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## Dispersed, translocated, and seized book collections. Issues of protection, documentation, and information<sup>1</sup>

Mobility belongs to essential features of a book – perceived as ease of movement. It significantly increases the value of a book as a means of communication, but it also threatens it with numerous additional risks. Contrary to the pieces of monumental art, either small or even large volumes can be taken in or out, hidden or exposed in any place quite easily, joined, divided, and shuffled like playing cards. The history of culture reveals that a mobile book often move through time and space in the faster and efficient way, reaching the corners unavailable to others, more stable content carriers, but also did not always return to its original place. Consider both individual copies and whole collections.

Thus, the journeys of the books are often a natural and unavoidable phenomenon, resulting from its essence and function. They also result, all too often, from misunderstanding of the value of written monuments: if they are carelessly dispersed, recycled, abandoned, and neglected, or in contrary, they become victims of bibliophilic mania, theft, repression, or even intentional vandalism due to excessive interest.

According to common knowledge and legal rules, books have universal value and belong to cultural property<sup>2</sup>. Although the concept of cultural property has

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1 The text of Prof. Barbara Bieńkowska, who passed away on November 3, 2022, was written 30 years ago, in October 1991 in Warsaw. It was published in the journal “Z Badań nad Polskimi Księgozbiorami Historycznymi” [From the History of Polish Historical Book Collections] 1993, vol. 15. (pp. 5–12) see: [online] <http://bookhistory.uw.edu.pl/index.php/zbadannadksiazka/article/view/359/607> [Accessed 08.11.2022]. We publish an extensive excerpt of that due to topicality of numerous issues being discussed there.

2 Ustawa z dn. 15 lutego 1962 r. o ochronie dóbr kultury i o muzeach [The Act of 15.02.1962 on the protection of cultural property and museums] (Dz.U. 1962 nr 10 poz. 48, R. II, art. 5, pkt. 8–11); Dekret z dn. 17 kwietnia 1946 r. o bibliotekach i opiece nad zbiorami bibliotecznymi [The Decree of 17.04.1946 on libraries and protection of the library collections] (Dz.U. 1946 nr 26 poz. 163, Dz. I, art. 1–2) binding until 1968; Ustawa o bibliotekach z dn. 9 kwietnia 1968 [The Act of 9.04.1968 on the libraries] (Dz.U. 1968 nr 12 poz. 63, R. 1 art. 1).

been defined differently in literature<sup>3</sup>, its core sense seems to be obvious. The need for protection raises no doubts, as well.

“The purpose of the protection of cultural properties is to preserve, properly maintain and socially reasonable use and make available scientific, didactic and educational goals, so that they can serve science and the dissemination of knowledge and the art, are a permanent element of the development of culture and an active element of the life of a modern society”<sup>4</sup>.

Protection of cultural properties as such “consists of its preservation against destruction, destruction, loss, or export, providing conditions for their permanent preservation, the development of scientific documentation, evidence and registration, as well as its conservation, restoration, or reconstruction in line with scientific regulations”<sup>5</sup>.

All these obligations also refer to the objects of written culture, listed among ‘monuments’ in the Act (R. II, art. 5). It details, among others:

8. archive materials – regardless of their manufacturing technique (manuscripts, typescripts, prints), such as files, documents, books, correspondence, artistic, technical, and financial records, photographs, films, audio recordings, and other mechanically developed documents.
9. Library materials, such as manuscripts, autographs, illuminations, old printings, original editions, unique printings and other cimelia, maps, plans, notes, drawings, other recordings of image or sound, instrumentaria, bindings.
10. Sets and collections of artistic or historical value as a whole, regardless of the type and value of individual pieces.
11. Studios and workshop of outstanding creators and activists, as well as documents and objects related to their life and activity.

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3 See: J. Pruszyński, *Ochrona zabytków w Polsce. Geneza, organizacja, prawo*, Warszawa 1989, p. 15–20. The Decree (1.1) states: “Biblioteki i zbiory biblioteczne zarówno krajowe, jak znajdujące się za granicą a będące własnością lub w posiadaniu obywateli polskich lub instytucji polskich uznaje się za narodowe mienie kulturalne powołane do służenia dobru ogólnemu” [Libraries and library collections, both located within the country or abroad, but owned or possessed by Polish citizens or Polish institutions, are deemed to be a national cultural property established to serve general good]. Similarly states the binding Act of 1968 (I, 1): “Biblioteki, ich zbiory i urządzenia są dobrem narodowym” [Libraries, their collections and facilities, are the national property]; The act of 1962 (I, 2) states: “Dobrem kultury w rozumieniu ustawy jest każdy przedmiot ruchomy lub nieruchomy, dawny lub współczesny mający znaczenie dla dziedzictwa i rozwoju kulturalnego ze względu na jego wartość historyczną, naukową lub artystyczną” [According to the Act, a cultural property is any object movable or immovable, ancient or modern, significant for the cultural heritage and development due to its historical, scientific or artistic value].

4 The act of 1962 (I, 3.1). Cited s follows in Ustawa z dn. 19 lipca 1990 r. o zmianie ustawy o ochronie dóbr kultury i o muzeach [The Act of 19.07.1990 amending the act on the protection of cultural property and museums] (Dz.U. 1990 nr 56 poz. 322, art. 1.2).

5 The Act of 1962 (I, 3.2.).

A book scientist may have reservations regarding the wording of individual points above (in particular concerning inconsequent classification of monumental objects); however, the essence, i.e. legal protection of a book as a cultural property, is indisputable. Current discussions concerning both Acts, reasonably evaluated as insufficient and outdated in modern reality, aim at improvement of protection systems of cultural assets and of access to information and the collections, according to the requirements of modern times.

The international program of Universal Availability of Publications (UAP) run by IFLA in cooperation with UNESCO is the expression of these irreversible, and moreover dynamically increasing trends. It is by nature obligatory for all member countries, and Poland as well. The program started in 1973 gradually embraces larger and wider areas of issues<sup>6</sup>.

The fundamental assumption of the plan is the full availability of all publications for each user, regardless place, time or form<sup>7</sup>. It concerns not only contemporary publications, but also old resources<sup>8</sup>, either individual copies or entire collections, historical book collections.

The latter concept can be interpreted as hugely diversified structures consisting of a few or a dozen units (e.g. considering the ancient or medieval objects) up to multitudinous collections of manuscripts, prints, maps, drawings, music documents, phonographic and photographic objects. Closed collection is the one for which gathering was definitely finished or broken, either centuries ago or recently. Modern libraries, still acquiring books, usually consist of numerous closed, historical collections. These can be large or small sets, complete, parts or fragments, private or institutional collections from different periods, of diversified meritorious, artistic, and historical value. They are all testimonies and sources of information on people, their activities, and their creations. There are some works of the highest universal value among them, but even if such are lacking, any old collection of books, even if consisting of publications trivial for its time and not concerning the most eminent personalities, is a valuable

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6 Fundamental assumptions of the program are presented in: S. Vickers, *The Fundamentals of UAP*, "IFLA Journal" 1982, vol. 8, no 1, p. 42–49; M.B. Line, *Universal Availability of Publications*, "UNESCO Bulletin for Libraries" 1977, vol. 31, no 3, p. 141–152; "UAP Newsletter" no 1; M.B. Line, *UAP and its relation to research and education. Abstract 53rd IFLA Council and General Conference. Brighton. United Kingdom, 16–21 August 1987*, "UAP Newsletter", no 9–2.

7 See: S. Vickers, op.cit., s. 42: "The objective of UAP – Universal Availability of Publications is the widest possible availability of publications to intending users wherever and whenever they need it, as an essential element in economic, social, educational and personal development. To achieve this objective requires both positive action and the removal of barriers at all levels, from the local to the international, and at all stages, from the publication of new material to the retention of last copies".

8 See: I.R. Willison, *The relevance of Universal Availability of Publications to rare and precious books*, "IFLA Journal" 1987, vol. 4, no 2, p. 158–165.

fragment and component of the general cultural landscape, a trace of the needs and possibilities of its creators and users. Therefore, the world's cultural heritage contained even in the most seemingly provincial collections is common<sup>9</sup>.

Written monuments fulfill numerous meritorious, ideological, esthetical, emotional, and prestigious functions. First, they make a fundamental and indispensable condition of many research studies. Moreover, they are being used for education, dissemination, artistic, entertainment, and sometimes even practical, everyday life purposes. For instance, they can document one's status, property rights, social, national, religious, or political affiliation, etc. Reaching adequate objects is very often a priority in general, community, or individual level. On the other hand, the use of historical collections often faces particular barriers. These are due to very specificity of old writings, their rarity, often even uniqueness, cultural and material value, texture fragility, and indispensable specialist skills. It is beyond the discussion that special collections require meticulous protection, to ensure their maximum safety. However, historical heritage is at the same time an asset that has to function in science and public consciousness. It cannot remain an unavailable and dead capital. Such a conflict of interests between the obligation of protection and a postulate of universal availability is a difficult dilemma for modern library policy. These are common, so to speak, natural problems. The possibility of coping originals onto secondary carriers plays an increasingly important role in overcoming them<sup>10</sup>. Conservation and reprographic projects, necessary but difficult in terms of content, organisation, technology, and enormous costs, require close coordination and cooperation on a national and international scale, as they exceed the capabilities of even wealthy institutions in countries considered to be rich. Both needs and impossibilities in this regard are tragically multiplied in Poland.

Obviously, access to historical collections, more or less complicated, is possible only if they are localised and documented. However, huge resources of old books remain beyond this sphere, unrecognised, and neglected. Their existence is known only to a very small group and their content to no one or almost no one. Their inclusion to the civilisational circulation is currently an urgent and extremely difficult task.

It refers mainly to the book collections translocated and seized, those that changed owners and places over the course of history<sup>11</sup>. They are now

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9 B. Bieńkowska, *Kilka uwag i propozycji w sprawie badań księgozbiorów historycznych*, "Studia o Książce" 1986, vol. 16, pp. 3–17.

10 The project of microfilming valuable and rare originals on an international scale is carried out by the Commission on Preservation and Access seated in Washington, in cooperation with the European Economic Community.

11 The Polish Bibliological Association discussed the problem of translocated and seized book collection during two Forum meetings (Warszawa, April 20 and May 31, 1990). See: "No-

in different environments than those by and for whom they were created. Transfer between different countries and nations, or migrations within the countries, may be involved. In both cases, changes of the owners very often came directly or indirectly from political reasons. The scale of this phenomenon in Poland is huge, considering storms of partition and both world wars in the last more than two centuries (not to dive further in history), along with their consequences, devastating the map of our cultural heritage.

Looting and war loss caused the most severe changes. The history of probably each era and each corner of the earth knows such causes. Beginning from the ancient times (famous Roman partitions are not a unique example), the infamous thread of looting book collections from their original locations is spinning through the history, either as spoils of war or repressions from the winners. Let us recall only the Swedish Deluge, Napoleon wars, Russian requisitions since the 18<sup>th</sup> century, or looting of the Nazis within occupied territories. Various sets and objects were destroyed as a result of such actions. Let us mention also quite often cases of purposeful destruction of books by the enemies (e.g. the Nazis burning the most valuable objects from Warsaw libraries when the fights in Warsaw were stopped in 1944). However, noting with regret and condemnation such facts as war crimes, we are already completely helpless in facing them. The evil that has occurred is irreparable. However, it lingers like a thorn in the consciousness of the affected societies, constituting a serious psychological barrier to the now rational opportunities for information cooperation.

Fortunately, not all looted collections are irreversibly lost. A few of them have been devastated, dispersed, translocated in more or less known directions; however, they do exist somewhere, at least in part, if not as a whole. Therefore, there is a possibility, or even an obligation, to reach them, preserve them, document them, and make them available according to their purpose.

Taking the collection of different ethnicity into possession could also take place as a result of changed state borders. For instance, numerous post-German book collections were found within the Polish territory after World War II in this way, and the Polish ones within the territories of our eastern neighbours. This is not the case of looting, but of war losses resulting from the rule of pertinence. The latter, respected in international conventions, is by its nature ambidextrous, or rather multidextrous, and should be seriously considered whenever one would like to act against it.

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winy Polskiego Towarzystwa Bibliologicznego” 1990, no 4 (August); *Doniosła inicjatywa Polskiego Towarzystwa Bibliologicznego*, “Kwartalnik Historii Nauki i Techniki” 1990, no 4, pp. 651–653. Extensive Forum proceedings will be published in “*Studia o Książce*”, vol. 20. These proceedings, and the text by M. Cubrzyńska-Leonarczyk, *Historyczne księgozbiory polskie i obce rozproszone na terenie Rzeczypospolitej i poza nią* in particular, are used below.



Collections could be found abroad due to the legal dependency of their owners on foreign decisive centres. For example, the areas of church jurisdiction did not always coincide with state borders. The state political authorities that resided were often located outside the dependent countries. According to the principle, the rulers disposed of confiscated property, seized from liquidated institutions (e.g. the collections of biased Polish monasteries significantly enriched the libraries of the partitioning states in the 19<sup>th</sup> century), or controlled otherwise.

Obviously, not all movement of collections abroad resulted from political pressure. There are many examples of sale by physical or institutional owners of the whole collections or partially to foreign amateurs, if only by auction. The rule is to export one's own collection in case of moving to another country for living (although political or ideological contexts can be found in such cases), or transfer by inheritance or donation. There are many other diversified forms of disposal of one's books for the benefit of foreign purchasers.

The reasons for moving collections within the country are quite similar. Several historical collections were translocated and dispersed due to hostilities. It caused destruction of a property, extermination, resettlement, or expropriation of its curators. Intensive translocations resulted from political changes, e.g. in the Central and Eastern Europe, where the states took over so-called abandoned property, as well as the noble court collections and former magnate foundations after 1945. Libraries of liquidated organisations and institutions were also taken over and relocated. In the face of fundamental changes of the whole structures of the state, local, and social authorities after the World War II, these phenomena were observed on a mass scale. Noticeably, currently – in the 90s of the 20<sup>th</sup> century – in the result of the destruction of the communist system, the map of institutional libraries has been fundamentally changed in this part of Europe again. Various 'colossi', in possession of archives and libraries of sometimes great value, are collapsing or already have. The protection and documentation of these collections is of primary importance. Regardless of great political turnovers, each living society undergoes changes causing mobility of library collections. New structures are developed, while others disappear, join, divide, reshape, are translocated, etc. It concerns either institutional or private collectors. Even the most stable libraries change their holding status, not to mention the smaller ones, although having extremely valuable provenance collections.

This maximally short review of the reasons of dispersion of historical collections, in domestic and foreign relationships, focuses on just signal information about the enormous scale and complexity of the problem, escaping superficial generalisations. The reasons and circumstances of translocation and seizing of special collections are very different, such as their legal statuses: from absolutely legal to doubtful or even illegal seizure. Each case requires individual



consideration. Too many insinuations, ambiguities, insincerities, and irritability have built up around the seized collections due to delicate ownership issues of national, social, and religious background. They are particularly acute in international relationships, effectively blocking not only access to books but also to information about them.

Undoubtedly, numerous historical collections, relocated or changing owners due to the wars and other political reasons (loots, expropriation, changed borders) are stuck in unfamiliar environments, neglected or sometimes deliberately classified. Moreover, information about foreign collections relocated to new places in a natural and legal way (donations, inheritances, purchases)<sup>12</sup> is also sometimes a subject of this secretive psychosis. It is often hard to resist the impression that political overzealousness in secrecy about seized collection is just a convenient excuse to cover up the neglect and incompetence of the current disposers. The burden of adequate maintenance of a historical collection, allocated by chance to an institution of completely different profile, often exceeds its actual potential (e.g., valuable specialist collection in a small public library). after all, it is obvious that historical collections isolated from their proper environments, strange and random in another location, do not find interested and prepared readers there. For the others, they should represent different areas of interest, levels, problems, or even languages. They are irrelevant from the pragmatic point of view of a modern library. Therefore, regardless of their actual cultural values, they are sometimes treated as troublesome ballast: unrecognised, not elaborated, and unpreserved, stored in the worst conditions. Such a situation finds its justification in life. Most libraries, in particular in the Central and Eastern Europe, face severe financial, organisational, and local difficulties, etc. They have to choose tasks because they are unable to complete them all. The collections least used on a daily basis, i.e. foreign historical collections, are the victims in this competition. They are also the most expensive and the most difficult to preserve and develop. They often represent languages and script foreign to a librarian (e.g. Cyrillic, gothic, Hebrew), and always distant topics, requiring specialist competences and knowledge. As a result, valuable collections are deteriorating, forgotten, and unavailable. Even superficial registration of their maintenance status is lacking. Presumably, the barriers in free information flow, discussed here, are particularly strong in former socialist countries and among them. However, their repercussions concern cultural communication circulation in total, significantly limiting the cognitive potentials of the world science.

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12 Negative consequences of hiding provenances of the collections have been lately discussed (from a reader's point of view) by P. Spodenkiewicz, *Księgozbiory na granicy epok*, "Res publica" 1991, no 9/10, pp. 143–146.

The opportunity to open access to the collections seized and the information about them appeared in the current perspective of normalisation of internal and international political relationships<sup>13</sup>. The Polish Bibliological Association, a national scientific society established in Warszawa in 1988, currently with regional branches (in Kraków, Lublin, Łódź, Warszawa, and Wrocław) recognised this chance on its territory and within its capabilities. After several months of discussions, during its Forum on May 31, 1990, the Association accepted the “Statement on free access to information and collections translocated and seized”. It consists of a few key points:

1. Welfare of the collections should be the fundamental criterium for decisions concerning their fate: safety, proper preservation, elaboration, and usage in cultural circulation.
2. Physical protection and ensuring complete flow of information, as well as free – according to library regulations, with no superficial barriers – access to the whole collections and individual copies for the users in general, and former owners in particular, is a professional and moral obligation of their disposers.
3. Forms of interlibrary cooperation, domestic and international, based on professionalism and loyalty, should be developed to ensure current, reliable information about translocated book collections. Publishing of central and local catalogues of major collections, guidance concerning elaboration of the collections of different ethnicity, exchange of the professionals (e.g. fellows, interns) and information (e.g. catalogues, directories, queries) seem to be of particular importance.
4. The subject of the Society’s efforts is the problem of free access to information and translocated collections. Possible assertions of property rights are separate issues, at the discretion of the concerned authorities.

The Polish Bibliological Association Forum expresses its hope that acceptance and compliance to the regulations mentioned above by book professionals in Poland and other interested countries will contribute to mutual understanding and trust, to improving information exchange, and to actual inclusion of the major part of historical heritage (often in danger of being destroyed or forgotten) in a living circulation of the world culture<sup>14</sup>.

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13 See: *Dziedzictwo ważniejsze niż granice. Z Wojciechem Kowalskim, pełnomocnikiem rządu ds. dziedzictwa polskiego za granicą rozmawia Marzena Guzowska*, “Rzeczpospolita” 1991, no 248 (October 23rd).

14 Complete text of the statement was published in “Nowiny PTB”, see footnote no 10.