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AUTHORSHIP, PROVENANCE, AND PROVENIENCE IN THE ›ARYANIZATION‹ OF TEXTS IN NAZI GERMANY

A component of the broader economic and financial persecution program enacted during the Nazi regime, the plagiarism of texts by Jewish authors, was perpetrated by both individuals and publishing houses alike. Publishers ceased new commissions of Jewish authors and took existing works of fiction out of print; in some instances, they reprinted reference books and encyclopedias anonymously, or with an ›Aryan‹-sounding and often pseudonymous name. Volumes such as Josef Löbel's *Knaurs Gesundheitslexikon* (1930), Walter Guttman's *Medizinische Terminologie* (1902), Adolf and Max Friedländer's *Kommentar zur Rechtsanwaltsordnung* (1908), Trübners *Deutsches Wörterbuch* (1936–1957), Eduard Engel's *Deutsche Stilkunst. Ein Lehrbuch deutscher Prosa* (1911), and Alice Urbach's *So kocht man in Wien!* (1935) were re-released without proper authorial attribution, though the majority of the prewar original texts were copied verbatim into the wartime version. Typically, only subsections that contradicted the Party ideology were removed or rewritten.

These acts of plagiarism mark a particular point of tension in the relationship between authorship, provenance, and their fictions. In literary contexts, the provenance of a book can help determine the date of a manuscript and place of binding.¹ In art historical contexts, demonstrable provenance can verify attribution and authenticate an artwork. For example, a painting whose ownership history can be traced back to the artist's workshop makes a strong cause for its own authenticity. So too can forged provenance raise questions of counterfeits and forgeries. Rather than examining the effect of false provenance on authorship, here, falsified authorship unsettles preconceived notions of provenance. Such instances of ›aryanization‹ of texts by Jewish authors under the Third Reich and their subsequent restitution shed light on how provenance is complicated by false attribution, plagiarism, and intellectual property theft.

1 David Pearson: *Provenance Research in Book History: A Handbook*, new edition, London and New Castle, 2019.

This chapter begins by examining the mechanisms of these acts of textual ›aryanization‹ that occurred between 1933 and 1945. Next, it explores recent attempts to rectify such acts, which raise questions of authenticity, and the role of the copy. Lastly, drawing from across the spectrum of often highly field-specific writing on provenance and provenience, it asks what is to be gained by considering provenance in theory. In so doing, it approaches provenance not as a technical tool, disparately deployed in a variety of contexts, but rather as a pliable set of questions, whose theoretical and conceptual implications need to be carefully considered.

1. ›Aryanization‹ of instructional texts in Nazi Germany

The aryanization of non-fiction books by Jewish authors in Nazi Germany was a manifestation of the opportunism enabled by the ambiguity of the National Socialist party's legal doctrine. Book banning began in 1933 as the Börsenverein der Deutschen Buchhändler (predecessor to the still extant Börsenverein des Deutschen Buchhandels), the Leipzig organization representing publishers' interests, replaced its director, and again in 1934 with Wilhelm Baur, who was later also named a Reich Senator of Culture by Joseph Goebbels.² In 1933 alone, one-hundred publishing houses closed or were aryanized.³ Another seven hundred would move their offices abroad in the years that followed, leaving an industry peopled by those willing to fall into line ideologically. Until the opening of a pre-publication censorship office toward the end of the war, censorship was case-by-case, and often self-enforced.

For example, at the de Gruyter publishing house, ›aryanization‹ of written work was piecemeal. In 1933, director Herbert Cram stated the following unofficial policy, one of moderate discrimination: it was »generally desirable« to »avoid essays by non-Aryan authors in the near future«. ⁴ But:

Personally I am of the opinion that, even if we avoid publishing non-Aryan works in the future, we shouldn't reject every non-Aryan work on principle, but rather be guided by the question of whether the work is valuable or even

2 Klaus G. Saur (ed.): *Verlage im »Dritten Reich«*, Frankfurt am Main 2013, p. 7–11. All translations are the author's own unless stated otherwise.

3 *Ibid.*, p. 7.

4 Angelika Königseder: *Walter de Gruyter. Ein Wissenschaftsverlag im Nationalsozialismus*, Tübingen 2016, p. 66.

indispensable for scholarship, while also taking into account the general political circumstances.⁵

By 1936, the question of what to do with existing manuscripts and printed but unsold copies was at the forefront of the publishers' mind: when asked to clarify de Gruyter's policy department head Gerhard Lütke said: »in the publishing house Walter de Gruyter, the books of Jewish authors will no longer be displayed, but for the time being nothing will stand in the way of the delivery as such«. ⁶ By 1939, a new, hardline stance introduced the corporate policy of ›aryanization‹: non-Aryan books were to be reissued as written by Aryan authors.

Oversight was particularly strict for publishers of encyclopedias and reference books since, argues historian Thomas Kiederling, »encyclopedias largely reflected the historical and social image of their time of origin«. ⁷ For example, Hans Sperber, the Jewish linguist and editor of de Gruyter's *Trübners Deutsches Wörterbuch* (1936–1957), had submitted a preliminary word list of 8,000 entries for the dictionary in August 1932, sent to contributors by March 1933. ⁸ But his contract was written with an escape clause, and when he was forced to emigrate in 1934, he was removed from the project with the excuse of delayed submissions. By some accounts he was offered the chance to continue writing anonymously. The manuscript was changed to reflect Party ideology, with the removal of foreign words, as well as *Demokratie*, *Diktatur*, *Faschismus*, and *Parlament*, and published in 1939. ⁹ Definitions of words like *Brüderlichkeit*, *Blut*, and *Krieg* were revised with a propagandistic tone. After the war, many of these entries remained in print for years in editions produced by philologist and National Socialist Party member Alfred

5 Königseder (fn. 4), p. 66.

6 Ibid, p. 67.

7 Thomas Kiederling: Lexikonarbeit im Nationalsozialismus. Eine vergleichende Untersuchung zu F.A. Brockhaus und dem Bibliographischen Institut, in: Saur (fn. 2), p. 79.

8 Henry A. Lea: Dictionary-Making in the Third Reich: The Case of Trübners Deutsches Wörterbuch, in: Seminar: A Journal of Germanic Studies 45, no. 4 (November 2009), p. 373.

9 Herbert Ernst Wiegand: Prinzipien und Methoden historischer Lexikographie. Sprachgeschichte: Ein Handbuch zur Geschichte der deutschen Sprache und ihrer Erforschung, ed. by Werner Besch, Oskar Reichmann, and Stefan Sonderegger. First half-volume, Berlin 1984, p. 588. Cited in Lea (fn. 8), p. 370. See also Königseder (fn. 4), p. 66.

Götze; in 1959, Sperber asked the publisher to correctly attribute his entries, but they refused.¹⁰

Similar plagiarism occurred with texts already in circulation: Herbert Volkmann republished a medical encyclopedia by Jewish doctor and writer Josef Löbel, *Knaurs Gesundheitslexikon* (1930), which had been an instant bestseller. In 1940, it was reprinted under the pseudonym Peter Hiron, the year that Löbel fled to Prague. The majority of the text remained the same, with additional entries on hereditary health, race, poison gas intoxication, and without previous sections on homosexuality, prison psychosis, and megalomania.¹¹ A close examination of the first page, which spans »A.« to »aberratio(n)« in the original edition, finds that the entries are almost entirely identical, with differences only in formatting.¹² Volkmann reprinted Walter Guttman's *Medizinische Terminologie* in 1939, a particularly brazen move given that Guttman's volume had been in circulation since 1902 and translated into many languages.

Such cases illustrate a tension: the simultaneous regard for the writing and prejudice against the author. The German-Jewish lawyer Max Friedländer's *Kommentar zur Rechtsanwaltsordnung* was republished by Nazi functionary Erwin Noack at the start of the Third Reich, prefaced by an introduction decrying the negative impact that Jewish lawyers had ostensibly had on the profession, yet with carefully poached plagiarism of Friedländer's ideas.¹³

The plagiarism of such ›universal reference works‹ extended beyond the white-collar world and into the home. Alice Urbach's *So Kocht man in Wien* (1935), a bestselling cookbook, remained in print until the Austrian ›Anschluss‹ forced Urbach to emigrate in October of 1938. The Munich-based Ernst Reinhardt Verlag sent Urbach a ›clarification‹ asking her to release copyright and all publishing rights to the book, which she signed on the eve of her departure. *So Kocht Man in Wien* was reprinted under the ›more Aryan-sounding‹ name Rudolf Rösch, with an additional foreword that carefully recalibrated the characterization of Viennese cuisine as national rather

10 Lea (fn. 8), p. 374.

11 Karina Urbach: *Alice's Book*, London 2023, p. 161.

12 Walter Guttman: *Guttman's medizinische Terminologie; Ableitung und Erklärung der gebräuchlichsten Fachausdrücke aller Zweige der Medizin und ihrer Hilfswissenschaften*, 23rd and 24th edition., Berlin 1930, p. 1; Herbert Volkmann: *Medizinische Terminologie. Ableitung und Erklärung der gebräuchlichsten Fachausdrücke aller Zweige der Medizin und ihrer Hilfswissenschaften*, 31st edition, Berlin and Vienna 1942, p. 1.

13 Urbach (fn. 11), p. 158f.

than international. Urbach's original preface illustrated the »international reputation« of Viennese cuisine, noting it:

is immensely varied because it has been able to draw from the colorful mixture of the people of the former Austro-Hungarian monarchy, a rich reservoir, and has also borrowed from a wider circle. Thus, the strudel and the goulash are a Hungarian invention, the dumplings of Bohemian origin and various of its trifles are taken from French cuisine, even though they have long since become our common property.¹⁴

Rösch removed references to French influence on Viennese cuisine and cites additional Austrian sources, such as the poultry from Styria, and the fresh fish of the Danube:¹⁵

Like the dialect, indeed like the character of the entire population, the cuisine at this meeting place of many nations has also absorbed various ingredients and peculiarities from outside, made them its own, modified and processed them. From Bohemia came the dumplings and many other pastries, from Hungary the strudel and the goulash, Styria was not only the steady purveyor of poultry, but also provided suggestions for its preparation, while the sweet dishes further offered many varieties of ladle cake, the trout of the mountain streams, the carp of the Danube attracted special treatment in the kitchen ...¹⁶

Particular dishes were renamed to underscore this point. The Rothschild sponge and Rothschild omelet, for example, no longer carried the name of the Jewish family. But many of the recipes stayed the same. Traces of the original author are even clearer in *So kocht man in Wien* than other technical volumes because many of the photos displayed Urbach's own hands illustrating cooking techniques; these photos remained in Rösch's edition.

In evaluating the threat posed by the »aryanized« edition, it is worth noting the particular mode of authorship operative in each original text. Each example – a cookbook, legal handbook, medical textbook, and German style guide – is nonfiction, a technical volume. Their purpose is primarily instructional

14 Alice Urbach: *So kocht man in Wien*, Vienna 1936, p. 6.

15 Also at Ernst Reinhardt Verlag, Paul Wessel's series »Reinhardts Naturwissenschaftliche Kompendium« (for which he both wrote volumes and edited), was republished under Frau Dr. Viola Riederer von Paar, a friend of Jungck. See Urbach (fn. 11), p. 169; Hermann Jungck: *75 Jahre Ernst-Reinhardt-Verlag*, München-Basel. Verlagsgeschichte [1899–1974], Munich and Basel 1974, p. 74f.

16 Rudolf Rösch: *So kocht man in Wien*, Vienna 1939, p. 5f.

rather than literary. This might suggest recognition of a model of authorship less reliant on name recognition than one in which the Foucauldian ›author function‹ has »faded away«. ¹⁷ (It is, of course, much harder to recall the author of a dictionary than the author of a novel.) Notably, most copies of *Knaurs Gesundheitslexikon*, *Kommentar zur Rechtsanwaltsordnung*, and *Medizinische Terminologie* were printed without an author's name on the cover – both before and after ›aryanization‹. Michel Foucault categorizes scientific discourse after the seventeenth or eighteenth centuries as one in which the individual author played a diminishing role: the texts were »to be received for themselves, in the anonymity of an established or always redemonstrable truth; their membership in a systematic ensemble, and not the reference to the individual who produced them, stood as their guarantee«. ¹⁸

Not so with literature, where the author-function was alive and well; the rarer attempts of literary plagiarism under the Nazi regime were often discovered and sometimes punished. When Hans Reimer Steffen drew heavily from Jewish author Egon Erwin Kisch's 1913 short story, *Magdalenenheim*, he was first praised for his writing, then later reprimanded for his use of Jewish prose. ¹⁹ Where the hand of the author was more visible, theft of intellectual property became more difficult.

2. After 1945: Circulation and Restitution

Notably, these aryanized non-fiction volumes circulated long after the war ended. In 1956, a flattering spread on the textile merchant and writer Ludwig Reiners was published in *Der Spiegel*, praising the author for having published »a considerable number of books« with an »inexhaustible« range. ²⁰ Yet Reiners had plagiarized the work of the Jewish author Eduard Engel in his book *Deutsche Stilkunst. Ein Lehrbuch deutscher Prosa* (1944), rewriting sentences and lifting examples in full.

17 Michel Foucault: What Is an Author?, in: *Aesthetics, Method, and Epistemology*, ed. by James D. Faubion, New York 1998, p. 213.

18 Foucault (fn. 17), p. 212f.

19 Urbach (fn. 11), p. 150. See also Ulrike Robeck: Egon Erwin Kisch's »Marktplatz der Sensationen«. Ein semiautobiografisches Debüt im Exil, Würzburg 2016, p. 290. By some accounts, he was asked to resign his membership of the Reichsverband der Deutschen Presse.

20 »Zweierlei Garn: Ludwig Reiners«, *Der Spiegel* (21 August 1956) <https://www.spiegel.de/politik/zweierlei-garn-a-28cebc9d-0002-0001-0000-000043063795?con-text=issue>, accessed: 11 July 2024.

This led to the seemingly odd situation in postwar Germany, where two copies of the same title were in circulation with different authors. During the war and thereafter, Urbach copies remained in circulation but not production, alongside Rösch copies, which soon outnumbered Urbach copies. Both editions would have been passed down within families, circulating in German kitchens under the same title, *So kocht man in Wien!*. This came to a head when Urbach's case was taken up by her granddaughter Karina Urbach, a historian of Nazi Germany. In *Das Buch Alice: Wie die Nazis das Kochbuch meiner Großmutter raubten*, Karina Urbach notes that Alice Urbach's postwar attempts to recover her authorial rights were unsuccessful; Rösch copies went unchallenged until 2020, when *Der Spiegel* ran a front-page story by Eva-Maria Schnurr.²¹ In October 2020, Ernst Reinhardt Verlag returned the copyright to Urbach's heirs, with an apology, and offered an e-book copy of the 1935 Urbach edition. The publisher sent physical copies of this edition to every library in Austria and Germany at their own expense.

These gestures might be read within the broader cultural movement of restitution, for example of Nazi-looted art or real estate. ›Restitution of intellectual property‹, if one can use that term, is distinct from restitution of art because the intellectual property rights are distinct from the extant copies in circulation; Urbach's heirs now hold the copyright, but Rösch editions still sit on the shelves of many kitchens.

The restitution of intellectual property would encapsulate a set of rights, usually for a limited time, including the right to copy, distribute, adapt, dependent on jurisdiction. So, too, can they typically carry financial benefits. With the restitution of copyright, Urbach's heirs would be able to enjoy many of these benefits. (Karina Urbach noted that she did not request financial compensation from Ernst Reinhardt Verlag.²²) But the persistence of Rösch editions – irretrievable and misattributed – perhaps offers a reminder of the limits of intellectual property restitution. A crude heuristic for their rarity, the original Urbach editions typically sell online for double or triple the price of a used Rösch edition.

In the Benjaminian sense, reading the Rösch edition as a technical reproduction reveals the specific threat it poses to Urbach's »full authority«. ²³ Urbach,

21 Eva-Maria Schnurr: »Wie Nazis einer Jüdin ihren Kochbuch-Bestseller raubten«, *Der Spiegel* (8 October 2020), sec. Geschichte, <https://www.spiegel.de/geschichte/alice-urbach-wie-nazis-einer-juedin-ihren-kochbuch-bestseller-raubten-a-3c9d3c5f-443f-4a9e-97f2-0832c8d8ba8d>, accessed: 11 July 2024.

22 Ibid.

23 Walter Benjamin: *The Work of Art in the Age of Its Technological Reproducibility*, in: *The Work of Art in the Age of Its Technological Reproducibility, and Other*

who wrote her own recipes from scratch, drew from years of professional experience: she attended culinary school, studied under a French pâtissier, and ran her own prestigious cooking school in Vienna for dozens of years. Rösch, in *So kocht man in Wien!*, is referred to as a »longtime master chef in Vienna«. ²⁴ Publisher Hermann Jungck, in his corporate history of his family's Ernst Reinhardt Verlag, refers to Rösch as an expert in modern nutrition:

After the annexation of Austria, I felt compelled to look for a new author for the cookbook, since Alice Urbach was Jewish and the cookbook could otherwise no longer have been distributed. I found him in Rudolf Rösch, who not only revised the cookbook, but also brought the sometimes very rich dishes of Mrs. Urbach to a modern standard (according to the knowledge about modern nutrition), so that it was in fact his own work – but based on Mrs. Urbach's cookbook. ²⁵

But Karina Urbach, after finding no men named Rudolf Rösch in the Reich Food Agency, nor in the Reich Chamber of Literature, concludes that the name was likely to be a pseudonym. ²⁶ In this way, Jungck appropriates Urbach's authority, and in so doing, undermines it.

Following Benjamin, Urbach's defense against Rösch's challenge lies in the former's »here and now«, or the history of the volume's position in particular environments and contexts, which »underlie[] its authenticity«. ²⁷ The »here and now« is constituted, among other things, by provenance, to which this chapter will now turn.

3. The Status of Provenance in ›Aryanized‹ Texts

Traditionally, art historical provenance begins after the artwork in its current form is completed, and the work first leaves the artist's possession. The first line of provenance of a painting on a museum website, for example, might refer to the artist's estate or the gallery that represents the artist. Such a framing rests on the assumption that the artist transforms materials from raw

Writings on Media, ed. by Michael W. Jennings, Brigid Doherty, and Thomas Y. Levin, Illustrated edition, Cambridge 2008, p. 21.

²⁴ Rösch (fn. 16), p. 3.

²⁵ Jungck (fn. 15), p. 56.

²⁶ Urbach (fn. 11), p. 172.

²⁷ Benjamin (fn. 23), p. 21.

into worked form, and through that transformation, marks the beginning of the object's biography. In literary contexts, the status of the artist-author for provenance is more contested. Literary scholar Joseph Dane suggests that authorship is »incidental and secondary« to a book's provenance, »important only insofar as they pertain to the history of an individual book-copy«. ²⁸ Dane writes that within the field of provenance research, a book copy »is not an exemplar of forces within printing or editorial history but rather a cultural or economic object with a history of ownership«. ²⁹ Arguably, such distinctions between editorial and ownership history are not neatly drawn when authorship has been faked. That is, periodizing a book's history into early »printing or editorial history« and subsequent »history of ownership« elides the influence the former might pose on the latter. ³⁰ The very act of ownership is problematized when the object in question is not what the owner might understand it to be. In other words, Rösch's name on the front cover of *So kocht man in Wien!* and his fictive perspective in the 1938 text color the relationship between owner and volume.

The role of provenance in understanding ›aryanized‹ texts aligns more closely to the concerns of archival provenance rather than book provenance. The latter turns on the principle of *respect des fonds* and original order: preserving archival documents within the contexts and arrangement of their original purpose, rather than, for example, the interests of the archive's visitors. ³¹

Archival provenance offers an opportunity to zero in on the slippery notion of ›origin‹, for which authorship is an imperfect shorthand. In a sense, each Nazi-era reprinted text, from *Trübners Deutsches Wörterbuch* to *Knaurs Gesundheitslexikon*, was not created, so much as produced within a new ideological system. The publishers appropriated – in the Marxist sense – the original text.

Perhaps the term *provenience*, borrowed from archaeology, better captures the specific intervention of Rösch. ³² Archaeologist Rosemary Joyce notes that while some scholars view provenance and *provenience* as inter-

28 Joseph A. Dane: Marks in Books: Provenance, in: »What Is a Book?« The Study of Early Printed Books, Notre Dame 2012, p. 157.

29 Ibid, p. 157.

30 Ibid, p. 157.

31 Tom Nesmith: Canadian Archival Studies and the Rediscovery of Provenance, Metuchen 1993, p. 2–10; see also Richard H. Lytle and David Bearman: The Power of the Principle of Provenance, in: *Archivaria* 12 (Winter 1985–1986), p. 14–27.

32 *Provenience* in German is best translated as »Fundort«, not to be confused with the word for provenance, »Provenienz«.

changeable, representing British and American English, or art historians and archivists on the one hand, and archaeologists on the other, a key difference necessitates keeping the two terms distinct. Provenience denotes the *find-spot* of an archaeological object, measured in meters from a set point, the *datum point*, and so is a fixed point in space and time, where provenance refers to the broader chain of ownership (or the accumulator and subsequent inheritors of a collection of items, in an archival setting).³³ In the context of literature, thinking with the term *provenience* offers a way to capture the particular threats to notions of authorship that these texts pose.

Traditionally, within archaeology, provenience details only the discovery of the object in the context of an excavation.³⁴ As Joyce argues, in overlooking the object's creation and pre-excavation biography, the term provenience captures only the object's coming into being within modern epistemologies. Provenience routes discussions away from the act of creation and the source of materials; rather, it marks its induction into modern systems of categorization, evaluation, and registration. She writes:

The recovery of the archaeological object is a moment of significant rupture in that history of circulation. It begins with the object's journey through modern institutions that organize, present, and attribute value to it: universities, museums, and academic disciplines.³⁵

In this sense, perhaps *literary provenience* offers a more accurate account of the intervention by Rösch and the other National Socialist plagiarists: namely, a »moment of significant rupture« that blows apart its Nazi-era reprint from its initial creation and first publication.³⁶ In this way, the term captures the fact that the texts' »aryanized« republication was precisely *not* an act of creation, but rather a nefarious re-packaging, one that marks an epistemological break and a new set of ideologies and institutions. In sum, though the continual circulation of the Rösch edition after the 2020 restitution poses a threat to the authority of the Urbach originals, the provenience of the Rösch editions remains markedly, urgently different.

This paper has sought to demonstrate that an interdisciplinary approach to an object's biography can lead to both greater accuracy and a more theoret-

33 Rosemary A. Joyce: From Place to Place: Provenience, Provenance, and Archaeology, in: Provenance: An Alternate History of Art, ed. by Gail Feigenbaum and Inge Jackson Reist, Los Angeles 2012, p. 48f.

34 Joyce (fn. 33), p. 49.

35 Ibid, p. 48.

36 Ibid, p. 48.

ically rigorous understanding of provenance itself. The task remains to continue to interrogate particular moments in literary, archival, archaeological, and art history to apply pressure to the terms *provenance* and *provenience*.