

**THE SÁROSPATAK CASE:  
RARE BOOKS RETURN TO HUNGARY FROM NIZHNII NOVGOROD  
A NEW PRECEDENT FOR RUSSIAN CULTURAL RESTITUTION?**

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and  
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On 1<sup>st</sup> March 2006, Russian President Vladimir Putin symbolically opened an exhibition of rare books returned from Russia at the Hungarian National Museum in Budapest. The 136 early imprints – all from the library of the Calvinist College in Sárospatak in northeastern Hungary – had spent 60 years as prisoners of war in Nizhnii Novgorod (renamed Gorkii during the Soviet period [often Gorky in English]). With the approach of war in 1938, the most valuable books in the renowned Sárospatak library had been placed in bank vaults in Budapest. Allegedly removed by the Germans in 1944, and recovered by a Red Army unit north of Berlin in 1945, together with other art treasures from major Hungarian private collections, they were transported to the Soviet Union as war trophies. They spent the next half century in hiding in Gorkii, 200 km. southeast of Moscow on the Volga, before returning to Budapest in late February 2006. Hungarian President László Sólyom and Prime Minister Ferenc Gyurcsány were on hand to welcome the books that President Putin was returning to Hungary with a chamber music group playing Liszt amidst the formal addresses.<sup>1</sup>

The current director of the Nizhnii Novgorod State Regional Scientific Library, Natalia Kuznetsova, was also on hand for the ceremonial

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1 Aleksandr Kolesnikov, 'Restitutsiia: Vladimir Putin vernul bibliotechnye knigi', *Kommersant*, 2 March 2006, with illustrations: <http://www.kommersant.ru/doc.html?docId=654123>. See also the English-language announcement on the website of the Hungarian National Museum: [http://www.museum.hu/search/temporary\\_en.asp?IDT=4356&ID=55](http://www.museum.hu/search/temporary_en.asp?IDT=4356&ID=55).



In the National Museum of Budapest, Russian President Vladimir Putin, centre, and Hungarian President László Sólyóm, left, attend the opening ceremony for the exhibition of early books from the Sárospatak library on 1 March 2006, where Putin officially returned the books to Hungary. (Photo by Ilya Pitalev/Kommersant)

occasion in Budapest. She admitted to a correspondent from the Moscow newspaper *Kommersant* that indeed she was “very sorry” to see the books leave her library. “This morning I went to the museum and saw them all so well exhibited. It was all so beautiful ... My eyes filled with tears”, she said. “But then I withheld my tears. All of this is a diplomatic situation, and it is not appropriate to reveal one’s inner emotions”. Symptomatic of the importance of the homecoming and in contrast were the Hungarian cheers that the Moscow correspondent reported.<sup>2</sup> In the days that followed, there were long queues outside the museum for the exhibition.

Following display in Budapest, the books from Nizhnii Novgorod were transferred home to Sárospatak at the end of June 2006, in time to celebrate the 475<sup>th</sup> anniversary of the college from whence they came. Founded in 1531, the Sárospatak library had been enriched over the centuries by collections of Hungarian nobility and the princes of Transylvania, including several thousand volumes from the collections of Prince György Rákóczi the First and his wife in the seventeenth century, which thereby made the Collegium Great Library the most valuable in Hungarian lands at that time.

The total of 146 books returned from Russia in 2006 includes the 136 books transferred in February and an additional ten volumes

<sup>2</sup> *Ibid.*

that arrived in Budapest in April, following further insistence by the Hungarian side who had identified all 146 in the 1990s.<sup>3</sup> Those books represent a majority of the most valuable books of the college library that had been placed in two different Budapest bank vaults in 1938. An official catalogue of Hungarian cultural losses, compiled by László Mravik, was issued by the National Gallery and the Hungarian Ministry of Culture and Education in 1998. Entitled the *Sacco di Budapest*, it includes a two-page summary about the Sárospatak losses, citing the figure of 1,225 printed books missing at that time. Among eleven manuscripts listed, Mravik considers the leather-bound parchment illuminated Bible (the oldest known Polish Bible in a manuscript dating from 1390-1455) as “the library’s principal treasure”.<sup>4</sup> Elsewhere Mravik described the Soviet-looted bank deposits in more detail: “124 items of old printed material, unique books, rare books and manuscripts, including the oldest student register the College possessed” had been deposited in the Hungarian Commercial Bank of Pest (Pesti Magyar Kereskedelmi Bank). At the same time, “a large number of very valuable old and rare Hungarian books”, along with “a part of the medallion collection belonging to Sárospatak College” had been deposited in the First Hungarian Savings Bank (Első Hazai Takarékpénztár Részvénytársaság).<sup>5</sup> A more recent Hungarian account states that 1,373 of the highly prized books were placed in one Budapest bank, while the 172 deemed the most valuable in the second. It notes that the first register of college students “was found dumped on a rubbish heap after the war”, while there is still “no trace of the Bible” and College’s collection of 50 gold medallions.<sup>6</sup> Those

- 3 Dóra Gyarmathy (Hungarian Radio), ‘Coming home ... After 60 years 136 highly valuable books arrived back to Hungary’, Heritage Radio Network (2 March 2006). Several Internet announcements reported the additional ten volumes..
- 4 László Mravik, *The “Sacco di Budapest” and Depredation of Hungary, 1938-1949: Works of Art Missing from Hungary as a Result of the Second World War: Looted, Smuggled, Captured, Lost and Destroyed Art Works, Books and Archival Documents: Preliminary and Provisional Catalog*, translated from the Hungarian by Chris Sullivan, Bertalan Szilánk, and László Mravik (Budapest: Hungarian National Gallery for the Joint Restitution Committee at the Hungarian Ministry of Culture and Education, 1998). In the English edition, within the Sárospatak listings (pp. 404-405), the first is no. 41109 (Sárospatak inventory no. Kt. 1), ‘Biblia Polonica (Biblia Szarospatacka)’ (1390-1455), p. 404; a facsimile was published in Poland in 1930.
- 5 László Mravik, ‘Hungary’s Pillaged Art Heritage – Part Two: The Fate of the Hatvany Collection’, *Hungarian Quarterly* 39, no. 150 (Summer 1998), pp. 62-63, p. 77. See the highlights at <http://www.hungarianquarterly.com/no150/053.html>. The first part of Mravik’s article, ‘Theft and Destruction 1944-45’, *ibid.*, no. 149 (Spring 1998), pp. 96-107, describes extensive Soviet damage and plunder.
- 6 ‘The Return of the Sárospatak Library – Finally’ (3 March 2006; unsigned): <http://hvg.hu/english/20060303sarospataklibrary.aspx?s=news181>. László Nagy dates the manuscript Polish Bible (1390-1455) in *Spoils of War: International Newsletter*, no. 4 (1997), p. 47.

differing figures for the books in the bank vaults may reflect the fact that many of the books were bound as convolutes; a February 2006 press release by the Hungarian Ministry of Culture claimed “A total of 170 volumes of the Sárospatak collection were kept in the vaults of several Budapest banks during World War II.”<sup>7</sup>

Meanwhile, another 75,000 volumes from the Great Library of the Collegium survived the war in Sárospatak itself. Ironically, according to local lore, those books were saved from looting at the end of the war by the Red Army or the local population by the diligence of Captain Petr Yegorov, the Soviet commandant in the Sárospatak area after liberation from the Germans, who assigned guards to the college buildings. That story was earlier revealed at a Moscow conference in 2001 by Rev. Dániel Szabó, Vice President of the Synod of the Hungarian Reformed Church, to which the college is related.<sup>8</sup> The story was repeated by President Putin when he presented the books in Budapest.

On Friday 14<sup>th</sup> July, a ceremony in Sárospatak welcomed the books home from Russia to the historic library. Among the guests attending from Russia was Ekaterina Iu. Genieva, Director-General of the All-Russian Library for Foreign Literature (VGBIL) in Moscow, the acknowledged heroine in the long drawn-out negotiations for the return of the early religious books.<sup>9</sup> Nizhnii Novgorod library director Natalia Kuznetsova was also on hand for the July homecoming ceremony, as were Yegorov’s son and daughter.

The Moscow Foreign Literature Library (VGBIL), which has led efforts in Russia to describe foreign rare books that came to the Soviet Union after the Second World War, published a catalogue of the Sárospatak collection in Nizhnii Novgorod in 1997, covering the 136 volumes returned to Budapest in February.<sup>10</sup> It includes six of the eleven

7 ‘Sárospatak Library Treasures Returned to Hungary’, at the Hungarian Ministry of Cultural Heritage website, 23 February 2006: [www.culture.hu](http://www.culture.hu).

8 Dániel Szabó: ‘Rozhdenie Kolledzha i biblioteki v Sharoshpatake, i ikh znachenie dlia vengerskoi natsii i reformirovannogo mira’- <http://www.libfl.ru/restitution/conf01/sabo.html>.

9 See ‘Sárospatak Celebrates Return of Books’, at the website of the Hungarian Ministry of Cultural Heritage: [http://www.culture.hu/culture/history/news/D999\\_news\\_200251.html](http://www.culture.hu/culture/history/news/D999_news_200251.html), with pictures from the ceremony. Genieva was accompanied by Karina Dmitrieva, who heads the VGBIL Rare Book Department and directs the VGBIL centre devoted to problems of displaced cultural treasures and restitution issues. After their return to Moscow, they met with Patricia Grimsted (24 July 2006) to discuss some aspects of the Sárospatak case. We are grateful for their input in connection with this article.

10 *Trofeinye knigi iz biblioteki Sharoshpatakskogo reformatskogo kolledzha (Vengriia) v fondakh Nizhegorodskoi gosudarstvennoi oblastnoi universal’noi nauchnoi biblioteki: Katalog/ Displaced Books from Sárospatak Calvinist College Library (Hungary) in the Collections of Nizhny Novgorod Regional Research Library: Catalogue*, comp. E.V. Zhuravleva, N.N. Zubrov, and E.A.

manuscripts and eight of the twelve incunabula listed by Mravik. But comparison is difficult, because the VGBIL volume gives more detail and lists several not listed in the Budapest volume, although it does not list the ten additional volumes returned to Hungary in April 2006. At the time of both publications, when there appeared little hope for restitution, the Russian and Hungarian sides were not closely co-ordinated. The Mravik list, published a year later, did not take into account the Moscow findings, nor were the Moscow findings co-ordinated with surviving Hungarian inventories of books that had been placed in the bank vaults. Nevertheless, a decade later in Sárospatak on 14<sup>th</sup> July 2006, there were many thanks that the 146 volumes had finally come home from Russia. Following the ceremonies, both sides have agreed on closer co-ordination and a joint publication with more details about the collection and its history and codicological aspects.

The initial 136 books returned to Hungary in February in fact comprise over 1,300 titles, many of them bound as convolutes, as apparent in the 1997 VGBIL catalogue. Indicative of international interest in the collection, a website from the Corvina Foundation in Princeton (New Jersey) describes in more detail seventeen early highlights from the collection with quality coloured images prepared by American Professor Paul Shore from St Louis, when the books were still in Nizhnii Novgorod.<sup>11</sup> The majority of the books are of a religious nature, representing many key European centres of learning and important early printers. The earliest item returned is a manuscript parchment tract 'Theologia scholastica' (on scholastic theology) from Vienna dated 1404, a gift to the Great Library of the Collegium in 1788. The parchment covers of its binding represent leaves from an earlier Hebrew manuscript, identified as being part of the introduction to Moses Maimonides' 'Guide for the Perplexed'.<sup>12</sup> Among nine other manuscripts returned is a large eighteenth-century compendium of fragments from the sixteenth, seventeenth and early eighteenth centuries.<sup>13</sup>

Among the 22 incunabula are four early Bibles; an illustrated one

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Korkmazova (Moscow: 'Rudomino', 1997). A supplement is being prepared at VGBIL covering the ten additional volumes returned in April 2006.

11 <http://www.corvinafoundation.org/table%20version%20front.htm#tocc>, with commentaries by Professors Paul Shore of St Louis University (Missouri) and Richard Quandt of Princeton. I am grateful to Professor Quant for alerting me to their project and to Professor Shore for clarifying important details and providing images.

12 'Theologia scholastica' (241 folios), with the incipit '*Primus liber sententiarum*', VGBIL, no. 1308 (M41110). The title page together with the front and back covers with leaves from the Hebrew manuscript are pictured and identified at the Corvina Foundation website cited above (fn. 11). In this and further references, Mravik catalogue numbers (M) are added to those of the VGBIL catalogue where available.

13 'Collectio manuscriptorum Csengeriana historico-juridica' ([2], 296 folios), VGBIL no. 1303 (M41116; Sp. 402).

was printed in Nuremberg (Anton Koberger, 1483); two others were from Basel (1491 and 1498) and the fourth from Venice (1498). There are two early printed editions of St Augustine (Basel, 1490), and one of Seneca (Venice, 1492).<sup>14</sup> Three early Mainz imprints include a Catholic religious tract *Catholicon* by Johannes Balbus (1460, provisionally attributed to Gutenberg in the VGBIL catalogue, but not elsewhere so identified), an edition of the Justinian Code of Laws printed by Gutenberg's pupil, Peter Schöffer (1475), and Bernhard von Breitenbach's illustrated account of his 1483 travels to the Holy Land, the first printed travel book (Mainz: E. Reuwich, 1485).<sup>15</sup>



The earliest manuscript returned from Nizhnii Novgorod. The outer front cover of the manuscript 'Theologica scholastica' 1404 (VGBIL, no. 1308), representing a fragment of an earlier Hebrew manuscript of Moses Maimonides' 'Guide for the Perplexed', with stamps of Sárospaták and the Nizhnii Novgorod Library, where it had been registered as Ts6655.2. (Photo by Paul Shore, courtesy Corvina Foundation)

A copy of the famous *Vizsoly Bible*, printed in the neighbouring Hungarian town of Vizsoly, represents the first Hungarian translation by Gáspár Károlyi (1589-1590).<sup>16</sup> There are many other biblical texts, hymnals and prayer books for church services.

Printed tracts presenting disputes from the Protestant Reformation include one by Martin Luther (Basel, 1546), signed by the author. Among over 40 imprints from the eastern Hungarian city of Debrecen is an intriguing sixteenth-century Hungarian volume for children by Sebaldus Heyden presenting idiomatic phrases in Latin, Hungarian, German and Polish.<sup>17</sup>

14 Augustine, *De Civitate Dei* (VGBIL 0089 [M41126]) and *De Trinitate* (VGBIL 0090 [M41125]), and Lucius Seneca, *Opera Philosophiae et Epistolae* (VGBIL 0873 [M41127]). The Bibles are listed respectively as VGBIL, nos. 0117 (M41122), 0117a, 0118 (M41130), and 0119. Two of those incunabula are not listed by Mravik, but he lists an additional Bible (Strasbourg, 1468).

15 The Mainz imprints are respectively VGBIL, nos. 0092 (M41120), 0246 (M41122) and 0108 (M41124). Images of the title page and final page with commentary on Bernhard von Breitenbach [Breydenbach]'s *Beschreibung des gelobten Landes im Jahre 1483* appear on the Corvina Foundation website, above, note 11. (Apparently the Sárospaták copy now lacks the frontispiece with the famous fold-out map.)

16 VGBIL, no. 0121.

17 Debrecen, 1596; first published in 1527. Sebaldus Heyden, *Formulae puerilium colloquiorum Latino-Ungaricorum...* (Debrecen: P. Lipsei, 1596), VGBIL no. 450a. The title page and colophon are pictured on the Corvina Foundation website, above note. 11.

Ten mid-seventeenth-century Sárospatak imprints (1645-1669) represent the region as a centre of the Reformation in central Europe. Many of the early printed books returned are unique, including many of the Hungarian ones of which no other copies survive. Among the approximately 450 early Dutch imprints (most from Leiden and Utrecht), copies of some of them have not been found today in any libraries in the Netherlands or registered elsewhere.<sup>18</sup>

Restitution of cultural treasures 'displaced' to the Russian Federation as a result of the Second World War has been a long and tedious process, but this was a special case. It is one of the few success stories since the revelations about Soviet 'trophy' books in the early 1990s, when world attention started focusing on the extensive cultural trophies that were displaced to the Soviet Union following the Second World War. Unlike the serious programmes for the restitution of plundered cultural treasures undertaken in the American and British Zones of Occupation following the end of hostilities in 1945, the Soviet Union opted for 'compensation' for the extensive destruction and plunder of cultural property suffered during the war. Most of the cultural treasures brought home from the war by official transports as well as individual soldiers were hidden away, and even to date only a small percentage of these have been adequately identified.<sup>19</sup> Sixty years after the end of what Russians still term the Great Fatherland War, large segments of the Russian public oppose the return of the trophy cultural treasures brought to the Soviet Union on Stalin's orders. Relatively few Russians have been concerned that some of the cultural 'compensation' brought back from the war is in fact the property of others who were similarly victimised by the Nazi regime. Such attitudes were behind the 1998 Russian Law, 'On Cultural Treasures Displaced to the Soviet Union as a Result of the Second World War and Held on the Territory of the Russian Federation', as amended in May 2000. As many analysts have pointed out, the law essentially nationalised the cultural property transported to the Soviet Union after the war, but the amendments of 2000 do permit restitution

18 See the published catalogue, *Trofeinye knigi.../ Displaced Books from Sárospatak*, above note 10. Dutch scholars have been researching the collection for several years, including Professor Ferenc Postma of the Free University (Vrije Universiteit), Amsterdam, and Professor August den Holland of the University of Amsterdam.

19 See especially, Konstantin Akinsha and Grigorii Kozlov (with Sylvia Hochfield), *Beautiful Loot: The Soviet Plunder of Europe's Art Treasures* (New York: Random House, 1995; British edition: *Hidden Treasures*), which updates and expands their initial revelations in *ARTnews* in 1991 and their subsequent articles. See also the exposé with text of several of the authorising documents by Pavel Knyshevskii, *Dobycha: Tainy germanskikh reparatsii* (Moscow: 'Soratnik', 1994; also available in German translation).

of property to religious institutions, charitable organisations and individuals who were victims of the Nazi regime.<sup>20</sup>

An estimated twelve million trophy books came to the Soviet Union from Germany, including Silesia (now part of Poland), in the wake of the war, among them many that had been captured by the Germans in occupied countries.<sup>21</sup> The Sárospatak books are the first case of Russian library restitution since the Russian Law of 1998/2000. The legal eligibility of the Sárospatak books for return, however, was complicated (as explained below) by the fact that the Law had listed Hungary as an enemy of Russia, because it was allied with the Axis powers until the German invasion in March 1944.

Before the enactment of that Law, the only other significant Russian library restitution since 1991 had been the return of 608 Dutch books (663 volumes) to the University of Amsterdam in 1992, billed in 1996 as 'Russia's Only Restitution of Books to the West'.<sup>22</sup> Quite by chance, but symbolic of wartime displacements, among the Dutch books returned to Amsterdam was a Dutch nineteenth-century Bible bearing the stamp of the Turgenev Library in Paris. That Bible, now in the library's safe, became the first book to come home among the over 100,000 volumes plundered from that famous Paris Russian library by the Einsatzstab Reichsleiter Rosenberg (ERR). Over two-thirds of

20 The text of the amendments: "O vnesenii izmenenii i dopolnenii v Federal'nyi zakon 'O kul'turnykh tsennostiakh, peremeshchennykh v Soiuz SSR v rezul'tate Vtoroi mirovoi voyny i nakhodiashchikhsia na territorii Rossiiskoi Federatsii'" (25 May 2000–No. 70-FZ) appears in *Sobranie zakonodatel'stva RF*, statute 2259; and electronically: <http://www.libfl.ru/restitution/law/law3.html> and . . . [law5.html](http://www.libfl.ru/restitution/law/law5.html). See more details about the passage of the Russian law and international reaction in Grimsted, *Trophies of War and Empire: The Archival Heritage of Ukraine, World War II, and the International Politics of Restitution* (Cambridge, MA, Harvard University Press for the Harvard Ukrainian Research Institute, 2001), ch. 10: 'The Nationalization of Cultural Trophies in Russia: A New Cultural Cold War in Europe', pp. 389-422. For a Russian legal analysis and perspective, see the relevant sections of Mark Moiseevich Boguslavskii, *Kul'turnye tsennosti v mezhdunarodnom oborote. Pravovye aspekty* (Moscow: 'Turist', 2005).

21 See the introductory essay by Grimsted, 'Tracing Trophy Books in Russia', *Solanus* 19 (2005), pp. 131-45.

22 See F.J. Hoogewoud, 'Russia's Only Restitution of Books to the West: Dutch Books from Moscow (1992)', in *The Return of Looted Collections (1946-1996). An Unfinished Chapter: Proceedings of an International Symposium to mark the 50th Anniversary of the Return of Dutch Collections from Germany*, ed. F.J. Hoogewoud, E.P. Kwaadgras et al. (Amsterdam, 1997), pp. 72-74. See also the exhibition catalogue: *Nederlandse boeken - slachtoffers van de oorlog: Tentoonstellingcatalogus van de boeken uit het fonds van de VGBIL aanhorig bij de Nederlandse bezitters Amsterdam, Universiteitsbibliotheek*, September 1992, comp. M.F. Pronina, L.A. Terekhova, N.I. Tubeeva, and E.E. Eikhman; ed. M.F. Pronina (Moscow: 'Rudomino', 1992). A few copies were published in the original Russian: *Niderlandskie knigi—zhertvy voyny: Katalog vystavki knig iz fondov VGBIL, prinadlezhashchikh vladel'tsam iz Niderlandov, 15-28 iyunia 1992 g.* (Moscow: 'Rudomino', 1992).



the plundered books from that library were found in Poland in 1945. In another case of library restitution (February 2002), 118 books from the Turgenev Library in Paris were returned in a Moscow ceremony by the State Socio-Political Library (GOPB; successor to the library of the Institute of Marxism-Leninism under the Communist Party-IML). Because those 118 books had been found later in Poland and presented to IML by the Polish Communist Party, they did not come under the 1998/2000 Russian Law on cultural treasures 'displaced as a result of the war.' That Moscow 2002 ceremony, opened an exhibition entitled 'Books – Victims of War', which could well have been the title for the Budapest exhibition four years later, where coincidentally many more Bibles and Dutch imprints were involved.<sup>23</sup>

The exhibition opened by Russian President Vladimir Putin in Budapest on 1<sup>st</sup> March represents the first significant return of cultural goods from Russia to Hungary since the collapse of the Soviet Union, although fifteen paintings had been returned in 1972 and some archives were returned to the 'socialist brother' on other occasions during the Soviet period. Following a 1992 agreement between the two countries for the mutual return of all displaced cultural property, there was more hope when President Boris Yeltsin returned two paintings to Hungary during his 1992 visit to Budapest. However, the Sárospatak books had to await the 60<sup>th</sup> anniversary of Soviet Victory in 2006.

The Sárospatak books had been held in Nizhnii Novgorod (then Gorkii) since autumn 1945, along with valuable art from several high-profile Hungarian trophy art collections, such as those of Baron Ferenc Hatvany, Baron Mór Lipót Herzog and Baron Móric Kornfeld, among other wealthy Hungarian Jews, who were forced to flee or became victims of the Holocaust.<sup>24</sup> Approximately 1,000 books arrived in Gorkii with returning troops, along with the art. Initially the rare books were deposited in a local military base, but then in February 1946 were moved to the Gorkii Art Museum, where they remained under wraps until the 1960s. In 1960 the approximately 1,000 books from Hungarian collections were transferred to the Regional Library. Among them 222 volumes have been identified from Baron Kornfeld's library, along with rare books from several other well-known private Hungarian collections.<sup>25</sup> Books still in the Nizhnii Novgorod library from at least three historic collections, including Kornfeld's, were listed

23 See Patricia Kennedy Grimsted, *The Odyssey of the Turgenev Library from Paris, 1940-2002* (CD and Internet version: Amsterdam: International Institute of Social History, 2003; IISG Research Paper no. 42). The 2002 Moscow ceremony is described in the epilogue.

24 See *Catalogue of Art Objects from Hungarian Private Collections/ Katalog proizvedenii izobrazitel'nogo iskusstva iz chastnykh vengerskikh kollektzii*, ed. Ekaterina Genieva et al. (Moscow: 'Rudomino', 2003); available in a PDF file at the VGBIL website: <http://www.libfl.ru/restitution/catalogs/index.html>.

25 These figures are cited by Ekaterina Genieva in her introduction to *ibid.*, p. 28.

publicly on the short-lived Ministry of Culture Internet catalogue of trophy holdings in Russian institutions; they remain today in the Regional Library on the Volga.<sup>26</sup>

The discovery in 1993 by Grigorii Kozlov and Konstantin Akinsha in Nizhnii Novgorod of the Sárospatak books, the debate about their seizure from Budapest and their subsequent migration and fate deserves a veritable detective novel, which can be presented here only in summary.<sup>27</sup> Although the details of their plunder have still been inadequately documented, their discovery deserves highlight now, not only for the fascinating detective work involved, but also because of the subsequent international rescue efforts, and the legal complexities permitting their return to Hungary. Akinsha and Kozlov were aware that many paintings belonging to private Hungarian collections were deposited after the end of the Second World War in the Gorkii (Nizhnii Novgorod) Art Museum, including masterpieces of El Greco and Goya. They had been following that trail since their 1991 revelations about the Russian secret depositories for trophy art.<sup>28</sup> However, the location of the missing Sárospatak library books had remained a mystery.

While researching in Nizhnii Novgorod about the fate of the Hungarian paintings, Akinsha and Kozlov encountered Petr Balakin, an art historian and museum curator. When they asked Balakin about the Hungarian books he told them that indeed some books in foreign languages were delivered after the war to the museum. According to Balakin, some rare west European books were on sale in the second-hand bookstores of the city. He had one of them in his private library, which he showed them. Akinsha and Kozlov immediately identified book markings of the Sárospatak Collegium! Balakin then told them he believed that the books were later transferred in the 1960s from the museum to the Gorkii Oblast Regional Scientific Library.

On return to Moscow, Akinsha and Kozlov met and informed the Ambassador of Hungary to the Russian Federation, Dyord Nanovski, about their findings. Ambassador Nanovski proposed that Akinsha and Kozlov join him on a visit to Nizhnii Novgorod to locate the library. The visit was organised with a broad agenda for the establishment of Hungarian economic co-operation with the region. In addition, the Ambassador requested in advance that the City Administration arrange a meeting for him with the director of the Regional Library. On the day of their arrival in Nizhnii Novgorod, Akinsha and Kozlov also organised a private meeting for the Hungarian Ambassador with art historian Petr Balakin. Balakin presented Ambassador Nanovski

26 The Russian Ministry of Culture website – [lostart.ru](http://lostart.ru) appeared in February 2003, but was closed down by the spring of 2004.

27 The account that follows was composed personally by Konstantin Akinsha, although because he was in Nizhnii Novgorod together with his friend and co-author Grigorii Kozlov, their names are being used together in the third person.

28 See Akinsha and Kozlov, *Beautiful Loot*, above note 19.

with a book in his personal library from the Sárospatak library. He explained that he had purchased the book many years previously in a second-hand bookstore, but now that he knew its story and the source from which it had been plundered, he requested that the Ambassador return the book to its rightful owner – the Sárospatak Protestant Collegium. The Russian art historian then told the Ambassador everything he knew about the fate of the collection.

The next day, during the meeting with the director of the Regional Library, attended by the representatives of the City Administration, Ambassador Nanovski inquired if it were true that some books from Sárospatak were kept in the library. Without a second of hesitation, the director answered that such information was totally false and that no books from Hungary were, or ever had been, in the custody of her library. The Hungarian delegation left the library in disappointment – it appeared that the information provided by Balakin was wrong.

Following the meeting in the library, Akinsha and Kozlov decided to take a walk – the Ambassador had other meetings, which they were not required to attend. When they had gone just a few blocks from the library, a young woman hurriedly approached them. She did not introduce herself by name, but said she was a librarian and that she had been present at their meeting in the library. She was very distraught and emotional: she told them that the director of the library was lying and that she did not want to be an accomplice in this lie. She gave Akinsha and Kozlov a small recent local publication with an article about the manuscript books and incunabula in the library. The article noted that the Nizhnii Novgorod library held 22 ‘Western’ incunabula from many well-known printers in a number of different European countries, including three Bibles and works by Boethius and Seneca. It specifically mentioned two Mainz imprints: the 1460 *Catholicon* attributed to Gutenberg and the 1475 edition of the *Justinian Code of Laws* printed by Gutenberg’s pupil Peter Schöffer, both of which were known to have been held in Sárospatak. It all sounded suspiciously as if the library did indeed hold books from the Sárospatak collection.<sup>29</sup> Akinsha and Kozlov hurried to show the publication to Ambassador Nanovski.

29 E.V. Galitskaia and N.D. Golubeva, ‘Sobranie rukopisnykh knig i inkunabul GOUNB im. V.I. Lenina’, in *V pamiati Otechestva: Materialy nauchnykh chtenii, Gor’kii, 31 maia - 5 iunia 1987 g.*, ed. M.M. Beliakova et al. (Gorkii: Volgo-Viatskoe knizhnoe izd-vo, 1989 [Gor’kovskii gos. literaturno-memorial’nyi muzei N.A. Dobroliubova]), pp. 26-30. A Hungarian website account of the return claims that Hungarian researchers found reference to the first printed edition of Boethius’ *The Consolation of Philosophy* (Nuremberg, 1473; VGBIL no. 0129), which led to the identification of the collection: ‘The Return of the Sárospatak Library - Finally’ (3 March 2006): <http://hvg.hu/english/20060303sarospataklibrary.aspx?s=news181>, but the Boethius imprint was only one of the several incunabula specifically mentioned in the 1989 article cited above that alerted Akinsha and Kozlov.

The following day, the Hungarian Ambassador demanded a second meeting with the library director. During this second meeting, the Ambassador repeated his question. The director again answered that there were no books from Hungary in her library. After that, Nanovski declared that the director must be lying, or at least was not well informed. He then showed her the publication which the young librarian had given to Akinsha and Kozlov. The face of the director changed completely; then she ran out of the room. A representative of the City Department of Culture followed her. He returned in fifteen minutes and announced that the Ambassador and other Hungarian officials could return to the library in a few hours to see the books. The secret of the disappeared collection was revealed.

Hungarian specialists still believe that the books identified in Nizhnii Novgorod had been seized by Soviet authorities from bank vaults in Budapest where they had been deposited for safety in 1938. Hungarian art historian László Mravik in his introduction to his 1998 catalogue *Sacco di Budapest*, and in other writings has claimed that the books as well as the art were confiscated by the Soviets in Budapest in February 1945, amidst extensive Soviet cultural ravages in Hungary.<sup>30</sup> Mravik cites post-war documents composed by the Ministry of Religion and Public Education of Hungary, stating that the Soviet authorities confiscated the rare books from Sárospatak from the vaults of those two banks, and he even describes Russians who were present during the operation, including the director of the Soviet National Bank. However, other than the official ministry sources, no bank receipts or first-hand reports were provided, and there is no further evidence that the Soviets actually took the books.

Furthermore, no documents have surfaced in Russian archives indicating that the books were transported directly from Hungary to Russia and then to Gorkii by what Mravik terms “specialised art looting units of the Red Army”. Most of the records of the Red Army trophy brigades have not been declassified. However, one 1945 Red Army report to the Communist Party Central Committee cites the importance of the family archive from the Esterhazy Castle (Schloss Esterháza) in northwest Hungary (northwest of Kapuvar), where Soviet troops were billeted. The same report also notes “the great picture gallery”, but further Soviet documentation about its possible plunder has not surfaced.<sup>31</sup> In the case of the archive, a

30 Mravik, ‘Hungary’s Pillaged Art Heritage’ *op cit.* note 4. The dates of neither the deposit nor the confiscation are given in the Internet version. Mravik’s article follows the introduction to his published catalogue cited above note 4.

31 The seizure of the materials in Hungary by the Chief of the Politupravlenie of the 2<sup>nd</sup> and 3<sup>rd</sup> Ukrainian Front is reported by Main Political Directorate of the Red Army (GlavPU RKKKA) Deputy Chief I.V. Shikin to G.F. Aleksandrov (14 April 1945), in Central Committee files now held in RGASPI (fond 17/125/320, folios 91-94), published in Gennadii Bordiugov, Wolfgang



The Nizhnii Novgorod Regional Scientific Library honouring V.I. Lenin occupies the building that had housed the pre-revolutionary Aleksandrov Gentry Institute before 1917. (Photo by Natasha Maslova)

subsequent report among the declassified files of the Soviet Archival Administration records the deposit of the Esterhazy documents in what is now the State Archive of the Russian Federation.<sup>32</sup> One would have expected the spectacular art and library collections from the Budapest banks and other sources to have deserved similar reports to the Central Committee, but so far no such Red Army seizure reports are available.

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Müller, Norman Naimark and Arnold Suppan (eds.), *Sowjetische Politik in Österreich 1945–1955: Dokumente aus russischen Archiven/ Sovetskaia politika v Avstrii 1945-1955 gg.: Dokumenty iz rossiiskikh arkhivov* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2005; *Fontes rerum Austriacarum. Zweite Abteilung, Diplomataria et acta*, vol. 93), pp. 122-27 (here p. 126). I am grateful to Wolfgang Müller for alerting me to the document.

32 The acquisition by the GA RF predecessor TsGIAM from the Political Directorate of the Red Army (GlavPU RKKa) was reported by TsGIAM director V.V. Maksakov and Morovskaia to I.I. Nikitinskii, chief of GAU NKVD (16 June 1945), GA RF, 5325/2/1353, fol. 47. Mention is made of a letter of the Russian Foreign Minister A.M. Gorchakov and a letter of Metternich (1859), but those are not now held in the GA RF fond. This matter is documented in Grimsted, *Flying Mercury Comes Home to Pavlovsk: Perspectives on the return of wartime displaced cultural treasures in Austria and Russia*, (2005) *X Art Antiquity and Law*, pp. 118-19. Mravik (*op. cit.* note 4, pp. 106-107) described the Soviet ravage of the Esterhazy palace, 'known as the "Hungarian Versailles"', as "the greatest single loss to occur in Western Transdanubia".

The Russian director of the Nizhnii Novgorod Regional Library, Elena Muravieva, in her introduction to the published catalogue of the Sárospatak books explains that on 9<sup>th</sup> March 1960 the Gorkii Regional Research Library received a transfer of “trophy books from the Gorkii Art Museum...”. She does not mention their earlier arrival in Gorkii, or how they came into Russian hands. According to her account, there were “approximately 900 books in five languages: Latin, English, Hungarian, German and French”, and they were given over to the ‘*spetskhran*’ [classified collection] as a “typical fate in that period for trophy books in our country”. But since the books were “not then assigned inventory numbers or described in the catalogue, no one had known their true identity, except for the three people” involved in their official transfer. Muravieva also noted that the library had received additional books from many other sources, including volumes that had been removed from different Russian libraries:

Some volumes bear the stamps of either St Petersburg University, or the State Public Library (the reserve stock), or the Library of the palace of Tsarskoe Selo, or the Mining Institute Library, or the Library of the Museum of Merchant Shipping and Ports, or even the Sheremetev family library.

It was only later with the help of Hungarian specialists in preparing the catalogue, she explains, that they started to recognise book markings from Sárospatak.<sup>33</sup>

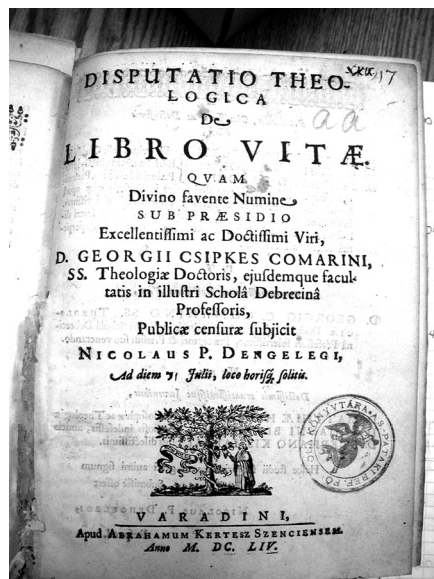
In a contrary line of explanation, a recent German study by Götz Aly and Christian Gerlach conclusively blames the Germans for extensive plunder in Hungary, alleging that not only were the Nazi leaders trying to get rid of the Jews, but in the process were seizing all industrial, bank and other assets possible to amass funds to extend the war. However, the authors do not deal with cultural plunder, and hence do not mention the Einsatzstab Reichsleiter Rosenberg (ERR), or the plunder of library books.<sup>34</sup> There appears to be little doubt, however, that the books had first been plundered by the Germans in Budapest, along with at least some of the important Hungarian private

33 Elena A. Muravieva, ‘Books and Wars: Displaced Hungarian Books from Sárospatak Calvinist College in the collections of Nizhni Novgorod State Regional Research Library’: <http://www.libfl.ru/eng/Saros/patok.htm>. The article in fact is part of the introduction in the internet English-language version of the published VGBIL catalogue: *Trofeinye knigi/Displaced Books from Sárospatak*, above note 10; the Russian version appears as ‘Knigi i voiny’, pp. 9-12. The complete catalogue is available on the VGBIL website, together with English translations of the introductory section.

34 Götz Aly and Christian Gerlach, *Das letzte Kapitel, Der Mord an den ungarischen Juden* (Stuttgart: DVA, 2002). I am grateful to Ray Brandon for calling my attention to the book and summarising the argument for me.

art collections, and then taken to Germany. The plunder of cultural treasures in Hungary is often attributed to the SS Einsatzkommando led by Adolf Eichmann, which had been sent to Budapest to rid Hungary of its Jewish population. More details and documentation

about his exploits are cited in the introduction to the catalogue of art from Hungarian collections, on the basis of a Hungarian publication about Eichmann.<sup>35</sup> Eichmann had long been associated with the RSHA Amt IV (Gestapo), whose units had already been implicated in the arrest and seizure of Baron Kornfeld's assets, after Kornfeld was permitted to escape to America after signing over his interests in major industrial facilities to the German armaments firm under Herman Göring. As noted above, books from the Kornfeld library as well as art are among those remaining today in Nizhnii Novgorod. That Eichmann's forces with other branches of the RSHA were involved in the plunder of books in 1944 is confirmed by an RSHA staff list which includes a Special Commando (Einsatzkommando) under Amt VI headed by Reinhold Krallert specifically devoted to 'Action against Jewish book agents', even before they had turned to private book collections.<sup>36</sup>



The title page of *Disputatio Theologica, Logica, Libro Vitae*, by György Komáromi Csipkés (Oradea, 1654) (VGBIL, no. 0566), with one of the Sárospatak book stamps that helped specialists identify the collection in Nizhnii Novgorod. (Photo by Paul Shore, courtesy Corvina Foundation)

The Einsatzstab Reichsleiter Rosenberg (ERR) is another possible culprit. Rosenberg special staff for cultural plunder in the name of the Hohe Schule, his planned university for future Nazi elite, had already accomplished most of its damage to the European cultural heritage by 1944. But with the retreat from the Eastern Front, the Reich Ministry for Eastern Lands (RMbO), headed by Alfred Rosenberg, had lost a good deal of its earlier glory. With the turn of Hungary against the Axis

35 See the references to Eichmann's operations in Hungary and indications of this involvement in cultural plunder in Genieva's introduction to *Catalogue of Art* (*op. cit.* note 24), pp. 14-16, 20-26, with reference to J. Lévai, *Eichmann in Ungarn*, German translation (Berlin, 1961; Hungarian edn Budapest, 1961) and in the 'Historic Study' in the *Catalogue of Art*, pp. 42-46, 52, and 58, with other references to the English translation *Eichmann in Hungary* (New York, 1987).

36 RSHA, Amt VI, Einsatzkommandos – Budapest – 'Aktion gegen jüdische Buchhändler', BArch R58/6708 (alt. ZR 746).

in March 1944, Rosenberg was intent on organising an ERR office in Budapest. Although no reports of specific ERR plunder in Hungary have surfaced, the possible ERR involvement in the confiscation of books and other cultural assets is suggested by ERR reports on special missions to Budapest in March and June 1944. Georg Anton had headed ERR library assessment and plunder in Ukraine, and after retreat from Soviet lands in autumn 1943 had gone off to head the ERR Sudost mission in Belgrade. As ERR activities were winding down in Yugoslavia as well, Anton led a mission starting in late March to locate and acquire Jewish books in Budapest.<sup>37</sup> Apparently, Anton had not found much support for his mission from the German 'Ambassador' Dr Vessenmeyer, who was effectively controlling the German operations in Hungary at that point. Hence the despatch of an ERR Sonderkommando under Stabsfinsatzführer Dr Friedrich Zeiss on 1<sup>st</sup> June to accomplish ERR missions in Hungary, specifically mentioning their plans to seize Jewish books.<sup>38</sup> Zeiss reported later in June that Anton had already arranged "to deal with booksellers". Dr Vessenmeyer agreed to assist the ERR and give them an office in the Embassy, but he thought it premature to start confiscating private library collections before they had got rid of the Jews themselves. At that point they had decided that major collections of books and archives from Jewish synagogues and other organisations were to go to a newly established Institute for the Study of the Jewish Question in Budapest itself, rather than abroad. Nevertheless, such reports make clear that the mechanism for cultural plunder from private Jewish collections – and specifically libraries – was put in place by the summer of 1944.<sup>39</sup> However, no later reports of specific library seizures or transport by either Nazi agency have been found, but certainly there are good indications that either the RSHA commandos or the ERR found some Hungarian books as well as major Jewish art collections before the Red Army arrived. Quite possibly the Red Army found more.

Further investigation in Russia had already revealed that in fact the books came to Gorkii (as Nizhnii Novgorod was then named) from Germany on the private initiative of Soviet officers. Some of the details

37 Georg Anton's mission was outlined by Herbert Will to Anton (then still in Belgrade) (Ratibor, 24 March 1944), BArch, NS 30/174. Zeiss's June report (below fn. 39) also refers to an earlier mission led by Anton.

38 See Utikal's order to all offices to support the ERR Sonderkommando in Hungary (Berlin, 1 June 1944), BArch NS 30/2 [IMT 158 PS]; because that document was assigned a pre-trial no. 158 PS, copies are found in various archives with the IMT series.

39 [Friedrich Zeiss], 'Bericht über die Dienstreise von Überberichtsleiter Löbsack und Stabsseinsatzführer Dr. Zeiss nach Budapest zwecks Übernahme der Arbeit des Einsatzstabes in Ungarn' ([June 1944]), BArch NS 30/173. Further research on these matters is needed.



are still hazy, but the general outline of the story, the Red Army unit involved and their route home from Germany are clear. Transport to Russia has been substantiated by first-hand reports of officers in a unit of the Soviet 49<sup>th</sup> Army (part of the Second Belorussian Front) who found the books from Hungary in an abandoned railway car near the village of Reinberg north of Berlin, together with paintings from several Hungarian private art collections. The unit did not pass through Hungary, and they arrived in Gorkii with their war booty directly from Germany. Although no formal act of receipt for the books and art was signed at the time of transfer to Gorkii Art Museum from the military commandant's office (February 1946), their version of the story was verified in a December 1951 inspection report prepared under the supervision of the Pushkin Museum of Fine Arts in Moscow. It was confirmed at the time by oral and written attestations by several local eyewitnesses, attributing the transfer to local soldiers in a unit of the 49<sup>th</sup> Army, who in fact returned to Gorkii with the trophies. (The 49<sup>th</sup> Army was later the main component of the post-war Volga Military District.) Two retired officers of the 49<sup>th</sup> Army signed affidavits to this version of the story in 1966. A memorandum in the archive of the Grabar All-Russian Art Restoration Center attributes the plunder in Budapest to orders by Erich Eichman with possible involvement of the Einsatzstab Reichsleiter Rosenberg.<sup>40</sup>

Following the discovery of the Sárospatak books in Russia in 1993, high-level negotiations for their return dragged out well over a decade. They have been the subject of major international attention and rescue efforts. Already in connection with an agreement signed between cultural officials in Russian and Hungary (21<sup>st</sup> May 1993), as reported in the *Spoils of War: International Newsletter*, Hungarian experts “recovered some valuable books of the Calvinist school in Sárospatak and some Jewish books in the library in Nizhnii Novgorod”. (The English word ‘recovered’ was probably a translation error, because no books went back to Hungary in 1993.)

Subsequently:

on November 1<sup>st</sup>-4<sup>th</sup>, 1995, a group of senior [Hungarian] librarians visited Nizhnii Novgorod to locate and identify the books taken by the Soviet Army from various Hungarian

40 This account (published in German and Russian) follows a report to a 2001 conference at VGBIL in Moscow: Petr P. Balakin and Anna M. Gor, ‘Peremeshchennye kul’turnye tsennosti v Nizhnem Novgorode: Professional’no-eticheskie aspekty’, *Zhesty dobroj voli i zakonodatel’stvo: Sbornik dokumentov mezhdunarodnoi konferentsii* (Berlin, Moscow, 2001), p. 7; <http://www.libfl.ru/restitution/conf01/gor.html>. See also account repeated in the introduction by Ekaterina Genieva to *Catalogue of Art* (*op. cit.* note 24), pp. 14-18 (in Russian and English).

libraries during World War II. They were able to identify the majority of books and incunabula that disappeared from the *Reformed Library of Sárospatak* and from various private collections.<sup>41</sup>

The work continued the following year, and

The Hungarian Minister of Culture asked Minister Sidorov to return these books and incunabula in 1996 as this year marks the ... millennium of the beginning of the education in Hungary.

Hungarian specialists were also “finding books originating from other sources such as the private library of Baron Móric Kornfeld”.<sup>42</sup> The following year István Fodor, who headed Hungarian delegation, reported that Hungarian experts had:

examined 397 books housed in the Nizhni Novgorod library; 149 originate from ... Sárospatak , and 137 from various other Hungarian collections, while twelve other books still remain to be identified.

(But that is still only one-third of the 900 to 1,000 that were reportedly transferred to the library in 1960.) The Hungarians again “requested the books from the Sárospatak library to be returned as soon as possible to the original owner”.<sup>43</sup>

Meanwhile, the All-Russian Library of Foreign Literature (VGBIL) in Moscow took up the cause. Deputy director Galina Kislovskaja, writing in an international publication in 1997 reminded readers that:

The Sárospatak collection has shared the fate of most of the 11 million books brought soon after the war to the Soviet Union and scattered all over its vast territory. This extremely valuable collection has been kept in the Nizhny Novgorod Regional Library for many years, but no one of the staff even dared to make it accessible to users. Thank God it was well preserved...

By that time, she could report that cataloguing efforts were already underway to make the collection available: brief bibliographic descriptions with brief titles had been prepared of 1448 items.<sup>44</sup> One

41 István Fodor, ‘Hungary’ in *Spoils of War International Newsletter*, no. 0 (1995), p. 13; *ibid.*, no. 1 (19 December 1995), p. 20.

42 Móra Mihóly (secretary of the Hungarian Committee), ‘Hungary’, in *ibid.*, no. 2 (1996).

43 István Fodor, ‘Hungary’ in *Spoils of War: International Newsletter*, no. 4 (August 1997), p. 78.

44 Galina Kislovskaja, ‘Library Losses: Catalogue of the Books from the Sárospatak

specialist from Budapest Catholic University who visited the Nizhnii Novgorod library characterised the Sárospatak holdings:

...[O]ne of these 118 unique works is the first printed edition of the poems of Bálint Balassi, one of the greatest Hungarian poets of the Renaissance. Of about 60 other printworks present here there are no other examples known in Hungary. It is thus fairly obvious that the books from the Sárospatak library now in Russia include extremely valuable and unique volumes. Some of these are invaluable and irreplaceable for the Hungarian culture, while others represent a significant value also by international standards.<sup>45</sup>

She also reported that they had found “two incunabula from the collection of Baron Móric Kornfeld”, which had also been deposited in the Pest Commercial Bank before the war, as well as “61 old Hungarian printworks, eight of which are unique pieces”.<sup>46</sup>

By the time the Hungarian-Russian Restitution Commission met again in November 1997, the Budapest museum director István Fodor, who headed Hungarian delegation, could report that “the identification of the books from the Sárospatak Library has also been completed. They agreed that they would combine their efforts to ensure that these books be returned as soon as possible.”<sup>47</sup> We now know that return would only be a decade later, but most important at that time was that information about the books in Nizhnii Novgorod would be made publicly available.

Hungarian-born New York financier and philanthropist George Soros had a personal interest in Hungarian restitution issues, along with the religious issues involved in the case. Ekaterina Genieva, General Director of the All-Russian Library of Foreign Literature (VGBIL) appealed to the Open Society Institute, a subsidiary of the Soros Foundation operating in Moscow, and they agreed to sponsor publication of a scholarly catalogue of the collection.<sup>48</sup> Representing

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Collection in the Nizhnii Novgorod Library: Further Developments’, in *Spoils of War: International Newsletter*, no. 4 (August 1997), pp. 45-46; electronic version: <http://spoils.libfl.ru/spoils/eng/spoils4.html>.

45 László Nagy (Catholic University of Budapest), ‘Valuable Books from Hungary in Nizhnii Novgorod’, in *ibid.*, p. 47. The only Balassi entry listed in the VGBIL catalogue (entry 0128a) was a volume of his translations from the German of poems by Mihály Bock (Cracow, 1572). I am grateful to Paul Shore for verification of the Nizhnii Novgorod holdings in this regard.

46 *Ibid.*

47 István Fodor, ‘Hungary’ in *Spoils of War: International Newsletter*, no. 5 (June 1998), p. 57.

48 *Trofeinye knigi/ Displaced Books from Sárospatak* (*op. cit.* note 10). At the time the catalogue was published, many were still under the impression that the books had come to the USSR directly from Hungary, but the catalogue does

VGBIL, Evgenia Korkmazova, a bibliographer in the Rare Book Department, could report the 1997 publication, on the basis of identification by Hungarian rare book specialists:



The title page of *Kalendarium, Az 1627 S.* (Debrecen, [1626]), showing a stamp of the Sárospatak Library and a stamp of the Nizhnii Novgorod Library and registration no. Ts 16771.1 (VGBIL, no. 0544). (Photo by Paul Shore, Courtesy Corvina Foundation)

The catalogue of the Hungarian misplaced books is a symbol of the restitution process which is rather slow and difficult but nevertheless moves forward.<sup>49</sup>

A few years later, an exhibition of the Sárospatak books in Moscow (VGBIL) was opened during a 2001 international conference on cultural restitution issues – ‘Law and Gestures of Goodwill’. Several featured reports presented more details about the history of the collection.<sup>50</sup> Art historian Petr Balakin (whom we met above with Akinsha and Kozlov) and his wife museum curator Anna Gor, recounted more details about the arrival of the books that had initially been held in the Nizhnii Novgorod Art Museum. They explained again that, when the books and art had been transferred from the local military commandant’s

office to the museum in 1946, military authorities were unwilling to sign an official ‘act’ of transfer, undoubtedly because ‘trophy’ cultural property was involved. They explained that the approximately 1,000 books received by the museum were transferred to the library in 1960.

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not discuss the migration of the books to Gorkii.

49 Evgenia Korkmazova, ‘Catalogue of the Sárospatak Reformed College’s Misplaced Collection’, in *Spoils of War: International Newsletter*, no. 5 (June 1998), p. 21.

50 See the report and program of the conference on the VGBIL website: <http://www.libfl.ru/restitution/conf01/seminar01.html>, above, note 40. The website includes a brief newspaper article on the exhibition by Marina Ignatushko in *Kul'tura*, no. 16 (26 April-2 May 2001): <http://www.libfl.ru/restitution/conf01/exhib.html>.

At that point, a new museum director needed more exhibition space, including the room where they had been housed for fifteen years, and opted for the transfer of the book collection that was not ‘in the museum’s profile’. At the same time they recounted more about the works of art from the Hungarian-Jewish collections, which eventually were to be better known through the published catalogue issued by VGBIL in 2003.<sup>51</sup>

Implementation of the proposed return of the Hungarian book collection continued to be frustrated, although initial steps were set in motion. The following year (2002), Hungary submitted a formal claim for the Sárospatak books through diplomatic channels on 12<sup>th</sup> March. Hoping to gather foreign support for restitution, VGBIL director Ekaterina Genieva took the case for the return of the predominantly religious books to the International Federation of Library Associations (IFLA), of which she was then Vice-President, as head of the Russian delegation. She presented a special report at the August 2002 IFLA conference in Glasgow.<sup>52</sup> Strong international reverberations followed.

In September 2002, an expert commission under the Russian Ministry of Culture declared the Sárospatak books to be of “of unique character, having especially important historical, artistic and scholarly significance”.<sup>53</sup> The fact that the Ministry of Culture was taking up the case gave hope that restitution was being seriously considered. However, the declaration ‘of unique character’ would mean further delay in the process, because in accordance with the 1998/2000 Law, a special federal law was required for return of the such originals to their country of origin.

Furthermore, Russian VGBIL librarians supporting the return suspected that the restitution process would not proceed without provision for copies to remain in Russia. Hence proposals were formulated for the reproduction of microfiche or digital copies.

51 Balakin and Gor, ‘Peremeshchennye kul’turnye tsennosti v Nizhnem Novgorode’, above note 40. See also the presentation of Dániel Szabó, vice president of the Synod of the Hungarian Reformed Church: ‘Rozhdenie Kolledzha i biblioteki v Sharoshpatake’ *op. cit.* note 8.

52 Ekaterina Genieva, ‘The Trophy Collection of Books from Sárospatak in Cultural Context of the New Millennium’, paper at the 68th IFLA Council and General Conference, Glasgow (August 18-24, 2002), code no. 133-089-F, available at: <http://64.233.179.104/search?q=cache:zmnZVzf0pzcJ:www.ifla.org/IV/ifla68/papers/133-089e.pdf+Sárospatak+books&hl=en&gl=us&ct=clnk&cd=1&client=safari>, or in a pdf file.

53 Ministerstvo kul’tury RF, prikaz no. 1592 (31 October 2002): “O 134 tomakh iz biblioteki Sharoshpatakского reformatskogo kolledzha, peremeshchennykh v rezul’tate Vtoroi mirovoi voiny”, as explained by A.S. Sokolov, Minister of Culture and Mass Communications, addressing the Duma (1 July 2005) - <http://www.mkmk.ru/info/ofspeech/563.html> (see below note 58).

One such proposal came from the Dutch microform publisher, IDC-Publishers, having been strongly recommended by two Dutch scholars – Professor Ferenc Postma of the Free University (Vrije Universiteit), Amsterdam, and Professor August den Holland of the University of Amsterdam. Their interest was heightened because the collection includes a number of unique early Dutch imprints, as mentioned above. IDC was trying to raise over \$300,000 (€275,000) to produce quality microforms, so the originals could be returned to Hungary, but that costly project was never realised.<sup>54</sup> No payments for reproduction rights to the Nizhnii Novgorod Library were budgeted, but other individuals seeking copies of any of the books have been faced by high charges by the Nizhnii Novgorod Regional Library. The Corvina Foundation, for example, was forced to pay US \$14 per page for Professor Paul Shore's 'right to photograph' many of the earliest books and manuscripts, samples from which now appear on their website.<sup>55</sup>

As the case for restitution developed, the process was drawn out by a number of lengthy legal matters in Russia. Over the past fourteen years, during which returns from Russia of trophy library books have been on hold, Russia has returned major groups of Nazi-plundered archives to France, Liechtenstein, Belgium, the Netherlands, Luxembourg and the United Kingdom, and to the Rothschild Archive in London. Except for the Rothschild case involving the return to a private family archive, all others have required diplomatic intervention by the owners' governments. Almost all of the returns involved costly payments for microfilming and 'storage' charges by the receiving side, and the Liechtenstein and Rothschild returns involved even more costly exchange of some displaced imperial Russian archival remains, specially purchased for the occasion from London auction houses. The French also had to come up with significant quantities of displaced 'archival Rossica' (i.e. original documentation of Russian provenance) as part of their 'exchange'. In further contrast to the long drawn-out, complicated, and costly negotiations involved in the return of those western Europe archives, the Hungarian case has been complicated by the fact that in article 4 of the Russian Federal Law of 1998/2000, Hungary was named as an enemy of the Soviet Union (and associate of the Third Reich).<sup>56</sup>

In autumn 2003 the Russian side made the first serious indication of a possible return of the Sárospatak library. During the visit of Mikhail Kasianov, Prime Minister of the Russian Federation, to Budapest in September 2003, his host, Hungarian Prime Minister

54 IDC Publishers gave Patricia Grimsted a copy of the proposal when soliciting her advice about the project.

55 That figure was quoted to the authors privately. The Corvina website is referenced above note 11.

56 See the reference to the texts of the law above note 20.

Péter Medgyessy, touched upon the subject of the library kept in Nizhnii Novgorod. “Mikhail Kasianov responded with unexpected firmness that any such exchange ‘must be on the basis of mutuality’ i.e. supposed return of similar works of art etc. ostensibly grabbed by Hungarians from the USSR.”<sup>57</sup>

In early 2005, President Putin assured the Hungarian Prime Minister Ferenc Gyurcsány that the books would be returned. However, it was another year before all of the necessary legal procedures could be enacted. As the case for restitution of the Sárpospatak books advanced, the Ministry of Culture of the Russian Federation enacted an order (*prikaz*) approving the return of “books that were the possession of a religious organisation that had no militaristic interests”. But the order also specified that the return could take place only on condition that the Hungarian Republic adopt special legislation providing its “obligation as a former enemy state for the unconditional return to the Russian Federation of any and all Russian cultural treasures plundered unlawfully and that are held, or that might be found in the future, on the territory of the Hungarian Republic.” On 18th April 2005, the State Council of the Republic of Hungary enacted such a resolution, which the Russian Ministry of Foreign Affairs was satisfied had the force of law.<sup>58</sup>

A month earlier, on 9<sup>th</sup> March 2005, the Russian Interagency Council on Restitution approved the return of the books (a necessary first step in the Russian restitution process) – contingent on the Hungarian legislation. Once the Hungarian resolution had been enacted and approved by the Russian Ministry of Foreign Affairs, a Russian federal law permitting return of the rare books was drafted, submitted to the appropriate authorities in Nizhnii Novgorod, approved by the Russian Government Legislative Commission, and then again approved by the Interagency Commission on Displaced Cultural Treasures. Following that approval, the proposed draft law was submitted to the Duma, the lower house of the Russian Parliament, a sign that the restitution process was seriously underway.<sup>59</sup>

57 Tom Kennedy, ‘Empty words - guarantee inaction: Moscow-Budapest relations “lighter than air”,’ DNP, 9 September 2003: <http://www.dnp.hu/dnp.php?lang=EN&cikk=1361&mode=full&depth=2>

58 These details are explained in the speech to the Duma on 1 July 2005, supporting adoption of the projected law by A.S. Sokolov, Minister of Culture and Mass Communications, ‘O proekte federal’nogo zakona “O peredache Vengerskoi Respublike knig iz biblioteki Sharoshpatakskogo reformatskogo kolledzha Pritissaiskoi Eparkhii Vengerskoi reformatskoi tserkvi, peremeshchennykh v resul’tate Vtoroi mirovoi voiny i khраниashchikhsia v Nizhegorodskoi gosudarstvennoi oblastnoi universal’noi nauchnoi biblioteke imeni V.I. Lenina”,’ is presented at the website of the Ministry: <http://www.mkmk.ru/info/ofspeech/563.html>.

59 As explained by A.S. Sokolov to the Duma (1 July 2005), above note 58.

The decision to return the library had open political connotations, as explained by the governmental *Rossiiskaia gazeta*, “The fundamental improvement in this question took shape only when the new social-liberal government came to power in Budapest.” The official newspaper severely criticised Prime Minister Orban’s nationalist Government:

Negotiations about the return of the library are continuing for more than ten years. In 1993 the joint Russian-Hungarian group on restitution was formed. However, for a long time no progress in negotiations was achieved. During the rule of the former right-wing populist Hungarian Government starting from April 1999 the working group did not meet at all.<sup>60</sup>

Debate in the State Duma proceeded at the first reading of the proposed law on 1<sup>st</sup> July 2005. A.S. Sokolov, Minister of Culture and Mass Communications of the Russian Federation, addressed the Duma as the official Government spokesman in support of the proposed law and explained the complex legal procedures carried out thus far.<sup>61</sup> Within the Duma, strong opposition voices came from both right and left, tempered by stronger support from the majority. A Communist Party deputy Viktor Iliukhin inquired “What will be returned from Hungary?”; and “What cultural treasures have been returned to us in the past year and a half?” Sokolov answered on behalf of the Government: “During the period 2001-2005, 29 works of art that were lost during the Second World War and the Smolensk Party Archive have been found abroad and returned.” And among others he singled out “the return of *Flying Mercury* to Pavlovsk from Austria”. Another Communist Party deputy wanted to know, “By chance has there been any apology from the Hungarian side?” and “Has anyone asked the Hungarian side to reconstruct churches, museums, and so forth?”. Sokolov answered on behalf of the Government that they currently had no claims for Russian cultural treasures in Hungary, and that in fact offers had been made by the Hungarian side to restore a Russian Orthodox Church in Budapest. Sokolov also mentioned negotiations under way for the return of the original church bells from Danilov Monastery now held by Harvard University and suggested no other claims against the United States. But that hardly quieted Communist critics, who returned to earlier claims:

The United States of America took over much larger German territory than we. ... And to 1948, the Americans

60 Fedor Luk’ianov and Anatolii Shapovalov, ‘Zakon dlia kolleksiiv’, *Rossiiskaia gazeta*, no. 93, 5 May 2005.

61 A.S. Sokolov’s address to the Duma (1 July 2005), above note 58, is repeated in the stenographic transcript – <http://wbase.duma.gov.ru/steno/nph-sdb.exe> (with internal search by date).



not only took away, but simply stole much more, carried away more. They still have it all in hiding places, and according to their laws, they will let it be known what they took only in a hundred years. That's what we fools should do! Go ahead and vote, [you deputies], vote, it's not yours. I will not vote.<sup>62</sup>

The right-wing party Rodina (Motherland) was particularly vocal. Already in initial committee hearings, Rodina representative Aleksandr Krutov stressed that “everything located on the territory of the Russian Federation belongs to the Russian people”. Aleksandr Fomenko said that “Returning the library to Hungary will create a wave [of restitution claims]”.<sup>63</sup> That point was echoed in the Duma by Rodina deputy N.A. Benidiktov: “I am resolved to vote against the measure, because it establishes a dangerous precedent”. Another Rodina deputy considered:

Hungary for us – an aggressor ... they returned to us tanks, killing, and ruined cultural treasures. ... I don't know what experts considered we did not need those books. ... Let them pay. ...<sup>64</sup>

And yet another Communist Party deputy Tamara Pletneva queried:

How today can we quietly say we support such an act of good will? ... Why should we give out when we lost so much? We were the victors after all! We will not vote for that!

More moderate deputies supported the government position for the return of the books and emphasised that such “acts of good will ... would promote improved relations” with Hungary. At the end when the votes were tallied, out of 423 deputies taking part, 334 (74 per cent) approved the law, 86 deputies (19 per cent) were against, three abstained, and seventeen did not vote. The Duma thus passed at its first reading of the projected federal law permitting the return to Hungary of the Sárospatak collection.<sup>65</sup>

The adoption of the proposed law by the Duma after the first reading provoked more bitter press outcry from a vocal segment of Russian conservatives. The nationalist newspaper *Vremia*, organ of the Party of National Renaissance-People's Will, accused the United Russia party, which lobbied the law, of betraying the Russian national interest. According to the newspaper report, the library was a minimal

62 *Ibid.* From the stenographic text of the Duma session (1 July 2005).

63 “Rodina” protiv peredachi kul'turnykh tsennostei Vengrii, 28 June 2005, electronic version: <http://www.rodina.ru/news/more/?id=1985>.

64 From the stenographic text of the Duma session (1 July 2005), *op. cit.* note 61.

65 *Ibid.*

compensation for the cultural losses caused by “Fascist Hungary, the ally of Hitlerite Germany”. Aleksandr Chekanov, author of the article, was appalled by the Hungarian demands to return the library:

Today this dwarf republic demands from us the return of ‘its’ property, pinching and barking at us, reasoning apparently in the fashion of the logic of the contemporary pro-fascist Baltic states – when Russia is led by a weak government it is possible to bite her.<sup>66</sup>

Although such criticism may have come from a relatively small right-wing fringe, it is nonetheless indicative of deep feelings against cultural restitution that frequently make themselves heard in the Russian political milieu and helps explain the opposition within the Duma.

But if the fringe nationalist newspaper was calling for nothing to be returned, a relatively liberal newspaper *Kul'tura* (Culture), published by the Ministry of Culture and advertising itself as ‘the weekly newspaper of intelligentsia’, admitted Hungary’s legal right to formally claim the return of the books. However, the authors immediately expressed concern with appropriate ‘compensation’ in connection with the Sárospatak library:

The question arises: “Is Russia not entitled to compensation for the loss of the unique relic?” For example, it happened in connection with the return to Germany of the Marienhoff stained-glass windows, which were also returned as religious property. In exchange for the return of the stained-glass windows from Marienkirche in Frankfurt on Oder, Germany restored the Church of the Assumption in Voltovo Field [near Novgorod]... Shouldn’t there be something like this in the case of return of the Sárospatak collection? And in fact, Russia was even responsible for safeguarding this collection.<sup>67</sup>

The second reading of the proposed law was delayed until 19<sup>th</sup> December, but at that point, there was no further debate. By that time, no ‘compensation’ had been announced, but 347 deputies approved

66 Aleksandr Chekanov, ‘Khinshteinu ne zhalko’, *Vremia*, no. 21(503), 7 July 2005: <http://www.partia-nv.ru/vremya/Numbers/N21/6.html>.

67 Elena Novikova and Margarita Ignatushko, ‘Ot peremeny mesta tsennost' ne meniaetsia’, *Kul'tura*, No. 27 (7486), 14-20 July 2005; electronic version available at: [http://www.portal.ru/tree\\_new/cultpaper/article.jsp?number=589&rubric\\_id=218&crubric\\_id=1000654&pub\\_id=662860](http://www.portal.ru/tree_new/cultpaper/article.jsp?number=589&rubric_id=218&crubric_id=1000654&pub_id=662860). The authors are grateful to Natasha Maslova for assistance in surveying Russian press reaction in connection with the Sárospatak case.

the draft law and 36 opposed it.<sup>68</sup> Final approval of the law by 345 deputies with 53 opposed on a third reading a month later on 20<sup>th</sup> January finally sent the draft law to the upper house, the Council of the Federation, where it was approved on 25<sup>th</sup> January 2006.<sup>69</sup>

Yet even before the text was signed into law by the President, there was significant reaction in the government press. In an interview in the official newspaper, *Parlamentskaia Gazeta*, Viktor Shudegov, the head of the Committee of the Council of Federation on Science, Culture, Education, Health Protection and Ecology, provided a surprising explanation of the Russian postwar policy on cultural trophies and contemporary demands for ‘compensation’ of the restituted valuables:

It could be very appropriate for us to demand compensation for the cultural valuables lost during the war and also for safekeeping and safety of the cultural heritage of the countries which waged war on us. You must admit that it was easier to destroy all those valuables in the heat of battle as often the aggressors did in the USSR. We proved by our deeds that we belong to civilized nations and not only saved but also meticulously researched cultural valuables, which turned up in our museums after the war. By this we made an important contribution to world culture. According to my opinion all of this deserves not only respect, but also material compensation.

Shudegov did not explain, to be sure, how hundreds of thousands of objects hidden until this day in secret repositories could be ‘meticulously researched’, but instead, he provided information about the compensation Hungary was paying for the Sárospatak library. He stressed that return of the library was a ‘gesture of good will’, but mentioned that:

already today one million dollars were transferred [by the Hungarian side-KA] and contracts are signed for restoration of our museums, including those, which suffered from actions of Hungarian troops during the war.

However Viktor Shudegov refused to provide a detailed account of the Hungarian compensation, because, he explained “the Hungarian

68 From the stenographic text of the Duma session, available on the Internet (*op. cit.* note 61). See also the Russian press report <http://lenta.ru/news/2005/12/19/books/> repeats ‘Gosduma priblizila vozvrashchenie Vengrii Sharoshpatakskoi biblioteki’.

69 See the Postanovlenie, no. 15-SF (25 January 2006) of the Council of the Federation at <http://www.council.gov.ru/lawmaking/sf/document/item/3392/index.html>

side asked not to reveal the conditions of the return of the Sárospatak collection”.<sup>70</sup>

Putin signed the text into law on 2<sup>nd</sup> February 2006.<sup>71</sup> His trip to Hungary to participate in the return ceremony was announced for the end of the month. Two weeks later, on 19<sup>th</sup> February the current Hungarian Ambassador Árpád Székely travelled the same road as his predecessor in 1993, but this time to collect the books so they could be flown back to Budapest in time for Putin’s visit.<sup>72</sup>

The fate of this unique collection of books ... reflects the tragic history of World War II and the colossal losses of practically all of the peoples of Europe,

Putin was quoted as saying in opening the exhibition at the National Museum in Budapest on 1<sup>st</sup> March.<sup>73</sup> It has been a long, twisting road, but at last the long-awaited restitution could finally be carried out within the framework of Russian law. Indeed, as VGBIL General Director Ekaterina Genieva emphasises:

the return of the Sárospatak books is the first library restitution under the 1998/2000 Russian Law.... such is the tremendous significance of this event!<sup>74</sup>

Clearly the legal solution was only one of the factors involved in the Sárospatak case. The text of the law and the Duma announcement said nothing about ‘storage charges’. However, a subsequent agreement

70 Aleksandr Rzheshhevskii, ‘Torg zdes’ umesten’, *Parlamentskaia gazeta*, no. 246(1863), 25 January 2006: <http://www.pnp.ru/archive/18630116.html>.

71 “O peredache Vengerskoi Respublike knig iz biblioteki Sharoshpatakskogo reformatskogo kolledzha Pritissaiskoi eparkhii Vengerskoi reformatskoi tserkvi, peremeshchennykh v Soiuz SSR v resul’tate Vtoroi mirovoi voiny i khraniashchikhsia v Nizhegorodskoi gosudarstvennoi oblastnoi universal’noi nauchnoi biblioteke imeni V.I. Lenina”. Official publication as Federal Law, no. 22-FZ (2 February 2006), was first in *Rossiiskaia gazeta*, 2006, no. 23 (8 February 2006) and *Parlamentskaia gazeta*, 2006, no. 23 (8 February 2006), and subsequently in *Sobranie zakonodatel’stva RF*, 2006, no. 5. The text is available at the website: <http://document.kremlin.ru/doc.asp?ID=32250&PSC=1&PT=3&Page=1>, <http://document.kremlin.ru/doc.asp?ID=32250&PSC=1&PT=3&Page=2>. Although the text was not printed until 8 February, Putin’s signature on the law itself is dated 2 February 2006.

72 See Sophia Kishkovsky, ‘War’s Spoils: Hungarian Treasures Go Home’, *International Herald Tribune* (24 February 2006). Available electronically: <http://www.ihf.com/articles/2006/02/24/features/kish.php>.

73 Stefan J. Bos, ‘Russia’s Putin Hands over Christian Books To Hungary Amid Religious Rights Concerns’, in the electronic version of *BosNewsLife* (Budapest), 1 March 2006: <http://www.bosnewslife.com/index.php?//page.newsPayment&id=1893>. That author alleged that the “priceless Christian books were snatched by Soviet troops”.

74 As Ekaterina Genieva repeated to the authors in a personal meeting (24 July 2006).

drawn up with the office handling cultural repatriation under the Ministry of Culture and Mass Communications set the 'storage' fee at 12,500,000 rubles (US \$443,000), as revealed in several press accounts, and featured in a library list-serve, following a story from Budapest by the German press agency.<sup>75</sup> In addition to the 'storage fees' required by the Russian side for the Nizhnii Novgorod Library, the Hungarian side was obliged to pay approximately \$25,000 for production of digitised copies of the original books before they left Nizhnii Novgorod.<sup>76</sup> Copies of the electronic images remain in the Regional Library and in the National Library in Budapest, while the Foreign Literature Library (VGBIL) in Moscow plans to make them available through their website.

Hungarian 'gratitude' for the return of the library was not limited to storage fees and digitalisation costs, however. On the eve of Putin's visit to Budapest, the Hungarian Government promised to finance restoration of the Orthodox Cathedral of the Dormition in Budapest and to reconstruct one of the two towers of the cathedral ruined during the Second World War. The official website of the Russian Orthodox Church announced the "friendly gesture in response to the return of the Sárospatak Library to Hungary".<sup>77</sup>

Considering the broader context, beyond the intriguing political, financial and legal features of the Sárospatak case, the return of the books to Hungary involves many typical elements on the Russian cultural restitution scene.

First, the case well illustrates the complexities of the Russian cultural restitution process, and the current long and arduous negotiation claims process in Russia for the return of cultural treasures that come under the terms of the 1998/2000 Law. In this case, the books are being returned more than a decade after their discovery. Not only was a federal law required to permit their return, but the Republic of Hungary was also required to pass a federal law assuring reciprocity in the return of any Russian cultural treasures found in Hungary.

75 See, for example, Alib.ru Bukinisticheskie novosti: 'Rossiia vernula knigi Vengrii', 25 February 2006: <http://www.alib.ru/news.phtml> or <http://biblionne.narod.ru/n022506.html>; [http://books.monstersandcritics.com/news/article\\_1130548.php/Hungary\\_unperturbed\\_by\\_Russian\\_storage\\_fee\\_for\\_rare\\_books](http://books.monstersandcritics.com/news/article_1130548.php/Hungary_unperturbed_by_Russian_storage_fee_for_rare_books) © 2006 dpa - Deutsche Presse-Agentur.

76 The financial terms of the return agreement were not widely publicised in Russia. VGBIL librarians told us they were unaware of the additional payments for the digitisation, but it was noted in several Hungarian press accounts, including 'Precious books arrive in Moscow', HATC (21 February 2006) - [http://www.caboodle.hu/index.php?id=12&no\\_cache=1&tx\\_ttnews%5BbackPid%5D=11&tx\\_ttnews%5Btt\\_news%5D=306](http://www.caboodle.hu/index.php?id=12&no_cache=1&tx_ttnews%5BbackPid%5D=11&tx_ttnews%5Btt_news%5D=306)

77 'Hungarian Government to Finance the Restoration of a Russian Cathedral in Budapest' Interfax, 2 March 2006: <http://www.interfax-religion.com/print.php?act=news&id=1118>.

Secondly, it shows the Russian preference for a case-by-case approach to the restitution of foreign cultural treasures. In the absence of a general international legal imperative to return foreign cultural treasures displaced as a result of the Second World War, Russia prefers to negotiate each case individually, and the long and arduous negotiations involved become part of the given procedure. Appropriate acts of restitution are frequently used as 'gestures of goodwill', usually involving high-level diplomatic advantages. And, as this case well demonstrates, high diplomatic attention and persistence are required by the claiming side, together with one or more Russian sponsors. In this case, as has often happened in others, President Putin's personal involvement demonstrates the high diplomatic and here presidential level of the actual transfer.

Thirdly, this case shows the extent to which restitution 'gestures of goodwill' are tied into broader political goals. Some observers in Hungary and other European countries have stressed that both the return of the Sárospatak collection and the visit of President Putin to Budapest in the midst of the Hungarian election campaign had overtly political overtones, potentially to be used by the MSZP (Socialist Party) in their fight against nationalist FIDESZ (Hungarian Civic Union).<sup>78</sup> Others emphasised the relevance of Putin's visit and accompanying acts of 'goodwill' to allay fears about the energy crisis and uncertainties regarding delivery of Russia's gas-supply on which Hungary depends.<sup>79</sup> Still others reflected on earlier Soviet political repression and the 'coincidence' of the 50<sup>th</sup> anniversary of the 1956 Soviet invasion. One religious press correspondent noted Putin's remarks in Budapest recognising:

Russia's 'moral' obligation not to forget Hungary's 1956 Revolution against Soviet domination, which was crushed by Russian troops. In a year when Hungary commemorates the 50th anniversary of that freedom fight, in which thousands died, Putin also urged Hungarians to realise that Russia had changed.<sup>80</sup>

And, after all, the books returned were mostly religious books to a Protestant institution, which could counteract criticism of religious intolerance in Russia today.

78 Russell Mitchell, 'Putin on Quid-pro-quo Central-European Diplomacy Blitz?' *Publius pundit*, 22 February 2006: <http://www.publiuspundit.com/?p=2288>.

79 See, for example, Aleksandr Kolesnikov, 'Restitutsiia: Vladimir Putin vernul bibliotechnye knigi', *Kommersant*, 2 March 2006: <http://www.kommersant.ru/doc.html?docId=654123>.

80 Bos, 'Russia's Putin Hands over Christian Books', above note 73. That Dutch religious journalist also alleged that the "priceless Christian books were snatched by Soviet troops".



Russian President Vladimir Putin officially returned captured Sárospatak books to Hungary during his visit to Budapest, 1 March 2006. Pictured here he is addressing the opening ceremony for the exhibition in the Hungarian National Museum. (Photo by Ilya Pitalev/Kommersant)

Fourthly, economic interests are apparent in the emphasis on ‘compensation’ and the imposition of ‘storage fees’ for the cultural treasures to be paid by the receiving owners. As authorised by the 1998/2000 Russian Law, in this case, the Hungarian Government was forced to pay nearly \$450,000 to the Regional State Research Library of Nizhnii Novgorod for the 60-year storage of the 136 books. Starting in the early 1990s, many Russians saw their cache of cultural treasures owned and potentially claimed by foreign countries as a source of economic benefit. Clearly Russian institutions holding cultural ‘trophy’ have an economic interest in the acts of restitution... as a source of potential revenue or ‘exchange’ for their own institution,

rather than the displaced cultural property as the wartime plundered cultural heritage of unfortunate prewar owners. Similar charges or other barter payments have been levelled in all but one of the seven cases of archival restitution from Russia, starting with the French case in 1992, when the French were required to pay an amount similar to the Hungarian charges for ‘microfilming’ French archival records before their return. Both the Netherlands and Belgium were likewise assessed comparative ‘storage fees’ in connection with the restitution of their archives.<sup>81</sup>

Fifthly, the case involves only a symbolic return – only a small token of the displaced Hungarian cultural treasures in Nizhnii Novgorod were

81 Regarding archival restitution see the volume *Returned from Russia: Nazi-Plundered Archives from Western Europe and Recent Restitution Issues*, ed. Patricia Kennedy Grimsted, F.J. Hoogewoud, and Eric Ketelaar (Leicester: Institute of Art and Law, 2006, forthcoming).

involved. As already publicly revealed, in addition to the Sárospatak books, the Nizhnii Novgorod Regional Library also now retains rare books from several other important Hungarian private collections, including, for example, numerous books from the library of Baron Móric Kornfeld, whose collection of medieval wooden sculptures is now held in the Nizhnii Novgorod Art Museum.<sup>82</sup> Other private libraries of Budapest Jewry are also represented, as noted above. It has recently been reported privately that there are more than 100 Torah scrolls from Hungary held in Nizhnii Novgorod, but the regional library claims that the provenance of these scrolls is in fact the local pre-revolutionary synagogue. The even more valuable paintings from the Hungarian private art collections of Barons Herzog and Hatvány among others still in Nizhnii Novgorod were not mentioned in connection with the return of the Sárospatak books. 'Token' restitution gestures fit a broader pattern in Russian case-by-case restitution politics. When 648 Dutch volumes were returned in 1992, Dutch librarians were told that upwards of 20,000 trophy Dutch books had arrived in the Soviet Union. The rest still have not come home. The 219 books returned to the Turgenev Library from Russia mentioned above are only a token, compared to an estimated over 10,000 volumes held by the Russian State Library (RGB, former Lenin State Library), and more scattered throughout the former Soviet Union.

What is important today, in contrast to the situation in the Soviet period, at least some of the trophy cultural treasures are first of all being identified and displayed, which eventually may make it possible for more of them to return home. The 1997 Moscow-published catalogue of the Sárospatak books is a good example. A catalogue of the Hungarian Jewish art collections followed in 2003. In 2005, 47 of the paintings, including canvases by Tintoretto, El Greco, Goya, and Renoir, and six of the Kornfeld sculptures went on display in Nizhnii Novgorod in an exhibition entitled 'Hortus Bellicus' (Garden of War). Most of the entries in the exhibit catalogue repeat precisely the photographs and identifications in the 2003 publication.<sup>83</sup>

Here, however, we must also confront another twist in restitution issues on the Hungarian side. If during the 1990s the Hungarian Government demanded the return of all cultural property of Hungarian provenance from the Russian Federation, by the early years of the new century, new sensitivities had developed within Hungary itself with regard to claims for the return of private Jewish property. Accordingly, by 2006, Hungarian formal claims to the Russian Federation were limited to the Sárospatak library. Such a change

82 *Catalogue of Art* (op. cit. note 24), pp. 150-64.

83 *Hortus Bellicus: Shedevry zapadnoevropeiskogo iskusstva iz "Vengerskoi kollektzii"*. *Katalog vystavki* (Nizhnii Novgorod: Dekom, 2005).





*El Greco's portrait of Saint James from the collection of Baron Mór Lipót Herzog, now held in the Nizhnii Novgorod Museum of Art. The painting is featured on the cover of the catalogue of the 2005 exhibition 'Hortus Bellicus' (see note 83).*

of policy is easily explicable: at the beginning of the 1990s, official Budapest did not distinguish between public and private property confiscated during the Second World War. However, numerous legal cases against Hungarian museums still holding art works confiscated during the Holocaust or nationalised after the Communist takeover established private ownership and advanced serious well-publicised claims that were not being recognised by State institutions. Similarly, further investigation proved that cultural treasures from Hungarian collections held in Russia have owners other than the Hungarian State, and indeed some of these treasures belonged to the same private owners who were suing the Hungarian State on the home front. Thus the Hungarian Government had chosen a double standard in its negotiations with Russia – to assist the Reformed Church and to leave Jews, who were creating troubles at home, to their own devices. According to the Russian Law there is no difference between masterpieces from the Herzog and Hatvany collections and volumes from the Calvinist College in Sárospatak – both are eligible for return as being the property of religious institutions, charitable organisations and individuals who were victims of the Nazi regime. However, while the fate of the Sárospatak library was discussed by presidents and prime ministers, the fate of the Jewish collections still in Russia was not discussed at all.

The underlying socio-psychological sensitivities of restitution issues may appear overwhelming in Russia, amidst the political context and the complexities of the legal and commercial aspects. Nevertheless, even if only symbolic, the return of the Sárospatak books represents another important hopeful step forward in the restitution of cultural property still displaced 60 years after the end of the Second World War. “After years of intense efforts and political negotiations, the books are finally where they belong”, VGBIL director Ekaterina Genieva said in a statement issued by the Open Society Institute in New York. Genieva had served as the last director of the Moscow operations of the Soros Foundation, and her words were echoed by George Soros himself. “This is a successful conclusion to years of work”.<sup>84</sup>

But why should it have required years of work and the participation of two presidents to get 146 books home 60 years after the end of the most horrific war in history? Why and by whom were they removed from Budapest bank vaults in the first place? If today we cannot answer such questions, at least we can pose them and continue to explore better answers. Ekaterina Genieva saw a very positive element in President Putin’s role in the Sárospatak case. The President’s participation and the fact that the restitution gesture was signed into

84 ‘Priceless Texts End Sixty-Year Odyssey’, Open Society Institute press release (14 July 2006): [http://www.soros.org/newsroom/news/texts\\_20060714](http://www.soros.org/newsroom/news/texts_20060714).

law in Russia, she explained, could “be expected to make it more palatable for most Russians and advance the cause of restitution”. As quoted in an interview in the *International Herald Tribune*, Genieva noted:

Sárospatak, for me, is a precedent for holding civilized European negotiations .... In a country where we still fall into line behind the sovereign emperor, for the public consciousness this is very important.<sup>85</sup>

When we met with her after her return from Hungary, she added “As the first library restitution under the 1998/2000 law, Sárospatak is a most important legal precedent”.<sup>86</sup>

How many more displaced books from Hungarian collections are left behind in Nizhnii Novgorod – most of them Jewish rather than Calvinist? And how many more works of art from Hungarian collections remain in Russia? We can only hope that the homeward road will not be so long and tortuous for other cultural victims of war. Is there hope that the return of the Sárospatak books could have set another precedent? Genieva answered the authors after her return from Sárospatak, “We can all hope together”, she said, assuring us that her library in co-operation with Hungarian colleagues was planning further identification of the trophy books remaining in Nizhnii Novgorod. Zoltan Tarr, general secretary of Hungary’s Reformed Church, emphasised a positive note in an interview in Budapest. The 32-year-old pastor from Debrecen in eastern Hungary said he hoped the return of books to Sárospatak would encourage Russia to return other Hungarian art treasures.

It’s an important symbolic act, which could help heal the war wounds which are still very real in the life of Europe.<sup>87</sup>

85 As quoted by Kishkovsky, ‘War’s Spoils: Hungarian Treasures Go Home’, above note 72.

86 Remarks of Ekaterina Genieva in a meeting with Patricia Grimsted in VGBIL (24 July 2006).

87 Bos, ‘Russia’s Putin Hands over Christian Books To Hungary’, above notes 73 and 80). Bos’ remarks have been quoted in several other web postings, including the Museum Security Mailing List: <http://msn-list.te.verweg.com/2006-February/004326.html>.

