


Navigating Provenance in Flux. Debates over the Teutonic Order's Archive from Königsberg after World War Two

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Abstract: This study explores discussions after World War Two surrounding the Teutonic Order's archives in Königsberg, with a focus on Swedish historians' interest in the topic. Amidst debates over the archives' localization, the complexities of archival provenance emerge, influenced by wartime movements and national affiliations. The dispute over the Teutonic Order's archive unfolded against the backdrop of international legal and historical arguments. Scholars like Herbert Kraus and Erich Weise advocated for their retention in Germany, emphasizing their significance for Western European research interests. Conversely, Polish claims to the archives underscored their importance within the context of Polish history. International scholars, including Emil Schieche, contributed perspectives transcending national boundaries, but often intertwined with nationalist ideologies. The principle of provenance emerged as a central point of contention, with interpretations varying among scholars. This fluidity in provenance complicates efforts to determine ownership and jurisdiction over historical documents, particularly in the aftermath of territorial changes and population displacements in the wake of World War Two. In summary, the dispute over the Teutonic Order's archive highlights the intricate nature of provenance and its interpretation, shaped by historical, cultural, and national identity considerations. Divergent perspectives among scholars reflect varying understandings of provenance's relevance and implications for the ownership and fate of historical archives on a global scale.

Keywords: Teutonic Order archives; provenance; Nationalist ideologies; Swedish historiography; Königsberg

The principle of provenance is one of the cornerstones of modern archival practice. It extends its significance beyond archives to encompass cultural heritage institutions like museums and libraries. In disciplines such as museum studies, art history, and book history, understanding the previous ownership of artifacts is crucial for unravelling their contextual history and significance. For instance, art historians seek to authenticate works of art, while museologists use provenance to grasp the artifact's historical context.¹ Within archives, provenance ensures authenticity and adapts to evolving

historical narratives. A key archival concern tied to provenance is the fundamental purpose and composition of archives. The traditional approach to archival documents, governed by the principle of provenance, regards them as repositories of activities conducted by organizations, individuals, or families, intended to serve as evidence of events, originating organically from the activities of these creators. This idea has historically prevailed in archival work since the late 19th century, coinciding with the emergence of theoretical discussions among archivists. It aligned with historians' quest for objective historical sources subject to rigorous

1 David Pearson: *Provenance Research in Book History. A Handbook*, London 1994; Jeannine Tang: *Future Circulation. On the Work of Hans Haacke and Maria Eichhorn*, in: Gail Feigenbaum / Inge Rest (eds.): *Provenance. An Alternate History of Art*, Los Angeles 2012, 171-194.

source criticism.² The ideal was to maintain the integrity of archives created by individual bodies and adhere to their internal organization, “the original order”. In Germanic and Nordic regions, this was formalized as the structure principle, emphasizing the archival arrangement in the chronological order of document creation.³

Typically, archivists distinguish between “archives” (or “fonds”), which consist of records generated “naturally” by a creator through their activities, and “artificial collections”, which are deliberately assembled based on themes or formats. This distinction is also rooted in the principle of “respect des fonds,” a key theoretical framework in archival science that has been dominant since the late 19th century, alongside the principle of provenance. This principle asserts that archival records should be seen as organic evidence of events, rather than as deliberately curated items. Central to “respect des fonds” are the concepts of provenance and original order. Provenance refers to the origin of the records, emphasizing the context of their creation, while original order pertains to the organization established by the records’ creator. Provenance underlines the evidential nature of records, making it essential to understand who created the record, as well as where, when, and why it was created for effective retrieval. The principle ultimately emphasizes maintaining the integrity of the records’ creator, ensuring that archival materials are preserved and presented in a manner that reflects their original context and purpose. The concept is especially central to public archives and is widely recognized as a framework for preserving documents generated by a specific authority. This preservation is based on the principle of provenance, viewing official records as organically developed within the context of that authority.⁴

2 Michel Duchein: Theoretical Principles and Practical Problems of Respect des Fonds in Archival Science, in: *Archivaria* 16 (1983), 64-82; Markus Friedrich / Philipp Müller / Michael Riordan: Practices of Historical Research in Archives and Libraries from the Eighteenth to the Nineteenth Century, in: *History of Humanities* 2 (2017), No. 1, 3-13, <https://doi.org/10.1086/690570>; Jennifer Douglas: Origins and Beyond. The Ongoing Evolution of Archival Ideas about Provenance, in: Heather MacNeil / Terry Eastwood (eds.): *Currents of Archival Thinking*, 2nd ed., Santa Barbara 2016, 25-52; Philip Haas: “Organisches Wachstum” und Provenienzprinzip. Grundlage oder Altlast der Archivwissenschaft?, in: *Archivalische Zeitschrift* 98 (2022), 353-397.

3 Claes Gränström: Problem rörande allmänna arkivsystemat, in: *Arkiv, samhälle och forskning* 18 (1976), 25-38.

4 Duchein 1983 (see FN 2); Michael Roper / Laura Millar: *The Management of Public Sector Records: Principles and Context*, London 1999; Haas 2022 (see FN 2).

In the Prussian context, the provenance principle became central to archival administration. In 1881, the Prussian archival administration opted to maintain the internal order set by the original record creator. The provenance principle, emphasizing the organic growth of archives, became fundamental to Prussian and later German archival science. This principle was further developed through international exchange, particularly with Dutch archival practices. The application of the principle of provenance marked a pivotal moment in archival theory, sparking discussions among historians and archivists like Samuel Muller (1785-1875), Johan Feith (1858-1913), and Robert Jacob Fruin (1823-1899), who authored *Handleiding voor het Ordenen en Beschrijven van Archieven* (Manual for the Arrangement and Description of Archives), known as “the Dutch Manual,” in 1898 on behalf of the Dutch Association of Archivists. This landmark publication served as the first comprehensive codification of European archival theory, establishing enduring principles of provenance and original order. Original order, integral to this framework, is closely linked to the French principle of “respect des fonds.” This principle was first articulated in a circular by Natalis de Wailly (1805-1886) in 1841, as head of the administrative section of the Royal Archives, stating that documents should be grouped according to the nature of the institution that gathered and formulated them, a concept that emphasizes maintaining the integrity of archives. Over time, the principle of provenance became a cornerstone of archival science, distinguishing it from other disciplines like library science. The Dutch Manual became the authoritative guide for archival training in Prussia, and the concept of the organic growth of administrative records or archival collections gained widespread acceptance. Prussian archivists saw themselves as custodians of the state’s historical structures and activities, subordinating their work to state authority.⁵

5 Duchein 1983 (see FN 2); Angelika Menne-Haritz: Appraisal or Documentation: Can We Appraise Archives by Selecting Content?, in: *The American Archivist* 57 (1994), No. 3, 528-542; Peter Horsman / Eric Ketelaar / Theo Thomassen: New Respect for the Old Order: The Context of the Dutch Manual, in: *The American Archivist* 66 (2003), No. 2, 249-270; Haas 2022 (see FN 2); Philip Haas: Gefangen im Archivkörper?, in: *Archivwelt* (2022), <https://doi.org/10.58079/cw3h>.

Despite these ideals, archives have never been entirely rational constructs, nor have they remained unaffected by the trends of their time. Instead, processes like fragmentation, rearrangement, relocation, and the formation of collections have significantly influenced historical archives. Nevertheless, the aspiration was for archival documents to serve as authentic evidence of the past, enabling the creation of reliable historiography that captured the true essence of historical events.⁶

This established theoretical concept of archives has faced increasing scrutiny within academia and archival institutions and has prompted a deeper examination of the creation processes, contexts, and historical backgrounds of archives. In recent years, the principle of provenance – and the notion that archives develop organically based on the creators' activities and needs – has faced criticism in archival research.⁷ At the same time, provenance has emerged as a key issue, especially concerning the rights of Indigenous peoples, often tied to discussions of past abuses and thefts of cultural heritage objects. The question of ownership and repatriation has gained significance as a means of addressing historical injustices.⁸ These are inherently political and justice-related matters that require careful consideration and dialogue. This also highlights the non-objective nature of archival provenance, subject to constant reinterpretation and alteration. Such phenomena, evident in war-related exchanges and archival movements, contribute to reshaping understanding and meaning. During conflicts like World War Two, looting and relocation of archives occurred, resulting in the dispersal of collections and the redefinition of their provenance and significance. Today, repatriated artifacts and documents undergo similar reinterpretations, reflecting shifts in notions of national identity and acknowledgment of historical

abuses.⁹ Consequently, these processes fundamentally alter the provenance of archival records.

This study aligns with a research tradition exploring the creation processes and contextual backgrounds of archives, while also drawing from traditional archival theory. It argues for the continued relevance of provenance research in understanding the evolving contexts, origins, and creation of archives. Central to this discussion are questions regarding the ownership of artifacts and archival documents – whom they belong to, whether it be a geographic location, a particular group, a colonial power, or other entities. This complex issue warrants further exploration and debate.

To illuminate this topic, this study focuses on the treatment and discourse surrounding the Teutonic Order's archive in Königsberg after World War Two, particularly within a Swedish historiographical context. After World War Two, debates arose concerning the rightful custody of the Teutonic Order's archive in Königsberg. Disputes ensued over whether it should be handed over to Polish or Soviet authorities or be kept in West Germany, as advocated by the West German faction. Concerning Poland's interest in the Teutonic Order's archive, a distinct issue involved that the archive had been officially ceded to Poland centuries earlier. During World War Two, the archive was later removed from Warsaw by the Nazis before being evacuated along with the Königsberg archive in 1944. Since the Western Allies did not recognize the Soviet annexation of the Baltic republics, they also refused to return looted Baltic materials to Soviet authorities. Still, the Riga archival materials found by the US Army in western Bohemia were already returned in October 1945. However, the British authorities withheld the large holdings, discovered in the Graslaben salt mine in the Harz mountains (located in the British occupation zone). The

6 Duchein 1983 (see FN 2); Richard J. Cox: The End of Collecting. Towards a New Purpose for Archival Appraisal, in: *Archives and Museum Informatics* 2 (2002), No. 3, 287-309.

7 Heather MacNeil: Picking Our Text. Archival Description, Authenticity, and the Archivist as Editor, in: *The American Archivist* 68 (2005), No. 2, 264-278, here: 268-70; Chris Duncan: Authenticity or Bust, in: *Archivaria* 68 (Fall 2009), 97-118.

8 Livia Iacovino: Rethinking Archival, Ethical and Legal Frameworks for Records of Indigenous Australian Communities. A Participant Relationship Model of Rights and Responsibilities, in: *Archives and Museum Informatics* 10 (2010), No. 4, 353-372.

9 E.g. Bénédicte Savoy: *Kunstraub. Napoleons Konfiszierungen in Deutschland und die europäischen Folgen. Mit einem Katalog der Kunstwerke aus deutschen Sammlungen im Musée Napoléon*, Wien 2011; Anja-Silvia Goeing / Anthony Grafton / Paul Michel: *Collectors' Knowledge. What Is Kept, What Is Discarded / Aufbewahren oder Wegwerfen. Wie Sammler entscheiden*, Leiden / Boston 2013; Nicholas H. Lynn: *The Rape of Europa. The Fate of Europe's Treasures in the Third Reich and the Second World War*, New York 1994; Emma Hagström Molin: *Discovering Moravian History. The Many Times and Sources of an Unknown Land, 1830-1860*, in: Anders Ekström / Staffan Bergwik (eds.): *Times of History, Times of Nature. Temporalization and the Limits of Modern Knowledge*, Oxford 2022, 206-229.

British attempted to use these materials as leverage in unsuccessful negotiations for the return of Hanseatic records from Bremen, Hamburg, and Lübeck, which they knew had been seized by Soviet authorities from the salt mines near Magdeburg. Similarly, the Königsberg archive, including the medieval archive of the Teutonic Order, which was also found in Graslaben, was held back (and relocated to Berlin-Dahlem). This was due to the forced resettlement of the ethnic German population and the unresolved legal status of the areas of East Prussia annexed by the USSR as the Kaliningrad oblast. The Soviet Union also saw potential leverage in the Teutonic Order's Archives, considering them valuable as a bargaining tool. In West Germany, archivists and historians expressed interest in trading the Teutonic Order's Archives for the collections from Hamburg, Bremen, and Lübeck.¹⁰

Archival disputes after World War Two, such as those involving the archival holdings of the Teutonic Order, highlight their use as diplomatic and political pledges within the framework of Cold War geopolitics. This area of disputes is multifaceted, encompassing the restitution of archives, cultural diplomacy, and the role of archives in shaping national identity and historical memory. Specifically, it addresses the restitution of archival materials unlawfully appropriated during the Nazi era, which subsequently ended up in the Soviet Union. During the Cold War, the Soviet Union leveraged cultural heritage, including archives, as a tool for political influence, situating these actions within the larger context of post-war restitution efforts. Consequently, archives were considered valuable cultural and political assets, often central to international negotiations and disputes.¹¹

10 Patricia Kennedy Grimsted: Displaced Archives and Restitution Problems on the Eastern Front in the Aftermath of the Second World War, in: Contemporary European History 6 (1997), No. 1, 27-74, <https://doi.org/10.1017/S0960777300004045>; Wilhelm Lenz: Grasleben, Goslar, Göttingen, Koblenz – Stationen der ausgelagerten Bestände des Revaler Stadtarchivs (1944-1990), in: Forschungen zur Baltischen Geschichte 4 (2009), 259-267.

11 Elizabeth Simpson (ed.): The Spoils of War – World War II and Its Aftermath: The Loss, Reappearance, and Recovery of Cultural Property, New York 1997; Patricia Kennedy Grimsted: Spoils of War Returned. U.S. Restitution of Nazi-Looted Cultural Treasures to the USSR, 1945-1959, in: Prologue. Quarterly of the National Archives and Records Administration 34 (2002), No. 1, 27-41; Patricia Kennedy Grimsted / F. G. Hoogewoud / Eric Ketelaar (eds.): Returned from Russia: Nazi Archival Plunder in Western Europe and Recent Restitution Issues, Buihl Wells 2007.

Examples from the debate about the localization of the Teutonic Order's archives will be used to illustrate the nuanced aspects of supposedly objective archival documents, arranged according to the principle of provenance. The aim is to explore, using this case, how questions of provenance become intricate due to factors such as the relocation of archives in wartime and its connection to concepts of nationality and ethnicity.

This issue intertwines with the authority over historical narratives, further complicated by wartime occurrences. Source material includes a 1949 document comprising two reports from the Academy of Sciences in Göttingen.¹² These articles aimed to underscore the significance of the archive for German history and advocate for their retention under (West) German archival control. Furthermore, two articles addressing the issue were featured in the Swedish journal *Historisk Tidskrift*, published by the Swedish Historical Association. *Historisk Tidskrift* holds a prominent position in the Swedish academic-historical sphere, serving as a pivotal platform for scholarly discourse. Its influential role has persisted from the late 19th century to the contemporary era, wielding considerable influence within the historian profession in Sweden.

The objective is to explore how conflicts like World War Two influenced the provenance and interpretation of archival records, involving looting, relocation, and dispersal of collections. Additionally, it ambitions to examine the role of repatriation discussions in reshaping the understanding and meaning of archival records, particularly in reflecting changes in national identity and acknowledging historical abuses. In what ways do the handling and discussions concerning particular archives, like the Teutonic Order's archive in Königsberg following World War Two, demonstrate the nuanced characteristics of seemingly objective archive materials organized based on the principle of provenance? What are the intricate factors, such as wartime archival relocation and connections to nationality and ethnicity, that complicate questions of provenance regarding archives like the

12 Herbert Kraus / Erich Weise / Akademie der Wissenschaften in Göttingen: Zwei Gutachten über die Archive des Deutschen Ordens sowie des altpreuussischen Herzogtums, Göttingen 1949, <https://www.mgh-bibliothek.de/dokumente/a/a007864.pdf>, <14.02.2024>.

Teutonic Order's archive outside the German context? In what ways do international associations, like the Swedish Historical Association, contribute to shaping discussions and advocacy regarding the retention and ownership of historical archives?

Through this examination, regarding the post-war discussion concerning the archive's provenance, location and ownership, the study deepens our understanding of archival preservation in post-conflict contexts. The point of departure is an overview of previous research and the historical background of the archive in Königsberg, serving as a backdrop for the subsequent analysis of the discussions after World War Two surrounding its custody, particularly within Swedish historiography, exploring the debate over whether it should be relinquished to Polish authorities or retained in Germany. Using this case, the study delves into the complexities of archival documents and provenance, considering factors like wartime relocation and national identity.

Previous Research and the Teutonic Order's Archives in Königsberg

Originating during the Third Crusade around 1190, the Teutonic Order reached its zenith of power with the Prussian Order state in the 14th century before being dissolved by Napoleon in 1809. Resurfacing in Habsburg Austria during the 18th century, it provided legitimacy to the Austrian elite. Despite lacking a centralized archive, its records moved with its headquarters across Europe.¹³ Over time, documents from the Teutonic Order's various European possessions have been lost, but significant collections remain in Vienna and the former Königsberg State Archives. The Order's archives in Königsberg, originally the Archives of the Grand Master, were merged into the Archives of the Duke of Prussia in 1525. A key moment in the custodial history of the archive was thus the secularization of the Order in Prussia in 1525. A notable example of archival dispersal occurred in 1809 when the main Mergentheim archive was divided among various successor states. However, after concerted

efforts by the Order, a portion of the Mergentheim archive was recovered and transferred to Vienna in July 1830.¹⁴

Simultaneously, the modern concept of the archive emerged in the 19th century to provide historical sources for shaping national histories. During this period, academic historiography focused on national histories gained prominence, with archives serving as the primary source depots for constructing these narratives. However, even after World War Two, this approach posed challenges. Institutions strongly promoting national narratives often excluded or obscured evidence that contradicted the idea of a unified national past.¹⁵ According to historian Peter Fritzsche, provenance, in particular, played a crucial role in constructing a distinct German historical narrative, rooted in notions of ethnic superiority. Settlements in Eastern Europe were interpreted as evidence of this perceived supremacy.¹⁶ To Baltic Germans of the 19th century, the Livonian Knights rule of Livonia represented Baltic independence. The Teutonic Order's legacy became tremendously important in the fight against the russification politics of Imperial Russia and later the Soviet Union.¹⁷

Regarding these nationalist ambitions, where archives and history served crucial roles in shaping a collective identity, historians and archivists played significant roles. Past studies suggest that German archivists and historians frequently espoused conservative or nationalist political perspectives, diverging somewhat from their Western European peers. They were often depicted as more nationalistic and less supportive of the Weimar Republic, often expressing disdain for the democratic system that had supplanted the monarchy.

13 Friedrich Täubl: *Der Deutsche Orden im Zeitalter Napoleons*, Bonn 1966; Klaus Militzer: *Die Geschichte des Deutschen Ordens*, Stuttgart 2005; William Urban: *Tyska orden. Nordens korsriddare*, Stockholm 2018, 236, 270-275, 321-326.

14 Täubl 1966 (FN 13); Udo Arnold: *Zehn Jahre Internationale Historische Kommission zur Erforschung des Deutschen Ordens*, in: Kurt Forstreuter: *Der Deutsche Orden am Mittelmeer*, Bonn 1967; Hartmut Boockmann: *Der Deutsche Orden: Zwölf Kapitel aus seiner Geschichte*, Munich 1981, 168; Militzer 2005 (FN 13); Jürgen Sarnowsky: *Der Deutsche Orden*, München 2007.

15 Stefan Berger: *The Role of National Archives in Constructing National Master Narratives in Europe*, in: *Archival Science* 13 (2013), No. 1, 1-22.

16 Peter Fritzsche: *The Archive and the Case of the German Nation*, in: Antoinette M. Burton (ed.): *Archive Stories. Facts, Fictions, and the Writing of History*, Durham, N.C. 2005, 184-208.

17 Wilhelm Lenz: *Carl Schirren (1826-1910) und seine "Lebensaufgabe"*, in: Norbert Angermann / Wilhelm Lenz / Konrad Maier (eds.): *Geisteswissenschaften und Publizistik im Baltikum des 19. und frühen 20. Jahrhunderts*, Berlin 2011, 217-237.

Moreover, they commonly opposed the Treaty of Versailles and actively sought to re-evaluate the European order established in 1919. It is now widely recognized that investigations into the “Nazi past” should not be confined solely to the period from 1933 to 1945. Instead, they should also encompass the history before and after this timeframe to uncover potential path dependencies, continuities, and disruptions.¹⁸ German archivists and historians played a pivotal role in institutes dedicated to Eastern European research (Ostforschung), which had a politicized and expansionist agenda. Eastern Europe was depicted through a lens of revisionism, perceived as inherently German in cultural, linguistic, historical, and ethnic terms, with an increasing emphasis on racial considerations.¹⁹ During National Socialism, archival documents and archives gained heightened significance as they were utilized to uphold the notion of the Aryan race, reflecting the Nazis’ ambitious efforts to construct a new collective identity. This involvement of German archives and archivists in the National Socialist regime’s policies of persecution, ethnic cleansing, and propaganda underscores the ethical and professional challenges they faced during this period in history.²⁰

During World War Two, archives faced destruction and fragmentation, impacting both Allied and Axis powers. Archive materials were sometimes seized as war booty or transferred to safeguard them from wartime damage, motives that have

been extensively studied in prior research.²¹ At the war’s end, there was a struggle over the control of the archives, with US and British troops confiscating a wide array of documents and archives as they advanced through Germany in spring 1945, a scenario detailed by historian Astrid M. Eckert.²² During the post-war period, Germany was divided into four occupation zones controlled by France, Great Britain, the United States, and the Soviet Union. The Allied Control Council took responsibility for regional administration and archival care in these zones. Less than six months after the war had ended, the German Public Archives officially reopened under a proclamation issued by the Council on September 20th, 1945. The victorious powers relied on functioning state and city archives to administer occupied Germany.²³ In 1945, the Prussian Archive Administration, the most dominant and influential archive in Germany, collapsed. Starting in 1933, during the Nazi era, it underwent centralization and merged with the Reichsarchiv under the leadership of Dr. Ernst Zipfel (1891-1966), a staunch National Socialist. This merger brought additional significance to the Prussian Archive Administration, particularly through its personal union with the Reichsarchiv.²⁴ Despite the strong connections of most German

18 E. g., Hartmut Lehmann / James van Horn Melton (eds.): *Paths of Continuity. Central European Historiography from the 1930s through the 1950s*, Cambridge 1994; Winfried Schulze / Otto Gerhard Oexle (eds.): *Deutsche Historiker im Nationalsozialismus*, Frankfurt a. M. 1999; Jan-Werner Müller: *Another Country. German Intellectuals, Unification and National Identity*, New Haven 2000; Astrid M. Eckert: “Zur Einführung: Archive und Archivare im Nationalsozialismus”, in: Robert Kretzschmar et al. (eds.): *Das deutsche Archivwesen und der Nationalsozialismus*, Essen 2006, 9-17; Tobias Winter: *Die deutsche Archivwissenschaft und das “Dritte Reich”. Disziplingeschichtliche Betrachtungen von den 1920ern bis in die 1950er Jahre*, Berlin 2018; Markus Friedrich / Tom Tölle et al. (eds.): *Archivare zwischen Kaiserreich und Weimarer Republik*, Hamburg 2023.

19 Michael Burleigh: *Germany Turns Eastwards. A Study of Ostforschung in the Third Reich*, Cambridge 1988; Wolfgang Ernst: *Archival Action: The Archive as ROM and its Political Instrumentalization under National Socialism*, in: *Hist Human Sci* 12 (1999), No. 2, 13-34, <https://doi.org/10.1177/09526959922120225>; Ingo Haar: *Historiker im Nationalsozialismus. Die deutsche Geschichtswissenschaft und der “Volkstumskampf” im Osten*, Göttingen 2000.

20 Fritzsche 2005 (see FN 16); Kretzschmar et al. 2007 (see FN 18).

21 Johannes Kistenich-Zerfaß: *Auslagerung von Archivgut im Zweiten Weltkrieg. Selbsthilfe der Staatsarchive oder zentrale Steuerung durch den Kommissar für Archivschutz?*, in: Sven Kriese (ed.): *Archivarbeit im und für den Nationalsozialismus. Die preußischen Staatsarchive vor und nach dem Machtwechsel von 1933*, Berlin 2015, 407-476.

22 Astrid M. Eckert: *The Struggle for the Files. The Western Allies and the Return of German Archives after the Second World War*, Cambridge 2012; Anja Heuss: *Kunst- und Kulturgutraub. Eine vergleichende Studie zur Besatzungspolitik der Nationalsozialisten in Frankreich und der Sowjetunion*, Heidelberg 2000; Stefan Lehr: *Ein fast vergessener ‘Osteinsatz’. Deutsche Archivare im Generalgouvernement und im Reichskommissariat Ukraine*, Düsseldorf 2007.

23 Eckert 2012 (see FN 22); Philip Haas / Martin Schürer: *Lester Kru-ger Born, Ernst Maximilian Posner, and the American Influence on the Reshaping of German Archives after the Second World War*, in: *The American Archivist* 85 (2022), No. 1, 223-246, <https://doi.org/10.17723/2327-9702-85.1.224>.

24 Torsten Musial: *Staatsarchive im Dritten Reich. Zur Geschichte des staatlichen Archivwesens in Deutschland 1933-1945*, Potsdam 1996; Winter 2018 (see FN 18); Ingeborg Schnelling-Reinicke: *Gegeneinander – miteinander. Der preußische Führungsanspruch unter den deutschen Staatsarchiven und das Reichsarchiv*, in: Sven Kriese (ed.): *Archivarbeit im und für den Nationalsozialismus. Die preußischen Staatsarchive vor und nach dem Machtwechsel von 1933*, Berlin 2015, 145-164; Peter Ulrich Weiss: *Deutsche Zentralarchive in den Systemumbrüchen nach 1933 und 1945*, Göttingen 2022.

archivists to National Socialism and the Nazi Party, cooperation with them was necessary to rebuild the archives and their administration after the war, as noted by Philip Haas and Martin Schürer.²⁵

The Königsberg archives served as a major center for Prussian administration, playing a crucial role in safeguarding administrative, legal, and historical records. Among its significant collections were those from the Teutonic Order, reflecting Königsberg's historical ties to the Teutonic Knights. The Teutonic Order's Archive was a deposit in the Prussian State Archives in Königsberg. In anticipation of the advancing Red Army, the archive was relocated to Grasleben in the West in 1944. World War Two profoundly impacted the Königsberg archives, resulting in the loss, destruction, or displacement of many documents, mirroring the wider loss and scattering of cultural treasures during the war.²⁶

Due to the risk of fire and concerns that the Soviets might seize the archives following the redrawing of borders, British troops swiftly cleared the mine in Grasleben in the summer of 1946 and subsequently relocated the storage to the Kaiserpfalz Goslar (The Imperial Palace of Goslar) in the British occupation zone. This relocation included not only the Königsberg archive but also a vast array of city, state, church, and other archives, along with library and museum items from both eastern and western regions. From 1953 to 1979, the archive was relocated to a depot in Göttingen, which was specifically set up to manage and preserve the large volume of archival materials displaced by the war, solidifying Göttingen's role as a crucial site for the storage and safeguarding of these historical

documents.²⁷ Since 1979, most of the pre-war documents have been stored in the Prussian Privy State Archives in Berlin, containing nearly complete archives from both the Teutonic and Duchy periods. A smaller collection of documents still resides in Vilnius and Kaliningrad, while war spoils are preserved in the Swedish National Archives, booty of the Swedish army's campaigns in the region during the 17th century.²⁸

Following World War Two, Germany faced significant challenges in restructuring its archival system, with archivists working to re-establish their profession amidst considerable political and social upheaval. This reorganization, influenced by Prussian traditions, is crucial for understanding the evolution of the archival profession in post-1945 Germany. The profession had to strike a balance between preserving historical traditions and adapting to the new political and social realities of both East and West Germany.²⁹

Peter Ulrich Weiss has highlighted the challenges faced by archivists, particularly at the Reichsarchiv in Potsdam and its successors, during the Nazi era and the early years of the German Democratic Republic (GDR). Weiss underscores the complex dilemmas of complicity and resistance they encountered and emphasizes how the archives were shaped and exploited by both regimes as tools of political control and propaganda.³⁰

The West German archival profession transitioned relatively smoothly to the new democratic

25 Haas / Schürer 2022 (see FN 23).

26 Kurt Forstreuter: *Das Preußische Staatsarchiv in Königsberg. Ein geschichtlicher Rückblick mit einer Übersicht über seine Bestände*, Göttingen 1955; Kurt Forstreuter: *Das Staatsarchiv Königsberg als Quelle für die allgemeine Geschichte*, in: *Hamburger Mittel- und Ostdeutsche Forschungen* 6 (1967), 9-35; Johanna Weiser: *Geschichte der preußischen Archivverwaltung und ihrer Leiter. Von den Anfängen unter Staatskanzler von Hardenberg bis zur Auflösung im Jahre 1945*, Köln 2000; Stefan Lehr: *Deutsche Archive und ihre Archivpolitik im "Generalgouvernement" (1939-1945)*, in: Robert Kretschmar et al. (eds.): *Das deutsche Archivwesen und der Nationalsozialismus*, Essen 2006, 166-174.

27 Cecil A. F. Meekings: *Rückgabe von Archiven an Polen*, in: *Der Archivar* 1 (1947/48), No. 1, 71-74; Michael Kruppe: *Das Staatliche Archivlager in Göttingen (1953-1979). Seine Geschichte, seine Bedeutung*, in: *Preußenland*, N.F., 6 (2015), 126-162; Martin Schürer: *Ein Politikum im Kalten Krieg: Das Zonale Archivlager Goslar (1945-1952) und die Rolle der Niedersächsischen Staatsarchive*, in: Sabine Graf / Henning Steinführer (eds.): *Archive in Niedersachsen und der Nationalsozialismus – Kontinuitäten und Brüche*, forthcoming.

28 Preußisches Geheimes Staatsarchiv, Secret State Archives Prussian Cultural Heritage Foundation: <https://www.archinform.net/projekte/16474.htm>, <06.09.2024>; Emma Hagström Molin: *Teutonic Order Documents at the Swedish National Archives: Spoils of War taken from Livonia in 1621*, keynote at the conference "Die Archive des Deutschen Ordens", Berlin 2024.

29 Philip Haas / Martin Schürer: *Was von Preußen blieb. Das Ringen um die Ausbildung und Organisation des archivarischen Berufsstandes nach 1945*, Darmstadt / Marburg 2020; Philip Haas / Martin Schürer: *Zwischen Trümmern und Tradition ein Neuaufbruch auf Raten: Gründung und Anfangsphase des Verbands deutscher Archivarinnen und Archive anlässlich seines 75-jährigen Bestehens*, in: *Der Archivar* 74 (2021), 149-157; Weiss 2022 (see FN 24).

30 Weiss 2022 (see FN 24).

system with minimal disruptions, and many archivists from the Nazi era were quickly reinstated. The primary focus after 1945 was the nearly seamless continuation of research into the East, significantly facilitated by the archivists themselves. In the British zone, C.A.F. Meekings (1914-1977), the British archive officer, oversaw the reorganization and reconstruction of archival operations post-war. Meekings interpreted the provisions in a manner that prioritized institutional stability. Rather than outright dismissal, demotion was preferred whenever feasible, a strategy that garnered support even from colleagues less compromised by the previous regime.³¹ Particularly in Lower Saxony, which ultimately assumed control of the Teutonic Order's archives, the Prussian spirit and focus on Prussian research remained dominant.³²

This context sheds light on the significance of the struggle over archives, including those of the Teutonic Order and in Eastern European states, which garnered international attention beyond Germany's borders. Astrid M. Eckert notes that the West German archival profession emerged largely intact after World War Two, with most archivists resuming their duties following the denazification process. Despite this, many archivists faced anxiety and uncertainty during the post-war era, feeling vulnerable to Allied occupation measures.³³

Building upon the preceding description regarding the management of the Teutonic Order's archive during and after World War Two, we can further grasp the concept of provenance concerning artifacts, which generally pertains to their initial placement and is intricately linked to their origin and historical background. Research on provenance has revealed that artifacts within collections and archives can acquire new meanings over time, leading to shifts in their significance. While provenance can be associated with geographic location and birthplace, particularly in the case of archival documents linked to courts, organizations, and rulers like the Grand Master of the Teutonic Order, it also reflects broader societal dynamics. Elites historically collected artifacts and archives to

assert their dominance, whether through colonial or national ambitions. This collecting practice often involved the movement of objects across cultural and national boundaries, resulting in the attribution of new meanings to these artifacts.³⁴ This article draws upon these processual understandings to explore the provenance principle traditionally used in archival science, shedding light on the challenges that can arise in its application. The making and interpretation of provenance are historically contingent, reflecting shifting societal dynamics and interpretations over time is also emphasized. Ultimately, the concept of provenance raises questions about the rights to archival documents, encompassing legal ownership as well as historical and moral considerations.

Navigating Post-War Legal Complexities of the Order's Archive

After the war, the Western Allies made efforts to repatriate cultural objects and archives that had been stolen and relocated during the Nazi era, including those taken from regions in Ukraine and the Baltic states. This context was central to the debate surrounding the Teutonic Order's Archives.³⁵ The Allies had previously endorsed the London Declaration of 1943, which prohibited the movement, sale, exchange, or expropriation of cultural artifacts during the conflict. In line with this declaration, they sought to return the relocated archives to their original storage locations. However, German archivists held a different perspective, viewing their actions as necessary to safeguard the archives, often under challenging circumstances, by relocating them to German territory during the war's final stages.³⁶

The British now controlled all cultural assets collected at the Kaiserpfalz Goslar, including books, museum objects, and archive holdings, and aimed to return these items to their original owners based on provenance. However, complications arose regarding East Prussia, now divided between Polish and Soviet territories, with parts of

31 Astrid M. Eckert: *Managing Their Own Past. German Archivists between National Socialism and Democracy*, in: *Archival Science* 7 (2007), No. 3, 223-244.

32 Schürer forthcoming (see FN 27).

33 Eckert 2007 (see FN 31), 230-241; Musial 1996 (see FN 24), 133-167.

34 Daniela Bleichmar / Peter C. Mancall: *Collecting Across Cultures: Material Exchanges in the Early Modern Atlantic World*, Philadelphia 2011.

35 Heuss 2000 (see FN 22), 164-167, 182-185; Lehr 2006 (see FN 26), 166-174.

36 Eckert 2007 (see FN 31), 235.

its original population expelled. The question of the archives of the Teutonic Order, relocated from Königsberg to western Germany in 1944, remained unresolved, pending the application of established archival principles to address the complex situation. Initially, there was a close cooperation with Poland, which transferred large holdings from Goslar.³⁷ In 1947, Poland laid claim to the Teutonic Order's Archives, citing historical jurisdiction under the Polish Crown, leading to the transfer of some stocks from the Kaiserpfalz Goslar to Poland.³⁸ The British archive officer, Meekings, was hesitating regarding the transfer, advocating a cautious approach based on internationally recognized archival principles, framing the situation as a return rather than a handover, given Poland's current exercise of administrative authority.³⁹

As the Cold War intensified, German archivists and historians campaigned through articles in *Der Archivar* and private letters to the British, advocating for the archives to remain in Germany. This led to a widespread debate about the future of the Teutonic Order's archives. In response to these discussions and the actions of Meekings, historian and archivist Ahasver von Brandt (1909-1977), who, like many archivists, was compromised by the Nazi regime, collaborated with prominent German archivists such as Georg Winter (1895-1961) to address the issue of transferring archives to Poland in *Der Archivar*, thereby further intensifying the debate.

Von Brandt's argument, alongside his West German colleagues, was that the state and international legal conditions after World War Two were so novel that traditional archival principles could not be applied as before. He emphasized the urgent need to reevaluate and potentially revise archival principles to fit the new context, where legal, administrative, and population continuity no longer applied. Brandt commended the international attention to these issues, and also noted that until peace or state treaties are established, any archival actions should be considered provisional, expressing hope that German archival science would influence future decisions about German archives. His

commentary sought to ignite further discussion on these pressing matters, discussions that would also unfold in Sweden.⁴⁰

Erich Weise (1895-1972), a former Prussian archivist and Teutonic Order specialist who had aligned himself with the Nazis' political agenda, supported Brandt's argument. In *Der Archivar* Weise noted that the pertinence principle, which traditionally allocates archives based on geographic relevance, was no longer applicable under the changed circumstances. Weise, a German historian and archivist, was implicated in Nazi activities during World War Two. To support this claim, reference is made to an essay by von Brandt, who correctly observes that in the former German eastern territories, legal, administrative, and crucially population continuity has ceased, with the population previously served by these archives now residing solely in West Germany.⁴¹

This historical background is essential for comprehending the significance of the events. In 1949, the Göttingen Academy of Sciences endorsed two reports authored by Prof. Herbert Kraus (1884-1965) and senior archivist Dr. Erich Weise regarding the archives of the Teutonic Order and the former Prussian Duchy. The Academy stressed in its petition that the material from the Teutonic Order should not be regarded as "spoils of war".⁴²

Navigating Nationalism and Archival Custody: The Role of Kraus and Weise

Herbert Kraus was a distinguished German professor of public international law and the inaugural director of the Institute of International Law at the University of Göttingen. His outspoken criticism of Nazism led to his forced retirement from 1937 to 1945. Upon reinstatement in 1945, Kraus focused on rebuilding the Institute of International Law and addressing the status of Germany's former eastern territories under international law.

37 Kruppe 2015 (see FN 27); Schürer forthcoming (see FN 27).

38 Cecil A. F. Meekings: Liste der Archivbestände, die sich im Zonenarchivdepot in Goslar befinden, in: *Der Archivar* 1 (1948), No. 2, 73-76.

39 Meekings 1948 (see FN 38), 73-76.

40 Ahasver von Brandt: Kriegsschutz- und Rückführungsmaßnahmen und deren Erfahrungen sowie Verluste der Archive der britischen Zone, in: *Der Archivar* 1 (1948), No. 3, 133-140.

41 Erich Weise: Die Erhaltung des Deutschordensarchivs und der übrigen geretteten Königsberger Bestände, in: *Der Archivar* 2 (1949), No. 2, 49-54.

42 Akademie der Wissenschaften in Göttingen 1949 (see FN 12), 3.

According to Astrid M. Eckert, the assertion of self-determination rights by ethnic Germans in post-1919 Poland or Czechoslovakia was not rooted in a rejection of Western principles. Rather, they laid claim to significant portions of Eastern Europe based on the long-standing cultural influence of Germans in those regions. This view held that Germans were the natural elite and thus entitled to govern Eastern Europe, as their culture had supposedly enriched these territories and their inhabitants, regardless of ethnicity. Ostforschung served as the academic tool to substantiate these assertions, often displaying aggressive anti-Polish sentiments. This view also required qualified academic personnel to execute this kind of research effectively.⁴³ The international law expert Kraus joined the investigation regarding the location of the Teutonic Order's and ducal archives. His expertise complemented that of the Erich Weise. Weise had openly embraced the National Socialists' cause at a meeting in Königsberg in 1933, asserting that archivists should actively support the regime's objectives and contribute to the preservation of the German nation.⁴⁴ In contrast, during the post-war denazification period, archival work was underscored as being generally apolitical, reflecting archivists' perception of their own profession as the custodians of history and handmaidens of historians. The archivist was regarded solely as an impartial civil servant tasked with safeguarding the historical and administrative records of the state entrusted to his care. This approach, as stated above, is increasingly contested within the archival profession and scholarly community today. It also applies to the principle of provenance, which was similarly viewed as apolitical in nature.⁴⁵

The transition of West German academia from National Socialism to the Federal Republic necessitated a process of self-denazification and intellectual reorientation, aiming to reconcile with the past while upholding professional status. This "mandarin moratorium" entailed reassessing academic norms within a framework of collegiality.

43 Eckert 2007 (see FN 31), 226.

44 Musial 1996 (see FN 24), 31.

45 E. g. Terry Cook: *The Archive(s) Is a Foreign Country. Historians, Archivists, and the Changing Archival Landscape*, in: *The American Archivist* 74 (2011), No. 2, 600-632. The idea of the archivist as the historians' handmaid was articulated by archivist Sir Hilary Jenkinson: *A Manual of Archive Administration*, London 1922.

The University of Göttingen witnessed this transformation across disciplines like history, theology, and physics.⁴⁶ Kraus's expertise provided credibility and signaled a focus on international law rather than ideology. However, Erich Weise's input hints at additional considerations. As a member of the Nazi Party, he oversaw the administration of Polish archives seized by Nazi Germany. Despite being initially identified as a "looter" by the Allied Military Government,⁴⁷ Weise successfully disguised himself during denazification. Following the war, he, along with other compromised colleagues, was swiftly rehabilitated and found employment at the State Archives in Hanover. Eventually, he became the director of the archives in Stade until his retirement in 1960.⁴⁸

In response to Poland's demands, the Göttingen Academy of Sciences presented two reports and an appeal regarding the archives of the Teutonic Order and the old Duchy of Prussia. The first report, authored by Kraus, outlined twelve points based on international law, arguing for the retention of the archives in Germany. Following this, Weise provided an account of the archive contents. The reports were prefaced by the Academy's endorsement, recommending them to statesmen and the scientific community. Kraus and Weise, esteemed experts at the academy, asserted that releasing the archives would contravene international law and historical considerations.

The Academy's preface lamented the nationalist rhetoric surrounding the demand for historical documents that were integral to Germany's cultural heritage and the broader history of Europe. It criticized the resurgence of nationalism, cautioning against the loud cries of patriotic indignation, which did not befit a "defeated nation". However, the argument retained a quiet nationalistic tone on behalf of Germany. The reason was that the documents pertained to the history of Europe and Germany, written in both the German language of the Holy Roman Empire and the Latin language of old Europe. Instead, the Academy advocated for a reasoned and scientific approach, appealing to the

46 Bernd Weisbrodt: *The Moratorium of the Mandarins and the Self-Denazification of German Academe: A View from Göttingen*, in: *Contemporary European History* 12 (2003), No. 1, 47-69.

47 Eckert 2012 (see FN 22), 108.

48 Eckert 2007 (see FN 31), 232.

global community of scholars to uphold the principles of truth and mutual understanding. They emphasized that an “unjust” surrender of the archive would hinder mutual understanding, whereas a just relinquishment would promote it.⁴⁹

After the preface, Kraus presented his twelve points outlining international law and explained why the archive should stay in Germany. He emphasized Germany’s status as an occupied state and the need to prevent any unilateral actions, citing international law. He condemned the use of archives as war spoils and asserted that the Teutonic Order and ducal archives, as part of a state institution dedicated to science, were protected under international law as historical monuments.

Regarding provenance, Kraus argued that the prevailing view would be that in the case of annexations and transfers of parts of a state’s territory, ownership of that state’s records should be determined by the principle of provenance. However, according to Kraus, it would be more correct to refer to the principle of pertinence in this context. In Kraus’s words: “Richtiger wäre es allerdings, hier von Pertinenzgrundsatz zu sprechen”. According to Kraus, archives should be considered accessories to the areas, domains, assets, buildings etc. to which they referred. Kraus emphasized that the occupation authorities in the British zone were lacking the legal authority under international law to transfer those archives to Poland. Occupation administrations were obligated to act in the best interests of the occupied population, which did of course not include confiscating historical documents, like those of the Teutonic Knights, for delivery to Poland. Even if one would consider the German eastern territories as no longer belonging to Germany, Poland still would lack authorization to request the archive because Königsberg was since 1945 occupied by Soviet Russia and not by Poland. The feudal relationship between Poland and the Knights of the Teutonic Order had ended in 1660, and thus there was no basis for Poland to claim ownership of the archive, Kraus argued.

According to Kraus, the principle of provenance lacked a clear legal definition and could therefore not solely rely on the original place of origin of an archive or register. An approach like that would

lead to impractical outcomes, such as dispersing individual documents based on their authors or senders during territorial changes. Instead, the principle should not mandate the disassembly of archives when records from various sources were interconnected, Kraus asserted. Additionally, Kraus argued that archives and registers often were situated based on administrative and practical considerations rather than being static. For example, the Teutonic Order’s archive moved across various cities over time, which suggested that documents could have been stored in multiple locations with equal validity beyond Königsberg. Ultimately, it was up to the archives administration to determine where an archive was established and subsequently relocated to. The meaning of the principle of provenance could not be that the original place of origin of an archive or register was decisive, Kraus maintained.⁵⁰

Kraus argued that the essence of the principle of provenance was to ensure the continuity of administration or justice in a ceded territory by transferring essential registers to the responsible state, while the rest remains in the old state, namely that:

“Der Sinn des Provenienzgrundsatzes ist für Registraturen vielmehr der, dass im Falle eines Gebietswechsels diejenigen, welche für die Fortführung der Verwaltung oder Rechtspflege eines abgetretenen Gebietes erheblich sind, dem nunmehr die Staatsfunktionen in Bezug auf das Zessum [sic!] wahrnehmenden Staat zur Verfügung stehen. Die übrigen Registraturen verbleiben dem Altstaat.”⁵¹

Moreover, Kraus argued that the principle specifying obligations to hand over acts related to ceded territories in peace treaties might no longer be relevant in the case of archives in the Eastern regions due to the destruction of previous administrative and legal structures. Many documents related to the German East had effectively lost their significance, except for specific purposes such as marital

49 Kraus / Weise / Akademie der Wissenschaften in Göttingen 1949 (see FN 12), 3.

50 Herbert Kraus: Völkerrechtliches Gutachten, in: Kraus / Weise / Akademie der Wissenschaften in Göttingen 1949 (see FN 12), 7.

51 “The meaning of the provenance principle for registries is rather that in the case of a change of territory those who are relevant for the continuation of the administration or judicature of a ceased territory stand at the disposal of that state performing governmental responsibilities with regards to the Zessum [sic!]. The remaining registries stay with the former state.” Kraus 1949 (see FN 50), 8.

status or criminal records, Kraus stated. The Teutonic Order's archive, according to Kraus, only had historical value and if the principle of provenance was to be applied to historical archives, this should be done cautiously considering the burden on the state. Therefore, Kraus stated that only historical archives containing exclusively regional or local documents could be deemed relevant for transfer in accordance with such an interpretation.⁵²

Following Kraus' account of international law, Erich Weise provided a detailed description of the archives and their diverse records.⁵³ As a former expert at the Königsberg State Archives, Weise maintained his post-war interest in the Teutonic Order by publishing articles, archive descriptions, and manuals. He obtained permission from the British to continue his research amidst the disorganized files in the Imperial Palace (Kaiserpfalz) in Goslar and also sought control of the zonal archive warehouse there.⁵⁴ Weise stated that a favorable fate had rewarded past efforts of the German archival management in preserving the cultural assets entrusted to it, particularly concerning the Königsberg State Archives, when the archive safely weathered the final storms of the war. Weise further explained that its preservation, including his own contribution, was especially crucial regarding this conservation. But it is crucial to note that this relocation only occurred as the tide of war shifted and Nazi Germany's defeat became imminent. The decision could be attributed to factors such as extensive Allied bombing campaigns but also, and maybe far most, the impending loss of former Prussian and occupied Polish territories. But according to Weise, this rescue was all the more significant because the archive, far from having merely a provincial character, held the potential to yield rich results for German and European societies at large in the field of history.

Likewise, Kraus previously had argued that the relocation of these archives to western Germany before the collapse of National Socialism further

affirmed their status as part of a dedicated German historical heritage. Despite the occupation, the archive should remain German property and public domain, which underscored its enduring cultural significance. Also, if the principle of provenance – whether based on place or tradition – was to be applied, this would be the case, Weise argued. Kraus nor Weise both denied that any obligation or right to hand over the archives to Poland had arisen. Weise explained that a regional or local archive typically contained materials exclusive to the region or parts of it, requiring clear evidence of previous ownership for an objective determination. However, he further clarified that documents with regional references may have broader historical significance, and the Teutonic Order's archive, while not strictly regional, had encompassed diverse historical materials reflecting the Order's extensive activities across Europe. The fact that the former stately owner, Prussia, had been disbanded by order of the occupation authorities in 1947 did not change this, Weise argued. The key point was that succession occurred upon Prussia's demise, necessitating ownership by a German public legal entity. Weise established Lower Saxony as tasked with safeguarding the archival heritage of the Teutonic Order until the matter was resolved as cultural protection fell outside the purview of the British occupation authorities.⁵⁵

Following his preface, Weise provided a detailed description and assessment of the archive's contents. The objective was to generate interest among European researchers, aiming to gather support to prevent the archive from being transferred to Poland, and the argument in public was to safeguard it for continued access by Western European scholars. As already stated, many German archivists, like other civil servants, had joined the Nazi Party (NSDAP) already before the war, influenced by prevailing attitudes of the time whether due to ideological conviction or opportunism. But after the war, they viewed denazification as unjust, claiming their profession would be inherently apolitical.⁵⁶ The dispute over the location of the Teutonic Order's archive reflects this stance, as German archivists fought to retain it in Germany,

52 Kraus 1949 (see FN 50), 11-12.

53 Erich Weise: Historisch-archivalisches Gutachten, in: Kraus / Weise / Akademie der Wissenschaften in Göttingen 1949 (see FN 12), 15-32.

54 Weise 1949 (see FN 41); Erich Weise: Die Staatsverträge des Deutschen Ordens in Preußen im 15. Jahrhundert (Vol. 1-3 u. Register), Königsberg / Marburg 1939-1969; Erich Weise: Bericht über eine Archivreise nach Wien, in: Zeitschrift für Ostforschung 7 (1958), No. 3, 424-430, DOI: <https://doi.org/10.25627/195873668>.

55 Weise 1949 (see FN 53), 10-11.

56 Musial 1996 (see FN 24), 27-29; Eckert 2007 (see FN 31), 223-244.

framing its connection to German language and its origins among the Knights of the Order. They hoped to garner support from Western European academic and archivist circles by emphasizing the archive's significance for research interests in the region, advocating for its continued presence in Germany. This also resonated within the Swedish professional historical context, a topic that will be further explored in the following discussion.

Swedish Discourse: Perspectives on the Teutonic Order's Archive and Provenance

The location of the Teutonic Order's archive prompted Swedish historians to participate in discussions on the subject. For instance, Herman Brulin (1875-1960), a historian and archivist, addressed the topic of Germany's archives after World War Two in an article published in the Swedish *Historisk Tidskrift* in 1948. His interest stemmed largely from personal research on the Swedish king Charles XII (reigning 1697-1718), which led him to explore North German archives and compile archive lists related to Swedish history.⁵⁷ In a Swedish context, the focus lay not on the archives of the Duchy of Prussia, but rather on those of the Teutonic Order, which were deemed particularly relevant to Swedish and Scandinavian history.

Emil Schieche (1901-1985), an Austrian historian and archivist, aimed to bring attention to the fate of the Teutonic Order's archive through his essay *Tyska Ordens arkiv, dess nuvarande öde och dess öppnande för vetenskaplig forskning* ("The Teutonic Order's Archive, Its Current Fate, and Its Opening to Scientific Research"). Schieche, who also taught Czech, had joined the NSDAP in 1940, a common move for Austrian state-employees after the so-called "Anschluss" in 1938. After the war, he relocated to Sweden where he began working at the Swedish National Archives in 1949. Later, from 1955 onwards, he served as a lecturer in history at Stockholm University.⁵⁸

In his essay, Schieche argued that delaying the final decision regarding the transfer of the Teutonic Order's archives would benefit both Germany and Western Europe. He referred to the paper authored by Kraus and Weise for the Göttingen Academy of Sciences, suggesting that their aim was to shift the archival question away from political tensions to a less contentious arena, "to the less burning scientific and professional level".⁵⁹ Schieche also highlighted the preface of the text, which suggests that while it may not be suitable for a defeated country to express patriotic anger over the loss of historical documents, the academy still asserted its right to address the scholarly community with scientific and patriotic conscience. Schieche argued that it would be in the interest of Western Europe for the archive to remain in Germany, as it was connected to a shared Western European history. He thereby tried to shift the topic and discussion away from political tensions. Schieche also underscored the archive's relevance to Scandinavian researchers, citing previous studies by Swedish historians, such as Carl Gustav Styffe (1817-1908), and noted the abundance of documents in the archive and its significance as a source of knowledge for the 15th century.⁶⁰ Schieche's discussion addressed topics relevant to Swedish historiography, but his perspective on the principle of provenance was particularly intriguing from a historical standpoint, especially regarding its implications for geographic location, nationhood, and population.

Schieche introduced his own ideas about provenance, which resonated well with a Swedish audience, but may not have been as persuasive among Polish or even British scholars. Schieche argued for the archive to remain in Germany, linking it to the history of the German people, reflecting his political views. He began by highlighting the unique circumstances following 1945, when the population east of the Oder-Neisse line was largely displaced, leading to a complete upheaval in legal and administrative structures. Schieche contended that the rationale for a provenance-based solution to the archive issue had vanished in this new scenario. Similar to Kraus, von Brandt and Weise, he suggested that the archive's fate should be

57 Herman Brulin: Tysklands arkiv efter kriget, in: *Historisk Tidskrift* 68 (1948), 276-285.

58 Emil Schieche: *Tyska Ordens arkiv, dess nuvarande öde och dess öppnande för vetenskaplig forskning*, in: *Historisk Tidskrift* 70 (1950), 288-297; see also Karl Meyer: Das zonale Archivlager in Goslar, in: *Der Archivar* 3 (1950), No. 1, 37-40.

59 Schieche 1950 (see FN 58), 287.

60 Schieche 1950 (see FN 58).

determined by the principle of pertinence, emphasizing that “the archives are fundamentally tied to the population and not to the country”.⁶¹

Schieche reiterated the arguments von Brandt had made in his article in *Der Archivar*, aiming to spark debate on the issue. Von Brandt's purpose was to initiate a necessary discussion, stressing that German archivists would suffer the most if the archives were handed over to Poland. Culturally, Swedish society and the scientific community were strongly connected to and influenced by German culture during the 19th and 20th centuries. It is highly possible that Brulin and Schieche either corresponded with German archivists or adopted von Brandt's ideas from *Der Archivar*. By doing so, they aimed to achieve the goal set by the Kraus/Weise report and the German articles, namely, to create international debate and pressure on the British to halt negotiations with Poland and the Soviet Union regarding the return of archives. Brandt argued that the Soviets would have no archival principles, only political motivations rooted in the differences between the occupying powers. He maintained that the German population, now living west of the Oder, would have a right to the archives. He stressed that preserving the archives would be essential for researching the history of these populations and that they should remain in Germany. Furthermore, von Brandt argued that keeping the Eastern archives in Germany aligns with Western civilization's principles and reflects the wishes of their original owners – the German people. If the people are a state's foundation, then the right to control the archives must be associated with those people, not just with the land they lived on.⁶²

Similar but more explicit, Schieche, in essence, argued that the archive of the Teutonic Order would be inherently linked to German “tribes” rather than any specific location like Königsberg or what he referred to as a geographic area or territory. He emphasized the contributions of various German “tribes” to the formation of the Teutonic Order. This perspective extended to the Königsberg city archives as well, which he described as the private property of burghers and therefore less territorially bound. According to Schieche, the

Teutonic Order's archives had found a permanent storage place in Königsberg almost by chance. He explained that:

*“[...] [t]his applies especially to the archives of the cities located there, which, as the private property of the burghers, are to an even lesser extent territorially bound, and it applies above all to the Teutonic Order, which all German tribes contributed creating to and whose archives, in a sense, only through a coincidence came to get a permanent storage place in Königsberg.”*⁶³

In this context, it's notable how a former member of the NSDAP could freely argue in Sweden that the archive would belong to “the German people” and German “tribes”, and therefore it could be argued the archive, based on the principle of provenance, according to Schieche, should remain in Germany. Surprisingly, or maybe not so surprisingly dependent on which way you look at it, this choice of words and definitions did not raise any eyebrows in Swedish historian circles after World War Two. This can be elucidated by various factors, including the pro-Nazi sentiments and German sympathies among Swedish elites, as well as Sweden's policy of neutrality during World War Two.⁶⁴

Furthermore, Schieche argued that the state archives, now under provisional Polish administration, would be originally German because they concerned the private property of the cities' burghers. He also supported Kraus' and Weise's investigations as being undoubtedly based on scientific principles, believing that the archive should remain in Germany, asserting that neither the occupation of Germany nor the dissolution of Prussia as a state had altered this fact. He concluded that:

63 Schieche 1950 (see FN 58), 280 (translation from Swedish by the author).

64 E. g. Wilhelm M. Carlgren: *Svensk utrikespolitik 1939-1945*, Stockholm 1973; Alf W. Johansson: *Per Albin och kriget. Samlingsregeringen och utrikespolitiken under andra världskriget*, Stockholm 1985; Karl N. Alvar Nilsson: *Svensk överklassnazism. 1930-1945*, Stockholm 1996; Sverker Oredsson: *Lunds universitet under andra världskriget. Motsättningar, debatter och hjälpsatsar*, Lund 1996; Lena Berggren: *Den svenska mellankrigsfascismen – ett ointressant marginalfenomen eller ett viktigt forskningsobjekt?*, in: *Historisk Tidskrift* 122 (2002), 427-444; Stig Ekman / Klas Åmark (eds.): *Sweden's Relations with Nazism, Nazi Germany and the Holocaust. A Survey of Research*, Stockholm 2003.

61 Schieche 1950 (see FN 58), 286.

62 Brandt 1948 (see FN 40).

"It must only be pointed out that the conclusion has been reached that the order archive should also remain in German public ownership according to the principle of provenance and that neither the occupation of Germany nor the dissolution of Prussia will bring about any change in this respect."

Despite Germans being a "defeated population", Schieche maintained that this decision would be grounded in science rather than politics.⁶⁵ Meanwhile, Weise and his colleagues emphasized the significance of the Teutonic Order to Germany's history and historiography, highlighting its importance for Western European research which Swedish historians unanimously agreed on.⁶⁶ Polish historians sought access to the Teutonic Order's archive, encountering restrictions, particularly regarding the relationship between Poland and the Order. The history of the state organization of the Teutonic Order in Prussia had since long been of interest to Polish historians. After World War Two, this interest intensified, with Polish researchers resuming their studies on a larger scale. Polish historians engaged deeply with the history of the Teutonic Order; they emphasized the interconnectedness of Polish history with the Order and advocated for studying the order's expansion within the context of medieval Poland. Additionally, there was a call to examine the economic and social aspects of the Teutonic Order's activities, viewing it not only as a representative of the German element but also as a symbol of feudal expansionism in the Baltic region. Moreover, it was suggested how Slavic elites in the region underwent Germanisation during the late Middle Ages as part of their quest for political influence.⁶⁷

65 Schieche 1950 (see FN 58), 287.

66 Lehr 2006 (see FN 26); Norbert Kersken: Bilder und Vorstellungen deutscher "Ostforschung" zu Fragen der mittelalterlichen polnischen Geschichte, in: Zeitschrift für Ostmitteleuropa-Forschung 46 (1997), No. 3, 351-375, DOI: <https://doi.org/10.25627/19974636383>.

67 Marian Biskup: Polish Research Work on the History of the Teutonic Order State Organization in Prussia (1945-1959), in: Acta Poloniae Historica 3 (1960), 89-113, here: 91-92; see also Stefan Lehr: Restriktionen für polnische Historiker in preußischen Archiven? Die Behandlung der Benutzungsanträge polnischer Staatsbürger (1928-1939), in: Sven Kriese (ed.): Archivarbeit im und für den Nationalsozialismus. Die preußischen Staatsarchive vor und nach dem Machtwechsel von 1933, Berlin 2015, 221-258.

This highlights a fundamental aspect of historical interpretation: different perspectives can lead to contrasting conclusions based on the questions asked. For instance, if the focus is on Germans as rulers over Polish subjects, then the relocation of the archive to Germany could be seen as evidence of German supremacy, as it implies control over the historical records. Overall, the long-lasting dispute over the archives of the Teutonic Order reflects broader debates regarding ownership, provenance, and historical interpretation in the aftermath of World War Two, with different perspectives shaping contrasting conclusions about the archives' fate. The same can be said about the discussions regarding the archive from the city of Reval, which was also relocated during the final stages of the war and housed together with the Teutonic Order's archive in Grasleben and later in Goslar. In this case, the debate among German archivists also centered on whether the archive's location should be determined by geography, which would mean handing it over to Soviet authorities, or by citizenship and ethnic origin, which would align with the principle of pertinence. Although the Reval city archive, accessible until the 1950s, attracted visits from Nordic scholars, especially Finnish researchers, it was the Teutonic Order's archive that garnered the greatest interest in Sweden.⁶⁸ This archive was actively promoted to stimulate further engagement. The reluctance to return archives to their pre-war geographical locations can thus be linked to national historiography and what was considered most relevant to Swedish historical interests at the time.

In the case of the Teutonic Order, Schieche introduced his perspective on the principle of provenance, arguing that the archive would be tied to the German "tribes" rather than to any specific location. He contended that the archive's fate should be determined by both the principle of provenance as well as the principle of pertinence, emphasizing its connection to the population rather than the geographic area. He asserted that this decision would be grounded in science rather than politics. Polish historians, however, wanted the archives under Polish control, stressing their importance for Polish history and historiography.

68 Wilhelm Lenz: Grasleben, Goslar, Göttingen, Koblenz – Stationen der ausgelagerten Bestände des Revaler Stadtarchivs (1944-1990), in: Forschungen zur Baltischen Geschichte 4 (2009), 259-267.

Conclusion

In conclusion, this study delves into the debates after World War Two surrounding the custody of the Teutonic Order's archive in Königsberg, shedding light on the intricate questions surrounding provenance, particularly amidst wartime archival relocations and its association with nationality and ethnicity concepts. Efforts by the Western Allies to repatriate cultural artifacts and archives relocated during the Nazi era, in accordance with the London Declaration of 1943, were met with opposition from German scholars and archivists, who argued for the necessity of safeguarding the archives, often relocating them to German territory. Poland's claim to ownership of the Teutonic Order's archive in 1947 further fueled the dispute.


Examining source material from the Göttingen Academy of Sciences and the Swedish Historical Society's journal *Historisk Tidskrift*, this study unravels the complexities of authority over historical narratives and its implications for archival practices and national discourse. The studied conflicts underscore the sometimes contested nature of archival provenance, with different interpretations shaping contrasting conclusions about the archives' fate. Furthermore, the disagreement reflects underlying nationalist sentiments and differing historical interpretations. German scholars emphasized the archives' significance for German history while Polish historians sought access to study the Order's activities within the context of Polish history. There were differing interpretations of the principle of provenance among scholars involved in the dispute. Herbert Kraus outlined international law principles to defend Germany's ownership of the archives while Erich Weise provided a detailed description of the archive's contents to generate support for its retention in Germany. The principle of provenance, traditionally applied in archival science, was debated regarding the archives' ownership. Different perspectives on ownership and provenance shaped contrasting conclusions about the archives' fate. The issue of provenance and ownership in the case of the Teutonic Order's archive reveals a clear contradiction in how German and Swedish historians and archivists approached the matter. While on the one hand both sides were quick to stress the importance of prov-

enance when it supported their arguments, on the other hand this principle was conveniently ignored whenever it came to preserving the Teutonic Order's archive. In contrast, during negotiations with the Western Allies over the return of German archives, as shown by Astrid M. Eckert, the concept of provenance was firmly upheld. This inconsistency highlights a selective application of the principle, completely depending on the circumstances.

International scholars and institutions, like the Swedish Historical Association and historian Emil Schieche, argued that the archive should remain in Germany with regard to the interests of Swedish historians. Thus, the opposite of provenance and instead pertinence played a significant role in shaping the discourse surrounding the archives in a Swedish context. This demonstrates how international perspectives also influenced the debate. Schieche supported von Brandt's, Kraus' and Weise's investigations, asserting that the decision should be based on scientific principles rather than politics, despite Germany's defeat and unconditional surrender in World War Two. However, his argument was influenced by National Socialist ideas regarding Germanic peoples and "tribes", offering an interpretation that emphasized the archives' ties to the German "tribes" rather than specific locations.

The debate over the Teutonic Order's archive also exemplifies broader post-war challenges related to cultural heritage and historical interpretation, highlighting the importance of international collaboration and scholarly discourse. Provenance, as debated among scholars, can vary depending on historical and cultural contexts, influencing ownership determinations and archival jurisdiction. Ultimately, the dispute over the Teutonic Order's archive underscores the complex nature of provenance and its interpretation, influenced by historical, cultural, and national identity considerations. The dispute likewise underlines the contested nature of provenance within archives and the subjective nature of historical interpretation, particularly in the context of territorial changes and historical events like the dissolution of Prussia and the displacement of populations after World War Two. Different scholars offer contrasting perspectives on provenance, reflecting varying understandings of its relevance and implications for the ownership and fate of historical archives.

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Reference

Emma Pihl Skoog: Navigating Provenance in Flux. Debates over the Teutonic Order's Archive from Königsberg after World War Two, in: *transfer* – Zeitschrift für Provenienzforschung und Sammlungsgeschichte / Journal for Provenance Research and the History of Collection 3 (2024), DOI: <https://doi.org/10.48640/tf.2024.1.108899>, 88-104.