
”Cold case” – The story of inside thefts at the National library of Sweden.

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Abstract

At least 62 books were stolen from the National library of Sweden between 1994-2004. The inside thefts was carried out by the head for the manuscript department, a senior librarian who admitted having stealing books, after an ongoing secret inventory revealed systematic inside thefts. The thefts were reported to the police and the senior librarian was put into custody. The senior librarian unfortunately committed suicide in 2004 before the trial, and after this the investigation focused on fencing with a suspect at the German auction house who sold all the stolen books. Despite several leads and evidence the police investigation was closed down in 2006. In 2011 however, the library discovered one of these stolen books for sale online at website for a book seller in NYC. The bookseller had bought the stolen book further down the chain of buyers. This was the first book out of seven that has been restituted by the library so far. We are currently working hard to retribute all of the remaining stolen books. In 2014 we convinced the Swedish police to reopen the investigation and have also cooperated with law enforcement in several other European countries. In addition to this, we have cooperated with law enforcement in the U.S. During these years we have learnt a lot about inside thefts and how to cooperate with law enforcement agencies, as well as the importance of knowing the provenance for the books in our collections. We also want to pinpoint how important it is for libraries to be transparent and open when being exposed for inside thefts. Libraries must act to thefts, report them and spread lists of stolen books so that booksellers are alerted. The library has also experienced the German auction houses lack of due-diligence.

Keywords: thefts, provenance, transparent, lists and due-diligence.

History of the Royal library also known as the National Library of Sweden.

The National Library of Sweden is an agency of the state. The book collection of the library, date as far back as in the 16th century. At that time the National Library of Sweden was the Royal library and geographically located in the King Gustav Vasa's castle Tre Kronor. The library was officially established as a National library in 1877, approximately 350 years later, when the Royal library moved into the newly built library in the park Humlegården less than one mile north of the Stockholm castle.

The origin of the Royal library stems from an obligation from the year 1661 in an ordinance form from the Royal Chancery. The ordinance ordered all printers in the realm of Sweden to send two copies of every printed publication to the Royal Chancery before the material was distributed. One copy would go to the National Archives and the other to the Royal library. The motive behind was that the king wanted to be in control of everything that was printed in the kingdom of Sweden.

This early form of censorship has resulted in that one copy of virtually every material printed in Sweden from that period until today including, for example maps, postcards, notes, school calendars, posters, mail order catalogues, menus and printed advertising material, has been submitted to the library as legal deposit. Today, the National Library of Sweden is also a research library for the humanities and social sciences.

The book collection consists of around 4 million books and a majority of the old book collections has a royal provenance or likewise. The staff consists of around 300 employees.

Background to the inside thefts

Beginning in 1995 until his arrest in November 2004, the head for the manuscript collection, a senior librarian, stole at least 62 rare books from the National Library of Sweden, all of which were auctioned at a German auction house. In total, the senior librarian stated, that he received approximately 1 million USD for the stolen books. According to his confession, the senior librarian said that he only stole books he believed were expensive in order to “get as much money as possible through sales.”

In November 2004, the senior librarian were apprehended by the police in Stockholm, Sweden after admitting to a member of his staff that he had stolen books from the foreign collections. According to the senior librarian’s later statements to the police, he confessed to this particular staff member, since he was concerned that the thefts would be discovered in an upcoming inventory of the foreign book collection. The senior librarian was subsequently taken into custody, where he confessed. According to his confession, he used the alias “Karl Fields” in his contact with the German auction house.

At some point during the investigation, the senior librarian was released from police custody. Only a few days later, he committed suicide by blowing up his apartment in the city Centre of Stockholm. The investigation was subsequently closed down in 2006 due to the fact that Germany had not yet signed the European arrest warrant which reduced the chances of getting a conviction.

How did the library discover the thefts?

In October 2003 the library received an e-mail from a German researcher who wrote “I’m looking for some detailed information according the book *Das Illustrierte Mississippi* by Henry Lewis. Via Internet I found that you have the honor, to possess one these most rarely books in the world under your placing number...”. The researcher wanted bibliographical information about the copy. However, when staff from the library searched for the book in the collections, it was not there. The missing book raised suspicion and questions whether the book was misplaced or lost? Was the loss a result of a theft or was there any other explanation?

In order to answer these questions a secret inventory was ordered by a group of managers, that a year later unveiled systematic inside thefts at the library.

The inventory was carried out by a meticulous librarian (i.e. the same person that the senior librarian later confessed his thefts to) who focused the inventory on the foreign collection. Some of the cards in the library catalogue were missing, although there were records in the digital library catalogue as well as some cross references in two other card catalogues.

The inventory and investigation of the missing book showed that it was difficult to pinpoint when the book had disappeared. It also became clear that the thief was someone with knowledge about the library catalogues. The first warning signal was the missing catalogue cards, but also the fact that the book was missing from the foreign collection in a stack with restricted access for the library staff.

The librarian checked 820 volumes and 635 catalogue records. More than 200 records needed correction. The inventory lasted for almost a year until the senior librarian admitted to the librarian that he had committed the thefts.¹ The National librarian immediately reported the thefts to the police and the senior librarian was put into custody.

As mentioned above, soon after being released he committed suicide in 2004, and after that shock, neither the police nor the library made any serious efforts to reconstitute the stolen books. One year after however, in 2005, the German and Swedish police did a house search at the German auction house to investigate the fencing crime. This house search revealed that the senior librarian had consigned stolen books even before the time that he was hired by the National library of Sweden in 1995. These books came from at least three other important Swedish library collections. Despite having all the names of the buyers no efforts were made to contact them. The prosecutor in Sweden instead decided to close the police investigation and the library buried the inventory and all fresh leads in the stacks. As an effect of these actions the case turned cold.

Wytfliet Atlas in NYC

In June 2011, I received a catalogue with printed books and maps from a New York book seller who had a copy of an atlas for sale. The atlas was the *Descriptionis Ptolemaicæ augmentum...* by Cornelius Wytfliet, printed 1597 in Leuven and has been an integral part of the collection at National library of Sweden for over 300 years. It is the only copy of the atlas in Sweden and in addition it also has a royal provenance. When I checked the library catalogues to see where the library copy was, it should have been in the stacks, but it was not there. I suspected that it might be one of the stolen books and it became clear that this was the case when I checked the classified documents.

The atlas is very rare and only known in 9 copies worldwide. This fact alone should make any bookseller more concerned about checking the provenance since all the known copies are owned by libraries and there are few copies in private ownership. It is also the only printed work by the Dutch cartographer Cornelius Wytfliet.

¹To complete a total inventory of National library is almost an impossible task since inventories of books is very time consuming. In 1999 The Royal Library in Copenhagen which is the National library of Denmark completed a total revision of books from the period 1531 – 1949, the Older Collection of Foreign Literature. This inventory was initiated by the Ministry Culture in 1979 as a result of a mid 1970's theft. "The aim was to register all losses and to locate very valuable books in vaults or secured rooms. The value of a book was either based on a known value on the international market or especially rare book historical characteristics, including bookbinding, provenance (bookplate, owner brands etc.) or the physical condition of the book."

The Danish inventory took around 20 years and checked 607 273 volumes and revealed an initial loss of 3131 volumes which corresponds to 0.52 percent of the overall books in stock. The inventory also revealed that the library had been exposed to systematic thefts.

Both the Swedish and the Danish examples show that inventories take time but are an effective method to prevent and expose thefts.

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The atlas became the first of the 62 stolen books to be restituted. It also became the starting point for the library's efforts to reconstitute all of the stolen books. The starting point also meant that the library had a chance to correct some of the things that should have been done 6 years earlier, such as spreading a list of the books that was stolen and to search for the stolen books.

Five years of searching for stolen books

The first thing that we did was to spread the list of the stolen books to Interpool, ILAB (International League of Antiquarian Booksellers), ABAA (The Antiquarian Booksellers' Association of America) and the Art Loss Register. We also published the list on the library web page so that it was accessible for a broader audience.

Since we knew the names of the booksellers, from the police house search in 2005, who had bought the stolen books, we checked their websites to investigate if the books still were in their possession. We also checked their printed catalogs if they were available.

We started to collect all types of metadata about the stolen books and entered the data into a database that we had built so that it would be easy to access. Much of the information in the database is bibliographical information, but it also contains information about provenance, catalog records and information about the auctions.

Some of the booksellers still had the books so we started contacting them. Each book demanded an individual strategy depending on which country it was located in. If for example we found a stolen book in the U.S. the chance of restitution was good since we have a good cooperation with the U.S. Attorney's Office for the Southern District of New York who helped in restituting the Wytfliet atlas. This cooperation has been very successful and resulted in restitution of five books. An important reason to the success besides good cooperation is the U.S. legal system. As far as we have understood it is very strict about stolen goods brought across the U.S. border. The stolen goods will stay stolen so the booksellers can't claim good title to these books. From the library point of view this meant that we had extra focus on books that might appear on the U.S. market.

The search for stolen books in the U.S. has practically worked like this. The library informed the attorney's office and the FBI if we located any stolen books in the U.S. and they contact each bookseller to investigate the whereabouts of each book. They have also investigated all the other U.S. booksellers who bought the stolen books even the ones that we had not located.

We have also found books in Europe and in some other countries outside of Europe but the different legal systems and statute of limitations makes the restitution very time consuming and difficult.

New police investigation

In 2011 we read the initial police investigation from 2004-2005 and understood that there were many leads that had not been followed up by the police and the library. Some obvious mistakes had also been done and therefore we contacted the Swedish attorneys to appeal for a new police investigation and a chance to correct the old mistakes and to investigate new circumstances concerning the thefts.

The appeal was approved and the attorney opened a new investigation in 2014 to investigate gross smuggling offense concerning the contact person at the German auction house. This meant that the library possibly had a legal chance of getting some more books back and at least some new information. As librarians, our role in the police investigation was as book experts and to cooperate with law enforcement agencies from Germany, England and the Netherlands besides the Swedes. The investigation resulted in new information but unfortunately no restituted books. The investigation lasted for almost 1 ½ years before closing down again because of the laws concerning statute of limitations. Time ran out and the important lesson to be learnt is that libraries must act immediately after reporting thefts. Time is therefore a very important factor that must be taken in consideration in the work of restituting stolen books. If the laws concerning stolen cultural property in the European countries had been the same as in the U.S. where there are no statute of limitations we could have restituted more books that are located in Europe.

What went right and what went wrong at the National library of Sweden?

Looking in retrospect, the secret inventory was exactly the right thing to do when the suspicion of thefts arose in 2003. The National library also took the right action when they reported the thefts immediately after the senior librarian's confession without concealing the thefts. The security changes that followed were new restrictions in access to the collections, and to invest in new locks with personal codes. Besides this, the library made no efforts to get the books back. The initial police investigation was, as mentioned above, closed down in 2006. After this the library didn't talk about the thefts besides in a few small articles. However, there was high public interest for the thefts on a national level. The interest was so big that a radio documentary was produced and a television mini-series in three parts in 2009 with the Swedish actor Gustaf Skarsgård, known from the television series Vikings, playing the senior librarian. Meanwhile, the stolen books were bought and sold by booksellers all over the world. Booksellers without any knowledge about the thefts since no list had been made public by the police or by the library. Many of the stolen books had not been available on the book market for centuries, but this was no warning signal for the international booksellers. From the library point of view, the majority of these stolen books are "too good to be true" when suddenly being available on the market. It's even remarkable that all these books were sold and bought without provenance since a majority of the booksellers also should follow codes like ILAB's "Code of Usages and Customs". The books would not have been sold or bought if the codes had been followed.

The importance of spreading lists of stolen books and provenance

If libraries keep ignoring to publish lists of stolen books it will not be possible to reduce the trade of stolen books. The first step towards a cleaner market is therefore that libraries become more transparent and open about thefts, whether or not it's about insiders or thieves from the outside. The second step is the responsibility of booksellers to check lists of stolen books, ask questions during consignment and to document provenance.

In the Swedish example the common feature is that the books were selected to attract an international market, rather than a domestic. For this purpose it was very important to also spread our list internationally, in order to reach out to the intended audience.

The majority of the books stolen from the National library of Sweden have a royal or equivalent provenance. Due to this the senior librarian had to erase all visible provenances and therefore all books were sold without provenance according to his confession. The only visible provenance, instead of library marks, was damages from grinding away library marks, exlibris, extinguished stamps and cut title pages. The senior librarian also confessed that he removed these identifying characteristics and markings from the books because he thought such markings would reveal the books' true provenances.

Although there is at least one exception concerning his attempts to hide the provenance. One of the books was actually sold with a Swedish royal stamp on the title page without the auction house carrying out a provenance check or mentioning this in the catalogue. The bookseller who bought the book is a member of ILAB but also neglected to investigate the provenance irrespective of the stamp. When the library contacted the bookseller in 2012, he still had the book for sale on the internet with pictures of the title page and the stamp fully visible. He claimed that that the book already had been sold and that the lot on the web was a result of a computer error. The library did not get any information about the whereabouts of the book.

If the library had sent out a list of the stolen books in 2005, we are confident that a majority of the stolen books would have been returned to the library. This is also the belief from some of the booksellers that bought the stolen books, that we have been in contact with.

Hence, the timing to send out the list is very crucial in restituting books. We were around 6 years overdue in sending out our list. Obviously the book market was surprised and wondered why we were so late.

Another very important question is whether the book market checks the lists of stolen books held by Interpol, ILAB and the Art Loss Register, etc.?

We have received very few requests from booksellers who have seen the library's list of stolen books. Far more often, we have seen how the book market is selling the same titles as the books stolen from Sweden's National Library without contacting us. It should be in their interest to check with the libraries who are victims of thefts.

To conclude the importance of lists; first, libraries must send out list of stolen books, second, searches in lists of stolen books and documented provenance should be mandatory for booksellers. For example, to sell a book that appear on such lists should come with an obligation to provide documents showing that the book has a clean provenance, or that the bookseller has been in contact with the institutions that have been victims of thefts to exclude that the book is theirs.

For booksellers who very often emphasize their long careers, expertise and professionalism it is contradictory that they claim good faith purchase when they are caught with stolen books, especially when they have bought books that are listed as stolen. With their great professionalism and competence they should be able to determine if a deal seems too good to be true.

Another side of the problem is that list of stolen books are spread differently, depending on whom the recipients of the list are. Interpol's database reaches a certain spread, ILAB and ABAA reaches mainly the members and the Art Loss Register reaches its partners. How can the libraries spread the list of stolen books to everyone outside of these already mentioned? We have not come up with any good solutions to this problem and once again the list doesn't work if auction houses and booksellers don't check them.

The obligations of the German auction house

The library should have been contacted by the German auction house at a very early stage, according to ILAB's codes, it's actually their responsibility to contact the original owner which in this case is the National library of Sweden. The auction house should also have cooperated with the law enforcement and contacted each buyer to refund and cancel the purchases. After this the German auction house should have returned the books to the National library of Sweden and helped to apprehend the responsible person for selling stolen books at the auction house. But the only code that the German auction house lived up to was that they had recorded all purchases. Apart from this they didn't live up to any other of the due-diligence practice that ILAB's members or obliged to follow.²

The only cooperation from the German auction house came during a first attempt from the library to negotiate which resulted in the return of one stolen book and a replacement copy. The library has since that also made a second attempt to negotiate with the auction house and finally we have made some progress with the German auction house thanks to help from ILAB as a mediator.

German auction houses

Germany has for decades been the country where stolen books are being auctioned. One of the reasons behind this is that the legal system in Germany enables auction houses to transfer valid title to stolen goods if being offered at a public auction which is a problem that we have seen repeatedly. Stolen books from Poland, Italy, Sweden and even German libraries have been victims of their books being stolen and then "laundered" by German auction houses since they are not asking enough questions if any at all. The German auction houses and auctions houses in general are therefore key players besides libraries in the efforts to reduce the trading of books stolen from libraries.

² ILAB:s paragraph about stolen property says

"Members shall be responsible for passing to the buyer clear title to all material sold, and shall not knowingly purchase, hold or attempt to re-sell stolen material. Due diligence practices include knowing, or confirming, the identity of a vendor, recording all purchases and taking reasonable steps to ensure the legitimacy of goods being offered. In the event of books suspected of having been stolen, or having been proved to have been stolen, it is the responsibility of the members to contact the original owner. They shall co-operate fully with law enforcement authorities to recover and return stolen material, and to apprehend those responsible."

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