By TOM ZELLER

The predominant color scheme of Hitler's "bright, airy chalet" was "a light jade green." Chairs and tables of braided cane graced the sun parlor, and the Führer, "a droll raconteur," decorated his entrance hall with "cactus plants in majolica pots."

Such are the precious and chilling observations in an irony-free 1938 article in Homes & Gardens, a British magazine, on Hitler's mountain retreat in the Bavarian Alps. A bit of arcana, to be sure, but one that has dropped squarely into the current debate over the Internet and intellectual property. This file, too, is being shared.

The resurrection of the article can be traced to Simon Waldman, the director of digital publishing at Guardian Newspapers in Britain, who says he was given a vintage issue of the magazine by his father-in-law. Noticing the Hitler spread, which doted on the compound's high-mountain beauty ("the fairest view in all Europe") at a time when the Nazis had already gobbled up Austria, Mr. Waldman scanned the three pages and posted them on his personal Web site last May. They sat largely unnoticed until about three weeks ago, when Mr. Waldman made them more prominent on his site and sent an e-mail message to the current editor of Homes & Gardens, Isobel McKenzie-Price, pointing up the article as a historical curiosity.

Ms. McKenzie-Price, citing copyright rules, politely requested that he remove the pages. Mr. Waldman did so, but not before other Web users had turned the pages into communal property, like so many songs and photographs and movies and words that have been illegally traded for more than a decade in the Internet's back alleys.
Still, there was a question of whether the magazine's position was a stance against property theft or a bit of red-faced persnicketiness.

It was 65 years ago last week that the British prime minister, Neville Chamberlain, arrived at Hitler's mountain lair to discuss the Nazis' planned annexation of Czechoslovakia's Sudetenland — a meeting that would lead, two weeks later, to the Munich agreement and Chamberlain's announcement that he had secured "peace for our time."

The seeds of Chamberlain's conclusion may have been planted in the cozy confines of Hitler's "pine-paneled study" — perhaps with the prime minister seated in a striking armchair upholstered in a dainty floral pattern. This we learn from Homes & Gardens. The article appeared in the November issue — the same month as Kristallnacht, the the Nazis' pogrom against the Jews.

For its part, IPC Media, which owns Homes & Gardens, was unwilling to comment on the topic. "We have already made our feelings known to the person who originally posted the article," a spokeswoman for the company said, though she added that even IPC was unclear on the exact status of the copyright.

By the end of last week, links that once pointed to Mr. Waldman's scans were dead but others were springing to life. The pages turned up, for instance, on the Web site of David Irving, the historian who two years ago lost his appeal in a libel case against an American academic who labeled him a Holocaust denier. He plans on keeping the article up on his site. "If I suspect that an attempt is being made to suppress an awkward item, which I suspect may be behind the Homes & Gardens effort, then I would dig my heels in rather more, and hold out as long as I could," Mr. Irving said.

The episode is an object lesson in the topsy-turvy world of copyright and "fair use" — an area made far murkier by the distributive power of the Internet and the subsequent crisscrossing of international legal codes. In the United States, the posting would most likely be considered fair use, said Wendy Seltzer, a lawyer for the Electronic Frontier Foundation and a fellow at the Berkman Center for Internet and Society at Harvard Law School. "Reprinting the article now, 65 years after its original publication, strikes me as more like reporting or commenting on a news story, or fair use, than photocopying a current scientific article to save the cost of buying more magazines," she said.

Britain's Copyright, Design and Patents Act of 1988 considers use of "reasonable portions" of some copyrighted material to be "fair dealing," provided they are used in private study, criticism and review, or news reporting. Simply posting an article on the Web might not qualify.

Indeed, the Internet has ensured that copyright can never be just about one nation's laws. "All copyright issues are international copyright issues," said Edwin Komen, an intellectual property lawyer in Washington. On the Web, he added, "you become vulnerable to just about any jurisdiction in the world."

For all of that, though, IPC Media's unwillingness to discuss even the content of the Hitler article is puzzling to Mr. Waldman. This skeleton was abruptly yanked from the Homes & Gardens closet, yes, but the article reflects more about the mind of aristocratic Britain in 1938 — well known to have given Hitler the benefit of the doubt — than it does about the magazine itself. Even the American press noted the beauty of Hitler's compound, including The New York Times, which on Sept. 18, 1938, wrote that the chalet was "simple in its appointments" and that it
commanded "a magnificent highland panorama."

Posting these pages online "doesn't damage Homes & Garden's reputation," Mr. Waldman said. "In fact, putting them up, along with a letter from the editor explaining a bit about them, could be a very positive thing for them to do."

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