forum on Historical Manuscripts and Academic Research, was established to ensure that proper time and attention was given to advising on

Anne Everett Green and the Profession of History, by Christine L Krueger, *Journal of British Studies*, Vol. 42, No. 1, 2003, p.87.

³⁷ Letter of James Joel Cartwright to John Beacall, 18 April 1890, Ref. HMC 1/117. Mr Beacall, a local antiquarian, was concerned about the neglect of the municipal records of Shrewsbury and in his reply of the 24th April to the Secretary he opined ‘It is a great pity that municipal records do not, like other public muniments, come under the control of the Master of the Rolls, & be made subject to the same rules’. Before 1958 the Master of Rolls was also the titular Keeper of the Public Records.

³⁸ *Archives and archivists in 20th Century England*, by Elizabeth Shepherd, Farnham: Ashgate. p.72.

³⁹ ‘*The PRO and HMC functions to come together: The National Archives vision*’, *Beyond the PRO*, by S. Tyacke, *Places of Deposit Bulletin*. September 2002, p.3.

⁴⁰ The Advisory Council originally reported in the Lord Chancellor but in 2015 was transferred to the Secretary of State for Digital, Culture, Media and Sport.

Historical Manuscripts Commission matters.⁴¹ To some extent, this move has brought the Commission full circle in terms of its operations, with advantages and disadvantages delivered through its close links with The National Archives.

The Commission and the Changing the Archives Sector

George Harris in his paper to the Congress of the National Association for the Promotion of Social Science in 1857 that set the scene for the formation of the Commission, observed that the importance and value of private collections ‘depend, not on their mere existence, but on the use which is made of them’.⁴² Perceptions of what constitutes the nation’s archives, whether private or public as part of a greater national collection, and today as part of an interconnected global network which should be preserved and appropriately accessible, have emerged gradually. The motivation of the first Commissioners were both cultural and intellectual and articulated the values of 1869. For them, the work of the Commission was to map out and make known the sources for a Victorian Britain at the height of its power. These essentially consisted of ‘the great hereditary families of England, born to the same estates and remaining on the same soil from generation to generation’, possessing ‘charters and muniments of the greatest importance to the history of this nation’;⁴³ as well as ancient institutions such as the House of Lords, the colleges of Oxford and Cambridge, ecclesiastical corporations such as the older cathedrals and those municipal corporations dating back to medieval times.

When the Commission’s first Report was published in 1871 it was satirised in *Punch* with a comical reference to Lord Chatham’s washing bills; the idea of records of domesticity being

⁴¹ Whilst the Master of the Rolls still chairs the Forum, Elizabeth Lomas became the first Deputy Chair. Further details of Forum are published by The National Archives. Retrieved 26 July 2020: <https://www.nationalarchives.gov.uk/about/our-role/advisory-council/forum-on-historical-manuscripts-and-academic-research/>

⁴² Quoted in the introduction of *Manuscripts and Men*, centenary exhibition catalogue, HMSO, 1969, p.7

⁴³ The Times, 8 October 1869, Historical Manuscripts Commission Press Cuttings, p.4, Ref. HMC 1/7

of historical interest was inherently humorous.⁴⁴ The focus was very much on the archives of the elite and those of ancient institutions; the House of Lords being the first institution to be visited by the Commission, which encouraged the first attempt by the House's clerks to arrange the House of Lords' Journals; early attempts to calendar individual entries were abandoned and brief, general descriptions were resorted to as a large number of papers could only be 'brought into the journals by a very elastic interpretation of the entry.' In August 1870, two clerks of the House wrote to the Commission reporting that little progress could be made during the parliamentary session 'nor should we be willing to give up our long vacation which we consider one of the greatest advantages of office without remuneration'.⁴⁵

The aim was not to provide physical access to the collections, but rather intellectual access through the series of Reports and Calendars and the 117 volumes published by 1914, including many major private collections, notably selected Cecil papers from Hatfield House, Stuart papers at Windsor Castle and many other collections. This scholarly project was overwhelmed by the scale of the task.

The practical work of rescuing records and endeavouring to secure their preservation was largely taken up by other bodies such as national record societies like the British Record Society established in 1889, which turned to records preservation in the 1920s and was involved with the creation of the British Records Association in 1932. The disruption that flowed in the wake of the First World War with higher taxation, the breakup of many landed estates and the abolition of copyhold tenure by the Law of Property Act 1922 led to a reassessment of what constituted the national archival heritage. Lord Hanworth⁴⁶ as member

⁴⁴ *Punch, The London Charivari*, 9 April 1871, p.114

⁴⁵ Letter of R. W. Moran and Herbert C Malkin, Clerks of the House of Lords to HMC, 10 Aug 1870, Ref. HMC 1/77

⁴⁶ Ernest Murray Pollock, 1st Viscount Hanworth (1861-1936), Master of the Rolls, 1923-1935 and according to his Dictionary of National Biography entry 'Perhaps Pollock's greatest service to his generation and to posterity lay in the industry and enthusiasm which he brought to the execution of his duty as custodian of records,

of the Commission and Master of the Rolls had considerable interest in local and private archives. As the Commission's 21st Report (1938) observed, the Law of Property (Amendment) Act 1925

by giving the Master of the Rolls certain powers with regard to manorial records, provided an opportunity which he quickly seized, of fostering that interest in many ways. He encouraged the establishment of local repositories for the preservation of manorial and other documents and thereby laid the foundation of what he hoped might grow into a system of provincial record offices throughout the country.⁴⁷

The Second World War proved decisive as there were concerns about wartime bombing which led to some notable losses including the destruction of the Exeter Principal Probate Registry in 1942, the loss of many records to paper salvage and intensification of higher taxation, often resulting in the breakup of many traditional landed estates and their archives. In the context of wartime a more interventionist approach towards archives at risk seemed timely. In 1945, a National Register of Archives was established as part of the Commission with the post of Registrar to ensure a systematic and centrally directed approach to recording archives was implemented. The Register collected information about the existence, location and ownership of private records, although at first it had its own budget and staff working in partnership with county committees it subsequently became fully integrated into the Commission's administration.⁴⁸ The Register transformed the Commission's reporting of manuscript collections, but also created some tensions between the register's central administration and the local county committees with the Commission's tradition of

especially manorial records.' Retrieved from 23 Jan 2020: <https://doi-org.tnaezproxy.koha-ptfs.co.uk/10.1093/ref:odnb/35562>

⁴⁷ 21st Report of *The Historical Manuscripts Commission, 1938*, Tribute p. 10. The Master of Rolls oversight of manorial records are derived from Section 144 (A) of the Law of Property Act 1922 and regulated by the Manorial Documents Rules.

⁴⁸ *The National Register of Archives 1945-1969*, by F. Ranger. *Journal of the Society of Archivists*, 3:9, p.452-462.

maintaining direct relationships with some major record owners sometimes clashing with interests of the emergent network of county record offices.⁴⁹ The Register also spawned a series of thematic *Guides to Sources for British History* to disseminate information derived from the National Register of Archives.

In 1943, the British Records Association established a Reconstruction Committee to consider the post war risks to records, which led Lord Greene⁵⁰, Master of the Rolls, to establish his own committee in 1946; and the recommendations of both committees reignited the Victorian questions of the balancing of private and public interests and developing the appropriate partnerships.⁵¹ The membership of the committee included Sir Hilary Jenkinson, Deputy Keeper of the Public Record Office, Professor Theodore Frank, Thomas Plucknett, a legal historian, and Edgar Stephens, a long serving Clerk to Warwickshire County Council whose recommendations reflected the interventionist state of the immediate post war period.

The Committee's main recommendation, made in 1953, was to create a National Archives Council as an advisory body to the Minister of Housing and Local Government for regulating local authority archive services which were being established across the country, and which were, controversially, to have oversight of private collections. The Council's powers included approving and amending schemes regulating local governance and standards of local authority archive services, establishing minimum qualifications for archivists, preparing regulations for the destructions of records not of historic value, recommending suitable terms and conditions for deposit agreements and, most controversially, some oversight of private

⁴⁹*County committee to county record office? The National Register of Archives and the growth of the county archive network*, by Melinda Haunton. *Archives and Records*, Vol.34, No.1 pp. 15-16

⁵⁰ Wilfrid Arthur Greene Lord Greene (1883-1952), Master of Rolls, 1937-49, active Chairman of the HMC and President of the British Record Association from 1937.

⁵¹ *Backbone or Burden? The Role of RPS in the BRA* by Penelope Baker, *Archives Journal of the British Records Association*, Vo. 53, Issue 136, pp.27-44

collections. In discussion, it was proposed that the Council should absorb the National Register of Archives and the Commission.⁵²

A draft parliamentary bill was drawn up in 1952, but its provisions were considered too radical and in the ensuing tussle, private interests and the Treasury's concern to limit expenditure were able to see off this bid for legislation and funding. Lord Salisbury after being pressed by Lord Evershed to make representations to the government in July 1954 wrote a note to the Chancellor of the Exchequer, Rab Butler and after noting Harold Macmillan's potential interest in the report as Minister for Local Government and Housing 'as County Record Offices play a large part in the Report' added the caveat 'Personally, I think the Evershed Committee's proposals are in some respects too drastic : but I agree something ought to be done, as more and more under the impact of taxation, collections are being sold and split up and so permanently destroyed from the national point of view'.⁵³ Rab Butler replied that the 'proposals point to legislation which is likely to be controversial and probably lead to extra expenditure; I can imagine that he (Harold Macmillan) is reluctant to accept the recommendations as they stand'.⁵⁴

What emerged was a typical British compromise shaped by the Treasury's concerns to curb expenditure and reduce the volume of records being selected for preservation by the Public Record Office in the wake of Sir James Griggs's Report on public records and a concern not to be too intrusive on the rights of private owners, whose co-operation was seen as essential to secure the orderly preservation of historically significant archive collections. The acceptable option that emerged was a reconstituted Commission with widened terms of

⁵² Notes of a meeting at the House of Lords attended by Sir George Coldstream, Permanent Secretary to Lord Chancellor's Department, Mr David Evan, Deputy Keeper of the Public Record Office, Mr Hume. Boggis-Rolfe, Assistant Solicitor of the Lord Chancellors Department and Mr E. W Denham, 17 June 1955, Ref. PRO 39/11/11

⁵³ Copy of a manuscript note by Lord Salisbury to Rab Butler, 20 July 1954, Ref. PRO 39/11/11

⁵⁴ Copy of a note to Rab Butler to Lord Salisbury, 20 Aug 1954, Ref. PRO 39/11/11

reference in the form of a new Royal Warrant to become ‘the chief national authority (outside of the Public Record Office) on archives: and also to meet the financial difficulties of records preservation and publications’, as well as to parallel the wholesale reform of the public records system ushered in by the Public Record Act, 1958.⁵⁵

The Victorian Commissioners intended their reports and publications to be used and to form a major source for historical research through the publication of their reports. Since 1869 the Commission has progressively redefined and widened what can be regarded as the nation’s archival heritage as it works with a growing range of records and partners. By degrees, it has moved from a history of the United Kingdom through its elites to engaging with a growing multiplicity of perspectives both within the UK and internationally in conjunction with a growing demand for access from an increasingly diverse range of users. There has been a cultural evolution towards a more inclusive understanding that individual collections form part of a wider archival eco-system in conjunction with a widening understanding of what is archivally significant and valuable: from the papers of the great landed families in the 1860’s, manorial records particularly following the abolition of copyhold tenure in 1922 and business records, to records of hospitals, religious groups, radical archives and community archives after 1945. The pioneering work of the British Records Association, much of it led by Ethel Stokes⁵⁶ during the 1930s to sketch out a national plan for the preservation of private archives and Commission’s creation in 1945 of the National Register of Archives and its successor ‘Discovery’⁵⁷ reflect an increasing inclusive and diverse archival eco-system.

⁵⁵ Memorandum by the Master of the Rolls on the future of the Historical Manuscripts Commission, undated, c. June 1958, Ref. PRO/30/75/53

⁵⁶ For an account of her considerable contribution to the BRA see *Back-Bone or Burden? The Role of The RPS in The BRA*, by Penelope Baker, Vol. 53, Issue 136 2018, pp. 27-44:

⁵⁷ Discovery is a finding aid to archives held at The National Archives and across the country. Retrieved 21 June 2020: <https://discovery.nationalarchives.gov.uk/>

This was reflected in the Commission's 1959 Royal Warrant, which made the Commission the central advisory body for all archives and manuscripts that lay outside the Public Records Act of the previous year. R. B. Pugh⁵⁸, Editor of the Victoria History of the Counties of England writing to R. N. Quirk at the Commission in April 1960 expressed his concern that major groups of records were escaping the Commission's function of securing their preservation, particularly which at this time were described as the loss of 'many accumulations, especially in London, which are of great significance but appear to escape the net. The records of the Law Society, the Trade Union Congress, or the British Medical Association are examples. It is much more important to attend to such accumulations than to groups of deeds in small manor houses to which so much thought in the past has been given'. In the same letter he expressed the view

We also want to be assured that record offices are not increasing in number but diminishing, for until the number is reduced, and organic unions formed among those that survive, the present low standard of recruits to the archivist's profession will remain. We want better, even if we have to put up with rather few archivists.⁵⁹

Today the challenges of what is going unrecognised and insufficiently valued are vast. In response, the teams which deliver the Commission's functions through new The National Archives structures seek to provide toolkits, training and networks to better surface and support these wider demands. As ever, resourcing remains a critical challenge.⁶⁰

⁵⁸ Ralph Bernard Pugh (1910-1982), historian, formerly Assistant Keeper at the PRO, who 'made enemies especially by lobbying for the preservation of and access to records, and by the pains taken in selecting and managing VCH staff, which sometimes put him at loggerheads with county grandees.' Dictionary of National Biography entry, Retrieved 19 July 2020: <https://www-oxforddnb-com.tnaezproxy.koha-ptfs.co.uk/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-73257?rskey=W8GDKB&result=1>.

⁵⁹ Extract from a letter R. B. Pugh to R. N. Quirk, 20 April 1960, Ref. HMC/1/269

⁶⁰ The range of resources provided by The National Archives can be gauged by visiting 'Managing your collection' web page which includes guidance on collections development, cultural property, preservation of digital records, designation of pre-eminent collections and toolkits such as DROID. Retrieved 18 June 2020: <https://www.nationalarchives.gov.uk/archives-sector/advice-and-guidance/managing-your-collection/>

When the Commission was founded, the UK at least had no formal archival profession. This was in contrast to France where the *École Nationale des Chartes* was established in 1821. Over the first half of the twentieth century, through the development of the Public Record Office and local record office structures, more formalised training and professional recognition developed. In 1947, the first UK archives training courses were established at University College London and the University of Liverpool, respectively. This growth of archival professionalism has undoubtedly shaped the Commission's services and archival landscape. However, the role of many players has always remained significant. The last 150 years has seen the development of a network of archive services maintained by a wide range of public, voluntary and private bodies, accompanied by the growing awareness that the preservation of and access to archives needs to be sustained by an evolving professional practice supported by clear standards. It was not until the new Royal Warrant in 1959 that the Commission was able to fully develop its advisory role and begin to influence the evolution of professional practice and standards, notable landmarks being the publication of the Commission's Standard for Records Repositories in 1990, culminating in Archive Service Accreditation in 2013. Standards evolved from a focus on storage and access to records, to an increasingly comprehensive range of measures including collections development, training and digital technologies. In the Commission's Twenty-Eighth Report *Archives at the Millennium* there was an assessment of the overall archival health of the nation with an analysis of the strengths and weaknesses of the archives sector.⁶¹ *Archives Unlocked*, the UK government's current strategic vision, draws very much on the Commission's approach of

⁶¹ *Archives at the Millennium Twenty-Eighth Report of the Royal Commission on Historical Manuscripts*, The Stationary Office, 1999

collaboratively developing the archives sector's capacities and its aspirations to drive inclusivity and diversity agendas for the sector.⁶²

Archival Mixed Ecology

Since 1869, access to archives has become an increasing expectation and has been slowly democratised; access to the Public Record Office and private collections was highly restrictive until in many cases well after the Second World War. There was a time when consulting records at the Public Record Office required a letter of introduction. While the legal requirements for access have most visibly increased for public records and those of other public bodies, cultural expectations of access have increased throughout western societies and impinged in varying degrees on all record custodians. The enfranchisement of a growing electorate and expansion of access has underpinned a growing awareness of the importance of archives for public accountability, as witnessed by the centrality of access to records for independent inquiries such as the Independent Inquiry into Child Sexual Abuse (IICSA) and the Infected Blood Inquiry. Archives are a key component of the mechanisms of accountability for all the major issues we face, from climate change to public health policy.

In the United Kingdom, the evolution of the archives sector over the last 150 years has been shaped by a mixed ecology of public and private archives and a regulatory framework that has evolved piecemeal resting on voluntary collaboration and partnerships with many non-state partners in many forms; examples include the deposit of privately owned archives in publicly funded archive services, the system of tax incentives designed to support public access and acquisition of private collections and the management of Archive Service Accreditation by a committee consisting of state and professional bodies. There has been a creative dualism between the state's engagement with archives held by wider society and those held by state institutions resting on the collaboration of an increasing diversity of partners drawn from the business, religious, private and voluntary sectors. This has led to the immense richness of the nation's archival heritage being preserved and accessible for an

⁶² *Archives Unlocked Releasing The Potential*, Retrieved 15 May 2020:
<https://www.nationalarchives.gov.uk/archives-sector/projects-and-programmes/strategic-vision-for-archives/>

increasingly diverse range of users including academics, businesses, genealogists, public bodies and social activists. However, it has also been recognised that this is an immense task and records are at risk, and as each generation responds to mitigate the risks inevitably some records are lost. The degree of success varies; for example the many effective interventions by the Crisis Management Team⁶³ in preserving the records of insolvent businesses are not matched by similar arrangements for the records of charities, social media created by campaign groups and personal papers of scientists. New forms of intervention will evolve to tackle some but not all of these challenges⁶⁴. New priorities have evolved around better representation and inclusion of the UK society as a whole.

The approaches taken have resulted in a much more fragmented legislative framework and the absence of a single overarching piece of archives legislation and a multiplicity of stakeholders that has probably inhibited the development of national standards, in contrast to the much more patrimonial approach of archive legislation in some European states such as France, Germany, Italy and Spain.⁶⁵

This has resulted in the structural fragmentation of the archives sector and in their written evidence the National Council on Archives for the Twenty Eighth Report of the Commission commented, UK archives lack a central directing intelligence which can effectively plan and implement a national archives strategy. None of the existing bodies (the HMC, the PRO, the NCA, the Society of Archivists, the Interdepartmental Committee on Archives) has both a remit which runs to all types of archives in all sectors, and that status and resources to take on this role. The result is a power –

⁶³ The Crisis Management Team is led by the Business Archives Council (BAC) TNA and a notable recent success was for example securing the preservation of the Thomas Cook archive now held at Leicester and Leicestershire Record Office. For more information about the team see BAC's website. Retrieved 30 June 2020: <https://managingbusinessarchives.co.uk/getting-started/business-archives-risk/crisis-management-team/>

⁶⁴ At the time of writing The National Archives working with other partners including the British Records Association are developing proposals for a Records at Risk Fund to be established on a pilot basis to fund interventions for records facing immediate risk of destruction or dispersal.

⁶⁵ Examples include France' Code du patrimoine (2004) and the Spanish heritage legislation Ley 16/1985 PHE del Patrimonio Histórico Español which view heritage material as part of the national patrimony. The preamble to the Spanish legislation states 'in a democratic state such property should be duly placed at the service of the people'. While articles 5 and 26 for example provides for restriction of the export of property over 100 years old identified as being of cultural interest while Article 49 defines documentary heritage: Retrieved, 14 May 2020: <https://www.eui.eu/Projects/InternationalArtHeritageLaw/Documents/NationalLegislation/Spain/law16of1985.pdf>

perhaps rather a responsibility vacuum. Government action is needed to adjust the responsibilities of these agencies so that the vacuum disappears.⁶⁶ The creation of The National Archives in 2003 by the amalgamation of the Public Record Office and the Commission was regretted by some concerned that the Commission's ethos and small staff would be subsumed by the much larger Public Record Office. Lord Bingham, the Commission's last Chairman as an independent organisation wrote that the Commissioners agreed to the creation of The National Archives 'only on condition that the proper concerns of private archives were clearly identified and protected within the new structure'. In addition, there was a concern that there would be a loss of independence once it was subsumed into a government context. He commented further, 'Only with these wide contacts and confidence which users of our services have placed in our knowledge and expertise on private archives, has it been possible for HMC to survive and indeed flourish for the past 134 years.'⁶⁷ Nevertheless The National Archives has supported the means of developing a holistic approach of managing both public and private archives as integral components of a wider archival ecosystem, which was difficult to achieve when the Commission and the Public Record Office were separate entities. Since 1869 the creative tension of balancing public and private interests, finding sufficient resources for evolving forms of advocacy and support for collections and archivists while trying to respond to changes in society has had a profound influence on the development of the UK archives sector and will continue to do so in the future. The Commission's evolving traditions of pragmatism, partnerships and belief in the cultural, intellectual and social value of archives for society, will continue to shape the culture and values of the Historical Manuscripts Commission into the Twenty First Century. The scale of the challenges has never been greater as so many institutions grapple with rapid cultural, technological and social change, and in the context of the economic shocks of the coronavirus pandemic the resource limitations of the Commission in contrast to the scale of the challenge remain as stark in 2020 as they were in 1869. However, it is hoped that through a strong programme of inclusive

⁶⁶ Victor Gray, Chairman of the National Council on Archives, Archives at The Millennium, Twenty-Eighth Report of the Royal Commission on Historical Manuscripts 1991-1999, Transcripts of their written evidence, AM 88, p.78

⁶⁷ Lord Bingham of Cornhill's Foreword, *Historical Manuscripts Commission Annual Review 2002-2003*, London, 2003, p. 1

partnerships, with new technological capabilities and a respect for the information rights of all, we can further elevate the role and value of the Historical Manuscripts Commission for all of society.