

Overview of Business Archives in France

By Roger Nougaret

Introduction

France's tradition of state intervention in economic matters and its concern to preserve the nation's heritage explains why the first initiatives in support of business records were undertaken by public archives. In the 1920s, Charles Schmidt, inspector general of archives, led a campaign, which included an appeal in the historical review 'Les Annales', to try and make people more aware of the issue. In 1949, a department of business records was created within the National Archives; its first archivist, Bertrand Gille, a pioneer in financial, economic and technological history, saved a large number of collections and developed a system of classification which is still of use today. However, due to a lack of funding by the State and of interest on the part of businesses, the original ambitious aims were far from being completely fulfilled, particularly in the area of collecting deposits from nationalised companies.

The 1980s saw a real renewal of interest, both because of the government's ambitious cultural programme and a revaluation of the image of business in society in general and more particularly in the eyes of historians. After a national inventory of business records in 1983, a business records centre - the Centre d'Archives du Monde du Travail (CAMT) - was opened in 1993 at Roubaix, in the north of France.

With regard to companies, Maurice Hamon, previously an archivist in public archives, set up the first pioneer department in the Compagnie de Saint-Gobain Pont-à-Mousson in 1974. Since then, other companies have taken on professional archivists, a phenomenon which increased in the 90s. The business records section of the Association des Archivistes Français (Association of French Archivists) has now more than 200 members; however, not all of them are employees in businesses.

One of the noticeable trends of the last few years is the rapid expansion and concentration of private storage companies to whom businesses hand over the conservation of their documentation in an effort to save money or to focus (or re-focus) on their core business.

Legislation Affecting Business Records

The French law on archives, promulgated in 1979 and later codified in Code du Patrimoine (Heritage Code), applies mainly to public records. However, this does not always

exclude businesses, bearing in mind the relative importance of the public sector in France (nationalised companies, semi-public companies, public institutions in industry and commerce), even if, after privatizations set up since the mid 1980s, the public sector is not as powerful as it was. The main clauses of the law and its decrees of application refer to the definition - a wide one - of records, their prescribed character, state control, the transfer of records to public record offices and the access to records. With the exception of records which are by their very nature public, the normal period of confidentiality is 30 years; this becomes 60 years for documents which relate to someone's private life and State's safety; 100 years for judicial cases; 120 years from the date of birth of the person concerned in name files; and 150 years if the records mention medical details.

Private records are defined (articles L 211-15 of the Code) as those which are not public. Behind this apparent simplicity lie problems of interpretation because the records of the numerous private organisations which provide a public service must conform to the rules governing public records. As in the case of historical monuments, the law (articles L 212-15 to 28) lays down a system of classification for private records which are of great historical importance, forbidding their destruction or export (since 1993) without authorization. The records of private companies such as Schneider or l'Imagerie d'Epinal have been classified according to this system.

One important law which concerns business records is the law of 25th January, 1988 (modified and codified, article L 212-30) on legal liquidation: it stipulates that the liquidators must inform the administrative authorities before selling or destroying any of the archives. Finally, the different legislative codes (civil code, work, commerce, taxation, etc.) should be mentioned as they cover all the measures concerning conditions for the conservation of documents.

Business Types and Records Created

In France, companies are usually divided into two large categories: partnerships and limited companies (refer. for example, to the classification put forward by Jean Bouvier, *Initiation au vocabulaire et aux mécanismes économiques contemporains*, SEDES, 1993).

Partnerships, characterised by their small number of partners, are legally classified into two types: the first is a general partnership, where the partners run the company together and are personally liable, without any limits. This type of company is commonly found in the textile industry in the north of France and in the Lyons area, and in the Parisian merchant banks (Rothschild, Mallet and so on); this form of organisation still has its adherents today, notably because of its attractive system of taxation. The other type of partnership is a limited partnership, where the sleeping partners, who provide the capital, have a limited liability whereas the active partner has total liability.

The industrial revolution, with its enormous demands for capital, favoured the formation of limited companies. The first type is a partnership limited by share (which doesn't need any agreement to set up), where the director is personally liable whilst the non-working shareholders' liability is limited to their investment (examples include the former Schneider company and the company Matra-Hachette). The second type, which has been more popular, is the public company where the partners' responsibility is limited to their investment. These two types of company were regulated by the business practice code of 1806. The public companies have also been the subject of important laws of 1863 (liberty to create limited liability companies, SARL) and 1867 (a law concerning share limited companies).

The law of 1966 on commercial firms has unified the legal measures for companies. It has also opened up the possibility of avoiding a concentration of power in the hands of the board of directors by creating a new type of limited company with a board in charge of management and a board of trustees to supervise; this type of organisation, common in Germany, has not, however, been as successful as expected.

Since the law of 1966 and decree of 1967, all commercial businesses in France have had to fulfil certain formalities, giving rise to a number of documents. These documents, listed chronologically, are as follows:

- Deposit of an outline of statutes to the local commercial court.
- Publication of an announcement in the *Bulletin des Annonces Légales et Obligatoires* (BALO); the announcement must include the registered company name, its official form, the sum of capital, the address of headquarters, the aim and length of existence of the company, the number and value of its shares and details of its board of directors.
- Deposit to the registry of the commercial court of statutes, of a statement of underwriting, executed and authenticated by a notary, and of minutes of the constitutive meeting of shareholders.
- Registration on the commercial register.

For those companies which do not involve private investors, the formalities are simplified.

A strong demand for transparency has led to an increase of the information given in annual report or in prospectuses. For listed companies, the European directives or regulations are transposed in domestic laws: see, for instance, Prospectus Directive 2003/71/CE of 4th November 2003 and subsequent Commission's regulation on prospectuses n° 809/2004, or Transparency Directive 2004/109/CE of 5th December 2004.

Relationships Between Archives and Records Management

Among the motivating factors which encourage companies to create a records department, safeguarding the memory and the identity of the company counts just about as much as the need for records management, even if legal and organisation issues have been more visible in the last ten years. Traditionally in French archival practice, archives and records management come under the same umbrella. The company Total has even given its archive a central role to play in the company's information system. However, other companies, and especially the banks, have a tendency to separate the management of those records which will eventually be destroyed from that of historical records.

Companies Maintaining Record Departments

All companies employ staff to manage their records. The following list cites those companies whose archivists have been specially trained and/or who belong to a professional body of archivists and who, lastly, are concerned with conserving historical records; this list is not exhaustive and may omit archives which are well-organised and interesting but which are unknown to professional archivists (as Bouygues, for instance). A large number of mergers and acquisitions have occurred in the last ten years, but this has not been detrimental to archives since, most of the time, bigger archival units were constituted or historical archives were given to public repositories (mainly CAMT).

In the interests of clarity, the companies have been grouped according to their sphere of activity.

- *Aeronautics*: EADS, Safran (and SNECMA and Turbomeca, from the same group).
- *Automotive*: in this section, of particular note are the initiatives to save documents of historical interest, both by companies such as Renault, with its history department, and associated bodies such as Fondation Marius Berliet pour l'automobile and l'Aventure Peugeot.
- *Banks*: Banque de France, Caisse d'Epargne Rhône-Alpes, Caisse des dépôts et consignations, CETELEM (consumer credit), Crédit agricole SA, Association historique des caisses d'épargne (CENCEP), Association historique BNP Paribas, HSBC France, Société générale.
- *Building materials*: Lafarge, Saint-Gobain.
- *Chemicals*: Total, Sanofi-Aventis, laboratoires UPSA, Quintiles, Virbac.
- *Energy*: Charbonnages de France, Commissariat à l'énergie atomique, Compagnie nationale du Rhône, Electricité de France, Framatome, Gaz de France.
- *Services*: Accenture, AGF (insurance), Ernst & Young, France Télécom, La Poste, Latham & Walkins, MAIF (mutual insurance), Méderic, Shearman & Sterling.
- *Metal industry*: Arcelor-Mittal, The Académie François Bourdon in Le Creusot is responsible for the Schneider's archives.
- *Transport*: Aéroports de Paris, Air France, Régie autonome des transports parisiens (RATP), Société nationale des chemins de fer français (SNCF).
- *Other*: Altadis (tobacco), Bureau de recherches géologiques et minières (BRGM), Champagne Veuve Clicquot, Cognac Martell, Louis Vuitton, Papeteries Canson-Montgolfier, SEB.
- *Chambers of commerce and industry*: although these are not strictly companies, chambers of commerce are closely linked to the business world and contain a rich source of documentation for economic history. Dating back several centuries in the case of the oldest chambers (Marseilles, 1650), they generally have an organised archive, especially in the case of the larger chambers (Paris, Marseilles, Lyons, Toulouse, Bordeaux, etc).

Regional Business and Labour Records Repositories

The Centre des Archives du Monde du Travail (CAMT) at Roubaix, opened in 1993, was intended to be, when the idea was initially thought of in 1983, the first in a series of regional centres for business records which would bring together archive material from businesses and from trade unions or other bodies associated with the business world such as the 'mutuelles' (friendly societies). This centre, under the umbrella of the National Archives, has 30 miles of shelving and is equipped with a reading room for up to 50 researchers, as well as various pieces of technical equipment and cultural aids. However, the other centres have not been built, due to a shortage of money. Consequently, CAMT at Roubaix has been entrusted with a national responsibility since, as well as receiving deposits of records from the North of France, it has also taken over the collection of business records which had previously been kept in the National Archives, and is now replacing this department. With this rapid growth in the number of its collections, CAMT plays a major role in the development of works on economic and social history.

Regional record offices (there are 95 regions – 'départements' - in mainland France) are interested, like the National Archives, in business records; they all conserve deposits of

this type and certain regions have shown a great enthusiasm for collecting such records. By way of example, there are the records of ship-owners in the regional archives of Loire-Atlantique, l'Ille-et- Vilaine and the Gironde; the records of the Allevard ironworks in the Isère; and the collection of the Société des caves et producteurs de Roquefort in the Aveyron. Local record offices have grown particularly in the last ten years, but they readily accept business records (for example, those of the company Champagne Pommery are kept in Reims Record Office). However, it is important to point out that the national, regional and local record offices are public services and therefore only accept historical records.

It is worth mentioning the original and interesting experience of CERARE (Centre rhénan d'archives d'entreprises), created in 1983 with the backing of Mulhouse Industrial Society and local chambers of commerce, to efficiently safeguard the documentary evidence of the industrial heritage of Alsace region.

Professional Bodies

In France, there is no professional body devoted exclusively to business records. However, the Association des Archivistes Français, created in 1904, has had a Section for business records since 1974. The activities of the Section consist of:

- Meetings which take place at least twice a year, during which a visit to a record office or a company is organised.
- Working groups on special topics as outsourcing, appraisal, moving archives, electronic records, security, etc
- Publishing: besides the guide on business archives services quoted above (1998), the section has published guides on retention periods for business records (*Les archives dans l'entreprise: guide des durées de conservation*, 1997) and on procedures for records management (*Archiver, le guide des procédures existantes. Mieux maîtriser l'information en entreprise*, ed. by Frédérique Fleisch, 2004)

In addition, association members receive the association magazine *La gazette des archives* (created in 1933) which consists of articles on collections, book reviews and a discussion of articles which have appeared in foreign publications; certain numbers or articles are devoted to business records. A newsletter, *La lettre des archivistes*, gives details of news concerning the profession.

In 1984 the Association set up a training centre where archivists who deal with business records can both receive training and lead training sessions according to their level of experience.

In 1996, some outsourcing companies working in the field of records management created the 'PAGE' association, in order to improve the quality of service. A national standard on records outsourcing was then elaborated in 2001.

Professional Training

In France, there is no establishment among those which offer training for archivists which specialises solely in business records.

The Ecole nationale des Chartes, formed in 1821, trains archivists (curators) for public record offices. The first business records archivists were trained by this 'grande école' and have transferred and adapted traditional French archival practice into businesses. In the face of the growing needs of local communities and businesses, courses on archive administration

have been set up by the universities of Mulhouse (the first to do so, in 1978), Lyons, Angers, Saint- Quentin-en-Yvelines near Paris.

The Centre de formation (training centre) of the Association des Archivistes Français regularly organises courses which concentrate particularly on the organisation or computerisation of an archive, historical records, new technology, business archives.

Since 1951, the Direction des Archives de France has organised a three-month international training course, open to foreign archivists and/or those who are in charge of an archive but who have not received any formal training. A number of business archivists have been trained through this course. One of its remarkable aspects is the emphasis which is laid on comparative teaching.

Finally, the advisory companies on archives and documentation offer a wide range of training sessions: archivists can choose between simple publicity demonstrations and more in-depth courses.

Business Archives Directories, Guides and Registers

DIRECTORIES

No proper directory of business records exists in France; it is necessary to refer to the directory published by the Direction des Archives de France, entitled *Les services d'archives en France, annuaire* which includes a section devoted to business records with an address, telephone number, the name of the person in charge and the opening hours. This directory is also available (and updated) on the website of the Direction des Archives de France (<http://www.archivesdefrance.culture.gouv.fr/fr/annuaire/index.html>). However, it is not complete and the way that it has been arranged means that a large number of businesses which come under the heading 'industrial and commercial public companies' are to be found amongst the public record offices.

Guides

NATIONAL GUIDES

The collections in the National Archives have been described by Bertrand Gille, Isabelle Guérin- Brot, Françoise Hildesheimer and Bertrand Joly in the three volumes *Etat sommaire des Archives d'entreprises conservées aux Archives nationales* (Archives nationales, 1957, 1977 and 1995). In addition, there is *L'Etat sommaire des archives d'associations conservées aux Archives nationales* (Archives nationales, 1990) by F Hildesheimer and B Joly. This research aid describes in particular the various deposits from groups of employers like the Conseil national du patronat français (CNPFF - National Council of French Employers), the Comité des Forges de France (the Committee of French Ironworks) and the Comité central des armateurs de France (Central Committee of French Ship-owners). However, since all the collections have been transferred to the Centre des Archives du Monde du Travail (CAMT), excellent finding aids can be found on the comprehensive CAMT's website: www.archivesnationales.culture.gouv.fr/camt/.

At the national level, it is worth mentioning Michel Dreyfus' guide *Les sources de l'histoire ouvrière, sociale et industrielle en France, XIXème et XXème siècles* (Editions ouvrières, 1987) which focuses mainly on labour archives.

Under the umbrella of Association des archivistes français, a *Guide des services d'archives des entreprises et organismes du monde du travail* (edited by Roger Nougaret,

CNRS Editions, 1998) gathers around fifty notices on business or labour archives. If the fonds description remains valid, coordinates have to be checked in the electronic directory of Archives de France quoted above.

With the opening of archives related to the Second World War, research on French businesses during the period developed. Conferences on players and archives were organised by a research group of CNRS (National center for scientific research) and the edited papers can be considered as guides:

- Hervé Joly (ed.), *Faire l'histoire des entreprises sous l'Occupation. Les acteurs économiques et leurs archives* (CTHS, 2004)
- Hervé Joly (ed.), *Les archives des entreprises sous l'Occupation. Conservation, accessibilité et apport* (IFRESI, 2005).

The review *Entreprises et Histoire*, launched in 1992, devotes a column to archive news and to collections recently made available to researchers.

SECTORIAL GUIDES

The development of business archives and historical missions paved the way for the edition of guides which often go further than the company alone, embracing entire sectors like electricity, transports, tobacco:

- EDF-GDF, *Mémoire écrite de l'électricité et du gaz, les archives des anciennes sociétés* (EDF-GDF, 1990, 1992); and Arnaud Berthonnet, *Guide du chercheur en histoire de l'électricité* (EDF-GDF, 2001)
- Henri Zuber, Sheila Hallsted-Baumert, Claude Berton, *Guide des sources de l'histoire des transports publics urbains à Paris et en Ile-de-France, XIXe-XXe siècles* (Publications de la Sorbonne, 1998)
- Gérard Emptoz, Valérie Marchal, *Aux sources de la propriété industrielle. Guide des archives de l'INPI* (INPI, 2002)
- Muriel Eveno and Paul Smith, *Guide du chercheur. Histoire des monopoles du tabac et des allumettes en France, XIXe-XXe siècles* (Editions Jacques Marseille, 2003).

REGIONAL GUIDES

A few regional guides focused on business archives have been published: Catherine Dhérent, *Archives du Monde du Travail*, région Nord-Pas-de-Calais (Archives départementales du Nord, 1986); François Robert, *Les archives d'entreprises en Rhône-Alpes, XIXe-XXe siècles* (Maison Rhône-Alpes des sciences de l'homme, 1993 and 1994); Juliette Nunez, *Guide des sources de l'histoire du monde du travail et des entreprises en Haute-Corse* (Archives départementales de la Haute-Corse, 1993).

It is worth consulting the general guides published by the different regional record offices: nearly all French regional record offices ('Archives départementales') have published a guide or give information through their websites (addresses can be found in the national directory mentioned above). A national database, 'Bora' (ie Base d'orientation et de recherches dans les archives), provides information on private archives (including businesses) kept in French regional archives (<http://daf.archivesdefrance.culture.gouv.fr/sdx/ap/>).