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## ANTIQUARIAN BOOK MARKET

Provenance research of books, objects and works of art is at the heart of the work of contemporary librarians, museum professionals, private collectors, scholars and students of the history of art, culture and the book, auctioneers, dealers, public officials, legal experts, and journalists worldwide. This article will concentrate on provenance research of manuscripts and printed books, in particular of Jewish manuscripts and printed books. Jewish, not just Hebrew, since Jewish culture is per se multicultural and multilingual, as is the case with so many minority cultures, in- and outside Europe.

I have written on aspects of this topic in 2003 and spoken on it on many occasions.<sup>1</sup> My own professional life involved work in the museum world, the library world, the auction world, the book trade, scholarship, journalism, and curatorial work for private collectors. Many of the notions shared here stem from that experience. In hindsight, it is striking to what extent provenance research seemed to be of secondary importance back in 2003, when I first wrote about it. Times have changed considerably. I remember how around 2018, when I spoke to the then director of the Israel Museum in Jerusalem, Ido Bruno, we agreed that provenance issues would become the single most important topic for Jewish museums. This is not the place to discuss the overall complexity of provenance and restitution. It includes art, ceremonial objects and of course colonial objects and has many ethical, political, legal and geopolitical aspects. But only six years ago Ido Bruno and I did not know yet how right we were.

Relevant for this contribution is a recent initiative of Judaica library professionals, who are close to publishing a White Paper on provenance policy:

The White Paper on Provenance in Judaic Books and Manuscripts is a first effort to provide a guide for the perplexed in the realm of provenance policy. In contrast to provenance in the art world, which has been the focus of much public concern and policy discussion since the landmark Washington Conference Principles on Nazi-confiscated Art in 1998, the present White Paper articulates best practices relating specifically to the management of Jewish books and man-

1 Cf. Emile Schrijver: Modern auction catalogues of Jewish books. Commerce Meeting Scholarship – Some Methodological Reflections, in: Zutot 3, 2003, pp. 180–188.

uscripts in cases of uncertain provenance. Authored by professionals primarily for professionals, the practical recommendations outlined in the White Paper reflect a broad historical perspective that acknowledges the unique complexities of provenance research with regard to Judaic books, manuscripts, and archives including, but not restricted to, Holocaust-era materials.<sup>2</sup>

For the sake of clarity, I have identified five principal points that are relevant to our understanding of the complexity of the issue under discussion:

1. The books themselves do not disclose everything.
2. The secondary sources do not disclose everything.
3. The market is volatile and has undergone great changes.
4. Private collections are not stable.
5. Conclusion: authenticity and completeness.

It goes without saying that I cannot deal with all these in depth in the framework of this short contribution. Rather I will present one or two examples of each, after which I will draw some preliminary conclusions. My main goal, if one wants to phrase it in such a manner, is to problematize, not to provide definitive solutions.

### 1 The books themselves do not disclose everything

The colophon page of the Esslingen Mahzor, a festival prayer book which is the oldest manuscript in the famous Amsterdam Bibliotheca Rosenthaliana, contains various layers of information.<sup>3</sup>

- The original colophon of the scribe, who mentions that he finished copying the book on 12 January 1290 in the city of Esslingen for a particular patron
- The name of the original scribe, which was, however, later erased
- The name of the punctuator
- A very interesting deed of sale of the fourteenth or fifteenth century

2 Yoel Finkelman und Michelle Margolis: *Cultivating Best Practices in Judaica Provenance*. A project of the International Forum on Judaica Provenance convened by the National Library of Israel and the Association of Jewish Libraries, Jerusalem und New York 2024, p. 4. I have used a pre-distributed draft.

3 Cf. Emile Schrijver: *The Colophon Page of the Esslingen Mahzôr*, in: *Studia Rosenthaliana* 21, 1987, pp. 185–197; Evelyn M. Cohen und Emile Schrijver: *The Esslingen Mahzor. A Description of the »New Amsterdam« and »Old Amsterdam« Volumes*, in: *Studia Rosenthaliana* 25, 1991, pp. 55–82.

- Various later ownership inscriptions, including one in a Hebrew variant of a Freemasons' cipher
- Various Hebrew scribbles, including some names that also occur in the Mahzor itself

This may all seem quite substantial, but in reality, the information covers only a small part of the more than 700-year-old history of the book. The Rosenthaliana volume is only half of the prayer book, the other one is kept in the Library of the Jewish Theological Seminary in New York, and the period between its latest ownership info, likely the nineteenth century, and the acquisition of the two volumes, in 1957 (New York) and in 1975 (Amsterdam) respectively, is considerable and includes the Second World War. We do not even know when the two volumes were separated. This is true of the large majority of Jewish (and non-Jewish) books; the information recorded in the books is fragmentary and random.

## 2 The secondary sources do not disclose everything

Description practices of books have developed over the course of the centuries. In order to establish the provenance of any book, what is needed are clear descriptions of such books that make them identifiable. In the earliest early modern catalogues, it is impossible to identify individual copies, often times even to identify manuscripts. The descriptions are minimal and, in the case of printed books, based on editions rather than copies. There are hardly any descriptions of condition, completeness, and of unique identifiers, such as colophons, handwritten inscriptions, annotations, and illustrations. Apart from that it was not until the late eighteenth century that researchers started to differentiate between manuscripts and printed books, another result of the concentration on texts rather than individual copies.<sup>4</sup>

In the library world this situation changed for the better in the nineteenth and especially the twentieth century, at least for manuscripts. This is particularly relevant for collections that got dispersed as a result of World War II, because often pre-war descriptions do allow the positive interpretation of books that re-appear in the market. For printed books it is a lot more difficult to identify books as belonging to a particular library, because stamps

4 For an analysis of major catalogues of Jewish books, see Shimeon Brisman: *A History and Guide to Judaic Bibliography*, Cincinnati u.a. 1977; Emile Schrijver: *Towards a Supplementary Catalogue of Hebrew Manuscripts in the Bibliotheca Rosenthaliana. Theory and Practice*, Dissertation, Amsterdam 1993.

or bindings, which are typically the single identifiers for printed books, can be removed relatively easily. This makes a positive identification of copies of printed books almost impossible.

In the auction world, it took until the late 1980s for this situation to change.<sup>5</sup> Since then especially printed books and manuscripts of a certain value receive the extra attention that underlines their commercial value and descriptions started to include information that is needed to uniquely identify them. And for the last two decades attention is also paid not just to registering provenance, but also to finding out whether or not a book should be sold, based on such information.

### 3 The market is volatile and has undergone great changes

One of the most important things to keep in mind when perusing auction and sales catalogues of, let us say, the 1970s and 1980s, and comparing those to today's market, is the way in which prices have exploded, literally. Illuminated medieval Hebrew manuscripts, Hebrew incunables and certain important other early printed books, early modern decorated Esther scrolls and marriage contracts and especially illustrated Hebrew manuscripts of the eighteenth century could be acquired for prices that are unbelievable according to today's standards. Back then, such books could be acquired through Sotheby's and Christie's for prices between 5,000 and let's say 25,000 dollars, whereas today they will fetch prices in the hundreds of thousands of dollars in any contemporary auction.

This explosion of the prices has changed the nature of the market, in a way quite comparable to the global art market. First, the number of potential buyers has diminished for the simple reason that the prices mentioned can be afforded only by the wealthiest. Second, this has made the top of the market the domain of collectors and investors, rather than that of libraries. Of course, libraries and museums can co-operate with wealthy donors and/or collectors, but this typically is only feasible for the largest institutions. Third, for some objects in terms of prices the sky has become the limit.

The best example of all the aforementioned is the recent sale of the famous Sassoon Bible at Sotheby's in New York. To quote Sotheby's online catalogue:<sup>6</sup>

<sup>5</sup> Cf. Schrijver: Modern auction catalogues (fn. 1).

<sup>6</sup> <https://www.sothebys.com/en/digital-catalogues/codex-sassoon-the-earliest-most-complete-hebrew-bible> (accessed: 25 February 2024).

The Bible is one of the world's greatest treasures and holds powerful resonance for the three monotheistic religions and their billions of adherents. For thousands of years, its sacred words have been closely studied, contemplated, and analyzed. The Hebrew Bible is composed of twenty-four books divided into three parts: the Pentateuch, the Prophets, and the Writings. Christians call these texts the Old Testament, and Catholic, Orthodox, and Protestant sects all incorporate them into their biblical canons. Copied, printed, and translated into scores of languages the world over, the Hebrew Bible arguably constitutes the most influential book of human history and the bedrock of Western civilization. Codex Sassoon, created circa 900, is the earliest surviving example of a single volume containing all the books of the Hebrew Bible with their punctuation, vowels, and accents.

This excellent marketing strategy, presenting the codex as one of the most important books of the world, for the lack of comparable recent sales of such Hebrew manuscripts, turned out to be very successful. The Sassoon Bible was offered for sale for an estimate between thirty million and fifty million dollars and sold for a stunning thirty-eight million one hundred twenty-six thousand dollars. It is now owned by the ANU Museum of the Jewish People in Tel Aviv and funds were provided by a private American donor. It will be on permanent display in the museum, but it should be noted, that in spite of it being available digitally in its entirety, showing it in a museum does potentially hamper scholarly accessibility of this important early Hebrew Bible.

Another slightly less spectacular, older example is a miniature manuscript of the Haggadah, a Passover ritual, which was copied mostly likely in Vienna in 1721. It is an early work of the well-known scribe and artist Meshullam Zimmel of Polna and is now in a private collection. This manuscript originally appeared in a small auction in the Hague in the early 1990s, where it was listed as a printed book and estimated at nine thousand guilders. Two bidders were aware that it was a manuscript, rather than a printed book and continued to bid past the one hundred-thousand-guilder limit. It was sold for a price around one hundred twenty guilders (some seventy thousand dollars back then).<sup>7</sup> It then disappeared from sight, and it was not until 1998 that it was put up for sale at Christie's East in New York, where it was offered with its own separate catalogue. It was estimated at two hundred thousand to two hundred fifty thousand dollars and the hammer price was four hundred

7 I vividly remember this auction, but so long after the event have not been able to come up with more precise references. For the sake of the argument made here, I have decided to include the narrative anyway.

twenty-five thousand dollars.<sup>8</sup> This example illustrates the point that I make regularly, which is that the market, the dealers and auctioneers, are important sources of information for anyone interested in provenance, but that they do not necessarily share the interests of the researcher. The dealer involved here was the one who decided when and where, and even how, the manuscript would resurface.

#### 4 Private collections are not stable

Another complication is the fact that private collections are as such not stable entities, unless they end up in public collections in their entirety. That last option is becoming increasingly complicated, since libraries tend to want to remove duplicates of books that are already present in their current holdings before they accept any complete library, for reasons of efficiency and cost reduction. Private donors are not always willing to accept such a procedure. Recently, two important private collections of Hebrew books have reached the market, the entire Valmadonna Trust Library and parts of the Gross Family Collection.

In its auction of books from the Valmadonna Trust Library, Sotheby's in New York introduced the collection as follows:

The Valmadonna Trust Library is quite simply the finest private collection of Hebrew books and manuscripts in the world. Assembled over a span of more than six decades by visionary collector Jack Lunzer, it comprises a wide-ranging group of more than 11,000 works which chart the spread of the Hebrew press and the global dissemination of Jewish culture.<sup>9</sup>

After the December 2015 auction, which included the best and most expensive books in the collection, at the end of 2017 Sotheby's arranged for the sale of the remainder of the books to the National Library of Israel and the private David and Jemima Jeselsohn Collection. In 2017 a few hundred books were sold again through Kestenbaum & Company in New York.<sup>10</sup> Thus,

<sup>8</sup> I co-authored the auction catalogue together with the late Prof. Menahem Schmelzer: *An Important Illustrated Hebrew Manuscript*, New York, 24 June 1998.

<sup>9</sup> <https://www.sothebys.com/en/auctions/2015/valmadonna-trust-library-part-i-no9443.html?locale=en> (accessed: 25 February 2024).

<sup>10</sup> The history of the sale of the Valmadonna Trust Library is covered quite well in the relevant Wikipedia article and in the sources referenced there: [https://en.wikipedia.org/wiki/Valmadonna\\_Trust\\_Library](https://en.wikipedia.org/wiki/Valmadonna_Trust_Library) (accessed: 25 February 2024).

although the large majority of the books were acquired by the National Library of Israel, important items did end up elsewhere, in public as well as private collections.

Another important private collection of which major items were put up for sale is the Gross Family Collection in Tel Aviv. Many objects, including major manuscripts and printed books, were auctioned recently by Kedem Auction House in Jerusalem, in three sales in 2023.<sup>11</sup> The Gross Family Collection was brought together over a period of an entire lifetime by William Gross (\*1944). In the *Festschrift* that was published on the occasion of his seventy-fifth birthday in 2019, the editors wrote:

What truly sets William Gross apart as a collector, however, is his unwavering dedication to sharing his collection, discoveries and resources with all who are interested. William truly views the Gross Family Collection not as a »private« collection, but rather as a »public collection in private hands.« He believes that every object in his possession is the rightful property of the Jewish people. His role, as their temporary custodian, is to preserve them in a safe environment, discover about them all he can, and make them available to others as widely and as often as possible.<sup>12</sup>

Items from the Gross Family Collection have been on display in numerous exhibitions all over the world. But William Gross has always been as explicit about his role as a temporary custodian as stated above. That means that items from his collection have been de-accessioned before, to appear in public as well as in private collections, already years before the three 2023 auctions. This is the prerogative of the collector, who owns his materials privately, but it makes it harder to establish which unique item is in which collection at a given moment in time.

There is one important point that has to be made that follows from the last argument. Not all private collectors see themselves subject to the same standards as institutions. The larger collectors do take provenance issues very seriously and invest major funds in provenance research. They will never buy items that do not have secured good provenance. Likewise, the major auction houses will not auction items that they know have unclear provenance and if some items slip through, they will (and have to) withdraw such items

11 Cf. <https://www.kedem-auctions.com/en/auctions> (accessed: 25 February 2024).

12 Shalom Sabar, Emile Schrijver and Falk Wiesemann (Ed.): *Windows on Jewish Worlds, Essays in Honor of William Gross, Collector of Judaica*, Zutphen 2019, p. 19.

from their sales.<sup>13</sup> But part of the market will always be between individuals, dealers, and buyers, of which the least experienced will always be at risk to buy an object that does not have an established provenance.

## 5 Conclusion: authenticity and completeness

Problems around authenticity of books and manuscripts are bigger than the question of forgeries (of which good examples do exist). There is the phenomenon of so-called ›made-up copies‹ of printed books, which combine parts of incomplete copies of one edition into a new complete copy. Dealers are known to have split up composite manuscripts in order to sell them separately. Is that an act of historical forgery? Sometimes missing pages in manuscripts have been substituted by later owners, often copying the layout of the original. Is that forgery? Ownership marks can be removed or forged quite easily and individual leaves holding such information can be removed or substituted by blank leaves. And there are many other questions that are hard to answer. All these issues are of relevance when trying to establish the provenance of books.

On a more general level, a further problem is the fact that we are only now starting to understand the ramifications of the movement of books in the Nazi and the post-war period. Digital resources are of great help but are never complete. Much of the information needed is kept in archives, or, literally, in the minds of those involved in the postwar legal or illegal movement of books. And many of those involved are no longer alive.

In light of all the foregoing, it has to be accepted that it will never be possible to reconstruct the provenances of books and manuscripts, Jewish or non-Jewish, in their entirety. Nevertheless, the growing awareness of librarians, collectors, auctioneers and dealers is an enormous step forward and the progress made in the digitization of relevant sources is of utmost importance. I would like to close off, therefore, with an optimistic note, by underscoring and subscribing to an important point made in the white paper

13 In August 2021, community registers from various former Eastern European communities were removed from an auction in New York. See the following newspaper article, which does offer a number of perspectives on the issue, by leading experts in the field: <https://www.timesofisrael.com/are-online-sales-of-pre-holocaust-communal-records-their-doom-or-salvation/> (accessed: 25 February 2024). Of particular relevance here is an important new project initiated, among others, by the Conference on Jewish Material Claims against Germany, the ›Jewish Digital Cultural Recovery Project‹: <https://jdcrcp.org> (accessed: 25 February 2024).



on *Cultivating Best Practices in Judaica Provenance*, mentioned earlier in this contribution:

In the past, the various activities dealing with Judaica have operated in (sometimes opposing) silos. Booksellers, auction houses, librarians, private collectors, provenance researchers, and others have each operated in their own spheres, interacting only at the point of transaction. Heightened awareness of our common interests and shared goals, together with the transformative impact of new technologies, now make it possible to take concrete steps toward the creation of a vibrant community of practice. We envision an evolving provenance ecosystem based on multiple, dynamic networks of formal and informal relationships that find expression in online forums, in-person meetings, symposia, and virtual meetings. To provide a balance of continuity and organizational structure, we also recommend the creation of an association of stakeholders in the world of Judaica, Jewish books and archives. A true community of practice based on transparency and trust will optimize knowledge sharing and collegial collaboration in the service of protecting and preserving our cultural heritage. We call on both public institutions and private parties to publicly endorse the best practices outlined in this White Paper and help us lay the foundations for this new community of practice.<sup>14</sup>

<sup>14</sup> Finkelman und Margolis: *Cultivating Best Practices in Judaica Provenance* (fn. 2), p. 15.