



THE
ARCHIVE THIEF

The Man Who Salvaged
French Jewish History in the
Wake of the Holocaust

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INTRODUCTION



THE ARCHIVAL SOURCES HISTORIANS USE to write the history of Jews in modern France are scattered across three continents, a veritable diaspora of documents. The pattern they form is curious. Unlike the documentary diaspora of German Jewish archives, which are also spread across the globe, it does not follow the paths of their owners' flight from persecution and their resettlement on safer shores.¹ That would be impossible; Jews have not emigrated en masse from France since these documents were created. Indeed, even after the devastating loss of a quarter of their population in the Holocaust, France's Jews stayed. Their numbers grew, and with new waves of immigration quickly exceeded prewar levels. In spite of the difficulties involved, they managed to rebuild their vibrant communal life. Furthermore, many of the largest French Jewish institutions survived the period of Nazi occupation with their papers intact, and the largest of the libraries looted by the Nazis were found and returned to France after the war.

And yet, across the network of state archives in France—the nation's pride, a treasure trove of government and private papers—troubling gaps are visible in the papers in which Jews are mentioned. A few important French synagogue collections seem riddled with holes as well. At the same time, surprisingly large collections of rare French

Judaica turn up in the special collections departments of university libraries such as Brandeis University (Waltham, Massachusetts), Harvard University (Cambridge, Massachusetts), Hebrew Union College (Cincinnati, Ohio), the Jewish Theological Seminary of America (New York), and Yeshiva University (New York), as well as in the archives of the YIVO Institute for Jewish Research (New York) and the Central Archives for the History of the Jewish People (Jerusalem). Why are these documents no longer in France if French Jews largely opted to remain in France after the Holocaust? How did they wind up dispersed so widely across the globe?

The answer is an open secret. If you ask one of the more seasoned archivists, librarians, or researchers working in any one of these institutions, you are likely to hear some talk of international intrigue. At the center of the intrigue is a peculiar individual: the historian Zosa Szajkowski (Shy-KOV-ski, 1911–1978), a pioneer in the field of French Jewish history. Szajkowski wrote scores of articles in the field, most on topics no one had ever researched before and many of which are still considered indispensable decades after they were written. Beyond his scholarly work, Szajkowski was also a devoted collector of French Judaica. He began his collecting in the late 1930s when, impassioned by Jewish history, he solicited donations from French Jews who had materials of historical interest among their family papers. In the aftermath of the Holocaust, wracked by grief and determined to facilitate the writing of an objective history of catastrophe, he gathered evidence of the persecution from Jewish leaders in Paris and from the wreckage of bombed-out buildings in Berlin. Many Jews in France and the United States saw his collecting of those papers as a heroic effort to preserve the evidence for posterity.

But in time, this rescuer became a thief. Most of the documents he acquired in the 1950s—mostly pertaining to Jewish history in France since the seventeenth century—he stole from the archives. Some were taken from state archives, where he stealthily evaded the gaze of the archivist in the “panoptical” reading room, often cutting old documents out of bound volumes to evade detection.² Others were stolen from the private collections of synagogues and private Jewish libraries, institutions that had only recently begun to recover from what had happened in the years of Nazi occupation. In both types of institutions, archivists

were betrayed by someone they had come to trust as a professional scholar and, in many of these cases, as a fellow Jew. After Szajkowski's betrayal, they took steps to protect their collections from further losses, but they were only ever able to recover a tiny fraction of what had been taken.

The results of Szajkowski's collecting, particularly if we count the legal together with the illegal, are staggering. Between 1940 and 1961, Szajkowski acquired tens of thousands of documents about Jews from various sources in France and brought them to New York. After he finished his own work with the documents—they were used as evidence in his articles—he sold them to the American and Israeli research libraries and archives where they are now housed. Although few acquisitions records remain, many of these documents bear marks of Szajkowski's handling, including notations made in his handwriting. To the degree that it is possible to trace the collections of French Judaica held outside of France, most of them appear to have been purchased from Szajkowski in the 1950s and 1960s.³

Given France's checkered history with regard to the Jews, it is hard to know how to evaluate Szajkowski's collecting overall. Was he simply a thief who destroyed the integrity of the French archives, preying on the disorder the Nazis had left in their wake? Or was he a hero who rescued Jewish papers from a country where on more than one occasion in the past two hundred years, calls for the expulsion of the Jews rang loudly across the land, and in even more recent times, French officials facilitated the deportation of more than 76,000 Jews to Nazi death camps?

However we make sense of them, it is clear that the thefts and sales have had a significant impact on the historiography. The documents in the American and Israeli institutions have been used by dozens of scholars, including the first university-based historians to work on French Jewish history. In fact, a number of the students who helped to create this academic subfield wrote their dissertations right around the time of the sales in the 1960s at some of the very institutions that acquired French Jewish documents from Szajkowski. These include Arthur Hertzberg and Paula Hyman (Columbia University), Phyllis Cohen Albert and Frances Malino (Brandeis University), and Jonathan Helfand (Yeshiva University). Although these scholars and those who followed in their footsteps also did extensive research in France for their

work, the existence of source material in American institutions was an important factor in raising their interest in what was, at that time, a topic no scholar working in academia—in the United States, Israel, or France—had yet explored.⁴

My interest in Szajkowski's story began in the 1990s when I was conducting research for my Ph.D. dissertation on Jews in nineteenth-century France. Initially, the tales I was hearing in the archives were just a distraction from the tedium of my research on the "real" history of French Jews. But in time, I grew increasingly aware of Szajkowski's impact on the kinds of questions historians ask in my field, including the ones I myself was asking. The footnotes and bibliographies of works in the field are a testament to Szajkowski's lasting impact as a scholar, but also as a shaper of archives. By stealing what interested him, Szajkowski created holes in French archives and new holdings in American and Israeli ones. What's more, in France, the disappearances led horrified French archivists to catalogue, for the first time, the collections from which Szajkowski had taken materials, thereby making those particular collections accessible in a new way. In the United States, the acquisitions of these documents created entire collections based on his interests. Those actions led in both places to heightened interest in the kinds of questions he pursued and the collections he used. The writing of the "real" history of French Jews on both sides of the Atlantic has been facilitated by Szajkowski as a historian, collector, and thief.

Szajkowski has not only had an impact on what documents we can access, but also, to some extent, the ways in which we read them. By stealing documents about Jews from France and selling them in the United States, Szajkowski re-contextualized important materials and shaped the very way we conceive of the history we are writing when we use them. For the most part, the American and Israeli institutions to which he sold documents identify these materials as "Jewish" because most of them are housed in private Jewish institutions. There, the documents are generally identified as "French materials," alongside other collections of, say, "German" or "Italian" Judaica. This means that in these collections, you will find eighteenth-century tax records from Metz in the same series with nineteenth-century Bordeaux synagogue records and World War II-era Parisian Jewish resistance documents.⁵

In contrast, many related documents that you might see in France are held in the state archives that first collected them, and there, they are organized along with the records of other French institutions, grouped by provenance (i.e., by the agency that created them). For example, in the French National Archives, the records of synagogues built with state support in the nineteenth century are in the same series as the records of Protestant and Catholic churches, since they were regulated by the same state agency. In short, while the records in French archives are organized to reflect the organization of the French state, the records in the American and Israeli documentary collections are organized to reflect the history of the Jews in diaspora, a veritable “ingathering of the exiled documents.”⁶ As historians, our access to the documentary record of the French Jewish past is thus constructed through institutions with very different conceptions of the place of Jews in France. One makes Jews an integral, if sometimes invisible, part of French history, and another makes France one location among many in the story of dislocated Jewish history. The organization of the archives thus also reflects a key tension in the historiography: Is the story of Jews in France part of French history or part of Jewish history? Here too, Szajkowski has left his mark on the way we understand the past.

Szajkowski’s story takes place in what historian Antoinette Burton has called “the backstage of archives,” the staging area that we are trained to ignore as we go about our research into the “real” history we are reconstructing based on the documents themselves.⁷ Although we rarely examine them as such, archives are themselves historical artifacts. Investigating their history sheds light on the worldviews of their builders and the contexts in which they were built. As Burton writes, archives “arrive at our sightlines as if they were shrink-wrapped, that is, with very little trace of how they were compiled.”⁸ Yet in reality, their content and organization are not as fixed as we generally assume them to be. If we look carefully, some of the materials they contain bear the marks of their handlers. Learning about the history of the documents we use is as useful as it is interesting, because the web of commitments that built the archives continues to have an impact on our conception of the past.

The history of Jewish archives taken out of Europe during and after World War II is somewhat better known than the history of other

archival collections. This is because the looting of European Judaica by the Nazis has been understood in the popular imagination as part of the tragedy of the Holocaust, and the postwar recuperation of these materials has been understood as part of the work of reconstruction and memorialization. But as such, even among scholars, the postwar movement of European Judaica to new homes in the United States and Israel has largely been celebrated as a successful rescue effort in ways that obscure the disputes, illegalities, and ambiguities involved. In the process, they also artificially make the history of Jewish archives an exclusively Jewish tale, sealed off from broader historical developments and practices.⁹

Szajkowski's work with the archives is far more ambiguous than those better known stories of heroism. Some of what he did was celebrated as heroic acts of Judaica rescue, but other transfers were clearly thefts. The ambiguity at the heart of his story provides an interesting vantage point from which to rethink certain assumptions we still have about Jewish resistance in the Holocaust and Jewish reconstruction in its wake, because it unfolds in the same context and was shaped in large part by the same cultural, political, and economic factors. A number of scholars have recently begun to complicate traditional narratives of Jewish reconstruction, giving us a richer picture of Jewish responses to the Holocaust.¹⁰ Placing Szajkowski's story alongside and within the more widely celebrated tales of postwar Judaica "rescue" forces us to see the larger moral complexities in the enterprise as a whole. In so doing, it also normalizes Jewish history, enabling us to draw links between the history of Jewish archives and the history of archives more generally.

Researching the backstage of archives is no easy task. Archives and libraries rarely make their internal records available to researchers, and some do not even keep them for more than a few years. To my surprise, in most of the institutions I consulted in the United States, even records of such basic transactions as purchases had been discarded long ago or were never created in the first place. As for the institutions in France, with only a few notable exceptions, it has been hard to determine what Szajkowski took from their collections illicitly, for his success as a thief depended on being able to accomplish the task without being detected. Only in the small number of places where thefts were actually investigated was I able to find a solid paper trail. As for the collecting he

did more legitimately, the only traces that remain are his own tantalizingly vague descriptions of these acquisitions in the letters he wrote to friends, rarely mentioning the names of the individuals or shops where he found his treasures. This means that we cannot know with much certainty exactly which documents now held in institutions in the United States and Israel were stolen, and which were acquired more legitimately. It is equally difficult to know what exactly is missing from French collections or the circumstances under which they went missing. As any archivist or librarian knows, losses are an unfortunate part of business-as-usual in such institutions, and any thief worth his salt leaves no trace.

So I have had to work with the traces that do remain: penciled scribbles in the margins of old French documents found in American and Israeli archives; missing pages in bound volumes found in French archives; interviews with archivists and historians who knew Szajkowski in France, Israel, and the United States. Then there were Szajkowski's own writings: his scholarly publications in five languages, numbering almost two hundred, and an amazing cache of lengthy letters he wrote to a friend in the years of his military service. Out of such evidence, it has been possible to piece together this story, one that is in many ways unique, at least in its scope.

But the larger factors that shaped Szajkowski's actions and how they were seen are far from unique. Only when we understand the issues at the heart of his story, in all their ambiguity and complexity, can we begin to address the larger questions of the rightful ownership of archives that are still so important today, not just with regard to French Jewish documents, but also for other contested archives. Examples are particularly abundant in the Jewish press in recent years. One such case involves the papers known as the Iraqi Jewish archive, seized by Saddam Hussein's intelligence forces from the synagogue where they were left after Iraqi Jews were forced into exile in the early 1950s. The papers were found by U.S. troops during the invasion of Baghdad in 2003 and removed to Washington for restoration work. The removal led to a bitter ownership dispute in which the new Iraqi state claimed its legal right to the papers while outraged Jews in Israel and the United States advanced a moral claim against their return to Iraq, arguing that a nation without Jews is no place for a Jewish archive. Another recent example involves

the library of the sixth Lubavitcher Rebbe, seized by the Soviets in 1918, recovered in part by the family in 1927, seized by the Germans in World War II, seized again by the Soviets in 1945, and now once again the subject of international dispute, this time between the United States and Russia.¹¹ The problem is not a uniquely Jewish one, but given Jews' history of persecution and mass migration, they have been affected more frequently than most.

In a multicultural world in which victimized groups are frequently on the move, where are the remnants of their past best kept? Who has the right to make such decisions? We still live in an era in which nation-states reign supreme. For minority groups interested in preserving the evidence of their historical experience, the questions remain of the utmost importance.

I

Szajkowski's Passion

ON APRIL 13, 1961, THE Jewish historian Zosa Szajkowski was caught red-handed stealing rare documents from the city archives in Strasbourg, France. His method was rather crude: he was ripping pages out of bound volumes and sliding them surreptitiously into his briefcase. The written confession he penned that night, in words surely dictated by the chief archivist, highlighted the violence of the act in stark terms: "I admit to having lacerated volumes belonging to the Strasbourg Municipal Library," he wrote, signing the damning words not with his historian's nom de plume but with his legal name, Szajko (SHY-ko) Frydman.¹

The archivist, Philippe Dollinger, initially judged Szajkowski to be "a scholar impassioned by his research" whose crime was motivated by his "excess of interest in his subject."² As a historian himself, Dollinger knew this kind of thing sometimes happened in his profession. Who knows, he may have felt the lure of the documents himself at one time or another. Certainly he would have talked about that passion with other historians; ever since archival research became the sine qua non of professional historical practice in the nineteenth century, it has been commonplace for historians to talk about documents in terms of "love, obsession, and more particularly fetishism."³ And so, surveying the situation that night, Dollinger took pity on the man before him.

Demanding only that Szajkowski write the confession, return the stolen papers, and offer a donation to the archives upon his return to New York, he let the scholar go and waited until morning to file a police report, giving the historian ample time to hop a train to Paris and from there, a plane to London, thereby escaping arrest.⁴

This incident occurred at the height of Szajkowski's unusual career as a historian. Although he had never received a Ph.D.—or any degree, for that matter—by 1961, he was widely regarded as a leading expert in modern Jewish history, a member of the prestigious American Academy for Jewish Research. Born in Russian Poland in 1911, he had immigrated to Paris in 1927 to escape the poverty into which his hometown had sunk. Then, after France fell to the Nazis, he fled to New York, where he remained until his death in 1978. Szajkowski was remarkably productive, and by the time he was caught stealing in the Strasbourg archives, he had published well over a hundred academic articles and eleven books, most of which were based on archival documents and treated subjects that had never before been researched. He would go on to publish almost a hundred more studies.

The historian was known in scholarly circles around the world. His publications had appeared in Yiddish and English, and with the help of translators, a few had appeared in Italian and Hebrew as well. Yet except for a brief engagement as an adjunct instructor at Brandeis University years later, he never held a university position. His lack of credentials made that all but impossible. But since many Jewish studies scholars in the 1950s and 1960s were, like Szajkowski, working outside of academia, it did not keep him from getting his work published in top journals or from earning the respect of his colleagues. To support himself, Szajkowski relied on the modest salary he received from YIVO, the academic institute in New York that was devoted to the study of Jewish life generally and Yiddish culture specifically, where he worked as an archivist and research associate from 1946 until his death.

To catch such a well-respected historian in the act of stealing precious documents must have been quite a blow to the chief archivist at the Strasbourg Municipal Library. The members of his staff had done much to accommodate Szajkowski's tight schedule in the city that week in April 1961, and to be repaid this way was a betrayal of their trust. Such trust was not granted to just anyone who wandered into

French state archives, even smaller ones like this one. But Szajkowski was a scholar, and he had been there before on research trips in 1950 and 1955. Moreover, the studies he had published in American scholarly journals on the basis of his findings there were impressive in their rich documentation, and he had been good about sending offprints to the archives and libraries where he had conducted research. The fact that he was known to be one of the world's experts on the history of Jews in France with a special interest in the local region was good reason to trust him, and so while he was in town that week, Dollinger's staff in the municipal archives had treated him with due respect. That Thursday night, they had even let him stay late with the materials he was reading after the archives closed and the staff had gone home. Knowing his time in the city was running out, they moved the materials he was working on across the hall from the archives to the municipal library, where the reading room stayed open late.⁵

That evening, in the library reading room and not in the more relaxed atmosphere of the archives, a watchful librarian, Madame Solveen, caught the historian in the act and demanded to look inside his briefcase. When he stubbornly refused to open it, she rang the alarm, had the concierge bolt the door, and detained him while she phoned Dollinger. Arriving on the scene, Dollinger persuaded Szajkowski, man to man and historian to historian, to open his briefcase, where they found additional documents—including a fourteenth-century parchment—that had clearly been ripped from the bindings of archival registers. At that point, they must all have known something serious was afoot. Leaving Madame Solveen behind, Dollinger and the concierge, Monsieur Sommer, accompanied Szajkowski back to his room at the Hotel Royal, near the train station.

There they found sixty-nine other documents ripped from the bound registers that Szajkowski had ordered up and consulted that week in the municipal archives, along with twenty-one other documents of unknown origin, which appeared to have come from archives in the south of France. They could not be exactly sure where those other documents originated because, like the documents that they recognized from their own collection, they bore no ownership stamps. Inspecting all those documents in the hotel room with his own eyes, Dollinger saw that Szajkowski had sorted them into folders marked in Yiddish,

French, and English. One folder said “Bibliothèque de New York” (New York Library); another said “To Make Notes”; still others were marked with numbers: 2a, 7, 8, and 9a.⁶ Szajkowski had not only stolen these papers, he had also been reorganizing and reimagining them as he went, each extraction a calculated addition to a Jewish-centered collection. Dollinger did not see that, at least not at the time. Taking stock of Szajkowski’s theft that night, Dollinger decided that the return of the documents, a signed confession, and a promise to make a donation to the archives was sufficient punishment. He and the concierge headed back to the archives with the documents, leaving Szajkowski in the hotel room alone.

Historians are often passionate about old and rare things, and these stolen papers were old and rare indeed. Moreover, they were clearly related to Szajkowski’s research. The document Madame Solveen had seen him “lacerating” concerned, somewhat ironically, the expulsion of Jews without a fixed address from Alsace in September 1784, based on the fear that Jewish migrants were vagabonds destined to become thieves. In Szajkowski’s briefcase, Dollinger had found five more documents: two copies of a 1728 document forbidding residents of Strasbourg to trade with Jews, except for horses; a 1648 ruling that forbade Jews to trade with the residents of Strasbourg, except for horses; a 1539 regulation on Jewish usury; and an *ordonnance* from 1530, before Strasbourg was even part of France, by the Magistrat of the free city of Strasbourg forbidding the inhabitants of the town to contract for loans from Jews. The other documents found back in the hotel room were of a similar sort, the bulk of them eighteenth-century regulations pertaining to the Jews. In the archives, they had been organized in bound volumes according to the sovereign body that had issued them, including a 1765 regulation forbidding the insulting of Jews and a 1731 order from the royal *intendant* to the Alsatian *magistrat* to take a census of the Jews in his jurisdiction. The oldest document in the room was a letter, written on parchment in 1357, from the magistrate of Speyer to the magistrate of Strasbourg about the burning of Speyer’s Jews.⁷

The documents Szajkowski stole in April 1961 were exactly the kind of thing he had been writing about in his history articles for years. Indeed, for more than a decade, Szajkowski had grappled with the meaning that lay on the pages he was to tear from their bindings, and

he stewed over the questions of why such regulations were issued and what their implications were. He had written no fewer than five major studies using documents much like these, and several more on the Jews in the same region during the slightly later era of the Revolution.⁸

These documents depicted the Jews of Alsace living in an era of insecurity. On the one hand, restrictions on their work kept them concentrated in commerce and moneylending, which led to frequent conflicts with non-Jewish neighbors and the perception, often shared by the authorities, that they were unethical in their business practices. On the other hand, by the late eighteenth century, leaders in the region had come into contact with Enlightenment ideas, and some were beginning to advocate removing the restrictions on Jewish economic activity, arguing that the only reason Jews were immoral in commerce was that the law gave them no other options. As one of the most famous Enlightenment advocates for broadening Jewish rights put it in 1781:

As there are almost no honest means of earning a living left to [the Jew] it is natural that he falls into criminal practices and fraud. . . . Has one a right to be surprised if a Jew feels himself bound by laws which scarcely permit him to breathe, yet he cannot break them without being punished? . . . Can one be surprised at his hatred for a nation which gives him so many and so stinging proofs of its hatred for him? How can one expect virtue from him if one does not trust him?⁹

The seventy-three documents Szajkowski stole from the Strasbourg Municipal Archives bear witness to Jews living in a time of flux, in which trust was extended at one moment and retracted the next. Over the centuries Szajkowski had studied, lack of trust had forced Jews into the types of commerce considered most shady, and business relations gone wrong became a pretext for further restrictions. And for all the great differences between wealthy, respectable Jews like Cerf Berr de Medelsheim (the only Jew permitted to live within the city of Strasbourg on the eve of the Revolution, together with his large family and servants) and the many indigent Jews of rural Alsace, as rights expanded and contracted, they seemed headed for a common fate. As Szajkowski saw it, on the eve of the Revolution of 1789, it was unclear if that fate was to be expulsion or emancipation.¹⁰

With the benefit of hindsight, Szajkowski knew full well how that story would turn out. Emancipation, not expulsion, would be the fate of those Alsatian Jews. But he also knew that emancipation had not resolved the problems Jews faced in Europe, even in France. The vicious cycle of mistrust, legal restrictions, and economic insecurity had circumscribed his very own life, perhaps as much as any eighteenth-century Jewish moneylender in the Alsatian countryside. He never stopped asking what had gone wrong.

In Dollinger's mind, documents such as these could cast a powerful spell on certain people. The phenomenon is widespread, if pathological, and it is not without its theorists. "Every passion borders on the chaotic, but the collector's passion borders on the chaos of memories," wrote Szajkowski's contemporary Walter Benjamin, himself no stranger to that passion. In acquiring objects, Benjamin theorized, the collector sees through them to their past, and the act can feel something like redemption. Assembling them in the "magic circle" of his collection, the collector breathes life into the objects; in so doing, he renews his *own* existence, as well as theirs.¹¹

For those who, like both Benjamin and Szajkowski, were forced by dangerous circumstances to relocate to strange countries, collecting held a particularly powerful promise for the restoration of a battered self. Benjamin described it, using decidedly militaristic terminology, as a campaign carried out especially well in foreign lands: "Collectors are people with a tactical instinct; their experience teaches them that when they capture a strange city, the smallest antique shop can be a fortress, the most remote stationery store a key position. How many cities have revealed themselves to me in the marches I undertook in the pursuit of books?"¹² For Benjamin, a Jewish refugee himself, collecting is a weapon of the weak, a scavenging project that ultimately aims to reassemble both a broken world and a broken self.

Benjamin's analysis seems especially apt for this particular collector of old and rare papers, a refugee who had fled France in 1941 but returned frequently after the war to scour the country for remains of the Jewish past. In the Strasbourg Municipal Archives that week, Szajkowski had found the very laws that circumscribed Jewish life in early modern Alsace, shaping their world by restricting their economic activity, keeping them out of cities, and limiting their interactions

with gentiles. Each of the papers he had cut out provided a clue to the fate of these Jewish people in centuries past. The archives had ordered them according to the logic of the authority that had produced them (e.g., the Alsatian Sovereign Council or the magistrate of the Free City of Strasbourg), for in a fundamental sense, the archives were the extension of that authority, both its memorial and its reflection.

Back at the hotel, though, these papers from the archive of the city had become a Jewish archive. Selecting from the city's collection only what had to do with Jews, the collector-historian had rearranged these papers for his own purposes. And he had not stopped with merely gathering these Jewish documents together. He had organized them into an archive, dividing them into the folders he had marked according to an idiosyncratic filing system only he understood. Collectors like Szajkowski, Benjamin tells us, feel a "thrill" when they place individually gathered items within the system they have designed, their "magic circle." The act of "fixing" each object in place offers collectors "the most profound enchantment," even a sense of omniscience, allowing them to peer through the objects deep into the worlds through which they have traveled. "[F]or a true collector the whole background of an item adds up to a magic encyclopedia whose quintessence is the fate of his object."¹³

Writing history was of course another way to create that same magic circle, using facts rather than objects. Most of Szajkowski's scholarship on Jews in early modern France was noted less for the arguments it advanced than for detailed descriptions of new sources. Many of his articles even included appendices in which the sources themselves were reprinted in their original languages. One might even say that some of the articles were themselves, on some level, collections. And amazing collections they were, particularly for their time. Szajkowski had a remarkable nose for the archives, finding things where Jewish historians had rarely looked.

If Dollinger believed he was dealing with a historian who had yielded to temptation, others were casting the story in decidedly different terms. The local newspaper ran a story on the theft in late April, likely based on small bits of information obtained from an archives insider. Full of misinformation, the newspaper's version of the story is all the more interesting, for it provides a taste of the kinds of rumors that

were circulating in the wake of the theft. False rumors such as these are of little use in a police investigation, but they are a rich source for historians, because they provide a window into collective cultural anxieties that can be otherwise difficult to see. The story in the *Dernières Nouvelles d'Alsace* was a fantasy constructed out of the deep sense of unease that its author and many of its Alsatian readers felt about Jews in 1961. It reported:

If we are to believe what we hear in certain parts of Strasbourg, the “thief” was no stranger. In fact, the archive employees often received this visitor. It seems that this person might be a certain historian who answers to the name of Frydman. He'd be of Polish origin. His books, well respected in fact, could be found in bookshops. He would have two accomplices, Soza and Takowski. They believe—maybe with too much haste—that the three men, who were not arrested, were looking to fill out the dossiers for the Eichmann trial. It is quite hard to say if this is the case. Nevertheless, knowing that Interpol has been brought in, we can assume that the investigators will be looking for these three individuals abroad, where they would have gone.¹⁴

The theory here was that the Israeli state was sending agents all over the world to comb archives for proof of Nazi crimes and then steal the documents to support their case at the trial of Adolf Eichmann, which was then underway in Jerusalem. Szajkowski's thefts were framed as a daring rescue mission, outside the law but justifiable as a means to bring Nazis to justice, not unlike the Israeli Mossad's bold and illegal mission to capture Eichmann in Argentina the previous year. Indeed, an article in the same newspaper had recently reported on the role that Tuvia Friedmann, director of Haifa's Institute for the Documentation of Nazi Crimes, had played in the capture of 150 Nazis to date.¹⁵ Perhaps the journalist had mistaken Frydman for Friedmann?

This theory about the Israelis was, of course, highly unlikely. The article itself had correctly reported that the documents in question were from the early modern period and thus had nothing to do with Nazi crimes. Surely no matter how deeply the Israeli prosecution planned to delve into the history of European antisemitism, the acts of the Strasbourg magistrate in the sixteenth century would not be relevant,

at least not to the point that the documents would be needed. Besides, even if there was some point that required research, why would the *originals* be needed? A second error enhanced the mistaken interpretation. By turning Szajkowski into a gang of three (Frydman, Soza, and Takowski), a simple theft became a Zionist conspiracy, and archive-hunting became part of the Jewish struggle for justice and revenge for the Jews murdered in the Holocaust.

Incorrect as this reading may have been when it came to understanding what Szajkowski did, it nonetheless tells us something about the mood in Alsace in 1961, just sixteen years after its liberation from Nazi rule. Historian Henry Rousso has argued that during the 1950s and 1960s, France's collaborationist past was "repressed," and the myth that all Frenchmen had participated in the resistance reigned. The situation was particularly complicated in Alsace, which had been annexed directly to the Reich in 1940. Although the region had been an integral part of Germany for the remainder of World War II, its population had been treated in postwar France no differently than other Frenchmen. That is, they were assumed to have spent the war either as victims of Nazism or as *résistants*, rather than as collaborators or, most unthinkable, as former German perpetrators. In fact, the reality had been more complicated, but as elsewhere, pragmatic concerns made it difficult to deal fully with the wartime past.¹⁶ For this journalist and his readers, a Jew poking around in the archives threatened to bring that difficult, repressed history back up again.

The fact that the chief archivist did not march Szajkowski down to the police station on the night of April 13th does not mean he did not treat the case seriously. In addition to filing a police report the next morning, Dollinger also sent letters of warning to the archives across the border in Basel, Switzerland, and Trier, Germany, believing Szajkowski might be headed their way. Just in case, he also reached out to Pierre Schmitt, the archivist at the municipal archives in Colmar in southern Alsace. "I am writing to inform you that the Archives of the City of Strasbourg have just become the victim of a theft of numerous documents carried out by a certain Szayako [sic] Frydman, of U.S. nationality, who specializes in research on the Jews before the Revolution," he wrote to his colleagues, each of whom quickly wrote back thanking Dollinger for the information once they had verified

that although Frydman had been in their archives that spring, nothing appeared to be missing.¹⁷ The thefts appeared to have been contained.

But then in May, an antiquarian bookseller's sale list arrived at the archives, and with it came new doubts. The catalogue came from one of the most important Judaica rare-book dealers of the day, A. Rosenthal, Ltd. of Oxford, England. Issued in two parts in May and June 1961, the mimeographed "Jews in France" lists were filled with rare items from across France, described with the kind of exquisite detail for which Albi Rosenthal's erudite catalogues were known. The lists were rich with information about each item, focusing not only on physical condition but also historical significance, often with reference to scholarly works produced in multiple languages. The more elaborate printed catalogues had beautiful illustrations on their covers as well, and they have become objects as revered by collectors as many of the rare books they described.

In the "Jews in France" lists of 1961, Dollinger's staff found several documents they knew must have come from their archives. Looking more closely, they also guessed that many of the others must have come from archives elsewhere in France: Bordeaux, Avignon, Carpentras, Colmar, Aix-en-Provence, Marseilles, Strasbourg, Metz, and Paris. These were, they knew, the cities Szajkowski wrote about and visited most frequently on his research trips in the 1950s. And to make matters worse, throughout the catalogue Rosenthal had cited Szajkowski's articles to explain the significance of the documents. No longer seeing April's thefts as a crime of passion contained by a quick response, Dollinger and his associate François Joseph Fuchs went back to the police with the catalogue, and after consulting with Strasbourg's Mayor Pierre Pffimlin, they moved forward to press charges.¹⁸

In the ensuing investigation, the police learned that Szajkowski had earned £1,160, then equivalent to about \$3,400 (the equivalent of \$27,000 today, adjusting for inflation), by selling items stolen in the 1950s from French archives to Maurice Ettinghausen, Rosenthal's Judaica specialist. The unsuspecting book dealers were shocked to hear the accusations against Szajkowski, whom they knew and trusted as a scholar, family man, and courageous World War II veteran, a paratrooper no less. That a scholar would also be a collector and occasionally a dealer was not uncommon in that era. Rosenthal's firm also frequently bought materials from the Jewish historian Cecil Roth, to cite just one

prominent example.¹⁹ But theft was a serious charge, and Rosenthal did not quite believe it when he was first informed of the charges in a detailed letter from Dollinger dated June 20, 1961, which was later followed by questions from André Chamson, head of the French archives system, as well as visits from the Oxford office of Interpol.²⁰

Eager to get to the bottom of this and to protect his firm's reputation, Rosenthal spoke with Szajkowski in person that summer in New York. The historian vehemently denied having committed the crime, though he refused to return to France to defend his innocence because, he said, he was awaiting an operation to repair damage from the near-fatal chest wound he had suffered as a soldier in World War II. He also pointed the finger at another collector in France, Gershon (Georges) Epstein, from whom he claimed to have purchased the documents in Paris in the late 1930s. When questioned in late August by investigators at his home in Grasse, Epstein said that he didn't know anything about these documents, and that he hadn't spoken to Szajkowski since the two had fallen out in 1948, although he had crossed paths with him in the archives in Strasbourg in mid-May 1950. The sources don't tell us how Rosenthal reacted to Szajkowski's insistence on his innocence and wartime heroism, but the Strasbourg investigators saw it as irrelevant and Szajkowski as a criminal who had acted alone. Certain as they were of their case, city authorities decided it was not worth the expense to extradite Szajkowski from New York. So in January 1963, Szajkowski was convicted for theft in absentia and sentenced to three years in prison and a 5,000-franc fine. It is all but certain that Szajkowski never returned to France.²¹

For Dollinger, seeing materials from the city archives listed in Rosenthal's catalogue changed his mind entirely about what Szajkowski had been up to in the archives. The man whom he once viewed with some degree of empathy was no longer deserving of any special consideration. Clearly nothing more than a cold-blooded thief, Szajkowski had betrayed the archivists' trust to enrich himself by selling documents he stole from the archives. Engaging in this type of commerce was utterly despicable to the archives' staff, and Dollinger's associate François Joseph Fuchs reached across the ocean to spread the word in America that "[a] recent theft of documents [was] committed in our archives by an American citizen ... the Jewish historian [*historien juif*] Zosa Frydman

alias Szajkowski.”²² As in English, there is some ambiguity in French about whether “*historien juif*” refers to a historian who specializes in the history of the Jews, or a historian who is himself Jewish.

It is noteworthy that Dollinger had not used this formulation in his April letters to colleagues in Basel, Colmar, and Trier, using instead the less ambiguous formulation “*Szayako [sic] Frydman, de nationalité USA, qui faisait spécialement des recherches sur les juifs avant la Révolution*” (Szayako Frydman, of American nationality, who was doing research especially on the Jews before the Revolution). The phrasing in Fuchs’s later letter may have reflected merely a different writer’s way of speaking, or it may represent an evolution in how the archives staff was coming to think about the thefts and their author.

The Strasbourg judge who condemned Szajkowski did not mention his Jewishness, but did call him a “Russian refugee domiciled in the United States.” The turn of phrase was inaccurate; the country Szajkowski had fled for the United States was France, not Russia.²³ The wording seems noteworthy. By the time charges were pressed, Szajkowski was seen not just as a historian with a weakness for old paper, but rather as a *Jewish* historian and a wandering one at that, a refugee from the East who fit a centuries-old stereotype of the Jewish criminal who broke the trust extended to him by public authorities by engaging in immoral and illegal forms of commerce.

Since Szajkowski worked outside of academia, the archivists’ attempts to censure him produced little result. They did their best, beginning by contacting Franklin Ford, a Harvard professor recently appointed dean of the Faculty of Arts and Sciences to whom Fuchs had grown close when Ford had conducted research in the city’s archives in 1952–53 and 1955–56.²⁴ Although Ford had met Szajkowski in 1955 in Strasbourg, he wrote to Fuchs that he was not in a position to do much to sanction the scholar, who was not, after all, affiliated with any university. He did put Fuchs in touch with the American Historical Association, whose executive secretary politely wrote Strasbourg that he had never heard of “Zosa Frydman,” but he hoped that the incident would not change the warm reception American scholars had received in Strasbourg in the past. Responding to Fuchs’s request, Ford had also provided the address of the Alexander Kohut Memorial Foundation, based at the Jewish Theological Seminary

(JTS) in New York; Fuchs had noticed that Szajkowski had thanked Kohut for research support in a 1959 publication, a copy of which he had sent to the archives. But Dollinger received no response to the letter he sent the foundation's officers detailing the crimes of this "professional thief."²⁵ In the end, despite their efforts, the news remained relatively contained.

Astoundingly, the conviction in Strasbourg was not the end of Szajkowski's career as a collector and dealer, nor was it the end of his career as a historian. Although his access to French sources was blocked, and Rosenthal would never again buy from him, Szajkowski was still able to earn money selling French Jewish documents to other buyers. Among these were many important research libraries in the United States, including the libraries connected to the very institutions they had contacted, Harvard and JTS. Many others also bought from Szajkowski. His sales to libraries began at least as early as 1950; they continued until his death in 1978.

The episode left a mark on Szajkowski nevertheless. Unable to return to France, he shifted the focus of his scholarship to new topics for which the sources could be found in the United States, particularly the history of American Jewish aid to Jews in Eastern Europe. His narrow escape must have shaken him personally as well. Those who remember him in his later years describe an eccentric man, prone to bitter and paranoid ruminations, who remarked to more than one confused listener that he could never go back to France because someone there had it in for him.

Szajkowski's criminal behavior did not stop. In 1978, it caught up with him, this time in the reading room of the Jewish Division at the New York Public Library, where he was caught once again. But this time, the outcome was different. A few days after the incident, the sixty-seven-year-old historian took his own life.²⁶

Why did this respectable historian become an archive thief? Were his thefts intended to facilitate his research? Were they perpetrated on behalf of the Jewish people to avenge European antisemitism through scholarship? Were they the compulsive acts of a collector whose drive had turned pathological? Were they an illicit form of commerce to which a struggling refugee had turned when he could find no other means of supporting himself as a scholar?

Just as perplexing as those questions are the motivations of the librarians in the United States and archivists in Israel who bought these materials from him in the 1950s, '60s, and '70s. Why did they turn a blind eye to the signs of ownership that, one assumes, were surely present on at least some of the materials? The two issues cannot be addressed entirely separately. However pathological, however criminal, however ideologically motivated certain of Szajkowski's acts were, he would not have undertaken such risky activities had there not been willing buyers. These buyers provided a market that made his thefts profitable and, tacitly, an alibi that made them morally acceptable. Understanding their worldview as well allows us to deepen our understanding of Szajkowski's passion.

Both Szajkowski and those who bought Judaica from him can be understood only when we answer a larger set of questions. We must know what these sources of Jewish history, scattered in institutions across Europe, meant to Jews—Szajkowski, his buyers, and many of his victims—in the postwar era. During the Holocaust, six million European Jews had been killed and hundreds of thousands more had fled the continent as refugees, either before or after the genocide. Millions of cultural treasures had been looted during the war, and many cultural institutions, including libraries and archives, were left in disarray. What did the documentary remains of Jewish history found both inside and outside those institutions mean to the Jews who had survived the war? What did they mean to the French archivists whose institutions housed them? What did they mean to Jewish survivors in France, who sought to rebuild in a country scarred by occupation and collaboration? And what did they mean to the American Jewish and Israeli cultural elite as they assumed the mantle of leadership in the postwar Jewish world?

The story of how Zosa Szajkowski became an archive thief is the story of a preoccupation that was far from idiosyncratic. The passion that postwar Jews felt for the archival remnants of their European past—their desire to collect, arrange, preserve, and study them—was, indeed, a sentiment broadly shared.

EPILOGUE



ON SEPTEMBER 26, 1978, Zosa Szajkowski was found dead. A few days earlier, he had been arrested outside of the New York Public Library in an organized police sting operation. The historian had been using the library for decades, and the staff there knew him well. One evening, when librarian Claire Dienstag was on duty at the reference desk, she noticed that Szajkowski had propped a large volume upright in front of him while he worked on other materials. Another patron caught Dienstag's eye and gestured at her to indicate that something was amiss. As it turned out, Szajkowski was stealing again, this time from a collection of pamphlets and ephemera, some of which were exceedingly rare, that had been bound together into volumes. Szajkowski had been working his way through the collection for quite some time. When the librarians checked the volumes Szajkowski had consulted previously, they saw that pamphlets had been removed systematically, as if by knife or scissors, throughout the entire collection.

The librarians were upset, but not wholly surprised. Szajkowski was a strange man, and he had been acting quite erratically. Moreover, over the years, they had heard talk of Szajkowski's sticky fingers in libraries and archives. Working with the library's security man, they called in the police. Two undercover officers were on hand to watch Szajkowski

the next time he came to the library. They stopped the thief outside the door just after closing time and demanded to look inside his briefcase, where they found several of the rare pamphlets. The officers arrested Szajkowski and locked him up overnight at a local precinct.

In the morning, the police returned to the library and asked Dienstag to accompany them back to Szajkowski's apartment to search for additional materials from the library's collections. They found nothing they could identify as library property and quickly learned why: The document dealer had already sold his booty directly to the Harvard University library. In haste, Leonard Gold, chief of the Jewish Division, made his way to Cambridge, where he was able to recuperate the stolen materials—now mutilated, as Szajkowski had cut off the ownership stamps before selling the materials.¹

The whole affair bore an uncanny resemblance to Szajkowski's capture in Strasbourg in 1961, but this time it ended differently. Even though the police had let him go after searching the apartment, the historian must have felt that there would be no escape, no chance of starting over. He could not hide what had happened from his wife, who had seen him come home with the police. He could not hide what had happened from his employers at YIVO, who would have to fire him once they got the news. And perhaps worst of all, he would lose his access to the libraries he needed most. Shamed, disgraced, and exposed as a thief, Szajkowski was utterly ruined. On September 26, 1978, he drowned himself in the bathtub of a room at the Hotel Taft in midtown Manhattan.²

Szajkowski's funeral would bring out many of the scholars and librarians among whom he had worked for three decades in New York. Abraham Duker, the long-time managing editor of *Jewish Social Studies*, arranged the service, and Arthur Hertzberg delivered the eulogy in Yiddish.³ The American Jewish scholarly elite paid its respects to a man whose financial, professional, and psychological insecurities had driven him to steal from some of their most respected scholarly institutions, and to sell to them too.

Szajkowski had conducted his distasteful business with a passion that had grown increasingly pathological with the passing of the years. But his passion was not the kind of "archive fever" or irrational compulsion that Philippe Dollinger, the Strasbourg municipal archivist, had

imagined when he confronted the thief in 1961. Szajkowski's thefts were carried out systematically over many decades, and the decision to undertake them was based on rational calculation. Indeed, Szajkowski profited from the thefts in more ways than one. They provided him with the documents he needed for his research and the money he needed to devote himself to it.

Of course, Szajkowski's business depended on the existence of buyers for his stolen books and documents and a readership for his scholarly work. His calculations were correct. The Jewish scholarly establishment was indeed appreciative of both the goods he had to offer and the scholarship he produced. Moreover, in most instances, they chose to look the other way when confronted with evidence of his misdeeds. The evidence was apparent to many who worked closely with him over the years. His YIVO colleagues had been whispering about him since the late 1940s. Librarians at the Jewish Theological Seminary (JTS) and the New York Public Library had been asked to return stolen documents to France in 1950 and yet continued to buy from him in later years. The American Academy for Jewish Research (then run by Salo Baron) had been informed of Szajkowski's thefts in Strasbourg in 1961, just a year after it had admitted him to its ranks. None of these institutions ever censured Szajkowski publicly. Even the Alliance Israélite Universelle in Paris—one of his earliest victims—never barred him from its library. Only two institutions, the Strasbourg Municipal Archives and the New York Public Library (notably, both public institutions), ever turned their cases over to the police.

For the private Jewish institutions, public relations issues played an important role in their decision-making. A Jewish criminal stealing from Jewish institutions might lead to the kind of bad press that is best avoided if at all possible. Pity for a poor man, a survivor and refugee who struggled to make ends meet, was an important factor as well. According to Ezekiel Lifshutz, Szajkowski's longtime supervisor at YIVO, librarians had long looked the other way when they realized what Szajkowski was doing in order to protect this "psychologically unbalanced person" and fellow Jew from disgrace.⁴ But at the same time, most of these scholars and librarians appreciated what Szajkowski had to offer, to both Jewish scholarship and Jewish libraries and archives. Since World War II, the Americans and Israelis who supported

Szajkowski understood European Jewish life to be largely a thing of the past. As such, they were committed to rescuing whatever they could of its history for preservation, study, and the building of unparalleled collections of Judaica from all over the world.

The French historical materials Szajkowski studied and sold were of particular interest to American Jewish scholars in the postwar period. When assembled together, they offered a window onto an issue considered critical in modern Jewish history: political emancipation and its effects. Since the 1930s, Jewish historians had called into question whether emancipation, insofar as it had entailed abandoning communal autonomy, had ultimately benefited the Jews. Some, like Elias Tcherikower, went so far as to wonder whether emancipation and assimilation had left them even more powerless before their enemies, who grew more rabid and fierce with the passing of the years.

In the 1960s, scholars based in American universities began to examine the question as well. Like French Jews, American Jews had obtained equal rights earlier than Jews in most nations, and they had also achieved a high degree of social integration and success as individuals. During the 1960s, a broad ethnic revival in American culture led many American Jews to question whether that assimilation was ultimately a good thing for Jews or whether it would lead inevitably to the weakening of their identities and their capacity to defend themselves. Many of the American graduate students who turned to French Jewish history in the 1960s—Phyllis Cohen Albert, Arthur Hertzberg, Paula Hyman, Frances Malino, Michael Marrus, David Weinberg—were deeply concerned with these questions and turned to the French example to explore how these issues had played out in that setting.⁵ For these younger historians, Szajkowski had facilitated their research by making new sources available. Yet he also confused them, as well as the scholars who followed in their footsteps, by moving those sources far from their points of origin, making it somewhat more difficult to understand the contexts in which they were produced.

In France too, interest in modern French Jewish history increased after the 1960s as new sources became available in the years following Szajkowski's thefts. The members of the Commission Française des Archives Juives (CFAJ) launched a number of different projects that facilitated the study of the history of Jews in France. These included

archival classification projects, bibliographic projects, the publication of a journal, and the sponsoring of historical studies. In the early 1970s, the CFAJ also obtained microfilm copies of the large collections of French Jewish holdings that Szajkowski had sold to the libraries of HUC and JTS. A second copy of the microfilm was also produced for the Central Archives for the History of the Jewish People in Jerusalem. Although the originals were not returned, the existence of the microfilms did much to mitigate the damage caused by Szajkowski's thefts.⁶ Thanks to the CFAJ's efforts, French scholars also became more engaged than ever before in the production of French Jewish history, and there too, the questions centered on the terms of emancipation and its long-term effects.

Szajkowski himself had produced scores of studies that attempted to understand the history of Jewish emancipation, assimilation, and antisemitism in France from every possible angle. His questions were driven by the sources themselves, which he ferreted out with the nose of an investigative journalist. Szajkowski's impact as an archive dealer was perhaps even more significant than his scholarship, opening the field to economic and social-historical questions. What he found expanded Jewish historians' view of emancipation and the social, political, and economic changes it wrought, particularly when it came to non-elites. Since the 1930s, he focused his eye on the documents that might reveal something about the lives of poorer and more obscure Jews, rather than great rabbis and wealthy lay leaders. Szajkowski may have quit the Communist Party, but he always remained fiercely anti-elitist. This meant that, unlike his mentor Tcherikower, he always rejected the idea of a French Jewish community sharing a single experience, and instead stressed its diversity and its internal conflicts.

Szajkowski's story resonates far beyond French Jewish history, because it forces us to reconsider our understanding of the very nature of archives. Typically, scholars tend to think of these institutions as a project of nation-building. This is true even for Jews, who have always lacked a single, unified nation-state to represent them. In describing their collections of books and papers in terms of "redemption" and "ingathering," Jewish archives and libraries in Israel and the United States have sought to restore Jewish unity symbolically by building and maintaining whole collections that bring together all the remnants of the Jewish past in a single place.

Telling Szajkowski's story forces us to confront the impossible grandiosity of those visions and the fundamental incompleteness of these and all archives. Even the ambitious microfilming projects carried out by the Central Archives for the History of the Jewish People in Jerusalem cannot create the coherent and complete archive that inspired their founders. To aspire to such wholeness is to work against time itself. It is itself a holdover from the world that was destroyed, a relic of its inhabitants' nationalist fantasies about the redemptive potential of history. It stems from a desire to restore what was lost, to produce order from disorder, and thereby avoid reckoning with the remnants as such.

The ambiguity that sits at the heart of the story of Zosa Szajkowski is in some ways extraordinary, but in other ways, it reveals an ambiguity in the very nature of archives. On the one hand, the creators of archives rescue the past for us. They gather together and preserve records from the past, making it possible for historians to study them and use them as evidence for our understanding of the past. On the other hand, there is also violence in the project of archiving. The very process of making an archive re-contextualizes documents and—in subtle and not-so-subtle ways—changes their meanings. While this is true of archives generally, it is particularly true of those that have been subject to the kinds of historical upheavals that have shaped the archives of European Jewry.

Our usual conception of what archives are is thus challenged by taking into account the historical factors that shaped them. Archives are not made by the powerful alone; the weak also play a role in their construction. If our understanding of archives in general is broadened to include all those who shaped their histories, these institutions look less and less like coherent monuments, and more and more like salvage heaps.