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Commission pour l'indemnisation des victimes
de spoliations intervenues du fait des législations
antisémites en vigueur pendant l'Occupation

Vingt ans de réparation des spoliations antisémites pendant l'Occupation : entre indemnisation et restitution

Colloque organisé par
la Commission pour l'indemnisation des victimes de spoliations intervenues
du fait des législations antisémites en vigueur pendant l'Occupation (CIVS)
le 15 novembre 2019 à Paris

The Challenge for Looted Libraries, a comparative approach to provenance research and restitution (by Antonia Bartoli and Sebastian Finsterwalder to the symposium organized by the CIVS in Paris, on November 15, 2019)

(seul le prononcé fait foi)¹

Antonia Bartoli: Thank you to the organizers for the invitation, speaking on behalf of Sebastian and myself, we're delighted to be here. In lieu of a formal presentation, we have decided to have an informal discussion or rather question and answer session between the two of us. While in theory we have similar positions – researching collection items in an effort to identify objects that were lost, looted, forcibly sold, sold under duress or otherwise displaced between the years 1933 and 1945. Due to the nature of our collections in terms of size and location, as well as the collection items themselves, we ultimately have different positions and our research goes in different directions. We hope with the present format to draw out some of these comparisons.

Before hearing from Sebastian, to give you some background on the British Library: the British Library is the national library of the United Kingdom, founded in 1973, via the British Library Act. The earliest iterations of the collection, however, date to 1753, the origins of which can be found with the British Museum Library. The collection is numbered at over one-hundred and fifty million items, and includes a range of media in addition to books and manuscripts, including periodicals, maps, printed music and postage stamps. While much of the holdings are British, the library is encyclopedic and retains a wide range of heritage materials, historic and modern, and from all over the globe.

With regard to questions pertaining to the Nazi period, the British Library has approximately seven million collection items that date before 1945, and were acquired either by purchase or donation. Not all of these objects are suspicious nor problematic, and the British Library has employed methodologies for identifying objects that can be ruled out from suspicion. But the 'made before 1945,' and 'acquired after 1933' is the general criteria used for identifying what to examine. Since 1998, when the UK signed the Washington Principles as a national institution, the British Library has undertaken several research initiatives to identify potentially problematic holdings from the collection: between 1999 and 2003 a researcher was hired to research select areas of the holdings; in 2015, a part-time Spoliation Curator was again hired to review areas of the collection, and in 2017 my full-time role was created as part of a three year project to undertake research on two gifts made to the library in 1968 and 1987, both of which I will discuss today. The British Library is unique as it were to be the only national institution to have a member of staff devoted exclusively to researching the Nazi period.

¹ La vidéo de cette intervention est consultable à l'adresse : <https://www.documentation-administrative.gouv.fr/adm-01859446>

Sebastian Finsterwalder: The library I work at is a public library and always has been, and while it is the largest public library in Germany, it still has a comparatively (to the British Library) small stock of about 3.5 million. In a very Berlin way, the current entity of this library is comprised mainly of the stocks of the two largest public libraries of former East- and West-Berlin. And while all predecessor-libraries that over time merged into the Central and Regional Library of Berlin (Zentral- und Landesbibliothek Berlin - ZLB) do have Nazi-looted books in their stocks, the focus of our research is still the Berlin City Library. This library was founded in 1901 and did play an active role in the looting of books, mainly from the Jewish population of Berlin, and has the largest "old stock", meaning the most books printed before 1945.

Antonia Bartoli: While the Zentral-und Landesbibliothek as you say is not on the scale of the British Library, it's nevertheless not a small collection - three-point-five million collection items - how do you go about identifying objects of problematic origin?

Sebastian Finsterwalder: Acquisition journals do help a bit when it comes to setting priorities but basically, we do have to check each and every book by hand for marks of provenance. Actual identification usually comes much later in the process; we are still mainly trying to record information and make it available for further examination. What about you, I imagine you do work quite a bit more with sources like sale catalogues, auction house records and the like?

Antonia Bartoli: In terms of actually identifying objects of potentially problematic origins within the library, generally speaking, this is one of the biggest challenges. As noted, we have seven million collection items, which fit the criteria of what might constitute checking for issues, or additional provenance research: made before 1945 and acquired after 1933. Nevertheless, we take a pragmatic approach and have honed in on groups that we know were circulating the market during the Nazi period; originated or were collected in continental Europe; or conversely, that are 'unique' and are ostensibly identifiable on lost object registries or inventories. This latter group typically encompasses items that are manuscripts or manuscript copy, items with fine or artistic bindings, or that were printed in limited editions. For some of this research it is looking to the library archives, and subsequently sale catalogues and records, seeking to establish when, where or from whom either the library or a vendor or donor acquired the objects in question. Unfortunately, the historical systems for recording acquisitions has varied from department to department within the library so there is no one systematic way of checking everything that has entered the holdings during and after the period of concern.

Most of my research, however, has been focused on two collection areas: the Henry Davis Collection of Bookbindings, gifted to the British Museum Library in 1968, and the Stefan Zweig Collection, gifted to the British Library in 1986. The former is an encyclopedic collection of decorative bindings dating between the twelfth through mid-twentieth centuries, acquired by British businessman and bibliophile Henry Davis, O.B.E. (1897-1977) from dealers and at auction from the 1930s through mid-1960s. The latter group consists of music, literary and historic manuscripts dating between the sixteenth through mid-twentieth century, and collected by Austrian literary figure Stefan Zweig (1881-1942). As we know in each instance

when the library acquired this group, much of the research for each has been establishing where the respective collector acquired the objects. Thankfully, both kept fairly well maintained and documented records regarding their acquisitions.

Henry Davis kept a log book noting where, when and from whom he acquired almost every item in his collection, including price paid. However, as these sales were typically administered by dealers or auction houses, research has required considerable consultation of additional sale records and archives, as well as exhibition catalogues in some instances, as many these works were exhibited as works of art. For this group I also check each object for markings, labels and other clues as to prior owners.

Stefan Zweig similarly kept pretty exceptional records for most of his acquisitions, including a series of detailed notecards, but much of the research has been a matter of going through his personal papers and other effects. In some instances, when we know from whom Zweig acquired the manuscripts, it's been a matter of sussing out the nature of the circumstances under which he acquired pieces from friends or colleagues. Zweig continued adding to his collection up until his death by suicide in South America, and as he maintained relationships and collected from individuals who remained on the continent, many of whom were victims of Nazi persecution, or subsequently fled Europe, I've been examining the possibility some items might have been passed along to him for safekeeping, or under duress.

Finally, as a lot of the objects under investigation are uniquely identifiable or have been classified as works of art in their own right, each object is also checked against lost art and object databases such as LostArt.de, the Répertoire Biens Spoliés, and Einsatzstab Reichsleiter Rosenberg (Jeu de Paume) Database, amongst others.²

As I understand it, Sebastian, you are also often trying to identify former owners. Are there any resources that you would say are the most useful or crucial for your research?

Sebastian Finsterwalder: Apart from our own database³ we try to use every available resource that in one way or another records the provenance of books, be it Exlibris-Databases like Art-Exlibris⁴ from Denmark, the Offenbach book signs and Exlibris catalogues⁵ or the Integrated Authority File (GND)⁶, as well as a small, but growing collection of reference books.

The same goes for the research regarding the previous owners and heirs: genealogical databases, memorial platforms like Yad Vashem⁷ etc. are important tools, but since we are

² LostArt.de: <http://www.lostart.de/Webs/DE/LostArt/Index.html>; Le Répertoire des biens spoliés en France durant la guerre 1939-1945: <https://www.lootedart.com/P4TXFK848581>; Cultural Plunder by the Einsatzstab Reichsleiter Rosenberg: Database of Art Objects at the Jeu de Paume:

³ Looted Cultural Assets: <https://lootedculturalassets.de>

⁴ Art-exlibris.net, the digital Exlibris-Museum, provided by the Frederikshavn Art Museum & Exlibris Collection

⁵ NARA M1942. Photographs relating to recovered books and artifacts processed at the Offenbach Archival Depot in Germany after World War II. Series "Library Markings From Looted Books" and "Photographs Of "Ex-Libris" Library Bookplates".

⁶ Gemeinsame Normdatei (GND) <https://www.dnb.de/gnd>

⁷ Yad Vashem: The Central Database of Shoah Victims' Names: <https://yvng.yadvashem.org/>

working in Berlin, we of course do research in the relevant local archives and are always also collecting printed records like memorial books.

However, I feel the main asset for both kinds of research is a functioning network of researchers, a network that is both international and interdisciplinary.

Antonia Bartoli: I could not agree with you more on having a network of researchers. One of the challenges faced at the British Library, is that I am the only curator pursuing these lines of inquiry. Especially when it comes to researching an encyclopedic collection with objects from all over the globe, having a network that spans a number of nations is vital.

With this in mind, and speaking again to some of the challenges of this research, what do you do when you are stuck on an object or a question? Where do you turn, and how do you for example publicise your research, or allow for claimants, heirs or others who might have information to step forward?

Sebastian Finsterwalder: The sad reality is that if I am stuck, I move on to the next case. We still have hundreds of thousands of books to record, thousands of names to research. But we do publish everything we find immediately online on lootedculturalassets.de, even before we've done any research, and also we do not delete records.⁸ The database is indexed by common web-search engines, so we always do have a chance that people more knowledgeable about certain names, certain stamps, might be able to find us, and ideally inform us. Apart from that we do have the library's website, which we use to publish information, also on cases that are essentially finished, but where we still have not found a "fair and just solution".⁹

The British Library has a great series on your work in the form of blogposts online, "Findings from the Bindings" - apart from that, how do you (or how do you plan to) document and publish your research?

Antonia Bartoli: The British Library aims to not only be proactive with this research, but also transparent: we have several ways in which we make provenance or 'spoliation' research publically accessible. Similar to most national institutions in the UK, if there are any items that we have outstanding questions on, or where research is inconclusive or has come to a dead end, we publish them with full cataloguing and known provenance on the UK Collections Trust 'Spoliation Reports from UK Museums' page.¹⁰ Additionally, digital cataloguing is a continuous process in a collection of the British Library's size, and objects that have not previously been added to our central library database 'Explore,' or are included, but without provenance, are added or updated accordingly.¹¹ Beyond this, we try to find creative ways to share our findings or again, make the research as publically available as possible - while also

⁸ For details on which records and what information is recorded, see

<https://lootedculturalassets.de/index.php/faq/Faq/Show>

⁹ <https://www.zlb.de/en/subject-information/special-area/provenienzforschung.html>

¹⁰ UK Collections Trust, *Spoliation Reports from UK Museums - The British Library*

<http://records.collectionstrust.org.uk/records/british-library/>

¹¹ *The British Library Catalogue:* http://explore.bl.uk/primo_library/libweb/action/search.do?vid=BLVU1

making the research interesting and informative. The 'Findings from the Bindings' blog series which I published over the summer, and features provenance findings from individual items in the Davis Collection is one such example.¹²

One of the particular challenges for a library, dissimilar to a museum for example, is displaying objects we research. Nevertheless, in our Treasures Gallery, which highlights particularly rare or exceptional objects in the collection on a shifting rotation, we have included features regarding spoliation or provenance findings.

Finally, I am continuously surprised by the power of social media as an effective channel for publicizing research and findings. As it were, it was one of the first instances in which I was introduced to some of your work in Berlin: shortly after I began working at the British Library I had noted your sharing of recent restitutions from the library through written reports posted on LinkedIn.

Will you share a bit more on the number of cases or returns you've facilitated? It would also be interesting to hear the types of collections from which the books originated.

Sebastian Finsterwalder: Since I started working at the ZLB, I was more or less involved in several hundred restitutions; we so far returned about 1.000 objects, mainly books. Mainly books that would not be considered part of a collection, but household books people just have at home on their shelves – a bit of Goethe, some Shakespeare, a little guide for Prague, Vienna or Paris. Sometimes, the profession of the previous owner is reflected in the titles, think of lawyers, doctors, writers, but they of course also had books on how to identify mushrooms or some adventurous travel literature. The title may give an indication, but can hardly serve as evidence, at least in our case.

How is this different at the British Library? And have you come across any cases of Nazi-loot that might be subject to restitution?

Antonia Bartoli: The British Library has previously returned three objects to former owners: in 2009, the 'Benevento Missal,' a twelfth century liturgical manuscript, was restituted to the archdiocese of Benevento, under the premise that it had been spoliated from a monastery shortly after the bombing of Naples sometime between 1943 and 1944. In 2014, the 'Biccherna panel,' a fifteenth century painted panel, which had been used to encase tax records in early modern Siena, was restituted to the heirs of a dealer in Munich, whose gallery stock was forcibly sold at auction in 1936; this example was really a best case example of 'fair and just solutions' where the heirs chose compensation in lieu of physical restitution, and the panel remains in our collection. It offers a wonderful example where we've been able to highlight its ownership history and educate our patrons on the history of Nazi spoliation. Finally in 2017, 'Die Goldenen Waffen,' a paperback play by German author Hans Josef Rehfisch, was restituted to the heir of Viennese collector Karl Maylaender.

¹² *Findings from the Bindings Blog Series:* <https://blogs.bl.uk/untoldlives/2019/05/findings-from-the-bindings-nazi-era-spoliation-research-i-the-nazi-destruction-and-looting-of-librar.html>

From the Davis Collection, two objects have been identified as having been spoliated. The first item, a sixteenth century Venetian manuscript, is listed in the Repertoire Biens Spoliés, as having been spoliated from the collection of Jean Furstenberg (1890-1982). Our research, however, ultimately showed that the item was restituted to Furstenberg in the postwar period.

Another item, a sixteenth century Venetian Ducale, which I've been researching for over two years now, is the second example from the Davis Collection, and reflects how complex and drawn out these investigations can be. Shortly after commencing research on the Davis Collection, I identified that the manuscript was spoliated from the Zamoyski Family Library, a privately formed aristocratic collection in Warsaw, shortly after the Nazi occupation. Since the 1950s, the manuscript has been listed as missing in the various catalogues of the collection. Through the course of my research, however, I uncovered documentation indicating that the manuscript had in fact been recovered at the end of the war, although instead of being returned to the family or the National Library, to whom the family entrusted the surviving parts of their collection in light of the nationalisation of private property under the Soviet Agricultural Reforms of 1944-1948, it was sent to the National Museum, Warsaw, where it was subsequently nationalised. To date there has not been a claim made for the manuscript's recovery, however, we've been collaborating with the Polish National Library on research, and are keen to clarify the objects ownership history as far as possible. At this stage we're waiting on information from the National Museum, Warsaw, in an effort to identify when and under what circumstances the manuscript ultimately left the museum, and as it were the possibility it might have been returned to the family after all. Again, our approach is a proactive and transparent one, and while we seek to do as much as we can our own, we recognize at the British Library that it's through collaboration and an open access system that we are able to achieve more.

What has your experience been with other institutions, whether public or private, German or otherwise, and do you frequently work together with others?

Sebastian Finsterwalder: In fact our database is born of a cooperative effort and currently collects the research done in nine different German libraries.¹³ We're connected to the relevant research groups like the Arbeitskreis Provenienzforschung¹⁴ and an informal working group of librarians, mainly from Germany and Austria, which meets bi-annually¹⁵. Apart from that, what I actually would welcome very much and would also be willing to work on in the future would be a resource that would make it possible for researchers to communicate on an international and interdisciplinary level. There is an online platform¹⁶ provided by the DZK,

¹³ At the time of writing, the participants were: Badische Landesbibliothek, Karlsruhe; Stadtbibliothek Hannover; University Library, Potsdam; Library of the Freie Universität, Berlin; Stiftung Neue Synagoge Berlin – Centrum Judaicum; Institute for the History of German Jews, Hamburg; ZBW - Leibniz-Informationszentrum Wirtschaft, Kiel; Hochschule für Jüdische Studien, Heidelberg; Central and Regional Library, Berlin.

¹⁴ <https://www.arbeitskreis-provenienzforschung.org/>

¹⁵ *Arbeitskreis Provenienzforschung und Restitution - Bibliotheken*

¹⁶ *Provenance Network:* <https://provenienzforschung.commsy.net/>

however it is not really up to standard, German-language only and also is connected to and in fact provided by a dependent stakeholder.

I am always wondering how things like these are looked at from outside Germany and outside the German-speaking professional bubble?

Antonia Bartoli: I am always very grateful for German and Austrian colleagues who have assisted or fielded inquiries on a personal level in the past; on a larger, more organized level, there are language barriers if one is not proficient in German. Furthermore, while provenance research may start with German tools or resources, it is not exclusively so. From the perspective of an encyclopedic collection, German resources, information sharing and networking is just one aspect to the research, and on any given day I might find myself confronted by or considering objects that may pose problematic Dutch, French, Polish, Czech or other lines of inquiry, in which case I am required to consult a number of platforms or resources. To have an international and interdisciplinary forum for communication would be invaluable – and interdisciplinary in the sense it would encompass not only a range of cultural property, but professionals from the art market, book trade, law and academia, in addition to collections based institutions.

Thinking more about the future of this field, in light of the fact that chronologically we are stepping further away from the years 1933 to 1945, where do you see this research going in the future? Would you give a time stamp on it, and how do you see it changing either in terms of outcomes or process?

Sebastian Finsterwalder: No, I am not an advocate of any "Schlussstrich" – we have barely started. I have also made the experience that especially the third generation after the Holocaust is very receptive, very interested in both their individual family history, as well as, possibly because of the current global political situation, the mechanics of the persecution 1933-1945. I do not see this issue going away or becoming less significant in the near future, quite the opposite.

What is your sense of the future for the field, and would you have any advice for surviving heirs or claimants on where or how to look for property that was expropriated or lost?

Antonia Bartoli: I completely agree with you, especially in terms of printed material, we have only just scratched the surface, and there is significantly more to be done and found.

In terms of what to advise heirs or claimants specifically with regard to printed material, it's a tough one. Having worked on behalf of claimants prior to my role at the British Library for a brief period, but within an art context, we'd scour auction catalogues, museum websites, and online platforms such as Artnet or Invaluable for upcoming sales. For books though, it is like searching for the very tip of the needle in a haystack. Unless it's rare or antiquarian material, catalogues for collections might never have existed, so one wouldn't even know what they're looking for. What also makes it challenging is the antiquarian book trade has less of an online platform than the art market. And, while it's still uneven within art museums, it's even more rare to have libraries with catalogues that include full provenance information. At the British

Library, we recognize that this burden of searching often falls on claimants or heirs so we very much encourage them, whether private citizens or larger institutions that incurred losses – libraries, universities, Jewish communities - to contact us and share whatever information they might have. My best suggestion though beyond this would to be to contact relevant agencies such as the CIVS, Jewish Claims Conference, Holocaust Claims Processing Office or Commission for Looted Art.