

13.11.2006

Ms Joie Springer  
Information Society Division -  
Universal Access and Preservation Section  
UNESCO  
1, rue Miollis  
75732 Paris

Re: **Memory of the World** Register  
*Kinder- und Hausmärchen* (Children's and Household Tales)  
REF. N° 2004-10  
Correction of false information

Dear Ms Springer,

We are delighted that UNESCO agreed in 2005 to include the personal annotated copies (Handexemplare) of Jacob and Wilhelm Grimm's *Kinder- und Hausmärchen* (*KHM*) on the register of its **Memory of the World** programme. These five volumes (of originally nine) are in our opinion certainly deserving of that recognition and honour. However, we regret to inform you that the application submitted by the nominator, Association of the Brothers Grimm / Brüder Grimm-Gesellschaft e. V. (Kassel), and now posted as a public document on your website, contains factual errors which misrepresent the history and ownership of these personal copies of the *KHM*. We would draw the following matters to your attention.

1. Under the heading *History* (§3.2., p. 4) the application claims: „After the Brüder Grimm-Gesellschaft e. V. (Brothers Grimm Association), whose first member was Herman Grimm, son of Wilhelm Grimm, was founded in 1897, the association acquired the Handexemplare of the Grimm Brothers' most important works (including the "German Grammar" of 1819, et al.) for the Kassel Grimms collection“. Historical records in our possession and also available as public documents show that this is factually incorrect. The Brüder Grimm-Gesellschaft e. V. was not founded in 1897, but in 1942. There was a „Kasseler Grimm-Gesellschaft“ founded mainly by Kassel librarians in 1897, but it was formally dissolved on 11 June 1920 and all its assets and holdings were transferred in accordance with its statutes to the Provincial Library in Kassel (Landesbibliothek Kassel). The present Brüder Grimm-Gesellschaft e. V. is a new and separate foundation, and it is not the legal successor to the former society. The application suggests a continuity of existence of the society - and ownership of the *KHM* copies - which misrepresents the historical situation.

2. Under the heading *Authenticity* (§4.1., p. 8) the application states: „The *KHM* were in the possession of the Brothers Grimm themselves until 1859/1863; thereafter in the possession of Herman Grimm, eldest son of Wilhelm Grimm; from 1897 onward and without interruption in the possession of the Brüder Grimm-Gesellschaft e. V. Kassel (Association of the Brothers Grimm);“ and under *Responsible Administration* (§5.3.(d)., p. 10): „The Kassel Handexemplare (Annotated Reference Copies) have

been part of the Kassel Grimms Collection since 1897 and are preserved in the Museum of the Brothers Grimm in Kassel.“

This claim of ownership by the Brüder Grimm-Gesellschaft e. V. / Kasseler Grimm-Sammlung since 1897 is likewise false. According to documents in our possession the early historical record is as follows (in summary):

As approved by Herman Grimm, the *KHM* copies were handed by the administrator of the Grimms' literary remains, Reinhold Steig, to the folklorist Johannes Bolte on 4 January 1899 in Berlin;

Johannes Bolte delivered 9 volumes of the *KHM* copies to the Provincial Library in Kassel (Landesbibliothek) with a letter dated Berlin, 8 October 1932. The two annotated volumes of the first edition 1812/15 and the three of the second edition 1819/21 now registered as **Memory of the World** were part of the delivery as listed in Bolte's letter;

Wilhelm Hopf, director of the Provincial Library, acknowledged receipt of the volumes in a letter to Bolte dated Kassel, 12 November 1932.

From 1932 Grimms' personal annotated copies of the *KHM* were in the possession of the Provincial Library in Kassel. In 1957 the copies came into the possession of the Murhardsche und Landesbibliothek Kassel (MuLB), because Kassel's two leading academic libraries were united as a consequence of the dramatic losses the Provincial Library had to bear during World War II. However, the statement that the *KHM*-copies were in the possession of the Brüder Grimm-Gesellschaft e. V. Kassel (Association of the Brothers Grimm) from 1897 onward and without interruption (as stated in the application and as posted on your website) is a falsification. On the contrary, all the documents prove that the Kassel personal copies of the Grimms' works (nine volumes *KHM*, two volumes *German Grammar*) have been - since 1932 and 1885 respectively - and still are a part of the former Provincial Library (Landesbibliothek), later the Murhardsche und Landsbibliothek and now the University Library of Kassel. In addition, no Grimm Association to whom the copies might have been donated existed in 1885 or in 1932.

3. Under the heading *Owner (name and contact details)* (§5.1., p. 10) the application claims: „Association of the Brothers Grimm / Museum of the Brothers Grimm Brüder Grimm-Gesellschaft e.V. / Brüder Grimm-Museum Kassel“.

This claim of ownership leads to the following conclusion about copyright (§5.3.(c)): „The Association of the Brothers Grimm (Brüder Grimm-Gesellschaft e.V.) holds all copyrights of the Kassel Handexemplare (Annotated Reference Copies)“.

Both claims are not justified. As stated above, the owner of the copies is neither the Brüder Grimm-Gesellschaft e. V. itself nor the Brüder Grimm-Gesellschaft as one of the curators of the Brüder Grimm-Museum Kassel. The historical records available to us reveal the following (again in summary):

According to its statutes, the former Kassel Grimm Society, which existed from 1897 to 1920, was intended to collect documents by and on the brothers Jacob and Wilhelm Grimm solely for the collections of the Provincial Library (Landesbibliothek). It may be noted that the initiator of the society was the director of the Provincial Library, Edward Lohmeyer. When the Society was formally dissolved on 11 June 1920, its assets and holdings were transferred to the Library;

When he delivered the copies to the Provincial Library in 1932, Johannes Bolte explicitly stated in his letter of 8 October that he was doing so at the express wish of Herman Grimm. We quote: „bestimmte er [Herman Grimm], daß diese Bücher nach Erledigung meiner Arbeit an die Grimm-Sammlung der Casseler Landesbibliothek

übergehen sollten. Diesem Auftrag gemäß, erlaube ich mir, Ihnen jene neun Bände zu übersenden ...“;

In his reply of 12 November 1932 the director Wilhelm Hopf thanked Bolte for this enrichment of our Grimm collection, as welcome as it is valuable. We again quote from the original: „darf Ihnen zugleich den ergebensten Dank aussprechen für Ihre Sendung, die für uns eine eben so willkommene wie wertvolle Bereicherung unserer Grimmsammlung bedeutet.“

These documents show quite clearly that, at the wish and behest of Herman Grimm, the former Provincial Library in Kassel was the legal owner of the *KHM* copies and that the copies were in its possession from 1932 until at least 1957 (see 4. below).

The legal successor to the Provincial Library is currently the University Library in Kassel (Universitätsbibliothek Kassel). As such, the University and the University Library claim that the Library is the legal owner of the *KHM* copies.

4. Under the heading *History* (§3.2., p. 4), the application states: „Since 1959, the Kassel Handexemplare have been preserved in the Brüder Grimm-Museum, Kassel.“

In its early years the Brothers Grimm Museum was located in the same building and under the same direction as the Murhardsche und Landesbibliothek. The inclusion of the *KHM*-Handexemplare in the Museum’s exhibitions and research did not mean that the Library gave up its ownership of these and other objects it contributed to the Museum’s exhibits. We are currently searching the relevant records to try and establish when and how the copies came to be transferred to the Brothers Grimm Museum. The former Provincial Library changed ownership twice last century, 1957 and 1976. Nevertheless, the federal province of Hesse (Hessen) and hence the University of Kassel retained ownership of the copies.

The results of this additional research will only affect the period since 1957. The history of the *KHM* personal copies between the death of Jacob and Wilhelm Grimm (1863/1859) and the end of World War II can be traced clearly and completely by the documents mentioned in this letter. The following conclusions are incontrovertible:

- the Grimms’ personal annotated copies of the *KHM* copies were not owned by any Brothers Grimm Association;

- the *KHM* copies have been located in Kassel since 1932, not since 1897;

- during the whole period covered by the historical documents available to us the Provincial Library (Landesbibliothek Kassel) was the legal owner of the *KHM* copies in accordance with the express wish of Herman Grimm, Wilhelm Grimm’s son.

There are further issues raised in the nominator’s application that require clarification, but the points of prime concern are those mentioned above. We repeat that we wholly support and endorse the inclusion of the *KHM* copies on the **Memory of the World** register. That is not in dispute. However, we consider it essential as a matter of academic integrity and in the interests of the credibility of UNESCO’s programme that the historical record on the Grimms’ personal annotated copies of the *KHM* be set straight and that the disputed questions of their legal ownership be settled as urgently as possible. We urge you, therefore, to instigate immediately an enquiry to investigate the issues raised in our letter. We will be happy to submit the historical documents supporting our views for scrutiny by any forum you consider appropriate, and we trust that the nominator, Association of the Brothers Grimm / Brüder Grimm-Gesellschaft e. V. Kassel, will also have and avail itself of the opportunity to present material substantiating the claims made in its application.

We are sending a copy of this letter with a covering note to the German Commission for UNESCO, attn. Prof. Dr. Joachim-Felix Leonhard. Please address further communication on the matter to Alan Kirkness in the first instance.

Thanking you for your consideration,  
Yours sincerely,

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