

The Destruction of the European Jews

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The DESTRUCTION of the EUROPEAN JEWS

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fires in the stoves. The arrival of an additional 20,000 Jews and 5000 Gypsies would increase the population density to 7 persons per room. The newcomers would have to be housed in factories, with the result that production would be disrupted. Starvation would increase and epidemics would rage unchecked. The digging of additional ditches for the disposal of feces would lead to an increase in the number of flies which would ultimately plague the German quarter. The Gypsies, as born agitators and arsonists, would start a conflagration, etc. Übelhör forwarded this report to Himmler, underlining some of the conclusions in a letter of his own.⁵⁵

Heydrich's way of dealing with these protests was to cable a reply to Übelhör to the effect that the transports would begin to arrive on schedule in accordance with arrangements concluded with the Transport Ministry.⁵⁶ Himmler wrote a more conciliatory letter to the unhappy *Regierungspräsident*. "Naturally," he began, "it is not pleasant to get new Jews. But I should like to ask you in all cordiality to show for these things the same natural understanding which has been extended by your *Gauleiter*." The objections had obviously been drawn up by some subordinate in an expert manner, but Himmler could not recognize them. War production was nowadays the favorite reason for opposing anything at all. No one had demanded that the Jews be quartered in factories. Since the ghetto population had declined, it could increase again. As for the Gypsy arsonists, Himmler advised Übelhör to announce that for every fire in the ghetto ten Gypsies would be shot. "You will discover," said Himmler,

55. Übelhör to Himmler, October 4, 1941, Himmler Files, Folder No. 94.

56. Heydrich to Himmler, October 18, 1941, enclosing his telegram to Übelhör, Himmler Files, Folder No. 94.

"that the Gypsies will be the best firemen you ever had."⁵⁷

Übelhör was now truly aroused. He wrote a second letter to Himmler in which he explained that a representative of the Reich Security Main Office, Sturmbannführer Eichmann, had been in the ghetto and with Gypsy-like horse-trading manners had completely misrepresented to the Reichsführer-SS the true state of affairs. Übelhör then made a constructive suggestion: he requested Himmler to send the Jews to Warsaw rather than to Lodz. Übelhör had read in a Berlin newspaper that the Warsaw Ghetto in the *Generalgouvernement* still had dance halls and bars. He had seen the pictures in the *Berliner Illustrierte*. Conclusion: Warsaw was the place for the 20,000 Jews and 5000 Gypsies.⁵⁸

This time Himmler replied in a gruff tone. "Mr. *Regierungspräsident*, read your letter once again. You have adopted the wrong tone. You have obviously forgotten that you have addressed a superior." Henceforth, all communications from Übelhör's office would not be accepted.⁵⁹ Heydrich wrote his own letter to Greiser, protesting specifically against the remarks concerning SS-comrade Eichmann, whom Übelhör had accused of the gypsy-like horse-trading manners.⁶⁰

On October 16 the first transports began to arrive. By November 4 twenty transports had dumped 20,000 Jews into the ghetto: 5000 from Vienna, 5000 from Prague, 4200 from Berlin, 2000 from Cologne, 1100 from Frankfurt, 1000 from Hamburg, 1000 from Düs-

57. Himmler to Übelhör, October 10, 1941, Himmler Files, Folder No. 94.

58. Übelhör to Himmler, October 9, 1941, Himmler Files, Folder No. 94.

59. Himmler to Übelhör, October 9, 1941, Himmler Files, Folder No. 94. This letter was actually dispatched *before* Himmler's first reply.

60. Heydrich to Greiser, October 11, 1941, Himmler Files Folder No. 94.

In the *Generalgouvernement*, Frank ordered that all "Jews and Jewesses" who had reached the age of twelve be forced to wear a white armband with a blue Jewish star.⁶⁶ His order was carried out by the decree of November 23, 1939.⁶⁷ In the incorporated territories a few *Regierungspräsidenten* imposed markings of their own. For the sake of uniformity, Reichsstatthalter Greiser of the Wartheland ordered that all Jews in his *Reichsgau* wear a four-inch (ten-centimeter) yellow star sewed on the front and back of their clothes.⁶⁸ The Jews took to the stars immediately. In Warsaw, for example, the sale of armbands became a regular business; there were ordinary armbands of cloth and fancy plastic armbands which were washable.⁶⁹

In conjunction with the marking decrees, the Jews were forbidden to move freely. By *Generalgouvernement* decree of December 11, 1939, signed by the Higher SS and Police Leader Krüger, Jews were forbidden to change residence, except within the locality, and they were forbidden to enter the streets between 9 P.M. and 5 A.M.⁷⁰ Under the decree of January 26, 1940, the Jews were prohibited also from using the railways, except for authorized trips.⁷¹

The most important, and ultimately also the most troublesome, of the preliminary steps in the ghettoization pro-

cess was the establishment of Jewish councils — *Judenräte*. According to the *Generalgouvernement* decree of November 28, 1939,⁷² every Jewish community with a population of up to 10,000 had to elect a *Judenrat* of twelve members, and every community with more than 10,000 people had to elect a *Judenrat* of twenty-four.⁷³ Who served in the *Judenräte*, and what was their function?

It is significant that, in Poland just as in the Reich, the *Judenräte* were filled with prewar Jewish community leaders. To be sure, there were some reshuffles. "Dark horses" took over the two largest ghettos. Adam Czerniakow, chairman of the Warsaw *Judenrat*, was a "Polish-speaking" (as opposed to Yiddish-speaking) Zionist, an engineer, and a "little-known leader in the Artisans' Union."⁷⁴ Chaim Rumkowski, "Eldest of the Jews" in Lodz, was a businessman who had apparently stepped out of obscurity to become a benevolent despot and ghetto dictator.⁷⁵ But on the whole, there were no significant changes in personnel. The major change was one of function.

72. *Verordnungsblatt des Generalgouverneurs*, 1939, p. 72.

73. For statistical compilation of Jewish population in eastern European cities, see Peter-Heinz Seraphim, *Das Judentum im osteuropäischen Raum* (Essen, 1938), pp. 713-18.

74. Bernard Goldstein, *The Stars Bear Witness* (New York, 1949), p. 35. The author, a survivor, was a leader of the non-Zionist and Yiddish-speaking Jewish Socialist *Bund*. Czerniakow was a member of the prewar community council. In Warsaw all old councilmen became members of the new *Judenrat*. New faces in the Warsaw *Judenrat* were additions brought in by Czerniakow. Actual "elections" never took place. See Jonas Turkow, *Azoy is es geven* (Buenos Aires, 1948), pp. 47-49, as reproduced in English translation by Philip Friedman (ed.), *Martyrs and Fighters* (New York, 1954), pp. 68-69.

75. See Solomon Bloom, "Dictator of the Lodz Ghetto," *Commentary*, February, 1949, p. 114.

66. Summary of discussion between Frank and Krakow's Gouverneur Dr. Wächter, November 10, 1939, Frank diary, PS-2233.

67. *Verordnungsblatt des Generalgouverneurs*, 1939, p. 61.

68. Order by *Regierungspräsident* in Kalisz (Übelhör), December 11, 1939, amending his instructions of November 14, 1939, *Dokumenty i Materialy*, III, 23.

69. "Warschauer Juden ganz unter sich," *Krakauer Zeitung*, December 4, 1940, *Generalgouvernement* page.

70. *Verordnungsblatt des Generalgouverneurs*, 1939, p. 231.

71. *Verordnungsblatt des Generalgouverneurs* I, 1940, p. 45.

but only of a few thousand. Labor camps were set up at Belzec and Plazow and a few other locations. By October, 1940, the project was nearing its end.¹⁷¹

However, the Himmler line was only the beginning. The Lublin district administration launched a major river-regulation and canalization project which used 10,000 Jews in forty-five camps (over-all director, *Regierungsbaurat Haller*).¹⁷² In the Warsaw district a similar land-restoration program was started in 1941. About 25,000 Jews were required for that project.¹⁷³ In the incorporated territories labor camps dotted the landscape of Upper Silesia. The largest Silesian camp was Marktstedt. It had 3000 Jewish inmates.¹⁷⁴ The Warthegau too had big plans for the "outside employment" (*Ausseneinsatz*) of Jews, and in 1940 camps were set up in Pabianice and Löwenstadt.¹⁷⁵

At first the inmates of camps were used only in outdoor projects, such as the digging of anti-tank ditches, canalization and river regulation, road and railroad construction, and so on. Later on, industrial enterprises moved into some of the camps, and camps were built near major plants. Camp labor thus became a permanent institution, no longer dependent on projects. What effect the industrialization of Jewish labor had on the deportations will be discussed in a following chapter.

171. *Gouverneur Lublin/Interior Division/Population and Welfare to Generalgouvernement Main Division Interior/Population and Welfare* (attention Dr. Föhl), October 21, 1941, *Dokumenty i Materialy*, I, 220-21.

172. *Krakauer Zeitung*, December 17, 1940, *Generalgouvernement* page.

173. *Ibid.*, April 18, 1941, p. 5.

174. Affidavit by Rudolf Schönberg (Jewish survivor), July 21, 1946, PS-4071.

175. Office of the *Regierungspräsident* in Lodz (signed *Regierungsrat von Herder*) to *Ghettoverwaltung* in Lodz, October 28, 1940, enclosing summary of conference held under chairmanship of Moser on October 18, 1940, *Dokumenty i Materialy*, III, 102-4.

Like the labor columns, Jewish camp workers were recruited by the *Judenräte*.¹⁷⁶ Like the columns, the camp groups were furnished complete with Jewish "supervisors" (*Aufseher*) and "group leaders" (*Judengruppenführer*); furthermore, the proper behavior of the forced laborer was insured by keeping a record of the family members he left behind. In conformity with this hostage policy, the German administration in Lodz decided that "out-employment" would be reserved primarily for heads of families.¹⁷⁷ Consequently, it was not necessary to divert large police forces for the guarding of the camps and of the Jewish work parties. The meager SS and Police regulars were supplemented by ethnic German police auxiliaries,¹⁷⁸ hired guards of the *Wach- und Schliessgesellschaft* ("Watchmen's Association"),¹⁷⁹ SA-men, army men, members of the *Organisation Todt* (the Reich agency in charge of construction),¹⁸⁰ and Polish work foreman.¹⁸¹

176. Berg, *Warsaw Ghetto*, pp. 51, 94-95.

177. Von Herder to *Ghettoverwaltung*, October 28, 1940, enclosing conference summary of October 18, 1940, *Dokumenty i Materialy*, III, 102-4. The conference was attended by *Regierungsvizepräsident* Dr. Moser, *Regierungsrat* Baur, *Polizeipräsident* Albert, *Bürgermeister* Dr. Marder, Dr. Moldenhauer, Chief of *Ghettoverwaltung* Biebow and *Regierungsrat* von Herder.

178. *Krakauer Zeitung*, December 17, 1940, *Generalgouvernement* page. Ethnic German auxiliaries in the *Generalgouvernement* were organized into the *Selbstschutz* (self-defense force), placed under the command of the *BdO* (Order Police), and the *Sonderdienst* (Special Service), originally controlled by the *Kreishauptmänner* but later taken over by the commander of the Order Police. *Krakauer Zeitung*, May 21, 1940; August 16, 1940; April 9, 1941, *Generalgouvernement* page; Frank diary, PS-2233. The Himmler line project was guarded in part by the *Sonderkommando Dirlwanger*, a special SS unit composed of unreliaables (*Globocnik* to Berger), August 5, 1941, NO-2921.

179. Labor Ministry memorandum, May 9, 1941, NC-1368.

180. Affidavit by Schönberg (survivor), July 21, 1946, PS-4071.

the ghetto inhabitants. The second system was instituted within the ghetto by the *Judenräte*. The inside control determined how much of the available supply was distributed to individual Jews. From the very beginning, the interior controls were such as to promote the well-being of some people at the expense of others. When the food supply is very limited, unequal distribution means disaster for the unfortunate victims. Inequality was in evidence everywhere.

Even in such a tightly compartmentalized, totalitarian economy as that of the Lodz ghetto, favoritism, stealing, and corruption went wild. Originally, the Lodz ghetto had party-controlled soup kitchens. There were *Bund* kitchens for socialists, Zionist kitchens for Zionists, etc. This impossible situation was remedied by the "nationalization" of the soup kitchens. But those who worked in the kitchens not only ate their fill but also appropriated food for profit.

Aside from the soup kitchens, the ghetto also had food stores which were "co-operatives." In these "co-operatives" a part of each food shipment was distributed at fixed prices, but the rest was sold under the counter. Under such conditions only the rich could eat. The "co-operatives," too, were consequently nationalized, but those who handled the food continued to enjoy good living conditions. Finally, the Lodz ghetto had its built-in "legalized" corruption. The ghetto distributed supplementary rations (so-called talons) to heavy laborers, physicians, pharmacists, and instructors. But by far the biggest supplementary rations were made available to officials and their families. On top of everything, the weekly supplements were posted in the windows of the stores, where starving people could see what they were deprived of.²⁰²

In the "free" economy of the War-

saw ghetto the amount of food a man ate depended on the amount of money he could spend. The poorest sections of the population depended on soup kitchens and begging.²⁰³ Employed groups could buy inadequate quantities of rationed products. (Ration cards were distributed by the *Judenrat* upon payment of monthly fees.)²⁰⁴ Only "capitalists" could afford to sustain themselves on a steady diet of smuggled foods at the black market prices (Figures listed are price per pound in June, 1941):²⁰⁵

Potatoes	3 zloty
Rye bread	8 zloty
Horse meat	9 zloty
Groats	11 zloty
Corn bread	13 zloty
Beans	14 zloty
Sugar	16 zloty
Lard	35 zloty

Since the daily wage in a workshop was

202. This description of the Lodz food controls is taken from the article by Bendet Hershkovitch, "The Ghetto in Litzmannstadt (Lodz)," *YIVO Annual of Jewish Social Science*, V (1950), 86-87, 104-5. Incoming food parcels were consumed by the ghetto police. Food smuggling and parcel post packages were not tolerated, because the Eldest of the Jews Rumkowski wanted his Jews to depend entirely upon his rations. *Ibid.*, p. 96.

203. Soup kitchens were operated by the so-called Jewish Self-Help (*Jüdische Selbsthilfe*) and, until the end of 1941, also by the American Joint Distribution Committee. On Self-Help, see survivors' reports in Friedman, *Martyrs and Fighters*, pp. 77-78, 80. On expenditures of the Joint Distribution Committee, see reports of that organization (*Aiding Jews Overseas*) for 1939, 1940, and 1941.

204. One zloty at first, 3½ zloty by March, 1942. Michael Mazur and Polish Underground report in Friedmann, *Martyrs and Fighters*, pp. 71-73.

205. From Isaiah Trunk, "Epidemics in the Warsaw Ghetto," *YIVO Annual of Jewish Social Science*, VIII, 94. Trunk's statistics are taken from Ringelblum Archives No. 1193; other black market prices in Berg, *Warsaw Ghetto*, pp. 59-60, 86, 116, 130-31.

existence the ghettos accounted for the Jewish dead and emigrants, as of December 31, 1942, in the incorporated territories (including the Bialystok district, added in August, 1941) and the *Generalgouvernement* (including the Galician district, added in August, 1941). Bialystok and Galicia lost approximately 100,000 Jews as result of the mobile killing operations to be described in the next chapter. Another 100-150,000 Jews escaped from these areas before the arrival of the Germans.

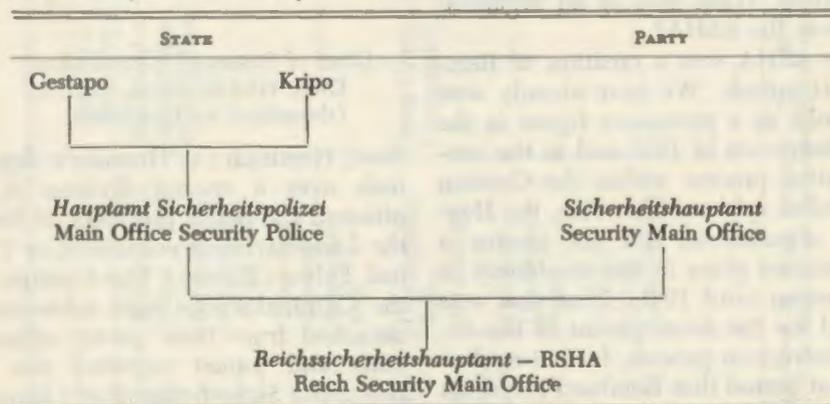
death of one-fifth of the Polish Jews. In the perspective of history this is a very fast rate of disappearance. But the pace was not quick enough for the German machinery of destruction. The Nazis could not wait for a whole generation; they could not "entrust" the task of "solving the Jewish problem" to a future generation. They had to "solve the problem," in one way or another, right then and there.

polizei, which was a state organization, and the *Sicherheitshauptamt*, which was a party organization. On September 27, 1939, Himmler issued an order in pursuance of which the two main offices were amalgamated into the Reich Security Main Office (*Reichssicherheitshauptamt*, or RSHA).⁵ (See Table 36.)

forth carried the title *Chef der Sicherheitspolizei und des SD*, abbreviated *Chef SP und SD*.

The RSHA disposed over a vast regional network, including three types of organization: one in the Reich and incorporated areas, another in occupied territories, a third in countries undergoing invasion.⁸ This network is por-

TABLE 36 / Formation of the RSHA



The organization of the RSHA is shown in abbreviated form in Table 37 (pp. 184–85).⁶ Looking at this table, we may observe that the RSHA revealed in its structure the history of its organization. Thus the Security Police comprised Offices IV and V (Gestapo and Kripo), while the Security Service functioned in Offices III (Inland) and VI (Foreign).⁷ Heydrich himself hence-

trayed in Table 38.⁹ It will be noted that outside the Reich the Security Police and SD were completely centralized, down to the local (or unit) level. For the moment, however, we shall be concerned only with the machinery which functioned in newly invaded areas: the so-called *Einsatzgruppen*. These *Einsatzgruppen* were the first mobile killing units.

The first reference to *Einsatzgruppen* operations is to be found in a "Barbarossa" directive, issued in the office of Warlimont (OKW/Landesverteidigung) and signed by Keitel. "Barbarossa" was the code word for the projected invasion of the USSR. By March, 1941, invasion plans were far advanced, and a great deal of the paper work had already been done. The March 13

8. Types two and three could sometimes be found in the same areas simultaneously.

9. Based on affidavits by Höttl and Ohlen-dorf, October 28, 1945, PS-2364.

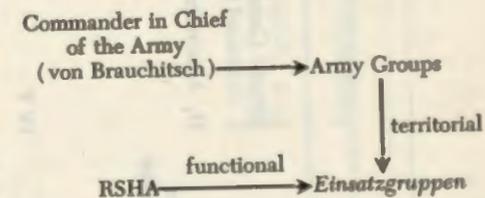
directive was therefore only one paper among many, and it dealt with several subjects. The decisive paragraph did not even mention *Einsatzgruppen*. It was only a statement to the effect that the *Reichsführer-SS* (Himmler) would carry out in Russia special duties by order of the Führer. These duties had resulted from the clash of two opposing political systems. The *Reichsführer-SS* would bring his task to a final conclusion; he would act on his own responsibility. His operations would not be interfered with; details would be taken care of by agreement of the OKH with the *Reichsführer-SS*. The border of the USSR would be closed at the start of operations, except for the units employed by the *Reichsführer-SS* for the carrying-out of his special duties.¹⁰ This directive made no mention at all of killings, and this omission is a characteristic which we shall find in most of the subsequent correspondence.

On April 4 the General Quartermaster of the Army, Generalmajor Wagner, sent a draft of a proposed Army-RSHA agreement to Heydrich. This draft outlined the terms under which the *Einsatzgruppen* could operate in Russia. The crucial sentence in the draft provided that "within the framework of their instructions and upon their own responsibility, the *Sonderkommandos* are entitled to carry out executive measures against the civilian population [Die *Sonderkommandos* sind berechtigt, im Rahmen ihres Auftrages in

10. Directive by OKW/L (signed Kettel), March 13, 1941, NOKW-2302. The use of mobile units (*Einsatzgruppen*) as such was not unprecedented. In September, 1938, a blueprint was already in existence for the commitment of two *Einsatzstäbe* in the event of a "total solution of the Czechoslovak problem" (occupation of Bohemia and Moravia). HStuf. Schellenberg to Oberführer Jost, September 13, 1938, USSR-509. The *Einsatzstäbe* consisted of Gestapo and SD men, a partial merger in the field which antedated the complete unification in Berlin. *Einsatzgruppen* were also used in Poland.

eigener Verantwortung gegenüber der Zivilbevölkerung Exekutivmassnahmen zu treffen]. The mobile units could move in army group rear areas and in army rear areas.

It was made clear that the *Einsatzgruppen* were to be administratively subordinated to the military command but that the RSHA was to retain functional control over them. The armies were to control the movements of the mobile units. The military was to furnish the *Einsatzgruppen* with quarters, gasoline, food rations, and, insofar as necessary, radio communications. On the other hand, the killing units were to receive "functional directives" (*fachliche Weisungen*) from the Chief of the Security Police and SD (Heydrich) in this way:



The relations of the *Einsatzgruppen* with the army's Secret Field Police (*Geheime Feldpolizei* – GFP) were to be based on a strict separation of jurisdictions. Any matter affecting the security of the troops was to be handled exclusively by the Secret Field Police; however, the two services were to co-operate by prompt exchange of information, the *Einsatzgruppen* to report to the GFP on all matters of concern to it, and, conversely, the GFP to turn over to the *Einsatzgruppen* all information pertaining to their sphere of competence (*Aufgabenbereich*).¹¹

The final negotiations between the army and the RSHA were carried out in May, 1941. At first the negotiators

11. Text of draft, dated March 26, 1941, enclosed in letter by Wagner to Heydrich, April 4, 1941; copies to OKW/Abwehr (Canaris) and OKW/L (Warlimont), NOKW-256.

had been selected from 4800.²²

The Gestapo in Munich replied as follows: First, there had been 410 selections out of 3088 prisoners. The 410 men consisted of the following categories:

Communist party functionaries	3
Jews	25
Intellectuals	69
Fanatical Communists	146
Instigators, agitators, and thieves	85
Refugees	35
Incurables	47

The selection represented an average of 13 per cent. It was true that the Gestapo offices in Nuremberg and Regensburg had shown percentages of 15 and 17, but these offices had accepted many Russians who had been handed over by camp officers for small offenses against camp discipline. The Gestapo office in Munich only followed RSHA orders. If the figure was still too low, the army was to blame, because the counterintelligence officer (AO) had preferred to use Jews as interpreters and informers.²³

Another example of changed army mentality is even more striking. During 1942 a number of conferences were held under the chairmanship of Generalmajor von Graevenitz, Oberst Breyer's successor as prisoner-of-war chief. The RSHA was usually represented by Oberführer Panzinger (IV-A) or by Sturmbannführer Lindow and Hauptsturmführer Königshaus. During one of these conferences Graevenitz and a number of other Wehrmacht officers, including doctors, requested Lindow and Königshaus to take over all Soviet prisoners of war who were suffering from some "incurable" disease, such as tuberculosis or syphilis, and to

22. RSHA IV-A-1 (signed Stubaf. Vogt) to *Stapoleitstelle* Munich, attention Stubaf. Oberregierungsrat Dr. Isselhorst, November 11, 1941, R-178.

23. Report by *Stapoleitstelle* Munich (signed Scherner), November 15, 1941, R-178.

kill them in a concentration camp in the usual manner. The Gestapo men refused with indignation, pointing out that, after all, they could not be expected to act as hangmen for the Wehrmacht (*Die Staatspolizei sei nicht weiter der Henker der Wehrmacht*).²⁴

Throughout occupied Russia, Poland, Germany, Alsace-Lorraine, and even Norway, wherever Soviet prisoners were sent, Heydrich's screening teams were at work.²⁵ After one year of operations, in July, 1942, Müller felt that he could order the withdrawal of screening teams from the Reich and confine further selections to the eastern territories. Needless to say (*selbstverständlich*), any requests by the army for additional searches in the Reich were to be complied with at once.²⁶

On December 21, 1941, in Berlin, Müller revealed some figures to General Reinecke and representatives of several ministries: He reported that 22,000 Soviet prisoners (Jewish and non-Jewish) had been selected (*ausgesondert*) so far; approximately 16,000 had been killed.²⁷ No later figures are available, and the total number of Jewish victims is unknown.

4 / THE INTERMEDIARY STAGE

During the first sweep the *Einsatzgruppen* rolled for six hundred miles. Splitting up, the killing units covered

24. Affidavit by Kurt Lindow, July 29, 1947, NO-5481.

25. The territorial extent is indicated in the distribution list of the Heydrich order of September 12, 1941, NO-3416.

26. Müller to *Stapoleitstellen*, Higher SS and Police Leaders in Reich, BdS in Krakow, Liaison Officer Kriminalkommissar Walter in Königsberg, and Liaison Officer Stubaf. Liska in Lublin, July 31, 1942, NO-3422.

27. Ministerialrat Dr. Letsch (Labor Ministry) to Ministerialdirektor Dr. Mansfeld, Ministerialdirektor Dr. Beisiegel, Ministerialrat Dr. Timm, Oberregierungsrat Dr. Hoelk, ORR Meinecke, and Regierungsrat Dr. Fischer, December 22, 1941, NOKW-147.

to the Riga ghetto, which had been divided in half to separate German from Latvian Jews. The new arrivals had a foreboding of what was going to happen to them when they entered the ghetto. The apartments were in a shambles, and some of the furnishings bore the traces of blood. The previous occupants were already dead.³³

In the meantime, other transports also arrived in Minsk. The *Wehrmachtbefehlshaber Ostland* protested against the arrivals on purely military grounds: The German Jews, he pointed out, were far superior in intelligence to White Russian Jews; hence there was danger that the "pacification" of the area would be jeopardized. Furthermore, Army Group Center had requested that no trains be wasted on Jews. All railroad equipment was needed for the supply of military matériel.³⁴

The protest of the *Wehrmachtbefehlshaber Ostland* was followed on December 16, 1941, by a letter from the *Generalkommissar* of White Russia, Gauleiter Kube. That letter was the first in a series of letters and protests by that official which were to shake at the foundations of the Nazi idea. It was addressed to Lohse personally (*Mein lieber Hinrich*).³⁵

Kube pointed out that about 6000-7000 Jews had arrived in Minsk; where the other 17,000-18,000 had remained he did not know. Among the arrivals there were World War I veterans with the Iron Cross (both First and Second Class), invalided veterans, half-Aryans, yes, even one three-quarter Aryan. Kube had visited the ghetto and had convinced himself that among the Jewish newcomers, who were much cleaner

than Russian Jews, there were also many skilled laborers who could produce about five times as much as Russian Jews. The new arrivals would freeze to death or starve to death in the next few weeks. There were no serums to protect them against twenty-two epidemics in the area.

Kube himself did not wish to issue any orders for the treatment of these Jews, although "certain formations" of the army and the police were already eyeing the personal possessions of these people. The SD had already taken away four hundred mattresses - without asking. "I am certainly hard and I am ready," continued Kube, "to help solve the Jewish question, but people who come from our cultural milieu are certainly something else than the native animalized hordes. Should the Lithuanians and the Latvians - who are disliked here, too, by the population - be charged with the slaughter? I could not do it. I ask you, consider the honor of our Reich and our party, and give clear instructions to take care of what is necessary in a form which is humane."

On January 5, 1942, the *Stadtkommissar* (city equivalent of *Gebietskommissar*) of Minsk, Gauamtsleiter Janetzke, going over the heads of Kube and Lohse, addressed a letter to Rosenberg personally. Janetzke had just been informed by the SS and Police that an additional 50,000 Jews were due from the Reich. In bitter language he pointed out that Minsk was a heap of rubble which still housed 100,000 inhabitants. In addition, there were 15,000-18,000 Russian Jews and 7000 Reich Jews. Any further arrival of transports would bring about a catastrophe.³⁶

The Jewish expert in the ministry, *Amtsgerichtsrat* Wetzel, replied to the

33. Affidavit by Alfred Winter, October 15, 1947, NO-5448. Winter, a Jewish survivor, was a deportee.

34. *Wehrmachtbefehlshaber Ostland/Ic* to *Reichskommissar Ostland*, November 20, 1941, Occ E 3-34.

35. Kube to Lohse, December 16, 1941, Occ E 3-36.

36. *Stadtkommissar* Janetzke to Minister for Eastern Occupied Territories (Rosenberg), January 5, 1942, Occ E 3-37.

of its own nationality, some of the Western countries were liberally admitting Jews of German nationality. But even in the West the admission of poor Jews, who had no money, was considered a very painful duty. In December, 1938, Ribbentrop had a discussion on Jewish emigration with the foreign minister of the country of traditional asylum, France. This is Ribbentrop's record of his talk with French Foreign Minister Georges Bonnet:

1. The Jewish Question: After I had told M. Bonnet that I could not discuss this question officially with him, he said that he only wanted to tell me privately how great an interest was being taken in France in a solution of the Jewish problem. To my question as to what France's interest might be, M. Bonnet said that in the first place they did not want to receive any more Jews from Germany and whether we could not take some sort of measures to keep them from coming to France, and in the second place France had to ship 10,000 Jews somewhere else. They were actually thinking of Madagascar for this.

I replied to M. Bonnet that we all wanted to get rid of our Jews but that the difficulties lay in the fact that no country wished to receive them. . . .⁹

The attitude displayed by Polish Ambassador Lipski and French Foreign Minister Bonnet prompted Hitler to make the following remark in his speech of January, 1939: "It is a shameful example to observe today how the entire democratic world dissolves in tears of pity but then, in spite of its obvious duty to help, closes its heart

8. Weizsäcker to Ribbentrop, Legal Division, Political Division, Minister Aschmann, Section Germany, November 8, 1938, NG-2010.

9. Ribbentrop to Hitler, December 9, 1938, "Documents on German Foreign Policy 1918-1945," Series D. Vol. IV, *The Aftermath of Munich, 1938-1939* (Washington, 1951), pp. 481-82.

to the poor, tortured Jewish people."¹⁰ This was not an idle accusation; it was an attempt to drag the Allied powers into the destruction process as passive but willing accomplices. It is significant that much later, when the killing phase was already under way and when its extent had become known in England and America, Goebbels remarked in connection with the Western protests: "At bottom, however, I believe both the English and the Americans are happy that we are exterminating the Jewish riffraff."¹¹

As if to strengthen its case, the German bureaucracy continued in 1939 to exhaust the emigration policy. This time, however, the primary effort was internal. Many bureaucratic encumbrances had impeded the emigration process: every prospective emigrant had to acquire more than a dozen official papers, certifying his health, good conduct, property, tax payments, emigration opportunities, etc. Very soon the overburdened offices were jammed and "stagnation" set in. The congestion hit Vienna first. To remedy the situation, Reichskommissar Bürckel (the official in charge of the "reunification of Austria with the Reich") set up, on August 26, 1938, a Central Office for Jewish Emigration (*Zentralstelle für die jüdische Auswanderung*). Each agency which had some certifying to do sent representatives to the central office in the Vienna Rothschild Palace. The Jews could now be processed on an assembly-line basis.¹²

The Bürckel solution was soon adopted in the rest of the Reich. On January 24, 1939, Göring ordered the creation of a Reich Central Office for

10. Hitler speech, January 30, 1939, German press.

11. Louis P. Lochner (ed.), *The Goebbels Diaries* (Garden City, N.Y., 1948), entry for December 13, 1942, p. 241.

12. For history of the Vienna Central Office, see *Krakauer Zeitung*, December 15, 1939.

Jewish Emigration (*Reichszentrale für die jüdische Auswanderung*).¹³ The Chief of the *Reichszentrale* was none other than Reinhard Heydrich; the *Geschäftsführer* or deputy taking care of the actual administrative details was the then Standartenführer Oberregierungsrat Müller, later chief of the Gestapo.¹⁴ Other members of the *Reichszentrale* were Ministerialdirektor Wohlthat (Office of the Four-Year Plan) and representatives of the Interior Ministry, the Finance Ministry, and the Foreign Office.¹⁵

Under the *Reichszentrale*, three *Zentralstellen* were expediting the emigration process: the central offices in Vienna, Berlin, and Prague. Although each of the central offices was, like the *Reichszentrale* itself, an interministerial committee, the direction was always in the hands of the local Gestapo chief.

From the very beginning the central offices worked in close co-ordination with the Jewish communities. Some of the financial deals which facilitated the emigration of poor Jews were the product of this co-operation. When the war broke out, the central offices did not disband; the association with the Jewish communities was continued, though it became more and more one-sided. As we have seen, the central offices acquired control of the entire Jewish community organization in the Reich-Protektorat area.¹⁶ This control was disastrous for the Jews, for later on the Central Offices for Jewish Emigration became, without change of designation, central offices for Jewish deportation. However, that transformation was very

gradual. For at least a year after the outbreak of war the bureaucracy was still thinking in terms of emigration only.

In fact, the very first reaction to the victories in Poland and in France was to punish these countries for their attitude toward Jewish emigration by sending there some of the Jews who had previously been kept out. In the beginning of 1940, 8000 Jews were sent from Vienna, Prague, Moravska Ostrava, and Stettin to the *Generalgouvernement*.¹⁷ In October, 1940, two *Gauleiter* in western Germany, Wagner and Bürckel, secured the co-operation of the Gestapo in the deportation of 6500 Jews to unoccupied France.¹⁸ But by far the most ambitious project of 1940 was the Madagascar plan.

Until 1940, emigration plans had been confined to a consideration of the resettlement of thousands or — as in the case of the Schacht plan — 150,000 Jews. The Madagascar project was designed to take care of millions of Jews. The authors of the plan wanted to empty the Reich-Protektorat area and all of occupied Poland of their Jewish population. The whole idea was thought up in Section III of *Abteilung Deutschland* of the Foreign Office; indeed, *Abteilung Deutschland* was to concern itself a great deal with Jewish matters. The plan was transmitted to a friendly neighboring agency: Heydrich's Reich Security Main Office. Heydrich was enthusiastic about the idea.¹⁹

The reason for Heydrich's enthusiasm becomes quite clear the moment we

13. Göring to Interior Ministry, January 24, 1939, NG-5764.

14. Heydrich to Ribbentrop, January 30, 1939, NG-5764.

15. Göring to Interior Ministry, January 24, 1939, NG-5764. Heydrich to Ribbentrop, January 30, 1939, NG-5764. Foreign Office to Heydrich, February 10, 1939, NG-5764.

16. See pp. 122–25.

17. See p. 138.

18. Unidentified report, *Abteilung Deutschland* of the Foreign Office, October 30, 1940, NG-4933. Rademacher to Luther, October 31, 1940, NG-4934. Rademacher to Luther, November 21, 1940, NG-4934. Sonnleithner to Weizsäcker, November 22, 1940, NG-4934.

19. Memorandum by Luther (chief, *Abteilung Deutschland*), August 21, 1942, NG-2586-J.

lent to 700,000 hospital days. Third, it was noted that after their sterilization the *Mischlinge* would still be *Mischlinge*; none of the administrative restrictions upon *Mischlinge* would thereby be removed. There would still be the problem of *Mischlinge* in sports, *Mischlinge* in the economy, *Mischlinge* as members of organizations, *Mischlinge* in the armed forces, *Mischlinge* as attorneys, *Mischlinge* as guardians, etc., etc.

It was consequently agreed that, should the Führer for political reasons still order their sterilization, the *Mischlinge* would have to be removed from the German community somehow. Since Staatssekretär Stuckart had objected to their deportation across the border, the *Mischlinge* might be concentrated in some sort of ghetto near the border. The representatives of the Party Chancellery then reiterated that in their opinion a sifting of the *Mischlinge*, in accordance with the criteria suggested during the conference of January 20, was the simplest solution as well as the *only* one which would assure the disappearance of this "third race." The small number of *Mischlinge* who would remain in the Reich after the sifting could always be sterilized; after such sterilization they could be freed from all restrictions and live out their lives in peace.

This "solution" appealed to the conferees so much that they decided to submit it to higher authority for decision, but since this would have been an affront to Staatssekretär Stuckart, the conferees also decided to submit the proposal for compulsory sterilization.⁵¹

In short, the issue was no nearer to a solution now than before. Instead of being thrashed out in conference, it

was now perpetuated in correspondence. On March 16, 1942, Staatssekretär Stuckart addressed a long letter to his fellow *Staatssekretäre* as well as to Heydrich and Hofmann. Stuckart prefaced his letter with the remark that in considering this question it was hardly necessary to stress "that the interests of the German people must be the sole criterion to be applied."

Stuckart then went on to say that, while deportation of the *Mischlinge* would appear to be a conspicuously simple solution, it had certain fatal defects which were hardly in line with the interests of the German nation. In the first place, Stuckart wished to remind his colleagues that a sifting of part-Jews had already taken place. In the Nuremberg definition those half-Jews who inclined to Judaism by reason of their religion or marriage had already been relegated to the Jews. The other half-Jews, the *Mischlinge* of the first degree, had been integrated de facto into the German community. They were working and they were fighting. Many of them had been "liberated" by the Führer and had been given the status of Germans. Moreover, many persons classified as Jews under the Nuremberg definition had been elevated to the status of *Mischling* of the first degree. It would be incompatible with the authority inherent in a decision by the Führer if these persons were now rebranded as Jews by general ruling. But if the "liberated" Jews could not be touched, it would be nonsensical and illogical to deport real *Mischlinge* of the first degree, that is, half-Jews who had received the more favorable status to begin with.

Next Stuckart pointed out that each *Mischling* had a large number of German relatives. The psychological and political repercussions on the home front would therefore be beyond calculation. Even if all these objections were to be disregarded, Stuckart con-

51. Summary of "final solution" conference of March 6, 1942 (20 copies), NG-2586-H. Rademacher via Unterstaatssekretäre Luther, Gaus, and Wörmann to Staatssekretär Weizsäcker, July 11, 1942, NG-2586-I.

tinued, there was one argument which in his opinion was decisive. "It is the fact," he said, "that deporting the half-Jews would mean abandoning that half of their blood which is German." Taking all these considerations into account, he preferred the half-Jews to become extinct within the Reich by a natural process. Although one should then have to wait thirty or forty years, he, Stuckart, was prepared to resign himself to this "setback." The alternatives to sterilization would be "an enormous number of applications for exemptions . . . considerable transport difficulties . . . the burdensome necessity of taking the half-Jews away from their work," etc.⁵²

Upon the heels of the Stuckart letter the acting Justice Minister, Staatssekretär Schlegelberger, wrote a letter of his own. Schlegelberger proposed that the *Mischlinge* of the second degree be equated with Germans, without exceptions and without restrictions. With respect to the *Mischlinge* of the first degree, Schlegelberger supported sterilization. He took care to point out that those *Mischlinge* who were already too old to have children would not have to be sterilized; neither, he said, would they have to be deported. No useful purpose would be served by either procedure. Furthermore, Schlegelberger thought that *Mischlinge* of the first degree who were married to Germans and who had children classified as *Mischlinge* of the second degree should also be left alone. Since the offspring, as a three-quarter German, had to be

accepted as an equal member of the German national community — "and this must be aimed at," he said, "if the solution of the Jewish problem is really meant to be final" — one could not very well burden such a person with the knowledge that one of his parents had been subjected to "measures for protection of the national community."⁵³

The Schlegelberger letter was the first insinuation of a status quo. Both deportation and sterilization became increasingly infeasible as party and ministerial offices heaped argument after argument upon each other. In fact, matters rested until September, 1942, when new rumors began to circulate in the Interior Ministry that the RSHA was preparing for the deportation of the *Mischlinge* of the first degree.

At this point, Ministerialrat Lösener sat down to write a letter to save his *Mischlinge*. When he wrote it, he was near desperation. Lösener had written (or helped to write) twenty-seven anti-Jewish decrees;⁵⁴ probably none of them had made him as proud as the one which defined the Jews. In the abortive East Ministry conference on definitions, he had vainly urged that the Nuremberg principle be adopted in the East "for the sake of uniformity."⁵⁵ Now all the *Mischlinge* in the Reich-Protectorat area were threatened with deportation.

Lösener wrote his letter around September 10, 1942, and addressed it to Himmler. He repeated all the arguments which Stuckart had enumerated. He wrote that Hitler had granted the status of *Mischling* of the first degree to 340 Jews, that there were many *Mischlinge* who had already become

52. Stuckart to Klopfer, Freisler, Heydrich, Neumann, Luther, Meyer, and Hofmann, March 16, 1942, NG-2586-I. Interestingly enough, Hitler had desired the removal of *Mischlinge* of the first degree from active military service lest they should later be in a position to refer to an "expenditure of blood and life for Führer and Reich." NSDAP/Party Chancellery to Reich Minister for Eastern Occupied Territories, March 2, 1942, Wi/ID 358.

53. Schlegelberger to Klopfer, Stuckart, Heydrich, Neumann, Luther, Meyer, and Hofmann, April 8, 1942, NG-2586-I.

54. Affidavit by Lösener, February 24, 1948, NG-1944-A.

55. Summary of East Ministry conference of January 29, 1942, NG-5035.

the sympathetic interest of the Wehrmacht, the Jewish war veterans of Austria and Germany organized into two distinct pressure groups. In Vienna there was the *Verband Jüdischer Kriegsofoper Wien* ("Organization of Jewish War Invalids in Vienna"), under the direction of Siegfried Kolisch. It was one of the few organizations which remained outside the framework of the *Kultusgemeinde*. In Berlin the former *Reichsbund Jüdischer Frontsoldaten* ("Reich Society of Jewish Front-Line Soldiers") was maintained as the *Kriegsofoper* (war invalids) section in the welfare division of the *Reichsvereinigung*; that is, it became part of the central machinery of Dr. Leo Baeck, but without losing its special interest. The *Kriegsofoper* section was under the direction of Dr. Ernst Rosenthal.

When the "star" decree was published in September, 1941, the war veterans looked in vain for a regulation exempting them from wearing the burdensome identification. The Vienna *Verband Jüdischer Kriegsofoper* wrote a letter of inquiry to the *Kriegsofoper* section in Berlin, but the reply was negative.⁷⁷ However, at the end of September, just four weeks after the issuance of the star decree, Director Kolisch announced in a meeting of *Kriegsofoper* officials that the Gestapo man in charge of Jewish matters in Vienna, Obersturmführer Brunner, had ordered a statistical recapitulation of all Jewish war veterans in Austria. The same order had already been given in Prague and Berlin. Hopefully, one of the *Kriegsofoper* officials, Fürth, brought

out that 2071 had already been listed. Besides, Fürth suggested, one could add the widows of specially decorated men, and veterans who had quit the *Verband*.⁷⁸

Two weeks later the director of the "emigration" division of the Vienna *Kultusgemeinde*, Rabbi Benjamin Murrelstein, told Kolisch that he had made an "agreement" (*Vereinbarung*) with the Nazi Central Office for Jewish Emigration (the *Zentralstelle*) with respect to the compilation of "removal lists for the resettlement action" (*Enthebungslisten für die Umsiedlungsaktion*). The list contained six categories who were *not* to be removed:

1. Members of the Jewish administrative machinery, with their parents, brothers, and sisters
2. Persons who had already made arrangements for emigration to South America
3. Inmates of homes for the aged
4. Blind persons, total invalids, and the very sick
5. Persons in forced labor
6. War invalids and highly decorated war veterans

Murrelstein invited Kolisch to submit a *Kriegsofoper* list, keeping these criteria in mind.⁷⁹

It should be noted that the "agreed" stipulations had a significance which was not quite understood by the Jewish leadership. The old people and war veterans were exempted for the moment because the Theresienstadt ghetto was not yet in existence; and the division of the war veterans into invalids and highly decorated men, on the one hand, and ordinary ex-soldiers, on the other, was undertaken by the RSHA in

77. *Reichsvereinigung der Juden in Deutschland/Abteilung Fürsorge - Kriegsofoper* (signed Dr. Ernst Israel Rosenthal) to *Verband Jüdischer Kriegsofoper Wien*, October 13, 1941, Occ E 6a-10. Hitler himself is said to have ruled out an exemption on the ground that "these pigs" had "stolen" their decorations. Ulrich von Hassel, *Vom Andern Deutschland* (Zurich, 1946), entry for November 1, 1941, p. 236.

78. Minutes of *Kriegsofoper* conference, under chairmanship of Kolisch, with Diamant, Fürst, Kris, Hnilitschek, Sachs, Schatzberger, Weihs, Schornstein, Schapira, and Miss Schapira participating, September 30, 1941, Occ E6a-18.

79. Memorandum by Kolisch, October 13/14, 1941, Occ E 6a-10.

Vienna or, alternatively, a closed transport to a "favorable" destination. Another thought the best procedure would be an "agreement" with the Gestapo with respect to "high-ranking officers." Fürth, who had handed over the fatal lists to Löwenherz, remarked: "I am of the opinion that whoever wears the star around here will have to disappear from here [*von hier weg müssen wird*]."

Kolisch then began to speak. He thought that all the proposals discussed so far were sheer "insanity." His colleagues were about to "destroy everything." If they wanted to do that, he had no objection, but one thing he had to stress: every exemption granted to a veteran was "mercy" by the Central Office for Jewish Emigration (Gestapo). The Jewish community organization was nothing but an institution for the implementation of orders by the central office (*Die Kultusgemeinde ist nichts anderes als eine Institution zur Erfüllung sämtlicher Aufträge der Zentralstelle*). "There is certainly a reason," he continued, "when lists of war invalids and decorated front-line soldiers are demanded of us."

Fürth, who by now understood the reason only too well, proposed that the Gestapo be petitioned for a uniform transport of all war veterans. "I see black," he said, "and I speak from sensibility and experience when I say that we shall be glad if in a month we are still here as today." At this point Kolisch spoke openly about the lists which Fürth had given to Löwenherz, and when Fürth defended himself by stating in effect that Löwenherz had tricked him, one of the participants, Halpern, agreed with Fürth. "One can see," said Halpern, "that the Jewish community is only a messenger of the Gestapo." Löwenherz, he said, deserved to be punished.⁸³

83. Minutes of *Kriegsopfer* conference under chairmanship of Kolisch, and with participa-

Whereas Fürth had correctly seen "black," the end did not come within a month. On August 4, 1942, the *Kriegsopfer* leaders had occasion to meet again. On the agenda was "the reduction of employees by the *Kultusgemeinde*." The Jewish community had to hand over some of its own employees to the Gestapo for deportation, since many Jews had already been deported and there was no longer any need for a large Jewish organization. Among the *Kultusgemeinde* employees who were threatened with dismissal were many members of the veterans' organization. The leaders of the *Verband* were now meeting in order to find a way of protecting its members. Hauptmann Kolisch pointed out that the Jewish community "naturally" would not show the reduction list to him; he proposed, therefore, that the *Verband* hand in a list of "worthy" veterans to the Central Office for Jewish Emigration. Debating this proposal, some of the *Verband* leaders suggested that it might be better to appeal to the Jewish community. Fürth thought that the *Verband* should hand to the *Kultusgemeinde* a list in which veterans would be divided into three groups differing in degree of "worthiness." Halpern preferred to request the *Kultusgemeinde* that "in a case of equal qualifications of two employees, the war invalid receive preference." Kolisch then remarked, "I don't want to fight a war with the Jewish community."⁸⁴

On August 7, 1942, the conferees met again to resume the discussion. Schatzberger proposed that a single undifferentiated list be handed to the

tion of Fürth, Halpern, Hnilitschek, Kris, Sachs, Schapira, Schatzberger, and Schornstein, June 9, 1942, Occ E 6a-18.

84. Minutes of *Kriegsopfer* conference held on August 4, 1942, under chairmanship of Kolisch, with Diamant, Fürth, Halpern, Hnilitschek, Sachs, Dr. Schapira, Schatzberger, and Schornstein participating, August 5, 1942, Occ E 6a-10.

Thus the Heydrich method of taking over the Jewish leadership rather than changing it paid off handsomely. Löwenherz got the lists.

In the third (and last recorded) stage the Gestapo dropped pretenses and demanded that the *Kultusgemeinde* dismiss a certain number of its employees. The Jews were now fighting among themselves, while the Gestapo could lean back and watch. This was of course the oldest weapon of political warfare: *divide et impera*.

We have said much about Theresienstadt and perhaps have aroused some curiosity about this ghetto. It was indeed a peculiar institution. Its creation was the last major anti-Jewish measure by Reinhard Heydrich (he was assassinated shortly thereafter), who used his position as *Reichsprotektor*, that is, chief representative of the Reich in the Protektorat, to order the complete dissolution of the small city of Theresienstadt, its evacuation by the resident Czech population, and the creation there of a "Jewish settlement" (*Judensiedlung*) or — as it was known in the Reich — an old people's ghetto (*Altersghetto*).⁸⁷

Theresienstadt had its own SS command, headed (in succession) by Hauptsturmführer Dr. Siegfried Seidl, Hauptsturmführer Anton Burger, and Hauptsturmführer Karl Rahm, all Eichmann's men and all Austrians.⁸⁸ Under the direction of the SS there was a Jewish elder (in succession), Jakub Edelstein, Dr. Paul Epstein, and Rabbi Dr. Murrelstein.⁸⁹ We have already met Rabbi Murrelstein in Vienna, where he headed the "emigration" division of the *Kultusgemeinde*. In Theresienstadt he wanted to realize his

ambition to become a modern Josephus Flavius.⁹⁰

A total of 139,654 Jews were sent to Theresienstadt. The breakdown, by place of origin, was as follows:⁹¹

Protektorat	73,608
Old Reich	42,832
Austria	15,254
Holland	4,897
Slovakia	1,447
Denmark	466
Unaccounted for	1,150

Total	139,654
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Only 17,320 Jews were still in Theresienstadt in May, 1945. The statistics of the reductions are as follows:⁹²

Total arrived	139,654
Deported	-86,934
Died in the ghetto	-33,419
Unaccounted for	-1,981
Remained	17,320

That was the meaning of a "favored transport." To be sure, for the Protektorat Jews Theresienstadt was only a stopover on the way to the killing center of Auschwitz, but — as the stark figures conclusively show — even the "privileged" Reich Jews could not survive in this ghetto for long.

Heydrich's successor, Gruppenführer Kaltenbrunner, had little understanding for psychological matters. To him, Theresienstadt was a nuisance. In January, 1943, he transferred (with Hitler's permission) 5000 Jews under the age of sixty from Theresienstadt to Auschwitz. After the deportation of these Jews, in February, 1943, he counted 46,735 Jews in the ghetto. Taking a closer look at his statistics, he discovered that 25,375 of the Theresienstadt Jews could not work; he also found that 21,005 Jews were over sixty — a fairly close correlation.

90. *Ibid.*, pp. 166-67.

91. *Ibid.*, p. 249.

92. *Ibid.*, pp. 247-48.

87. Decree (signed Heydrich), February 16, 1942, *Verordnungsblatt des Reichsprotektors in Böhmen und Mähren*, 1942, p. 38.

88. Zdenek Lederer, *Ghetto Theresienstadt* (London, 1953), pp. 74-75, 90.

89. *Ibid.*, pp. 41-43, 149-50, 166-67.

Both rings and committees were staffed by industrial engineers. The rings were concerned with products (such as ball bearings) used in a number of different enterprises; the committees dealt with a finished product, for instance, shells.¹¹⁶ During the middle of September, 1942, just before preparations were made to deport the Reich Jews for forced labor, the *Hauptausschuss Munition* (Main Committee Munitions, under Prof. Dr. Albert Wolff) sent questionnaires to all major munitions industries to find out which enterprises could "receive Jews" (*mit Juden belegt werden können*) and which plants could establish concentration camps for Jewish workers.¹¹⁷ The Main Committee Munitions was soon joined in this survey by the Main Committee Weapons (*Hauptausschuss Waffen*),¹¹⁸ but the project was doomed to failure. The Gestapo protested that it was absolutely inadmissible to shove German Jews to the east only to import foreign Jews from the west.¹¹⁹

Yet a very peculiar thing happened. After all the rejections, a few agencies

116. For description of the Speer Ministry apparatus, see Franz L. Neumann, *Behemoth* (2nd ed.; New York, 1944), pp. 590-94.

117. Special Committee Munitions V (*Sonderausschuss M V*), signed Scheuer, to Direktor Dr. Erich Müller, artillery construction, Krupp, September 12, 1942, NI-5856. For organization chart of Krupp, see affidavit by Erich Müller, February 5, 1947, NI-5917.

118. Main committee weapons to Krupp, September 29, 1942, NI-5856. Krupp wanted Jewish labor: Krupp to Special Committee Munitions V, September 18, 1942, NI-5859. Krupp (signed by personnel chief Ihn) to Plenipotentiary for Labor (attention Landrat Beck), September 18, 1942, NI-5860. Krupp to Special Committee Munitions V, September 22, 1942, NI-5857. Krupp to Main Committee Weapons (attention Direktor Notz), October 5, 1942, NI-5855.

119. Memorandum by Kahlert, Chief Main Division Special Questions and Labor Allocation in Reich Association Iron (*Hauptabteilungsleiter Spezialwesen und Arbeitseinsatz, Reichsvereinigung Eisen*), September 23, 1942, NI-1626.

that did not ask many questions went ahead on their own and brought Jewish workers into the Reich. We do not know very much about these movements, for there seems to be a scarcity of correspondence in the matter. But we do have some figures. SS-Statistician Korherr reported early in 1943 that as many as 18,435 Soviet Jews had been imported for various work projects in East Prussia. At the same time, an *Organisation Schmelt* had mobilized not fewer than 50,570 Jews for labor in Silesian camps.¹²⁰

The big armaments enterprise Krupp A. G. was one of the firms which profited from these importations. In September, 1942, Krupp was planning the construction of a new plant at Markstädt, near Breslau. The plant was to produce naval artillery. Krupp discovered that the *Organisation Todt* (Speer's construction agency) was employing many Jews in projects near Markstädt. With the "complete approval" of Vizeadmiral Fanger, Krupp suggested that these Jews stay on to build the naval factory.¹²¹ In 1944 the eastern Krupp plant was still employing thousands of these Jews.¹²²

The fact that East Prussia and Silesia were eastern border provinces undoubtedly accounts for the fact that they benefited to such an extent from imported Jewish labor. But the importa-

120. Report by Korherr, April 19, 1943, NO-5193. A certain Albrecht Schmelt was *Regierungspräsident* in Oppeln, Silesia. Kleinast, *Der Grossdeutsche Reichstag*, p. 369.

121. Memorandum by Dr. Erich Müller (chief of artillery construction, Krupp) on discussion with Admiral Schmundt, Vizeadmiral Fanger, and Konteradmiral Rhein, September 9, 1942, NI-15505.

122. Krupp directorate to Reich Association Iron/Construction Division (*Reichsvereinigung Eisen/Abteilung Neubauten*), February 2, 1944, NI-12342. Krupp/technical bureau (signed Rosenbaum) to Krupp armament and machine sales (Eberhardt), March 14, 1944, NI-8989. Krupp Berthawerk A. G./Markstädt Plant to chief of Krupp steel plants, Prof. Dr. Houdremont, April 13, 1944, NI-12338.

tions did not stop in 1942, nor were they ultimately confined to the two border areas. Late in 1944 and early in 1945 many thousands of Jews were brought into the Reich from Hungary, the Polish labor camps, and the liquidated killing center of Auschwitz. Of course these Jews were hauled in during the liquidation phase of the destruction process, and they were confined to camps. But it is significant nevertheless that the machinery of destruction which wiped out the Jews of many lands was never able to make the Reich itself entirely *judenfrei*.

Another deferred group comprised the foreign Jews. In May, 1939, the Jews of non-German nationality in the Reich area numbered 39,466. At first glance, this figure, amounting to almost 12 per cent of the total Jewish population, seems rather large; however, 16,024 of these Jews were stateless. The actual number of foreign Jews was therefore only 23,442. But not all foreign Jews were considered foreign for deportation purposes. A Jew was a foreign subject only if he was protected by a foreign power—therefore, all Jews who possessed the nationality of an occupied country were stateless in German eyes. An occupied state simply could not protect anybody.

Jews who had immigrated from the Bohemian-Moravian provinces of Czechoslovakia were first to be affected; there were 1732. Next came the big block of Polish and Danzig Jews, numbering 15,249. The occupied countries of the West, including Norway, France, Belgium, Luxembourg, and the Netherlands, were represented by a total of 280 Jews. The number of Soviet, Estonian, Latvian, Lithuanian, and Greek Jews was 515. In addition, about 100 Yugoslav Jews (those who were not citizens of the new Croat state) were also considered stateless.

In short, the 23,442 foreign Jews dwindled, upon closer examination, to about 5600 who belonged to enemy states, neutral states, and Germany's allies. The Foreign Office made no attempt to deport the handful of British and American Jews (together with British dominions and Latin American countries only 386) because it wanted to exchange those Jews for Germans.¹²³ The "problem" was therefore confined to the 5200 Jews who belonged to neutral states and Germany's allies, or whose nationality was doubtful:¹²⁴

Hungary	1,746
Roumania	1,100
Doubtful category	988
Slovakia	659
Turkey	253
Italy	118
Croatia	ca. 100
Switzerland	97
Bulgaria	30
Sweden	17
Spain	17
Portugal	6
Finland	2

Long before the deportations started, the Foreign Office took the view that no measures should be taken against foreign Jews without its consent.¹²⁵ This was an obvious precaution because the Foreign Office was the agency that had to answer to a foreign government for any discriminatory action. During the conference of January 20, 1942, Luther insisted that no foreign Jews be

123. Memorandum by Albrecht (Foreign Office Legal Division), February 4, 1943, NG-2586-N.

124. All statistics are taken from "Die Juden und jüdischen Mischlinge im Deutschen Reich," *Wirtschaft und Statistik*, 1940, pp. 84-87. The figures are census data, correct on May 17, 1939. Undoubtedly the numbers were smaller in 1942, but we would have to make an upward adjustment to include the foreign Jews in the Protektorat.

125. Wörmann to Dieckhoff, Luther, Albrecht, Wiehl, Freytag, Heinburg, and von Grundherr, March 1, 1941, NG-1515.

deported without Foreign Office clearance.¹²⁶ His demand covered foreign Jews in the Reich and Jews in foreign countries.

Of course the latter group was far more important than the former. There were only a few thousand foreign-protected Jews in the Reich and Reich-occupied territories, whereas there were millions of Jews in territories controlled by Germany's allies. However, there was an important administrative connection between the two groups. The Foreign Office soon discovered that if, for example, Slovakia agreed to the deportation of its few hundred Jews in the Reich and occupied territories, Slovakia would soon agree to the deportation also of tens of thousands of Jews living in Slovakia itself. The foreign Jews in the Reich were consequently used as a wedge. Once a foreign government had forsaken its Jews abroad, it was easier to induce it to give up its Jews at home.

We will see the full story of the Foreign Office's negotiations with Germany's Axis partners in subsequent sections of this chapter, for these negotiations were concerned only incidentally with the foreign Jews in the Reich and primarily with the Jews in foreign countries. Here it is enough to give a brief outline of the Foreign Office's operations.

The first countries to be approached were Slovakia, Croatia, and Roumania. The governments of these three states submitted to the German demand without much ado. (Roumania subsequently decided to protect a few of its Jews.)¹²⁷ Next came the Bulgarian and Italian governments. The Bulgarians had no objection, but the Italian government held out until its very collapse in September, 1943.¹²⁸ The

126. Memorandum by Luther, August 21, 1942, NG-2586-J.

127. Memorandum by Luther, August 21, 1942, NG-2586-J.

Hungarian government was approached again and again, but like Italy refused to give up its Jews. The Italian and Hungarian governments consequently had to be treated like the neutral states.

The Foreign Office did *not*, of course, insist upon the deportation of the Jews in neutral countries, so there was little point in insisting upon the deportation of the handful of Jews with neutral nationalities in Germany. However, Germany had to become *judenfrei*. The neutral governments, together with Italy and Hungary, were therefore presented with an ultimatum that unless they withdrew their Jews within a specified time, these Jews would be included in general anti-Jewish measures. The limits were not heeded, though, and as a result the deportation expert of the RSHA, Eichmann, became very impatient.

On July 5, 1943, Eichmann reminded his opposite number in the Foreign Office, von Thadden, that the repatriation deadlines had already been passed. "We do not consider it worthwhile," he wrote, "to wait any longer or to meet these governments halfway. According to the present status of the final solution, there are now in the Reich area only those Jews who are partners in a Jewish-German mixed marriage and a few Jews of foreign nationality." In order to arrive at a "final solution" in this matter also, Eichmann requested von Thadden to fix one more deadline, August 3, 1943. Eichmann then listed the countries involved: Italy, Switzerland, Spain, Portugal, Denmark, Sweden, Finland, Hungary, Roumania, and Turkey. "In closing," Eichmann wrote, "we ask that you put aside any possible scruples in the interest of finally solving the Jewish problem, since in this matter the Reich has met the foreign governments half-

128. Luther via Wiehl to Wörmann, Weizsäcker, and Ribbentrop, September 19, 1942, NG-5123.

way in the most generous manner."¹²⁹

Von Thadden agreed with his colleague Eichmann but extended the deadline to October, 1943. Only the Italian Jews, whose government had in the meantime surrendered to the Allies, were subject to deportation at once.¹³⁰ The Turks requested a further postponement, thus incurring the displeasure of the Foreign Office, which pointed to its repeated "extraordinary concessions." In the end the Foreign Office agreed to a final deadline of December 31, 1943, while the impatient Eichmann was demanding "general treatment" of all foreign Jews.¹³¹

So much for the Jews of foreign nationality. The third deferred group was hardly a problem at all. They were the members of the Jewish administrative machine and their families.

In the very beginning of the deportations the employees of the *Reichsvereinigung* and the *Kultusgemeinden* enjoyed exemption. As a matter of fact, the official Jews occupied first place in the exempt list "agreed" upon between Obersturmführer Brunner and Rabbi Marmelstein in Vienna,¹³² but this deferment lasted only as long as the cooperation of the Jewish machinery was required in the deportations. As we shall see when we examine the deportation methods more closely, the Jewish self-destructive machinery was an essential component of the deporta-

129. Eichmann to von Thadden, July 5, 1943, NG-2652-E. Denmark, though occupied, was respected as a neutral state until the fall of 1943. Finland, an Axis partner, was the only European ally that was never pressured into deporting its Jews. Finland had a democratic form of government and only about 2000 Jews.

130. Von Thadden to German missions abroad, September 23, 1943, NG-2652-M.

131. Memorandum by Legationsrat Wagner, October 29, 1943, NG-2652-K. Eichmann to von Thadden, November 15, 1943, NG-2652-L.

132. See p. 279.

tion apparatus. The Jewish officials were burdened with quite a few important tasks: the business of compiling lists, securing certain personal properties of the deportees, keeping track of vacant apartments, supplying police forces (*Ordner*) to help seize Jews and get them on trains, and handing over to the Gestapo the Jewish community assets (which, by the way, financed the deportations).

In short, these Jews were at least, for a while, quite essential, but as time passed, the "reduction of personnel" in the Jewish community agencies took its course.¹³³ The Jewish police were increasingly staffed with Jews in mixed marriages, that is, persons who were exempt anyhow.¹³⁴ Gradually, the very top strata of the Jewish administrative machine were engulfed in the deportations.

The first transports of Jewish officials and employees were organized in the late spring of 1942.¹³⁵ At that time, Goebbels decided to retain five hundred leading Jews (*führende Juden*) as hostages to assure the proper behavior (*anständiges Verhalten*) of the many thousands of Jewish precision workers in Berlin.¹³⁶ In a sense they were peculiar "hostages," for — regardless of the behavior of the Jewish workers — these "leading Jews" were subject to deportation sooner or later. Indeed, after the "replacement" of Jewish labor in the Reich was initiated, another transport of community officials left Berlin on November 29, 1942.¹³⁷

133. See pp. 281-82.

134. Werner Hellmann (survivor) in Lamm, "Entwicklung des deutschen Judentums," p. 132.

135. Norbert Wollheim, in Lamm's "Entwicklung des deutschen Judentums," lists fate of all major officials of the *Reichsvereinigung*, pp. 127-29.

136. Office of Gesandter Krümmner (Foreign Office) to Weizsäcker and Luther, May 27, 1942, NG-4816.

137. Dr. Alfred Karger in *Aufbau* (New York), October 3, 1952, p. 11.

The Jewish "Führer" in Berlin, as one of Eichmann's people called Rabbi Leo Baeck, was picked up in his home on January 27, 1943, at 5:45 A.M. Baeck, an early riser, was already awake, but he asked for an hour to put his things in order. During that hour he wrote a letter to his daughter in London (via Lisbon) and made out postal money orders for his gas and electric bills. He traveled to Theresienstadt in a railway compartment by himself. (Incidentally, Baeck, an old man, was the only member of the *Reichsvereinigung* who was still alive after 1945.)¹³⁸

In Vienna the Jewish deportation chief Murrelstein was himself deported to Theresienstadt, where he survived as the last "Jewish elder" of the ghetto. The chief of the Vienna Jewish community, Löwenherz, who according to the Eichmann man was a "nice fellow" (*ein braver Kerl*), stayed in Vienna until the very end as the head of a skeleton Jewish community organization which took care of a few thousand Jews in mixed marriages.¹³⁹

SPECIAL PROBLEM IV: THE INCARCERATED JEWS. — So far, we have discussed three broad deportation groups: the only truly exempt group, comprising the *Mischlinge* and the Jews in mixed marriages; the Theresienstadt Jews, including the old people, badly invalided and highly decorated war veterans, and prominent persons; and the deferred group, which consisted mostly of Jews who wound up in killing centers after

138. See account by Baeck in Eric H. Boehm (ed.), *We Survived* (New Haven, 1949), p. 290. The Eichmann man who called Baeck the Jewish "Führer" was Hauptsturmführer Wisliceny. See Levai, *Black Book on the Martyrdom of Hungarian Jewry*, p. 123. Baeck was sixty-nine at the time of his deportation. The only other *Reichsvereinigung* survivor, Moritz Henschel, died soon after his liberation. Baeck died in 1956.

139. Dr. Rezzo Kasztner (Kästner), *Der Bericht des jüdischen Rettungskomitees aus Budapest 1942-1945*, pp. 154-55, 178.

suitable delays — the Jews in war industry, the foreign Jews, and the official Jews. A fourth group was also included at the beginning of this chapter — the incarcerated Jews. That was the category which comprised Jews in institutions: insane Jews, imprisoned Jews, and Jews in concentration camps. In order to deport these persons the Reich Security Main Office had to make special arrangements with the agencies which had jurisdiction over them.

The institutions for the mentally ill were under the control of the Health Division of the Interior Ministry. During the concentration process Staatssekretär Dr. Conti of the Interior Ministry ordered the mental institutions to report to him all incarcerated Jews.¹⁴⁰ In 1940 the Jewish insane were separated from the German insane,¹⁴¹ and the Jews were concentrated in an institution of their own, at Bendorf-Sayn.¹⁴² In the spring of 1942 the first transport of Jewish "imbeciles" (*Vollidioten*) arrived in the Lublin district for gassing in one of the killing centers.¹⁴³ By November, 1942, Bendorf-Sayn was closed.¹⁴⁴ The insane problem thus appears to have been disposed of.

The transfer of the imprisoned Jews, who were in the custody of the Justice

140. Dr. Leonardo Conti to *Heil- und Pflegeanstalten* (insane asylums), October 24, 1939, NO-825.

141. Hermann Pfannmüller (Director of Bavarian Asylum at Egfling-Haar) to Bavarian Ministry of Interior/Health Division, September 20, 1940, NO-1310.

142. Pfannmüller to *Gemeinnützige Kranken-Transport-GmbH.*, May 2, 1941, NO-1140. Circular decree of Interior Ministry, November 10, 1942 (*Ministerialblatt*, 1942, p. 2150); also in *Die Judenfrage (Vertrauliche Beilage)*, March 1, 1943, pp. 17-19.

143. *Generalgouvernement* Main Division Propaganda, consolidated weekly reports from the district propaganda divisions, report by Lublin division, April 18, 1942, Occ E 2-2.

144. Circular decree of Interior Ministry, November 10, 1942, *Ministerialblatt*, 1942, p. 2150.

small contribution to the extermination of these peoples.¹⁶²

The third group of Jews subjected to a custodial transfer were the inmates of the concentration camps. In the 1930's tens of thousands of Jews had been arrested in *Einzelaktionen* and thrown into one of Himmler's camps for an indefinite period of time; most of them were released for emigration, but a group of about 2000 were still languishing in the camps long after the war had broken out.¹⁶³ Now, in the fall of 1942, Himmler decided to make his German concentration camps *judenfrei*. The Jews involved were to be shipped to the killing centers of Auschwitz and Lublin.¹⁶⁴ The transfers involved no change of jurisdiction because the concentration camps in the Reich and the killing centers in Poland were under the same management. However, the killing center was quite different in character from an ordinary concentration camp, as the victims were soon to discover.¹⁶⁵

162. Thierack to Bormann, October 13, 1942, NG-558. During a half-year period, the Justice Ministry delivered to the concentration camp chief Pohl 12,858 prison inmates of various nationalities. The prisoners were intended for forced labor projects of the SS. They died, however, like flies. By April 1, 1943, 5935 were dead. Draft letter by Pohl to Thierack, April, 1943, NO-1285.

163. Statistics in Korherr report, March 27, 1943, NO-5194.

164. Müller (Chief, RSHA IV) to all *Staatspolizeileitstellen*, BdS and KdS offices, and *Beauftragte des Chefs der Sicherheitspolizei*, November 5, 1942, NO-2522. Characteristically, the order stipulated that *Mischlinge* of the first degree were to be included in the transfers. These were the only *Mischlinge* killed in the destruction process. The transfer of Jewish women inmates had already been ordered in September. OSTubaf. Dr. Berndorff (RSHA IV-C-2) to *Stapoleitstellen*, etc., October 2, 1942, NO-2524.

165. The Reich camps wanted 1600 Polish and Ukrainian labor replacements from Auschwitz. There were no replacements. WVHA D-II (concentration camp labor allocation) to commander of Auschwitz, October 5, 1942,

So far, we have discussed the problems faced by the Gestapo in deporting various categories of people: the exempt Jews, the Theresienstadt Jews, the deferred Jews, and the incarcerated Jews. Needless to say, there was also a very large amorphous category which posed no problems at all. Nobody (with the possible exception of an official in the Justice Ministry) was worried about the *Konsulenten*, or lawyers, and no one was worried about the many thousands of other people who fell into no problem category and who could therefore be shipped off without further ado. But, as always in history, only the "problems" attract attention, and so we have devoted most of our space to what may well have been only a minority of the victims.

Seizure and Transport

In the Reich-Protectorat area the biggest hurdle in the operation was overcome with the conclusion of negotiations for the deportation of the various troublesome categories of Jews. With the completion of the preliminary step, the major problem was solved. However, two matters remained to be taken care of. One was the actual seizure and transport of the Jews — that was probably the easiest part of the operation. The other matter was the more burdensome and wearisome process of confiscating the Jewish estate.

There were virtually no seizure difficulties such as those encountered in the occupied USSR. In Germany the Gestapo was after all in home territory. Tens of thousands of Gestapo men were available for the operations, and only a few hundred thousand Jews had to be deported. Only in the big cities, like Berlin and Vienna, were the Gesta-

Dokumenty i Materialy, I, 73-74; Auschwitz Command/III A to WVHA D-II, October 10, 1942, *Ibid*.

po forces stretched thin. Accordingly, the *Zentralstellen* started to make use of *Ordner*, or Jewish police, which helped in the seizures and in the guarding of the Jews at the collecting points (*Sammelstellen*). The Gestapo demand for orderlies was undoubtedly the most critical challenge to the Jewish leadership, for in addition to all the tasks which the Jewish apparatus had already performed, such as the confiscation of Jewish properties and the compilations of deportation lists, the Jewish community was now expected to do the ultimate. Jews had to seize Jews, in order to lighten the Gestapo's load and guarantee the smooth success of this operation. Rabbi Leo Baeck, the Jewish leader in Berlin, explained his fatal decision to employ Jewish police in the following words:

I made it a principle to accept no appointments from the Nazis and to do nothing which might help them. But later, when the question arose whether Jewish orderlies should help pick up Jews for deportation, I took the position that it would be better for them to do it, because they could at least be more gentle and helpful than the Gestapo and make the ordeal easier. It was scarcely in our power to oppose the order effectively.¹⁶⁶

The victims themselves did not resist, either. The criminality statistics for the deportation year 1942 indicate the conviction of only one Jew for "resistance to the state" (*Widerstand gegen die Staatsgewalt*).¹⁶⁷ However, the deportations were not always smooth, because the Jews were sometimes aware of what was going to happen; and then they tried to elude seizure for at least a brief period.

It seems that during the roundup of the factory-employed Jews in Berlin

166. Leo Baeck in Boehm, *We Survived*, p. 288.

167. Circular by Justice Ministry, April 4, 1944, NG-787.

a few "short-sighted" industrialists "warned the Jews in time." The expression "warned" comes from the Goebbels diary. It is not clear whether he meant that the industrialists actually tried to save the Jews; possibly he tried to convey that, with typical Prussian meticulousness, the German plant managers had inadvertently tipped off the Jews by handing out dismissal notices, telling them not to report for work on the next day, or something of the sort. At any rate, Goebbels complained that "we therefore failed to lay our hands on about 4000. They are now wandering about Berlin without homes, are not registered with the police and are naturally quite a public danger. I ordered the police, Wehrmacht, and the Party to do everything possible to round these Jews up as quickly as possible."¹⁶⁸

Only a few hundred Jews in the entire Reich actually succeeded in hiding for any length of time. In Jewish parlance, they were known as *U-Boote* (submarines or U-boats).¹⁶⁹ To be a "U-boat" a man had to have money, steady nerves, unusual presence of mind, and extraordinary social ability. Not many persons possess these qualities.¹⁷⁰

The hidden Jews received a little assistance from a few Germans; the Vienna Jews were helped by a Jewish relief committee in Budapest.¹⁷¹ Most of the time, however, the "immersed" (*untergetauchten*) Jews had to rely upon themselves. Hunted by the Ges-

168. Lochner, *Goebbels Diaries*, entry for March 11, 1943, p. 294.

169. Kasztner, *Der Bericht des jüdischen Rettungskomitees aus Budapest 1942-1945*, pp. 7-8.

170. See the account by Werner Hellmann in Lamm, "Entwicklung des deutschen Judentums," pp. 324-29. Hellmann saved not only himself but also his girl friend — probably a unique achievement.

171. Kasztner, *Bericht des jüdischen Rettungskomitees*, pp. 7-8.

tapo and professional Jewish informers employed by the Gestapo, dodging the entire network of party offices and Nazi vigilantes, living in ruins and passing themselves off as bombed-out people, the "U-boats" scurried to and fro, waiting for their liberation. Slim as their chances might have been, they still faced better odds than the deportees who arrived at the killing centers.

The actual transport of the Jews was not handled by the Gestapo. The Reich Security Main Office only made arrangements with the German railways (*Deutsche Reichsbahn*) to set up so-and-so many trains in such-and-such cities for these-and-those destinations. As a rule the deportation trains consisted of freight cars, specially sealed to prevent escapes.¹⁷² About 1000 Jews were loaded on each train.¹⁷³ For the *Reichsbahn* the allocation of these trains was a significant contribution. Almost all transports were heading east, in precisely the same direction taken by soldiers and supplies moving to the eastern front. Moreover, the first fifty transports, scheduled for the period November 1 – December 4, 1941,¹⁷⁴ were dispatched at the very time when the German Army, near Moscow, was making its last offensive before the winter crisis – apparently military considerations also were not to be considered in the "final solution of the Jewish problem."

The Reich Security Main Office had no personnel to guard the trains. As in the case of the mobile killing operations in Russia, Heydrich had to approach the Order Police for help; and, in pursuance of an arrangement between the two main offices, the Order Police furnished one officer and twelve

172. This information comes from numerous survivors' accounts.

173. Order by Daluge, October 24, 1941, PS-3921.

174. Order by Daluge, October 24, 1941, PS-3921.

men to guard each train.¹⁷⁵ As we shall see, the RSHA relied on the railways and on the Order Police, not only in the Reich-Protectorat area but also in the occupied territories. In fact, the Order Police came to regard the guarding of "special trains" (*Sonderzüge*) as one of its regular functions.¹⁷⁶

One of the more interesting aspects of the transport problem was its financing. Apparently the *Reichsbahn* and the Order Police did not cover the expenses incurred from their respective budgets; the Reich Security Main Office paid for the costs of the deportations, including the food supplied by the local authorities (trips on the *Sonderzüge* were very long), the trains allotted by the *Reichsbahn*, and the personnel lent by the Order Police. Very possibly, the payments were designed to assure all-around co-operation.

However, the RSHA did not actually furnish the funds from its own money, either. Instead, the Gestapo used its very close association with the Jewish community machinery to confiscate the money which the *Reichsvereinigung* had collected from the Jews in the form of special taxes. This money was now expended for the deportations. In short, this was an example of self-financing; the Jews paid for their own transport to the killing centers. There

175. *Inspekteur der Ordnungspolizei Vienna to Polizeipräsident Vienna/Kommando der Schutzpolizei* ("Protective Police"), October 27, 1941, enclosing order by Chief of Order Police Daluge to *Inspekteure und Befehlshaber* (IdO and BdO) in Berlin, Hamburg, Hannover, Münster, Kassel, Nuremberg, Stuttgart, Munich, Vienna, Breslau, Prague, and Riga, with copies to Higher SS and Police Leaders in Berlin, Hamburg, Braunschweig, Düsseldorf, Kassel, Munich, Stuttgart, Vienna, Breslau, Prague, and Riga, and to *Polizeipräsident* in Berlin and Chief of Security Police (Heydrich), October 24, 1941, PS-3921.

176. *Reichsführer-SS* (by Daluge), *Vorschrift für die Führung und Verwendung der Politztruppe* (Lübeck, 1943), p. 4.

was only one snag in the arrangement: the bureaucrats in the Finance Ministry felt that if any confiscating was to be done, they were to do it.¹⁷⁷ The result was a jurisdictional dispute which was not resolved until the Finance Ministry agreed to Himmler's exclusive use of these particular funds.¹⁷⁸

The destination points of the first transports were Riga and Minsk in the *Ostland* and the Lodz ghetto in the Warthegau. The Riga and Minsk Jews were subsequently shot by the mobile killing units. The deportees in Lodz shared the fate of the Polish Jews in that ghetto; that is, they were deported to the killing centers of Kulmhof and Auschwitz. In 1942 and 1943, transports were directed to Theresienstadt or directly to a killing center. The major receiving point for the Reich Jews was the huge death camp at Auschwitz in the Upper Silesian *Gau* (incorporated Polish territory).

The deportation statistics for the Reich-Protectorat area are complete only to December 31, 1942; (the figures are given in Table 46).¹⁷⁹

TABLE 46 / Deportation Statistics for Reich-Protectorat Area

	"EVAKUIERT" (DEPORTED)	REMAINING ON JANUARY 1, 1943	ELIGIBLE FOR DEPORTATION	IN MIXED MARRIAGE
Old Reich	100,516	51,327	34,567	16,760
Austria	47,555	8,102	3,299	4,803
Protectorat	69,677	15,550	9,339	6,211
Total	217,748	74,979	47,205	27,774

Although the statistics for 1943 and 1944 are not complete, we may assume

177. Memorandum by Ministerialrat Maedel, December 14, 1942, NG-4583.

178. Schlüter (Finance Ministry) to Himmler, March 17, 1943, NG-4583.

179. Report by Korherr, April 19, 1943, NO-5193. The Old Reich statistics include the Sudeten *Gau*. The deported column includes the transport of 6,500 Jews to France (1940), probably includes earlier transports to Poland. Koerherr might or might not have included the Jews in insane asylums, prisons, and concentration camps.

that almost all the 47,205 remaining eligible Jews (not living in mixed marriage) were deported.¹⁸⁰

With the gradual disappearance of more than a quarter-million Jews in the mysterious "East," a wave of rumors drifted back to Germany. The rumors were connected and combined with earlier reports of mobile killing operations in Russia, and as the flow seeped into every town and every social quarter, the Gestapo felt itself surrounded by whispers.

Above the murmur one man prepared to raise his voice in protest. On the eve of the deportations, a sixty-six-year-old Catholic priest, Dompropst Bernard Lichtenberg of St. Hedwig's Cathedral in Berlin, dared to pray openly for the Jews, including those who were baptized and those who were unbaptized. Following a denunciation, he was arrested. In the course of a search of his apartment the police found notes for an undelivered sermon in which the priest was going to ask the congregation to disbelieve the official claim that the Jews wanted to kill

all Germandom. Held in custody, he insisted that he wanted to join the Jews in the East to pray for them there. He was placed on trial before a special court and given a sentence of two years.

180. Nearly 20,000 Jews were deported from the Old Reich alone during the first three months of 1943. Korherr reported that the 51,327 Old Reich Jews had dwindled to 31,910 by April 1, 1943. Proportional reductions were probably effected in Austria and the Protectorat. See report by Korherr, April 19, 1943, NO-5193.

Upon his release on October 23, 1943, he was picked up by the Gestapo to be brought to Dachau; too sick to travel, he died on the way in a hospital at Hof.¹⁸¹ Thus a solitary figure had made his singular gesture. In the buzz of the rumor mongers and sensation seekers, Bernard Lichtenberg fought almost alone.

To be sure, Lichtenberg was not the only one to be arrested. Every once in a while a careless man made a careless remark to the wrong person. The house painter Louis Birk, of Wiesbaden, could not do his work without a great deal of talk with *Hausfrauen* in whose apartments he was working. The charges assert that "from dark wells he scooped rumors about an unfavorable turn of the war" and spread them to his employers. With respect to the Jewish question, he remarked that all the remaining Jews in Germany would soon be poisoned with gas. Furthermore, he assured the housewives that the party leaders were all blacklisted and that they would some day be forced to reconstruct the Jewish synagogues. Louis Birk was executed.¹⁸²

By and large, only a handful of rumor-carriers could be caught, and the

181. Legationsrat Dr. Haidlen (Foreign Office/Political Division - Section III - Vatican) via Ministerialdirigent Erdmannsdorff and Unterstaatssekretär Wörmann to Welzsücker, November 11, 1941, NG-4447. Günter Weisenborn, *Der Lautlose Aufstand* (Hamburg, 1953), pp. 52-55. It is of interest to note that the police waited almost two months before they took him into custody. Since Lichtenberg was in charge of converted Jews, one is apt to speculate that the Gestapo was prone to extend to him a limited bureaucratic courtesy. The delay was terminated when two female university students denounced the priest.

182. Indictment of Louis Birk, signed by *Oberreichsanwalt beim Volksgerichtshof* (prosecutor at people's court), Lantz, April 29, 1943, NG-926. Judgment of People's Court/6th Senate, signed by Presiding Judge Hartmann, July 13, 1943, NG-926. Prosecutor to Justice Ministry, September 14, 1943, NG-926.

Party Chancellery therefore decided to combat the rumor wave by issuing an official explanation of the deportations. The Jews, said the party, were being sent "to the East" (*nach dem Osten*) in order to be employed there in work camps. Some of the Jews were being sent "farther East" (*weiter nach dem Osten*). The old Jews and decorated Jews were being resettled in Theresienstadt. "It lies in the nature of things," the party circular concluded, "that these partially very difficult problems can be solved in the interest of the permanent security of our people only with ruthless hardness (*rücksichtsloser Härte*)."¹⁸³ End of explanation. Obviously the rumors continued, unabated.

Confiscations

In the bureaucracy one thing at least was certain: the Jews were not expected back in Germany. In 1942, certainly by 1943, most of them were dead. The dead Jews left behind them a legacy which was to occupy the bureaucrats for months and years: personal property, apartments, Jewish community property, blocked accounts, goods in customs houses, sequestered securities, firms and real estate still under trusteeship, credits and debts, pensions, insurance, and inheritance problems. All these odds and ends, unliquidated expropriations and unfinished business, were now dropped into the laps of the Finance Ministry's experts.

In order to proceed properly the Finance Ministry needed a law, that is, a decreed principle that all property left behind by the deported Jews would fall to the Reich. Up to the end of 1941 the principal excuse for confiscating Jewish property was the allegation that Jews were "enemies of

183. Party Chancellery, *Vertrauliche Informationen* (for Gau and Kreis offices only), October 9, 1942, PL-49.

berg's eastern offices. Anything not needed by the East Ministry was sold to the various *Gauleiter*; to handle that new business, the *Gauleiter* appointed "plenipotentiaries for the disposal of Jew-furniture."

However, the Rosenberg-von Krosigk partnership did not endure. In March, 1943, the East Ministry charged the *Oberfinanzpräsidenten* with "stiffness" (*Unbeweglichkeit*) and announced that henceforth its people would handle the furniture disposal by themselves. The East officials also claimed the proceeds from the sale of furniture for their own budget. A bit stunned, the Finance Ministry asked for an explanation.²¹³ We do not know the outcome of the quarrel. In any case, not much was left for that amorphous and all-encompassing beneficiary, the Reich.

One problem remained to be solved: the property of the Jews in mixed marriages. Somehow it irked the bureaucracy that the Jews in mixed marriages were permitted not only to live but also to keep their personal belongings. It was difficult, however, to confiscate anything while both husband and wife were still living, because couples usually share their personal belongings. The only thing that could be done was to issue a regulation to cover the property of Jews who died in the Reich. That regulation was the 13th Ordinance to the Reich Citizenship Law, dated July 1, 1943; it provided that the property of a Jew was to be confiscated after his death. The ordinance also stipulated that, at the discretion of the Reich, the heirs could be granted a lump sum or some of the articles of the estate.²¹⁴

213. Finance Ministry memorandum, March 26, 1943, NG-5542. For "Gau plenipotentiaries for the disposal of Jew-furniture" (*Judenmöbeln*), see *Gau Cologne-Aachen*/Penipotentary Kreisleiter Eichler to *Oberfinanzpräsident* Dr. Kühne in Cologne, January 8, 1943, NG-5543.

214. RGB1 I, 372.

The 13th Ordinance was inadequate in two respects: First, it put all Jews in mixed marriages on notice. Nothing prevented them from transferring all their earthly possessions to the German partner during their lifetime. In that case the Reich was cheated. Another contingency not covered by the ordinance was the possibility that the German spouse died first, leaving all the property to the Jewish partner. To the SS and Police this was an intolerable situation. In the beginning of 1944 the Interior Ministry (then headed by Himmler) therefore requested the Justice Ministry to issue a new regulation which would (1) prohibit, during the lifetime of the Jewish owner, the sale and acquisition of Jewish property that would be subject to confiscation if he should die; and (2) prohibit Jews from inheriting the property of non-Jewish relatives.²¹⁵

The inheritance problem had been tackled before. Under paragraph 48, section 2, of the inheritance law of 1938²¹⁶ the courts had been empowered to declare null and void any will which ran counter to the "healthy people's instinct" (*gesundes Volksempfinden*). The Justice Ministry in September, 1941, issued an authoritative interpretation of this provision, in pursuance of which all German wills in favor of Jews were invalidated.²¹⁷ Under general principles of law, however, a person can inherit property in *two* ways: as a named beneficiary if there is a will, or as a legal heir if there is no will. That is to say, if there is no will, the law makes provision for surviving relatives, who become "legal heirs." The wills in favor of Jews were already voided, but the law had not

215. Affidavit by Ministerialdirektor Altstötter, chief of Justice Ministry's Division VI, December 12, 1947, NG-4015.

216. RGB1 I, 973.

217. General instructions by Justice Ministry, September 24, 1941, *Deutsche Justiz*, 1941, p. 958.

gouvernement, 400,000 in the incorporated territories, and up to 200,000 in the western parts of the Bialystok district. To the civil offices these figures meant that the entire structure of urban population was to be altered. With the disappearance of the ghettos important changes in housing accommodations, the food supply, and the productive capacity were to be expected. In the *Generalgouvernement* the office which was most immediately concerned with these problems was the Population and Welfare Division (*Abteilung Bevölkerungswesen und Fürsorge*) of the Interior Main Division. A directive by Staatssekretär Bühler, dated December 16, 1941, consequently empowered the Population and Welfare Division to approve or veto every "re-settlement" which affected more than fifty persons.⁴

The actual ghetto-clearing operations were conducted by the SS and Police. The police forces were facing a formidable task. Although figures for the Security Police and SD are not available, we know that the total network of the RSHA comprised fewer than 70,000 men;⁵ the Polish sector could therefore have held no more than a few thousand. The Order Police complement was somewhat stronger. We may estimate its strength in the *Generalgouvernement* at 25,000-30,000 Germans and auxiliaries.⁶ In Bialystok the

4. *Generalgouvernement*/Main Division Interior/Division of Population and Welfare to Lublin District/Interior Division/Subdivision Population and Welfare, February 10, 1942, *Dokumenty i Materiały*, II, 4. We have no record of any vetoes.

5. Affidavit by Schellenberg, November 21, 1945, PS-3033.

6. According to BdO Glt. Becker, the figures at the end of 1942 totalled 10,190 Germans and 16,337 non-Germans. *Generalgouvernement* police conference of January 25, 1943, Frank presiding, Frank diary, PS-2233. Roughly at the same time, the chief of the Order Police listed 15,186 Germans and 14,297 Poles. Oberst-Gruppenführer Da-

Order Police had 2400 men,⁷ while in Lodz a police battalion of 600 men was detailed to ghetto duty.⁸ However, the Order Police too were stretched thin. By 1942 they were involved in *three Aktionen*: the deportation of the Jews, the seizure of the Polish harvest (*Ernteerfassung*), and the seizure of Polish workers for labor in the Reich (*Arbeitererfassung*). No wonder that the SS and Police needed help.

Help came in the first instance from the Jews themselves. The *Jüdische Ordnungsdienst*, as the Jewish police in the ghettos were called, furnished thousands of men for seizure operations. In the Warsaw ghetto alone the Jewish police numbered approximately 2500;⁹ in Lodz they were about 1200 men strong;¹⁰ the Lvov ghetto had an *Ordnungsdienst* of 500 men;¹¹ and so on. The SS and Police drew also upon outside assistance. Latvian units were imported from the *Ostland*;¹² Waffen-SS units were pressed into service, for example in the Sosnowiec area of Upper Silesia, where the personnel of an SS cavalry school were employed in the roundup;¹³ the *Ghettoverwaltung*

luege to "Wölffchen" (Obergruppenführer Wolff, chief of Himmler's Personal Staff), February 28, 1943, NO-2861. The discrepancies may be due to the inclusion or omission of various auxiliary units.

7. Daluge to Wolff, February 28, 1943, NO-2861.

8. *Polizeipräsident* in Lodz to *Ghettoverwaltung*, February 3, 1942, *Dokumenty i Materiały*, III, 219.

9. Berg, *Warsaw Ghetto*, p. 187.

10. Bendet Hershkovitch, "The Ghetto in Litzmannstadt (Lodz)," *YIVO Annual of Jewish Social Science*, V (1950), 89.

11. *Krakauer Zeitung*, November 15, 1941, p. 5.

12. Tadeusz Bor-Komorowski, *The Secret Army* (London, 1950), p. 90.

13. *Polizeipräsident* in Sosnowiec to *Regierungspräsident* in Katowice, August 1, 1943, *Dokumenty i Materiały* II, 60. *Polizeipräsident* in Sosnowiec via IdO in Breslau to Himmler, August 14, 1943, *ibid.*, p. 71. IdO in Breslau to *Polizeipräsident* in Sosnowiec, August 25, 1943, *ibid.*, p. 70.

made his first decision. "I will not be afraid," he said, to "sacrifice 50,000 of our community in order to save the other 50,000." During the summer of 1942 the other 50,000 Jews were lined up in a mass review, from which half were sent to Auschwitz. Merin commented after that deportation: "I feel like a captain whose ship was about to sink and who succeeded in bringing it safe to port by casting overboard a great part of his precious cargo." By 1943 there were only a few survivors. Merin addressed them in the following words: "I stand in a cage before a hungry and angry tiger. I stuff his mouth with meat, the flesh of my brothers and sisters, to keep him in his cage lest he break loose and tear us all to bits. . . ." ³⁷

Throughout Poland the great bulk of the Jews presented themselves voluntarily at the collecting points and boarded the trains for transport to killing centers. Like blood gushing out of an open wound, the exodus from the ghettos quickly drained the Polish Jewish community of its centuries-old life.

Now, however, we must remember that in an operation of such dimensions not everybody could be deported so smoothly. As the circle of Jewish survivors shrank, the awareness of death increased, and the psychological burden of complying with German "evacuation" orders became heavier and heavier. Therefore we discover that toward the end of the operations increasing numbers of Jews hesitated to move out, that still others fled from the ghettos or jumped from trains to find refuge in the woods, and that in the Warsaw ghetto a few of the surviving Jews rallied in a last-minute stand against the Germans.

The Germans reacted to the recalci-

trant Jews with utmost brutality. Howling raiders descended upon the ghettos with hatchets and bayonets. In the Warthegau the police were sent into such actions in a half-drunken stupor. Every Gestapo man assigned to ghetto-clearing duty received daily an extra ration of a little over one-half pint of brandy.³⁸ The *Ghettoverwaltung* in Lodz demanded a brandy allocation for its employees also, on the ground that employment without such brandy was "irresponsible."³⁹ In Galicia the Jews were particularly aware of their fate because they had already witnessed the mobile killing operations in 1941. In the words of the SS and Police report, they "tried every means in order to dodge evacuation." They concealed themselves "in every imaginable corner, in pipes, chimneys, even in sewers." They "built barricades in passages of catacombs, in cellars enlarged to dug-outs, in underground holes, in cunningly contrived hiding places in attics and sheds, within furniture, etc."⁴⁰ The Germans in Galicia proceeded without restraint.

Again and again reports were sent to Krakow and Berlin about the "indescribable" methods of the SS and Police in Galicia. The deportations aroused excitement in the entire district. Once a Polish policeman told of his experiences freely to an ethnic German woman who then wrote anonymously to Berlin. Her letter reached the *Reichskanzlei*. The Polish policeman, she wrote, had asked her whether she was not finally ashamed of being an ethnic German. He had finally become acquainted with German culture. During the dissolution of the ghettos children had been

38. Biebow (*Ghettoverwaltung*) to *Reichsnährstand/Reichsbeauftragter für das Trinkbrandweingewerbe* ("Agricultural Association/ Plenipotentiary for the Brandy Trade"), June 25, 1942, *Dokumenty i Materialy* III, 228.

39. *Ibid.*

40. Katzmann to Krüger, June 30, 1943, L-18.

37. Philip Friedman, "Two 'Saviors' who Failed - Moses Merin of Sosnowiec and Jacob Gens of Vilna," *Commentary*, December, 1958, pp. 481-83.

here with an area in which the Germans were masters, but not absolute masters, powerful but not all-powerful.

German authority in the semicircular arc was exercised by civil administrators in tightly controlled territory, by military governors in other occupied areas, and by the Foreign Office in the more loosely controlled satellite regions. Let us consider each in turn.

Civil administration was established in incorporated territories (shaded black on the map) and in Holland and Norway (horizontal lines). Each incorporated area was ruled by its neighboring *Gauleiter*, as follows:⁴

The French areas:

Alsace to Gauleiter Robert Wagner of Baden

Lorraine to Gauleiter Bürckel of Saarpfalz

Luxembourg to Gauleiter Simon of Koblenz-Trier

The northern Yugoslav areas:

Oberkrain to Gauleiter Dr. Rainer of Kärnten

Untersteiermark to Gauleiter Dr. Uiberreither of Steiermark

The non-incorporated areas under civil administration, Norway and the Netherlands, were each placed under a *Reichskommissar* responsible directly to Hitler: Terboven in Oslo and Seyss-Inquart in The Hague. Norway had a complete puppet government headed by Vidkun Quisling; the Netherlands

4. For purposes of party administration, the new areas were merged with the old *Gaue*. Thus Alsace was joined with Baden, Untersteiermark with Steiermark, Oberkrain with Kärnten; Lorraine and the Saarpfalz became the *Gau Westmark*; Luxembourg and Koblenz-Trier became the *Gau Moselland*. State offices, however, were not merged. In the new areas each *Gauleiter* had the title *Chef der Zivilverwaltung* ("Chief of Civil Administration" — CdZ). Stuckart and Schiedmair, *Neues Staatsrecht* (Leipzig, 1944), II, 82–87. The Belgian area of Eupen-Malmedy and Moresnet was simply incorporated into the *Regierungsbezirk Aachen* of the *Rheinprovinz* in Prussia; *ibid.*, pp. 77–78.

retained only the Dutch administrative network headed by the top civil servants (secretaries general).⁵ Neither occupied Norway nor occupied Holland was permitted any diplomatic relations with other countries.⁶ The two states were cut off, isolated under their *Reichskommissare*.

The German armed forces controlled important areas in the West and in the Balkans (dotted on the map). Control in these regions meant not merely the presence of occupation forces but also the exercise of *territoriale Befugnisse und die vollziehende Gewalt* — "territorial jurisdiction and functional power."⁷

In western Europe the German Army maintained two territorial commands exercising functional power: one command was called "Belgium and Northern France"; the other was "France."⁸ In Belgium, just as in Holland, there was a central administration headed by the highest Belgian civil servants. In occupied France the Vichy government maintained a complete bureaucratic apparatus which was responsible to Vichy, subject to overriding orders, directives, and requests by the German military administration. In 1942 unoccupied France was occupied; however, the territory just west of Italy was held by Italian troops, and the final integration of all of France under German rule thus did not occur until the Italian collapse in September, 1943.

On the Balkan peninsula three areas were originally under military rule: Serbia, "Saloniki-Aegaeis," and South Greece (the latter a few enclaves in the Athens-Piraeus area, plus part of the

5. The ministers were in London.

6. Stuckart, *Neues Staatsrecht*, II, 123–25, 126–27.

7. The German troops in Norway, Denmark, and Holland were merely occupation forces.

8. The map shows the border between the two commands, not the border between the two states.

island of Euboea). When Italy weakened as a German ally, the Southeast Command took over "Fortress Crete," and at the time of Italy's collapse, in September, 1943, an additional expansion took place. The areas of "Saloniki-Aegaeis" and South Greece were merged into a single region called "Greece," which included all previously Italian areas on the Greek mainland. To the north, the Southeast Command acquired Montenegro and Albania; west of the Greek mainland German military control was extended to the island of Corfu; in the eastern Aegean, the Dodecanese Islands (Italian since 1912, now renamed *Ost-Aegaeis*) became part of this military organization. Within the framework of the German Southeast Command we find also three puppet governments: one in Belgrade, Serbia; one in Tirana, Albania; and one in Athens, Greece.

The most important agency in the semicircular arc was the German Foreign Office. To the Foreign Office's jurisdiction fell all areas in the arc which are unshaded on the map. Foreign Office influence was especially strong in Slovakia and Croatia, satellites par excellence; both states were German creations — in fact, creations of the Foreign Office. Two other countries under the mercy of the Foreign Office were Vichy France and Denmark; their reason for submission was overwhelming German military power. Three countries were reduced to satellite status because they had thrown in their lots with Germany for purposes of territorial aggrandizement: Bulgaria, Roumania, and Hungary. (A glance at the map will indicate the peculiar borders which these three countries enjoyed under the Nazi regime.) Finally, there was one more country which sank from full-fledged partner to minor satellite in a period of some four years: Italy. In the early years of German-Italian relations the Foreign Office had

to be cautious in Italy; in the end it could afford to be dictatorial there. Incidentally, we should note that at the height of its power Italy held considerable territory in the Mediterranean area: the Dodecanese Islands, Albania (acquired in 1939), "New Albania," Montenegro, part of the Dalmatian coast and western Slovenia (1941), most of the Greek mainland and some of its islands (1941), and the French region adjacent to Italy for some forty miles inland (occupied in 1942).

The influence of the Foreign Office was not confined to the satellite areas; Ribbentrop's ministry had quite a bit to say in the military territories as well. Generally speaking, Foreign Offices have always looked askance at military efforts to rule territory. The diplomats are always ready to help out with advice and counsel in an army-ruled area, and they are eager to contribute their adroitness and skill to the conduct of military government — the object of all this concern is, in most cases, an eventual transfer of jurisdiction. While the German Foreign Office did not wrest any territory from the army, the trend was nevertheless discernible. Ribbentrop's men were busy in the southeast, handing out advice and participating in decisions, while in the west the course of German-French relations was dictated in no small measure by the German Embassy in Paris. Even in civilian areas — where, of course, no open Foreign Office competition could be tolerated — representatives of the Foreign Office (*Vertreter des Auswärtigen Amtes*, abbreviated VAA) reported in detail about every event transpiring before their observing eyes. No wonder, then, that some Foreign Office officials regarded the entire semicircular arc as a kind of Foreign Office area. In Jewish matters, that was almost true.

Who were the Foreign Office officials charged with the implementation of the "final solution" in the satellite areas?

Table 53 is an abbreviated chart showing the Foreign Office apparatus in 1940 and 1943.⁹ As we can see from the chart, the division most concerned with Jewish affairs was *Abteilung Deutschland* (Germany) and its successor, Inland II.¹⁰ The peculiar designation *Deutschland* stemmed from the days of the Weimar Republic, when the office was a liaison agency to the Reichstag.¹¹ After 1933 there was no longer a functioning Reichstag, but administrative agencies die hard. Still titled *Deutschland*, we find our office in 1936 as a *Referat* under the chief of protocol. There it dealt with such minor and miscellaneous matters as maps, buildings, surveys, and so on.

In 1938 *Referat Deutschland* was taken over by one Dr. Martin Luther. Unlike his predecessors and associates, Luther was not a civil servant. He was a party man — more specifically, he was a protegee of the new Foreign Minister, Ribbentrop. Under Luther, *Referat Deutschland* was raised to a division. It began to concern itself with party matters, and by 1940 it had also acquired jurisdiction in Jewish affairs.

Luther's division was located not on the Wilhelmstrasse in the main Foreign Office building but in the Rauchstrasse, quite a few blocks away. Physical isolation, as any administrator knows, is conducive to independence, and there is some evidence that Luther took advantage of his separate address.¹² How-

9. Organization chart of the Foreign Office, dated August, 1940, and September, 1943, NG-35.

10. Except where indicated otherwise, the description of *Abteilung Deutschland* has been taken from Paul Seabury's comprehensive work, *The Wilhelmstrasse: A Study of German Diplomats under the Nazi Regime* (Berkeley, 1954), pp. 71-74, 107-8, 131-33.

11. Testimony by Staatssekretär Weizsäcker, Case No. 11, tr. p. 8571.

12. Luther was reluctant to inform Weizsäcker of things that were going on or of action he was taking. See Luther-Weizsäcker correspondence of September, 1941, on Jewish

ever, he always asked the Political Division to countersign *all* — not merely his important — instructions.¹³ Thus, before a deportation directive was dispatched to a Foreign Office mission in a foreign country, the paper was sent to the proper desk in the Political Division (e.g., Pol. IV) from where it was sent to the deputy director of the division and to the division chief.¹⁴ Luther wanted his colleagues to share in the responsibility for the frightful decisions he made.

In 1943 Luther developed delusions of grandeur: he wanted to replace his old boss, Ribbentrop. In a letter to Himmler, Luther revealed confidentially that Ribbentrop was insane. Himmler backed Ribbentrop. Luther spent the rest of his career in a concentration camp, and his division was broken up.¹⁵ Horst Wagner, Luther's successor in Jewish matters, carried on the work relentlessly.

If Luther was a party man and a driving force in the deportations, most of his subordinates were party men also. Does this mean that the "final solution" in the satellite areas was a party affair? No, not exactly. The Foreign Office was not a party club. The chief of the Political Division, Dr. Ernst

star decree in document Weizsäcker 488. Luther's reluctance to part with information also affected Ribbentrop. See Luther memorandum of August 21, 1942, NG-2586-J; also, Ribbentrop's admonition to Luther not to undertake independent action in letter by von Rintelen to Luther, August 25, 1942, NG-2586-K.

13. Affidavit by Dr. Karl Klingenfuss, November 7, 1947, NG-3569. Klingenfuss was a subordinate of Rademacher (D III).

14. Affidavit by Dr. Kurt Heinrich Franz Heinburg, September 5, 1947, NG-2570. Heinburg was chief of Pol. IV (Italy and the Balkans).

15. According to Seabury, who made an exhaustive study of Luther's career, the division chief survived his incarceration but died shortly after the war. Seabury, *The Wilhelmstrasse*, pp. 131-33.

TABLE 53 / Foreign Office Machinery in 1940, 1943

AUGUST, 1940	SEPTEMBER, 1943
Foreign Minister: [von Neurath] Ribbentrop	Ribbentrop
Office of the Foreign Minister (Büro RAM): Dr. Paul Otto Schmidt Dr. Erich Kordt Dr. von Sonnleithner Dr. Burns	Dr. Schmidt Dr. von Sonnleithner Dr. Burns Dr. Johann Georg Lohmann Bergmann Hilger
Staatssekretäre: In charge: [von Bülow, von Mackensen] von Weizsäcker For special purposes: Keppler Foreign organization of the party: Bohle Minister for special purposes: Dr. Ritter	Steenracht von Moyland Keppler Bohle Ambassadors for special purposes: Dr. Ritter von Rintelen Gaus Hewel Schröder von Dörnberg
Personnel: Kriebel Protocol: von Dörnberg Special tasks: Wagner	Inland I (party): Frenzel
Germany: Luther Party: Luther Deputy: Kramarz II (SS & Police): Likus Deputy: Picot III (Jews): [Dr. Schumburg] Rademacher Political: Wörmann Deputy: Ritter Second Deputy: von Rintelen	Inland II (SS & Police): Wagner II A (Jews): von Thadden II B (RSHA, Order Police, police attaches): Geiger Hencke von Erdmannsdorff Special Ambassador: Dr. Prüfer Special Minister: Dr. von Hentig I (England): Dr. Weber
II (England, France, Belgium, Netherlands, Switzerland): Dr. Schlitte	II (France, Belgium, Netherlands, Switzerland): von Bargen
III (Spain, Portugal, Vatican): Dr. Haidlen	III (Spain, Portugal): Dr. Heberlein
	XV (Vatican): Dr. Hoffmann

(Continued on page 352)

TABLE 53 / Foreign Office Machinery in 1940, 1943 (Continued)

AUGUST, 1940	SEPTEMBER, 1943
IV (Italy, Bulgaria, Greece, Yugoslavia, Albania, Roumania, Slovakia, Hungary): Dr. Heinburg	IV (Italy): Dr. Mey IV b (Bulgaria, Greece, Croatia, Serbia, Montenegro, Albania, Roumania, Slovakia, Hungary, Protektorat): Feine
V (Poland, Russia): Dr. Schliep	von Tippelskirch
VI (Scandinavia): von Grundherr	von Grundherr
VII (Near East): Dr. Melchers	Dr. Melchers
VIII (Far East): Dr. Kroll	Dr. Braun
IX (United States, Latin America): Freitag Political Economy: Wiehl Deputy: Dr. Clodius Legal: Dr. Gaus Deputy: Dr. Albrecht I (International Law): Dr. Conrad Rödiger V (Passports): Gustav Rödiger Cultural: Dr. von Twardowski Press: Dr. Paul Schmidt	Reinebeck Dr. Albrecht Dr. Sethe Dr. Conrad Rödiger (Passport functions transferred to RSHA) Dr. Six Dr. Paul Schmidt

Wörmann, was an old civil servant;¹⁶ his deputy, Otto von Erdmannsdorff, was a civil servant;¹⁷ and the chief of Pol. IV (Balkan desk), who was described by Wörmann as one of his experts in Jewish matters, was not even a nominal member of the party.¹⁸ In *Abteilung Deutschland* itself, the chief of the Jewish *Referat*, Rademacher, was a civil servant.¹⁹ Luther's successor, the

16. Affidavit by Wörmann, May 27, 1947, NG-1639. Wörmann joined the party in 1937.

17. Affidavit by von Erdmannsdorff, November 21, 1947, NG-3650. Von Erdmannsdorff joined the party in 1937.

18. Interrogation of Wörmann by Kemper, June 9, 1947, NG-4158. Affidavit by Heinburg, September 5, 1947, NG-2570.

chief of Inland II, appears to have started out in the Protocol Division.²⁰ His *Referent* in Jewish affairs, von Thadden, "was a man from the Foreign Office who knew his job."²¹ In charge of all divisions, powerful *Staatssekretär* von Weizsäcker had come to the Foreign Office from the navy, in which he

19. Seabury, *The Wilhelmstrasse*, p. 106.
20. Organization chart of the Foreign Office, August, 1940, NG-35.

21. Testimony by *Staatssekretär* von Steengracht, *Trial of the Major War Criminals*, X, 133. Von Thadden was an assessor in Pol. V before the war. Organization chart of the Foreign Office, June 1, 1938, Dept. of State, *Documents on German Foreign Policy 1918-1945*, Ser. D, II, 1031-40.

had served as an attaché.²² In the Foreign Office as in the RSHA, party zealots and bureaucratic efficiency experts had joined hands.

The Foreign Office's involvement in the deportation of the Jews resulted in a close association between the diplomats and the SS and Police, and that co-operation was particularly strong in

shows the representatives of the Eichmann *Referat* (RSHA IV-B-4) who either were attached to Foreign Office embassies and legations (as in Paris, Croatia, Slovakia, Bulgaria, and Roumania) or who worked in close co-operation with Foreign Office representatives (as in Salonika, Athens, and Hungary).²³

TABLE 54 / Representatives in the Foreign Office Area

FOREIGN OFFICE REPRESENTATIVES	EICHMANN REPRESENTATIVES
Minister, Denmark	[von Renthe-Fink] Best*
VAA, Holland	[Kühn] Bene
VAA, Belgium	von Bargaen
Ambassador, Paris	Abetz
Consul General, Monaco	Hellenthal
Representative, Tunisia	Rahn
Ambassador, Italy	[von Mackensen] Rahn
Ambassador, Vatican (1943-45)	von Weizsäcker
Minister, Serbia	Benzler
Consul, Salonika	Schönberg
Special Plenipotentiary, Southeast (Athens, 1944)	Neubacher
Minister, Croatia	Kasche
Minister, Slovakia	[von Killinger] Ludin
Minister, Bulgaria	Beckerle
Minister, Roumania	[Fabrizius] von Killinger
Minister, Hungary [v. Erdmannsdorff, v. Jagow]	Veesenmayer

Zucht
ehrents (?)

{ Dannecker
Röthke

{ Wisliceny
Brunner
Burger
Abromeit
Wisliceny
Brunner
Dannecker
Richter
Eichmann
Krumey
Hunsche
Wisliceny
Dannecker
Abromeit
Novak
Seidl

*Best, Rahn, Benzler, and Veesenmayer also had the title of "General Plenipotentiary" (*Generalvollmächtigter*). Our list does not include traveling emissaries.

the field. Table 54, a chart of Foreign Office missions and consulates, also

22. Affidavit by Ernst von Weizsäcker, November 21, 1947, NG-3708. Von Weizsäcker was *Leitender Staatssekretär* (*Staatssekretär* in charge), as distinguished from Keppler and Bohle, who were *Staatssekretäre* charged with special tasks. Von Weizsäcker became *Staatssekretär* in 1938. At the same time, he joined the party and became an honorary *SS-Oberführer*.

The Foreign Office's representatives in the Balkans (Kasche, Ludin, Beckerle, von Killinger) were former SA men, that is, brown shirts.²⁴ The

23. Names of Foreign Office officials are taken from several documents and newspapers. Most of the RSHA men were listed by Wisliceny in his affidavit of November 29, 1945, *Conspiracy and Aggression*, VIII, 606-21.

24. Seabury, *The Wilhelmstrasse*, p. 127.

Norway, one has to glance at a map and observe the position of neutral Sweden, paralleling the Norwegian peninsula along a thousand-mile frontier. The Swedes could not remain indifferent to the fate of Norwegian Jewry—the Norwegian Jews were, after all, Scandinavians. When the roundups began in Norway, Sweden opened her frontier to the victims and offered them refuge.

The document-stamping and preparatory measures were not started in Norway until the beginning of 1942. On October 25–26, 1942, all Jewish men over sixteen were suddenly arrested. (Jews in mixed marriages were exempted in Oslo.)³¹ The seizure of men only was a Nazi trick, practiced also in Holland and France, to disguise the deportation roundups as a forced labor drive. However, the trick was not entirely successful in Norway. The rumor network within the Norwegian population carried the news to all corners of the country; many Jews went into hiding; and on the two Sundays of November 15 and 22, 1942, special services were held for the arrested Jews in the Lutheran churches of Sweden. On November 17 the Quisling government issued a decree directing all Jews to register,³² and on November 25–26 police forces seized the women and children.³³ A ship was already in harbor. Zero hour had arrived.

31. Hugo Valentin, "Rescue and Relief Activities in Behalf of Jewish Victims of Nazism in Scandinavia," *YIVO Annual of Jewish Social Science*, III (1953), 232. Trial of OStubaf. ORR. Gerhard Friedrich Ernst Flesch (KdS Trondheim), U.N. War Crimes Commission, *Law Reports of Trials of War Criminals*, VI, 112–13.

32. *Reichskommissar* for the Occupied Norwegian Territories (Terboven) to Foreign Office, February 18, 1943, NG-5217.

33. Valentin in *YIVO Annual*, III, 232. The strength of the German Order Police in Norway was 3300. Norwegian police forces totaled 3960. Daluge to Wolff, February 28, 1943, NO-2861.

On December 17, 1942, the Swedish Minister in Berlin, Richert, declared his government's readiness to accept the Norwegian Jews who were about to be deported. *Staatssekretär Weizsäcker* replied that he would not even enter into a conversation on this subject.³⁴ In Oslo the Swedish Consulate General made strenuous attempts to renaturalize Jews who had formerly been Swedish citizens. To the great annoyance of the Germans, these attempts were carried to the point of inviting some of the arrested Jews, whose connections with Sweden were somewhat tenuous, to apply for Swedish nationality. When the Germans protested against that interference, a Swedish consular official admitted being in possession of an official directive to extend to the "poor Jews who, after all, are only human beings" his helping hand.³⁵

As the first victims were loaded on the boat, excitement ran high throughout the Norwegian peninsula. The population was disturbed, and some of Quisling's own men resigned from their party positions in protest. The Germans, however, continued upon their course. By the end of the year 532 Jews had been shipped to Auschwitz; by March 31, 1943, the figure had risen to 690;³⁶ by 1944 it was 770.³⁷

Nevertheless, the German drive had not been altogether successful. Many prospective victims had been smuggled in small parties across the long border into hospitable Sweden. By the end of the war 930 Jews had found sanctuary there,³⁸ and a few more had survived

34. Memorandum by Weizsäcker, December 17, 1942, NG-2461. Also, Weizsäcker to Albrecht (Legal Division) on Richert's attempt to save five families who had or had formerly possessed Swedish nationality, December 17, 1942, NG-3516.

35. Terboven to Foreign Office, February 18, 1943, NG-5217.

36. Korherr report, April 19, 1943, NO-5183.

37. Valentin in *YIVO Annual*, III, 232.

38. *Ibid.*, p. 234.

in hiding.

In the Oslo area a group of 64 Jews in mixed marriages were "quartered" in a camp (*lagermässig untergebracht*); in the fall of 1944 the Swedish Consulate in Oslo approached the BdS (Fehlis) with a request to permit the passage of these Jews to Sweden. The matter was referred to Eichmann's deputy in the RSHA, Sturmbannführer Günther, who advised rejection of the Swedish offer.³⁹ Von Thadden of the Foreign Office's Inland II concurred.⁴⁰ Ribbentrop too wanted the 64 Jews to remain in Norway.⁴¹ However, in March, 1945, they were allowed to leave for Sweden.⁴²

So far as property disposal was concerned, *Reichskommissar Terboven*, casting his eye on the possessions of the 300 Jewish refugees in Norway, proposed to the Finance Ministry that he issue an ordinance for the confiscation of these possessions in favor of the Reich. The Finance experts in Berlin agreed to the confiscations and to the retention of the proceeds by the *Reichskommissar's* office, but they thought the whole move too petty to require the consent of the Finance Minister himself.⁴³

All in all, the diminutive character of the operation did not escape the attention of the perpetrators. Some hundreds of Jews had been sent to Auschwitz to be gassed. How could the killing of this handful be justified? That could be done only by exploring in some way the Jewish "influence" in the country. In 1943 a Ministerialrat

39. Günther to von Thadden, October 2, 1944, NG-5217.

40. *Gruppe* Inland II via Hencke and Steengracht to Ribbentrop, October 11, 1944, NG-5217.

41. Brenner (*Büro* RAM) via Steengracht to Wagner, October 27, 1944, NG-5217.

42. Valentin in *YIVO Annual*, III, 234.

43. Finance Ministry memorandum, prepared by Dr. Delbrück and initialed by the Ministerialräte Kallenbach, Dr. Mädler, and Beyhan, April 2, 1942, NG-4039.

Huhnhäuser of the Education Ministry, endowed with a grant of 2000 reichsmark from the SS organization *Ahnenerbe*, went to Norway to study Jewish migrations and intermarriages there. His researches in libraries, archives, and church-registration offices aroused the ire of SS colleagues in the Race and Resettlement Main Office, who protested that uniformly planned research into Jewish genealogy was hampered by separate projects like these.⁴⁴

DENMARK. — On the day on which the German Army invaded Norway, it also occupied, without resistance, the kingdom of Denmark. For their lack of resistance and also for their "racial" qualities, the Danes were awarded a degree of autonomy which was unusual for a region under German occupation. They were allowed a Danish government, headed by Prime Minister Scavenius, complete with a Parliament, a Foreign Office, and even an army. The German agencies in Denmark were limited in their functions. The *Befehlshaber der deutschen Truppen in Dänemark*, General der Infanterie von Hanneken, was a troop commander, not a military governor. The German envoy in Copenhagen, *Gesandter von Renthe-Fink*, was a diplomat, not a *Reichskommissar*. Any interference in Danish internal affairs, particularly Jewish affairs, was considered out of the question.

Nevertheless, the German bureaucrats could not sit still while 6500 Jews were living freely in a country dominated by German arms. From time to time, therefore, the two Foreign Office officials most concerned with Danish and Jewish matters, respectively — the chief of the Scandinavian *Referat* in the Political Division, von Grundherr, and his colleague in *Abteilung Deutschland*,

44. Stubaf. Osiander to Chief of RuSHA OGruf. Hildebrandt, June 3, 1943, NO-4039.

the Jewish expert Rademacher – prodded the minister in Copenhagen, von Renthe-Fink, to remind the Danish government of the Jewish problem.⁴⁵ However, there was little that von Renthe-Fink could do. His only suggestion was that Jewish firms in Denmark no longer receive allocations of coal and fuel from Germany.⁴⁶

In November, 1942, von Renthe-Fink was replaced by a more forceful personality: Ministerialdirigent Dr. Werner Best, formerly chief of the administrative office in the Main Office Security Police, now minister and plenipotentiary in Denmark. But even Best had few suggestions. He reported that Prime Minister Scavenius had threatened to resign with his entire cabinet if the Germans raised a demand for the introduction of anti-Jewish measures. Under the circumstances, Best could propose only the following: (1) the systematic removal of Jews from public life by reporting them individually to the Danish government as intolerable for further co-operation, (2) the systematic removal of Jews from commerce through a stipulation in all orders by German firms that no business would be done with Danish companies owned or partially owned by Jews, and (3) arrests of individual Jews for political or criminal activities.⁴⁷ Ribbentrop liked the proposals and scribbled on them his *Ja*.⁴⁸

However, Best was not quite satisfied with his own suggestions. He surveyed the situation with a view to discovering further possibilities for action, and in the course of his survey he found that the Danish Jews actually had little influence in the country. There were

no Jews in Parliament. Only 31 Jews served in public administration, most of them in positions of little importance. Thirty-five Jews were lawyers, 21 were artists, 14 were editors, though none were editors-in-chief. A total of 345 Jews were in business, but here too the Jews played no important role. The armament officials in Denmark found that only 6 out of 700 firms which had armament contracts could be considered Jewish under the German definition of a Jewish enterprise. Two of these firms had already completed their orders, and one had been "Aryanized" by the resignation of a Jewish member of the *Verwaltungsrat*.

That was the sum total of Jewish influence in Denmark. Was it worthwhile to step on the Danish government to take action against these Jews? Best thought that there was a possibility of taking some action at least against the Jewish refugees in the country. They numbered 845 men, 458 women, and 48 children, or 1351 in all. But these Jews had been deprived of their German nationality by the 11th Ordinance to the Reich Citizenship Law; they were therefore stateless and under Danish protection. If only that ordinance could be revoked, Best reasoned, the Reich could take hold of these Jews without stepping on Danish sovereignty.⁴⁹ That proposal, however, seemed much too complicated in Berlin,⁵⁰ and so the Jews in Denmark were still undisturbed when, in August, 1943, the situation radically changed.

What happened in Denmark in the late summer and early fall of 1943 is of great interest to us, not because of the physical extent of the operation, which was small, but because of an extraordinary obstacle which arose in the path of the German destructive ma-

49. Best to Foreign Office, April 24, 1943, NG-5121.

50. Memorandum by von Thadden, undated, NG-5121.

45. Luther to Weizsäcker, January 15, 1942, NG-3931.

46. Luther to legation in Copenhagen, October, 1942, NG-5121.

47. Luther to Ribbentrop, January 28, 1943, NG-5121.

48. *Ibid.* Sonnleithner via Weizsäcker to Luther, February 1, 1943, NG-5121.

chine: an unco-operative Danish administration and a local population unanimous in its resolve to save its Jews.

For some time during 1943 the situation in Denmark had been deteriorating. Restlessness had increased, and sabotage had grown to disturb the war effort. In August, 1943, Best was called to the *Führerhauptquartier*, where Hitler himself demanded to know what was going on. Hitler ordered Best to declare a state of military emergency in Denmark, a decision which meant that Best would temporarily have to hand over the reins to the military commander. When Best returned to Copenhagen on August 27, 1943, "pale and shaken" by the rebuff he had received, he found that General der Infanterie von Hannecken and members of the legation staff were already discussing the imposition of a state of emergency and the internment of the Danish Army.⁵¹ Two days later, with the Danish Army in dissolution, the Scavenius government resigned and left the direction of its ministries in the hands of permanent civil servants. The emergency had begun.

On August 31 the director of the Danish Foreign Ministry, Nils Svenningsen, who was now chief spokesman of the Danish administration, was sitting in his office when a representative of the Jewish community organization telephoned that community records containing the names and addresses of all Jews had just been seized by the Germans. Svenningsen immediately went to see Dr. Best, but the German plenipotentiary replied that he did not know anything at all about the seizures.⁵² On September 17 confirmation of

51. Summary of testimony by Präsident Paul Ernst Kanstein (Legation, Copenhagen), April 29, 1947, NG-5208. Summary of testimony by von Hannecken, December 10, 1947, NG-5208.

52. Memorandum by Svenningsen, August 31, 1943, NG-5208.

the document confiscations came from the German Legation. The confiscations were described, however, as a "very small action" (*eine recht kleine Aktion*), a routine search for proof of anti-German activity; they had nothing to do with the "Jewish question."⁵³

The Jews were still worried. On September 25 the chairman of the Jewish community organization, C. B. Henriques, accompanied by the deputy chairman, Lachmann, visited Svenningsen in his office and voiced the fear that the Germans might raise the Jewish question now. Svenningsen repeated what the Germans had told him. The Jews wanted to know what would be the attitude of the Danish department chiefs in the event that the Germans started an *Aktion* anyhow. Svenningsen answered that the Danish officials would under no circumstances cooperate with the German administration, and that they would protest as strongly as possible against any unilateral German move. Lachmann then inquired whether the Jews might not be "expatriated." Svenningsen replied that an attempted flight to Sweden might provoke the Germans into action. He advised against the move.⁵⁴ These explanations apparently quieted the Jewish leaders, but in the meantime the Germans were planning their *Aktion*.

On September 8, Best sent a telegram to Berlin, suggesting that advantage be taken of the present emergency to deport the Jews. For this purpose he needed police, soldiers, and ships.⁵⁵ This was the kind of proposal Berlin wanted to hear; on the very next day Best was reinstated with full powers as plenipotentiary.⁵⁶ He was now

53. Memorandum by Svenningsen on conversation with Director Dr. Stalman, September 17/18, 1943, NG-5208.

54. Memorandum by Svenningsen, September 25, 1943, NG-5208.

55. Best to Foreign Office, September 8, 1943, NG-5121.

dictator of Denmark. On September 18, Hitler decided that the Danish Jews would be deported;⁵⁷ at the same time Ribbentrop requested Best to submit data on his plans and needs for the coming operation.⁵⁸

The men in direct charge of the undertaking were the newly installed Higher SS and Police Leader, Gruppenführer Pancke, and his BdS, Standartenführer Dr. Mildner.⁵⁹ The Standartenführer faced a major difficulty from the start: he had no forces of his own and could not count upon Danish help. His only recourse, therefore, was to ask for the assignment of German police and army units. Since no police battalions were stationed in Denmark, formations of the Order Police had to be sent into Copenhagen from the Reich.⁶⁰ To augment the strength of these forces, Mildner wanted to borrow also the army's Secret Field Police and Field Gendarmerie, but the military commander refused to transfer his men to the BdS.⁶¹ Plenipotentiary Dr. Best then requested General von Hannecken to issue a decree requiring the Jews to report at Wehrmacht offices for "work." Again von Hannecken refused. This refusal meant that, instead of catching the Jews by ordering them to present themselves at assembly points, the police would have to institute a door-to-door search.⁶²

56. Summary of testimony by Kanstein, April 29, 1947, NG-5208.

57. Sonnleithner via Steengracht to Hencke, September 18, 1943, NG-5121.

58. Sonnleithner via Steengracht to Hencke, September 8, 1943, NG-5121.

59. See affidavit by Dr. Rudolf Mildner, November 18, 1945, PS-2375.

60. OKW/WFSt/Qu 2 (N), signed by Jodl, to Foreign Office, att. Ambassador Ritter, and General von Hannecken, copies to Reichsführer-SS/SS-Kommandostab at Hochwald, and Chief of the Replacement Army (Fromm), September 22, 1943, UK-56.

61. Ritter to Best, September 19, 1943, NG-5105. Best to Foreign Office, September 29, 1943, NG-5105. Ribbentrop to Best, September 29, 1943, NG-5105.

On September 23 von Hannecken wrote to Berlin to request postponement of the deportations to a period after the conclusion of the state of emergency — he did not wish the emergency to be used as an excuse for anti-Jewish action. "The implementation of the Jewish deportations during the military state of emergency," he wrote, "impairs the prestige of the Wehrmacht in foreign countries."⁶³ Generaloberst Jodl did not take to this suggestion kindly. Reading the report, he wrote on it the following words: "Nonsense. These are matters of state necessity [*Geschwätz. Es geht um staatliche Notwendigkeiten*]."⁶⁴ Rebuffed, von Hannecken agreed to a minimum co-operation. He promised the dispatch of a fifty-man detachment to cordon off the harbor area as a precaution against disturbances during the loading. This measure, he reasoned, involved the army not in "arrests" but only in the maintenance of law and order.⁶⁵

On September 28, 1943, Best reported that the deportations would be carried out in one night, October 1-2.⁶⁶ Also on September 28 a German shipping expert in Copenhagen, G. F. Duckwitz, decided to reveal the German plan to a prominent Danish acquaintance, Hans Hedtoft (later Prime Minister of Denmark). Hedtoft lost no time in notifying his friends of the news, and he himself set out to warn Henriques, the president of the Jewish community. After requesting to speak to the president in private, Hedtoft informed Henriques of the impending

62. Best to Foreign Office, October 2, 1943, NG-3921.

63. *Befehlshaber Dänemark* Abt. Ia/Qu to OKW/WFSt (Jodl), September 23, 1943, NOKW-356.

64. Remarks initialed by Jodl, on report by von Hannecken, NOKW-356.

65. Summary of testimony by von Hannecken, December 10, 1947, NG-5208.

66. Best to Foreign Office, September 28, 1943, NG-5121.

ing deportation in all its details. When the Dane had finished, the Jewish leader spoke only two words. "You're lying." It took a long time before Hedtoft could convince Henriques of the truth. The president repeated despairingly that he just could not understand how it could be true; after all, he had just returned from a visit to Svenningsen, who had assured him that nothing could happen. At last, however, Henriques was convinced. On the following morning, September 29, when the Jewish congregation met in synagogues on the occasion of the Jewish New Year, the news was communicated to the entire community.⁶⁷

At the very moment when the Jewish leaders warned the community to scatter, they informed Svenningsen that they were absolutely certain of the advent of the deportations. Svenningsen called together the top civil servants and, following a conference of the department chiefs, looked up the German plenipotentiary, Dr. Werner Best. Svenningsen began the conversation with Best by pointing out that ordinarily it was proper to ignore rumors; the rumors of the impending deportations, however, were so persistent and so detailed that they could no longer be ignored. Best had to understand that the consequences of this action were not predictable. Excitement was running high throughout the country, for the question was of tremendous importance to the population as a whole and to the civil servants and the leaders of the Danish administration in particular. Best replied cautiously by asking a few questions: What precisely was being said? What were the rumors based on? Where did they originate? Svenningsen told Best what the rumors said: Deportations to Poland. Only full Jews. Ships in harbor.

67. Account based on the foreword by Hans Hedtoft, in Aage Bertelsen, *October '43* (New York, 1954), pp. 17-19.

Then Svenningsen reminded Best that almost a month before the Germans had raided the Jewish community headquarters on Nybrogade and Ny Kongensgade, where they had seized the address lists. Everything, therefore, pointed to a completed deportation plan. Best reiterated that he had no plans. He did not know anything about ships. Svenningsen then asked the plenipotentiary whether he was prepared to deny the truth of the rumors. Well, replied Best, it was rather difficult to explain that something was not going to happen, but if Svenningsen insisted, he would ask Berlin whether he could issue a denial.⁶⁸

In Berlin, in the meantime (October 1), the Swedish Minister, Richert, offered in behalf of his government to accept the Danish Jews about to be deported. Staatssekretär Steengracht replied that he knew nothing about an intended operation against the Jews.⁶⁹ That same night, the roundups began.

Svenningsen, with a letter of the King and a decision of the Danish Supreme Court in his pocket, attempted to see Best again. The German plenipotentiary, however, was indisposed, and Svenningsen handed the documents to Best's deputy, Minister Barandon. Shortly thereafter the Danish chief prosecutor, Hoff, received notice from the legation that the roundups were under way. Hoff was requested to inform the Danish police of the action, "in order to avoid clashes between the police and German agencies participating in the arrests."

Svenningsen now tried to reach Best by phone but found that the telephone lines had been cut. Shortly after midnight he at last succeeded in seeing

68. Memorandum by Svenningsen, September 30, 1943, NG-5208.

69. Memorandum by Steengracht, with copies to Hencke and von Grundherr, October 1, 1943, NG-4093.

the plenipotentiary. Best confirmed everything but explained that Jews capable of labor would be employed and that the older and unemployable deportees would be sent to Theresienstadt in Bohemia, "where the Jews were enjoying self-government and where they were living under decent conditions" (*wo die Juden Selbstverwaltung genossen und unter anständigen Verhältnissen lebten*). Best then told the Danish official some good news: the imprisoned Danish soldiers would be released; only officers would remain under detention. During the following morning Präsident Kanstein of the legation telephoned Svenningsen and promised him that the seizures would cease. At the same time he requested that the Danish bureaucracy establish a trusteeship administration over the empty Jewish apartments.⁷⁰

Throughout the night German police armed with address lists moved from door to door to arrest Jews. Because the policemen had to be careful to avoid clashes with Danish police forces, they were under orders to seize only those Jews who voluntarily opened their doors in response to ringing or knocking.⁷¹ In the morning it was clear that less than 10 per cent of the Danish Jews had been apprehended. Only 477 Jews were shipped to Theresienstadt.⁷² The drive was a failure.⁷³

70. Memorandum by Svenningsen, October 2, 1943, NG-5208.

71. Best to Foreign Office, October 5, 1943, NG-3920.

72. Judgment of Danish court in trial of Best *et al.*, September 20, 1948, NG-5887. According to statistics kept by the Jewish Council in Theresienstadt, only 466 Danish Jews arrived there. Lederer, *Ghetto Theresienstadt*, p. 249. Various sources place the number of Danish deportees who died in Theresienstadt at around forty or fifty. Representatives of the Danish Red Cross and International Red Cross were permitted to visit the deportees in the ghetto. Affidavit by Dr. Eberhard von Thadden, June 21, 1946, Ribbentrop-319.

But the Jews were still not out of danger. Almost the entire community, about 6000 in all, was hidden in Copenhagen and its vicinity, and they could not remain in hiding forever. On October 4 the Swedish Minister in Berlin, stressing public opinion in his country, requested the German Foreign Office to grant exit permits for Jewish children. Staatssekretär Steengracht brushed off the request and, in a memorandum written on the same day, criticized the "Bolshevik" attitude of the Swedish press which had given so much publicity to the operation;⁷⁴ but the Swedes did not give up that easily. In Copenhagen the Swedish envoy, Gustav von Dardel, promised Danish officials that sanctuary would be given to all Jews who could be ferried across to Sweden.⁷⁵ That assurance was the signal for one of the strangest rescue operations in history.

The organizers of the expedition were private people who simply made themselves available for the task at a moment's notice. They were doctors, schoolteachers, students, businessmen, taxi drivers, housewives. None were professionals in a business like this. They faced considerable problems: To reach Sweden, the Jews had to cross the Sund, a stretch of water five to fifteen miles in width. The organizers had to mobilize the Danish fishing fleet to ferry the Jews to the opposite shore; they had to see to it that the fishermen were paid; they had to make sure that the Jews were moved undetected to the beaches and loaded safely on the vessels. That was no mean trick.

73. See Hencke to Copenhagen Legation, October 4, 1943, NG-3920. Also, Best to Foreign Office, October 5, 1943, NG-3920. Understandably, Best heaped all the blame upon the military.

74. Steengracht to von Sonnleithner, October 4, 1943, NG-4093.

75. Bertelsen, *October '43*, p. 73. The author, a Danish schoolteacher, was one of the rescue organizers.

The financial problem was solved in a unique manner. On the average, the one-way trip cost 500 kroner (\$100) per person; theoretically, the Jews were to pay for their own passage. However, the Danish Jews were not particularly well-to-do, and many did not have the required cash. The deficit had to be made up somehow. Danish state funds and Jewish community reserves could not be used because of German surveillance. It was therefore necessary to rely heavily upon contributions by Danes.

In the words of one of the organizers, Aage Bertelsen, "the entire economy of the assistance to the Jews could be based on nothing but a personal relationship of trust. Money was paid and received without the giving of any receipts at all, to say nothing of any kind of account-keeping."⁷⁶ Bertelsen sent a Pastor Krohn to a lumber merchant, Johannes Fog, to borrow some money. "Mr. Bertelsen? Who is he?" inquired the merchant, while he handed over 2000 kroner with a promise of 10,000 more. When Pastor Krohn turned to go, Fog shouted after him, "Tell him I'll make it 20,000." Within ten days, this merchant had lent almost 150,000 kroner to the undertaking.⁷⁷

The financial problem was not the only one to be solved. The organizers required many additional forms of assistance, and help came from every quarter. The Danish police shielded the operators by warning them of danger; individuals helped sell Jewish belongings; taxi drivers transported the Jews to the ports; house and apartment owners offered the victims shelter; Pastor Krohn handed out blank baptismal certificates; druggists supplied free stimulants to keep people awake; etc., etc.⁷⁸

Throughout October, transports left the Copenhagen area almost daily. Not

76. Bertelsen, *October '43*, p. 60.

77. *Ibid.*, p. 64 ff.

78. *Ibid.*, pp. 147-48, 64, 138, 84 ff., 168.

a single ship was sunk. There were mishaps. Some of the organizers were arrested, a few were subjected to a rifle fusillade, and one — Heiteren, son of a supreme court attorney — was killed by German bullets when a loading party was discovered.⁷⁹ When the operation was over, 5919 full Jews, 1310 part Jews, and 686 non-Jews who were married to Jews had been ferried across.⁸⁰ Danish Jewry was safe in Sweden.

One of the ironies of the Danish operation was a little propaganda announcement issued by Best on October 2, 1943. In this announcement he underscored the necessity for the deportations by pointing out that the Jews had "morally and materially abetted" the Danish sabotage movement. The Danish population, for whom this proclamation was intended, was not taken in by the propaganda — but the German Foreign Office was. The Foreign Office bureaucrats wired for additional facts on Jewish espionage and sabotage. On October 18, Best was forced to report that there really was no Jewish sabotage, that ever since the occupation had started the Jews had "restrained themselves very much," that the announcement had been made only in order to justify the deportations (*um des Zweckes Willen*) and that it was not based on any concrete proof (*ohne dass konkrete Unterlagen hierfür vorlagen*).⁸¹

The West

German influence was extended westward and south, from Holland to Italy, as a consequence of the lightning war of May and June, 1940. In the course of that campaign the Low Countries and a large part of France were delivered into the German power sphere as occupied territories, while Italy was

79. Bertelsen, *October '43*, pp. 168, 172.

80. Valentin in *YIVO Annual*, III, 239.

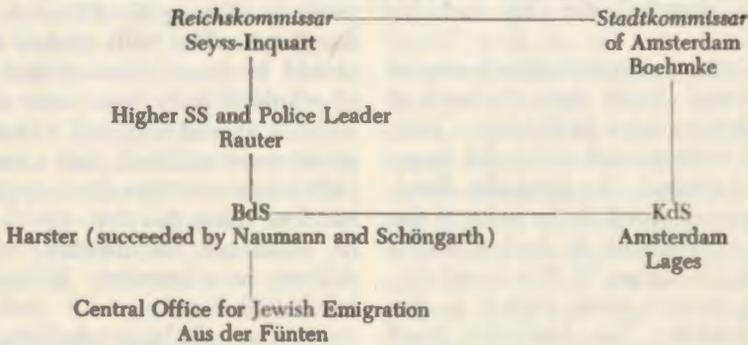
81. Best to Foreign Office, October 18, 1943, NG-5092.

The Aryanization process had affected the entire Jewish community. The rich were made poor, the shopkeepers were brought down to a subsistence level, and thousands of Jewish laborers who had lost their jobs were taken over by the *Werkverruiming*, an agency of the Dutch Welfare Ministry, to work — segregated — in industrial plants or outdoor projects.¹¹⁵

While the German economic apparatus in Holland gradually impoverished the Jews, the machinery of the SS and Police was preparing for the total re-

The first step to ensnare the Jews in a tight network of identification and movement controls was a decree signed by Seyss-Inquart on January 10, 1941, which provided for the registration of the victims.¹¹⁷ The decree contained an interesting feature, although it remained without decisive significance: not only Jews were obliged to register, but also all those persons who had so much as one Jewish grandparent. The total registration figures showed that there were 140,000 Jews and 20,000 Mischlinge.¹¹⁸

TABLE 55 / *Deportation Machinery of the SS and Police in Holland*



moval of the Jews to killing centers in the East. The officials who were chiefly responsible for that stage of the operations are listed in Table 55. We have already met two of these personalities before. Brigadeführer Erich Naumann, who took command of Security and SD forces in Holland in September, 1943, had previously been a killer of tens of thousands of Jews as commander of *Einsatzgruppe B* in Russia; his successor, Schöngarth, came to Holland in June, 1944, after rich experiences as BdS in the *Generalgouvernement*.¹¹⁶

115. Report by Dutch government, October 16, 1945, PS-1726. Higher SS and Police Leader Rauter to Himmler, September 24, 1942, *Nederland in Oorlogstijd*, March, 1949, p. 7.

116. Boehmke had functions not only in

In the office of the police president of The Hague, a genealogical division (*Genealogische Afdesling — GA*) maintained a pink card file of all the *Mischling* registrations.¹¹⁹ The man in

Amsterdam. He was Seyss-Inquart's deputy for deportations in all of Holland. Testimony by Seyss-Inquart, *Trial of the Major War Criminals*, XVI, 3.

117. *Verordnungsblatt für die besetzten Niederländische Gebiete*, 1941, Part 2, p. 19. The enforcement of the measure was in the hands of the Dutch Secretary General for the Interior, Frederiks. On Dutch secretaries general, see testimony by Heinz Max Hirschfeld (Secretary General for Economy and Agriculture), *Trial of the Major War Criminals*, XVI, 210-11.

118. Report by Dutch government, October 16, 1945, PS-1726.

119. OStubaf. Ispert to Rauter, copies to Stubaf. Aust and Stubaf. Osiander of the RuSHA, February 25, 1944, NO-4038. Report

charge of the file, the Dutch SS-Untersturmführer ten Cate, was certain that the 20,000 *Mischling* registrants represented only a fraction of all the people in Holland who had foreign or mixed "blood." He wanted to establish a card index of 300,000 records of such people, and complained that already two Dutch SS men with Jewish names had been killed in action and that their names were being read with the names of Aryan heroes at official celebrations.¹²⁰ Untersturmführer ten Cate, who set out to "seize" in his files "the totality of *Mischling* blood" (*sämtliches Mischlingsblut*) in Holland, pursued his task until September, 1944, when he suddenly deserted the SS and his cards.¹²¹

The German administration's second step followed closely upon the heels of the registration order. In February, 1941, the Jews were placed under the direction of a council, the *Joodsche Raad*. Two chairmen stood at the helm of the council: a merchant, A. Ascher, and a professor, D. Cohen.¹²² The usual far-reaching powers were vested in the Jewish leaders: the *Joodsche Raad* maintained community registers; it disposed over a police force; and in January, 1943, the individual deposits, from which a maximum of 250 guilders had hitherto been paid to the Jewish owners, were transformed into a collective account from which payments were made only to the council. A sum of 600,000 guilders was handed over to the council that month; lesser amounts followed thereafter.¹²³ During the deportations that accumulation of power

by UStuf. Dr. Grotefend (Dutch SS-man in charge of *Ahnentafeln*, or ancestral charts), August 23, 1944, NO-3807.

120. Ten Cate to OStuf. Osiander (RuSHA), December 25, 1941, NO-3643.

121. Report by OStuf. Neumann-Reppert, September 20, 1944, NO-4033.

122. Report by Dutch government, October 16, 1945, PS-1726. *Die Judenfrage*, March 10, 1941, p. 43.

in the council was to reveal itself in all its importance.

At the time of the council's formation a series of incidents in Amsterdam tested the Germans' ability to crush all opposition to the unfolding destruction process in Holland. On a February day in 1941, military formations of the Dutch Nazi Party (NSB), "in extension of training exercises," swarmed over the city into the Jewish quarter.¹²⁴ In Seyss-Inquart's words, "synagogues were also burned. Apparently, someone ambitiously tried to imitate the 8th November, 1938."¹²⁵ The Dutch Nazis, however, had a rougher time of it in Amsterdam than their German party colleagues had experienced during the *Einzelaktionen* in the Reich. The NSB raiders were attacked by Dutch workers and "hordes of youthful Jews who were equipped with all sorts of weapons." Dutch Nazi stores were smashed, and a uniformed Dutchman was "literally trampled by a band of thirty Jews" to the point that he could not be identified upon his delivery at a hospital. He died from his wounds.

The Germans now struck back. Six of the defenders were killed and many more wounded; the Jewish section was cordoned off; and the Dutch inhabitants of the quarter were evacuated.¹²⁶ The new Jewish council under Ascher and Cohen hurriedly called upon all Jews to surrender their weapons.¹²⁷ The ghetto was born.

If the Germans thought that every-

123. Affidavit by Dr. Walter von Karger (German manager, Lippmann-Rosenthal), September 24, 1947, NI-13904.

124. Armament Inspectorate Niederlande/Z/WS to OKW/Wi Rü, March 11, 1941, Wi/IA 5.12.

125. Testimony by Seyss-Inquart, *Trial of the Major War Criminals*, XV, 667.

126. Armament Inspectorate Niederlande/Z/WS to OKW/Wi Rü, March 11, 1941, Wi/IA 5.12.

127. *Die Judenfrage*, March 10, 1941, p. 43.

thing was now under control, they were mistaken. A German Security Police detachment, patrolling in the Jewish quarter, entered an apartment on Van Woustreet and surprised a group of people there in a "secret meeting." The policemen were attacked with bullets and acid. Higher SS and Police Leader Rauter thereupon proclaimed that, in reprisal for the assault, 400 Jews in the age group 20-35 had been sent to a German concentration camp.¹²⁸ The deportation of these Jews resulted in a series of unforeseen repercussions.

On February 25, 1941, a wave of strikes began to paralyze transport and industry in the provinces of North Holland and Utrecht. The trolleys stopped in Amsterdam, utilities went dead, shipyards were deserted, and the Focker Works, the Hollandschen Draad-en Kabelfabrik, and the Staatsbedrijf in Hemburg stopped operations. In Hilversum, where the Germans had arrested ten prominent physicians as hostages, 2000 workers struck at the Philips plant. All together 18,300 workers had walked out of the armament industries alone.

On the second day of the strike German Order Police clashed with crowds in the streets as Dutchmen hurled "insults" at the German Wehrmacht. Intercepted leaflets revealed that the population's antagonism over the deportation of the 400 Jews was linked to a fear that the Dutch shipyard workers would forcibly be transported for labor to the Reich.

The commander of the German armed forces in Holland, General der Flieger Christiansen, now stepped into the picture. Martial law - with threats of the death penalty - was established in the two northern provinces, as the General ordered the strikers back to work and forbade all gatherings and

128. Proclamation by Rauter, February 25, 1941, NG-2285.

meetings. Within three days the strike was broken. To penalize the Dutch population for its behavior, fines were imposed on three cities: 15,000,000 guilders on Amsterdam; 2,500,000 guilders on Hilversum; 500,000 guilders on Zaandam. The money was collected in the form of a special income tax from people whose incomes exceeded 10,000 guilders a year.¹²⁹

In the meantime, a total of 430 Amsterdam Jews (to be followed by 230 more in June) had arrived in the Reich. The ultimate destination of these Jews was the concentration camp of Mauthausen. There they were detailed to the stone quarries to carry heavy boulders up a long steep slope. The "work" took its toll. Men began to drop from exhaustion, and after a while the Jews joined bands and jumped down, splattering the quarry with bones, brains, and blood.¹³⁰

The Mauthausen command, following the old concentration camp routine, sent death notices to the survivors in Holland. This was a mistake. The notices were collected by the Jewish Council and transmitted to the Swedish government, which according to the customs of war was entrusted with the protection of Dutch citizens in the Reich and of German nationals in the Dutch colonies. The Swedish Minister in Berlin, Richert, protesting to the Foreign Office legal expert, Albrecht, pointed to the fact that the deaths were occurring on certain days each time and that all the victims were "rather young men." He therefore wanted to visit the camp in fulfillment of Sweden's func-

129. Armament Inspectorate Niederlande/Z/WS to OKW/Wi Rü, March 11, 1941, Wi/IA 5.12. Also, memoranda by Unterstaatssekretär Wörmann (Foreign Office Political Division), February 25 and 26, 1941, NG-2805.

130. Eugen Kogon, *Der SS-Staat* (3d ed.; Frankfurt, 1949), pp. 209-10. Kogon, a German journalist, was an inmate of Buchenwald.

tion as a protective power.¹³¹

Albrecht could not flatly refuse the Swedish request, for the Jews in question were Dutch nationals on German soil, but he managed to forestall the unwelcome visit. His colleague Luther meanwhile wrote to Gestapo Chief Müller to request that the SS be a little more careful in the future.¹³² A lengthy chain of complications had thus been brought on by those Dutch Nazis who on February 9, 1941, decided to have some fun in the Jewish quarter.

The concentration process was now continued with systematic deliberation. With the addition of a *J* to the identification cards of Jews in July, 1941, the Rauter machinery began to tighten the screws. Travel restrictions were imposed in September and October, to be followed by a partial clearing of the provinces and the completion within Amsterdam of three ghetto sections which housed about half of Holland's Jews. After May, 1942, the Jews also had to wear the star.¹³³ Once again the Germans noted signs of opposition, but the character of the resistance now had changed. Although several days had been allowed for putting on the star, the Jews began to wear the yellow mark on the first day. Dutch inhabitants openly showed their sympathy for the victims by wearing yellow flowers on their coat lapels, and in Rotterdam signs were plastered on walls to remind the Dutchman to show his respect if he should see a Jew with a star on the street.¹³⁴

131. Memorandum by Dr. Albrecht, October 31, 1941, NG-2710.

132. Luther to Müller, November 5, 1941, NG-3700. The Mauthausen Jews are said to have died to the last man. Kogon, *Der SS-Staat*, p. 210.

133. Report by Dutch government, October 16, 1945, PS-1726.

134. Armament Inspectorate Niederlande/Z/WS to OKW/Wi Rü, May 13, 1942, Wi/IA 5.20.

The population remained quiet, however, and anti-Jewish restrictions followed one another in more rapid succession. A curfew was instituted to keep the Jews off the streets between 8 P.M. and 6 A.M.; shopping was allowed only between 3 P.M. and 5 P.M.; public conveyances could no longer be used without special permission; telephoning was henceforth prohibited; and Jews were forbidden to enter the homes of non-Jews.¹³⁵ The Jewish community was now immobile, helplessly awaiting its fate.

On June 22, 1942, the deportation chief of the RSHA, Eichmann, informed the Jewish affairs expert in the Foreign Office, Rademacher, that arrangements had been concluded with the railways for the deportation of 100,000 Jews from the Netherlands, Belgium, and occupied France to Auschwitz. The Dutch quota was 40,000.¹³⁶

The Eichmann letter was a more or less routine communication in which the Foreign Office was asked to "kindly take note" of the SS operation. Eichmann had received no protests from any quarter, and so he added: "I assume that there are no objections against these measures on the part of the Foreign Office, either." Indeed, the Foreign Office had no objections "in principle" to the planned deportations; for certain "psychological" reasons, however, the diplomats desired that the first transports be composed of stateless Jews. "There are," said Division Germany, "nearly 25,000 of these Jews in the Netherlands alone."¹³⁷

135. Report by Dutch government, October 16, 1945, PS-1726.

136. Eichmann to Rademacher, June 22, 1942, NG-183.

137. Foreign Office note (initialed by Luther) to RSHA IV-B-4, attention Eichmann (undated, presumably July, 1942), NG-183. The "stateless" Jews were mainly refugees from the Reich. There were few Jews with foreign nationalities in Holland; the largest group consisted of 193 Hungarians. Foreign

Apparently the echoes of the strike in Amsterdam and the interventions of the Swedish Minister in Berlin were still ringing in Foreign Office ears, although the proposed solution was only a device and hardly a practical one at that, for it would have been difficult to conduct selective seizures. Thus, on July 17, 1942, the Foreign Office representative in Holland, Bene, transmitted to Berlin a proposal that the *Reichskommissar* divest all Jews of their nationality as a means of preventing all future Swedish interventions.¹³⁸ The proposal was kicked around a bit in the legal, political, and Luther divisions. The principal difficulty was that in the eyes of neutral states the *Reichskommissar* could not deprive people of Dutch nationality; only a Dutch government could do that.

After a while the diplomats' thinking was reduced to a single idea which can be summarized in the words of the Foreign Office legal expert, Albrecht: "Should it be unavoidable to place the Dutch Jews outside Holland, it would be expedient if the police would not allow any information to leak out with regard to their whereabouts, especially in possible cases of death."¹³⁹ Rademacher of Division Germany agreed. He thought that the Protective Power had no jurisdiction in the eastern territories anyway, but added by way of reinforcement: "In principle, no information whatsoever will be given to the outside world by the police." There would then be no visits to camps, "etc."¹⁴⁰

The effectiveness of the Foreign Office remedy was quickly confirmed from the field. As the first two trains

Office Representative in Holland (Bene) to Foreign Office, July 3, 1942, NG-23.

138. Bene to Foreign Office, July 17, 1942, NG-2634.

139. Albrecht to Weizsäcker, July 31, 1942, NG-2633.

140. Memorandum by Rademacher, August 10, 1942, NG-2632.

left Holland with Jewish deportees, there were no "incidents."¹⁴¹ The legend was spreading among Jews that the deportations were a true "resettlement." "In Jewish circles the opinion is widespread," wrote Bene, "that the Jews who are fit for labor service are being deported to prepare the necessary quarters for the Jews in the East."¹⁴²

The Dutch population was generally uneasy. Its morale, observed an armament officer, was strained by "the confiscation of bicycles, the evacuation of the Jews to the labor camps of the East, and the continued arrests of hostages;"¹⁴³ but no word of protest was received from the Dutch Secretary General of the Interior.¹⁴⁴ There were interventions only by the Protestant and Catholic Churches. To placate the clergy, the converted Jews and Jews in mixed marriages were exempted from deportation for the moment.¹⁴⁵ (There were at least 1500 converts¹⁴⁶ and perhaps ten times as many Jews in mixed marriages.¹⁴⁷)

Aside from that rather substantial category of deferments, there were a few other privileged classes which followed closely the pattern established in the Reich. The armament inspectorate exacted from the Central Office for Jewish Emigration an agreement for the preservation of a few thousand ab-

141. Bene to Foreign Office, July 17, 1942, NG-84.

142. Bene to Foreign Office, July 31, 1942, NG-2631.

143. Report by Armament Inspectorate Niederlande, July 31, 1941, Wi/IA 5.8.

144. Bene to Foreign Office, July 31, 1942, NG-2631.

145. Bene to Foreign Office, July 17, 1942, NG-84. Bene to Foreign Office, July 31, 1942, NG-2631.

146. Bene to Foreign Office, July 17, 1942, NG-84.

147. In the official German correspondence the estimates of mixed marriages ran as high as 20,000 and 22,000. Rauter to Himmler, September 24, 1942, *Niederland en Oorlogstijd*, March, 1949, p. 7; Bene to Foreign Office, August 31, 1942, NG-2631.

paper, *Sehr gut*. As yet, however, all the obstacles had not been overcome. The deportations were not completed in 1942 or even in 1943.¹⁵² It took two years to finish the job, but in the end few Jews were left alive.

Because of the prolongation of the operation, the two transit camps, Westerbork and Vught, became regular institutions of the destructive machinery in Holland. Within each camp the SS and Police set up a Jewish *Kamplleiding*, or camp directorate, complete with Jewish policemen and other administrative personnel. External security was provided, in view of the police shortage, by forces of the Dutch SS Guard Battalion Northwest, a group of volunteers who had agreed to tours of duty within the country.¹⁵³ Gruppenführer Jüttner, the chief of the SS Operational Main Office (the military headquarters of the SS), was, incidentally, not quite happy with that arrangement. "Through the task given to these men," he wrote, "to guard Jews and criminals, the idealism and readiness for unrestricted performance of duty will not be furthered in the *Waffen-SS*."¹⁵⁴ Nevertheless, for want of German manpower, the Dutchmen continued to be exposed to this strain upon their idealism.¹⁵⁵

Relentlessly the Rauter machinery drew its victims into the transit camps and death. The exempt categories dis-

solved in this process. Converted Jews were among the first to be seized.¹⁵⁶ The Jews in mixed marriages, too, were unable to retain their immunity. There are no figures of deported Jewish partners of intermarriages, but we can form a picture of the situation by subtracting the number of survivors from the original estimate of more than 20,000 — by February, 1944, only 8610 intermarried Jews were still living in their homes. These Jews were accorded complete exemption from anti-Jewish measures, to the point of permission to dispose of the star, if they could prove their sterility. A total of 2256 Jews had submitted such proof; hundreds of them had acquired it by subjecting themselves to an operation.¹⁵⁷

The armament Jews followed in the path of "indispensable" Jews everywhere. In November, 1942, the armament industry lost hundreds of its fur and textile workers;¹⁵⁸ on December 3, 1942, Himmler ordered that the diamond cutters be brought to Vught to work under the supervision of the SS. The new enterprise was appropriately placed under the direction of the WVHA-WI (the Earth and Stone Works). The diamond workers were deported en masse in March, 1944, and while the Dutch diamond industry in Amsterdam closed under the eyes of the Germans on May 18, 1944, there was some talk in the WVHA of saving

152. Deportations from Holland totaled 38,571 by December 31, 1942. The figure rose to 52,403 by March 31, 1943. Report by Korherr, April 19, 1943, NO-5193.

153. Rauter to Himmler, September 10, 1942, NO-2256.

154. Jüttner to Himmler, May 27, 1943, NO-8024.

155. From January, 1943, the WVHA listed "Herzogenbusch" on its camp roster. See directive by Liebehenschel (WVHA-D), January 22, 1943, NO-1526. Westerbork, near Assen, remained under Rauter's jurisdiction. The commander of Herzogenbusch was Stubaf. Hüttig. The Westerbork commander was Ostuf. Gemecke.

156. Bene to Foreign Office, November 16, 1942, NG-2631.

157. Bene to Foreign Office, February 9, 1944, NG-2631. Seyss-Inquart testified after the war that these Jews would not have been deported in any case. The Christian churches had protested against the sterilizations, but in Seyss-Inquart's view "no compulsion" had been exerted upon the victims. Testimony by Seyss-Inquart, *Trial of the Major War Criminals*, XVI, 45. It appears that sterility of the Christian partner was not an acceptable ground for releasing restrictions. It was the Jewish partner who had to be sterile.

158. Report by Armament Inspectorate Niederlande for November, 1942, WI/IA 5.1.

150 or 200 Jewish specialists for a diamond workshop in Bergen-Belsen.¹⁵⁹ Some of these specialists survived to the end.¹⁶⁰

We have seen that in Poland Jewish laborers often lost their families before the end of their own deferment, and the same appears to have been true in Holland. During the late spring of 1943 the Germans decided to ship out of the Vught camp two transports consisting of the children and wives of working men. According to the proclamation issued by the Jewish camp directorate — the *Kamplleiding* — on June 5, 1943, children from the age of less than one to sixteen were to be accompanied by their mothers to a "special children's camp."¹⁶¹ That "special children's camp" was Sobibor, a pure killing center in which all but a handful of people were gassed upon arrival.

The spring and summer months of 1943 were the period of the last large-scale roundups in Holland. From March to May the Germans attempted to clear the small towns and countryside. The Foreign Office representative, Bene, observing the progress of the operation, noted that 1302 Jews had reported voluntarily at Vught. "With the aid of the Jewish Council," wrote Bene, "the deportations from the provinces proceeded without a hitch."¹⁶² On June 20, 1943, Jewish camp police from Westerbork were detailed to help Security and Order Police forces in a round up of 5550 Jews in South Amsterdam. The hour had now arrived for some of the Jewish collaborators.

159. WVHA-WI (OStuf. Mummenthey) to WVHA-W (Obf. Baier), June 8, 1944, NO-1278.

160. Report by Dutch government, October 16, 1945, PS-1726.

161. Proclamation by *De Kamplleiding* of Vught, June 5, 1943, *Nederland in Oorlogstijd*, January 25, 1947, p. 87. The order provided that in the case of non-working fathers, both parents could go along.

162. Bene to Foreign Office, May 3, 1943, NG-2631.

Members of the *Joodsche Raad* were among the deportees. Bene reported that at the sight of this deportation many Jews, including particularly refugees from the Reich, "did not conceal their heartfelt joy."¹⁶³

As the deportation machinery broke up the last major concentrations of Jews, the drive against Jews in hiding was intensified. Large numbers had sought refuge in concealment, but the number of those who were caught was also considerable. We can form an idea of the odds faced by these people when we examine the statistics of Jews reported in hiding at specified periods during the occupation.¹⁶⁴

September 11, 1942:	25,000
March 20, 1943:	10,000-15,000
June 25, 1943:	20,000
February 11, 1944:	11,000
At time of liberation:	7,000

Nevertheless, the concealed Jews were better off than the victims who had surrendered voluntarily or who had been seized in the great police roundups. Not only did the hidden Jews have a better chance to escape deportation altogether, but they could increase their chances for survival by deferring their arrest. These chances had arisen because in its last stages the deportation program included also some "favored" transports.

On August 19, 1943, BdS Brigadeführer Harster requested Seyss-Inquart's permission to "resettle" to Theresienstadt three classes of Jews:

163. Bene to Foreign Office, June 25, 1943, NG-2631. The two co-chairmen of the council, Ascher and Cohen, survived. Fritz Rothglessner, "Befehl ist Befehl," *Aufbau* (New York), August 5, 1949, pp. 1-2.

164. Reports by Bene to Foreign Office, bearing dates cited above, NG-2631. Report by Dutch government, October 16, 1945, PS-1726. A large percentage of the Jews who had survived in hiding were children. They were to pose a special problem after the war. See Israel Cohen, *Contemporary Jewry* (London, 1950), pp. 263-64.

those with First World War decorations, those who had performed services for Germany in peacetime, and those who already had relatives in the Protektorat ghetto.¹⁶⁵ In all, 4897 Jews were brought to Theresienstadt from Holland in 1943 and 1944.¹⁶⁶ Early in 1944 another thousand Jews were scheduled to be transported to the newly established concentration camp of Bergen-Belsen in anticipation of their possible exchange for Germans from British-controlled areas.¹⁶⁷ In the course of that year, as the railways under bombing found it more and more difficult to transport the Jews across Germany to far-distant Auschwitz and as the labor shortage in the industries of the Reich grew ever more desperate, the final deportation trains unloaded their passengers in Bergen-Belsen and other concentration camps. When the operation was over, some 115,000 Jews had been deported from Holland and fewer than 20,000 were left.¹⁶⁸

165. Bgf. Harster to Seyss-Inquart, August 19, 1943, *Nederland in Oorlogstijd*, January 25, 1947, p. 88.

166. Lederer, *Ghetto Theresienstadt*, p. 249. Actually, most of these Jews did not survive. About half were shipped from Theresienstadt to Auschwitz during the *Aktion* of September-October, 1944.

167. Bene to Foreign Office, February 9, 1944, NG-2631.

168. Bene to Foreign Office, February 9, 1944, NG-2631. Dutch government report, October 16, 1945, PS-1726. Gerald Reitlinger, *The Final Solution* (New York, 1953), pp. 337-41. About 100,000 deportees were sent to the killing centers at Auschwitz and Sobibor, and 15,000 more to Theresienstadt, Bergen-Belsen, and various concentration camps in the Reich. Other reductions of the Jewish population in Holland took place through emigration and flight (4000), aggravated deaths and suicides (2000), and an excess of normal deaths over births (perhaps another 2000). The remaining group comprised chiefly the Jews in mixed marriages (8000) and Jews in hiding (7000). There were also some special cases, including a few hundred Portuguese Jews, persons pursuing legal remedies to determine their non-Jewish descent, etc.

Even while the SS and Police were sluicing their victims through Westerbork and Vught, the civilian machinery closed in behind the deportees to confiscate their property. The abandoned Jewish belongings comprised mainly papers and valuables in banks and apartment furnishings in homes. Two agencies were employed in Holland for the purpose of seizing these assets: Lippmann-Rosenthal and the Einsatzstab Rosenberg.

We have already noted that the liquidated Jewish bank Lippmann-Rosenthal had been designated as the official depository of Jewish papers and valuables. The Lippmann-Rosenthal machinery was now set into motion to digest the loot. Some of the Jewish investments were turned into cash: securities were sold, claims were called in, and insurance policies were redeemed as soon as possible. Special regulations applied to the disposal of valuables. In the case of jewelry the most valuable items were delivered to Göring (attention: Oberstleutnant Veltjens); other valuable jewelry was offered to the highest bidders in the Reich. Cheap jewelry was to be handed over to Oberregierungsrat Dr. Heinemann for Göring's Christmas *Aktion*. Jewelry with metal value only was to be melted down.

Similar directives were issued with respect to art objects. The most valuable items were to be offered to Staatssekretäre Mühlmann and Posse; second priority was to be given to the *Reichsführer-SS*, Himmler; moderately valuable art objects were to be sold to the German art trade; cheap paintings were to be made available for the Christmas *Aktion*; and "degenerate art" was to be sold, with the consent of the Economy Ministry, in Switzerland. Pictures of Jews and pictures by Jews posed a special problem whose solution appears to have been deferred.

Stamp collections were to be de-

nous authorities for the purpose of obtaining all possible co-operation in the deportations. In Holland such concessions were not necessary. Every three out of four Jews who inhabited the Netherlands at the beginning of the occupation were dead at its end.

We have already seen that to begin with, the geographic situation of Holland and the nature of the German administration which had been installed there were odds that favored the destructive work. Extraordinary efforts on the part of the Jews and Dutch would have been required to change these odds. We know that the Jews were incapable of concerted counter-action.

Jewish survival efforts in Holland were essentially a product of individual initiative for private benefit. The pattern was set with the individual deals for emigration conducted by well-to-do Jews at the beginning of the occupation. That method was continued with appeals for exemption or deferment on grounds ranging from indispensability to sterility. As a last resort, a desperate Jewish family could hope to save itself only by hiding. Those who could not help themselves were seized by Rauter's police or delivered to the Germans by the *Joodsche Raad*. This was a pattern which in its very nature spelled doom for the vast majority.

What about the Dutch? What kind of factor was the Dutch population in the destructive arena? When the Germans attacked Holland in May, 1940, the Dutch reacted by fighting openly for a few days, to settle back for five years to a mixture of bureaucratic collaboration and underground sabotage. Much the same thing happened on a somewhat smaller scale in relation to the Jews. We may recall that once, on the occasion of the Mauthausen deportation in February, 1941, the Dutch had signified their feelings toward their Jewish neighbors with an unmistakable

general strike; but when the strikers were overwhelmed, there were no further demonstrations. There was, in fact, a great deal of administrative co-operation, from the participation of Dutch banks in the disposal of securities to the registration work by the Dutch civil service and the police role of the Dutch SS. Considerable as this collaboration may have been, it was matched at least in part by the attempt to sabotage the destructive process through massive concealments of thousands of Jews in cloisters, orphanages, and homes. Few Jews survived in Holland, but those few were saved as a result of the most strenuous efforts, for Holland was the one territory of the occupied West in which the Jews did not have an even chance to live.

LUXEMBOURG. — Wedged in between the Reich, Belgium, and France, there lay a small country which was quickly overrun in the lightning campaign of 1940 — Luxembourg. The duchy became a quasi-incorporated territory under the jurisdiction of Gauleiter Gustav Simon of the neighboring *Gau* of Koblenz-Trier.¹⁷⁶ Simon had the title of *Chef der Zivilverwaltung* ("Chief of Civil Administration") in the new territory. There was thus no automatic application of Reich statutes in Luxembourg, but Simon lost little time in catching up with the mother country.

The prewar Jewish population of Luxembourg had been approximately 3000,¹⁷⁷ but most of the Luxembourg Jews fled to Belgium and France during the initial period of invasion and occupation. Gauleiter Simon moved against the remaining ones with swiftness and dispatch. Drafts of ordinances with definitions, expropriatory provisions, and concentration measures were

176. Order by Hitler, August 2, 1940, NOKW-3474.

177. American Joint Distribution Committee, *Report for 1939*, p. 30.

to the military areas of Belgium and France, we come into contact with a different kind of German administration. The military governments differed from their civilian neighbors both in purpose and in character. The Netherlands and Luxembourg were "Germanic" areas; they were therefore made into a "protectorate" (*Schutzstaat*) and a quasi-incorporated territory, respectively.¹⁸⁴ That status was intended to be final. Belgium and France, on the other hand, were "Romanic" regions. Apart from the annexed provinces (Malmédy-Eupen in Belgium, Alsace-Lorraine in France), these countries were not destined to become administrative units in a Greater German Reich. They were to be placed in a separate, though subordinate, position by a victorious Germany at the end of the war. The occupation of Belgium and France was therefore meant to be temporary. The entire German administrative apparatus in these states was provisional in its aim, and the officers in charge of that apparatus were emergency wartime overlords.

In the light of the over-all purpose of that occupation, the German generals in Belgium and France were prone to regard their mission as one which comprised mainly the furtherance of military security and economic exploitation. To these generals the destruction of the Jews was bound to present itself as a secondary task. There is even some evidence that during the planning stage preceding the commencement of the western campaign the military had hoped to avoid an entanglement in Jewish matters altogether. Thus a directive by the *Oberquartiermeister* of the Sixth Army, dated February 22, 1940, stated significantly:

An unrolling [*ein Aufrollen*] of the racial question is to be avoided because annexation intentions could be

184. Stuckart, *Neues Staatsrecht*, II, 121, 84.

inferred therefrom. The sole circumstance that an inhabitant is a Jew must not serve as the basis for special measures directed against him.¹⁸⁵

The generals in the West were not eager to proceed against the Jewish minority because they already had their hands full with the "ordinary" functions of a military government. However, they do not appear to have been motivated by any humanitarian consideration; their reluctant reception of a special assignment which intruded upon the basic tasks of occupation is not to be confused with a desire to preserve the Jewish community from utter destruction. The German Army was not the protector of the Jews, and it was capable, under pressure, of solving its secondary problems also.

In Belgium the Jewish population on the eve of the German invasion was roughly 90,000 strong. The peacetime distribution of that population was such that almost all the Jews were living in four major Belgian cities (about 50,000 in Antwerp, 30,000 in Brussels, a few thousand each in Liège and Charleroi).¹⁸⁶ The great majority of the Jews in Belgium were immigrants and newcomers who did not possess Belgian nationality. About 30,000 were refugees from the Reich.¹⁸⁷

As German forces began to cross the border, mass flights into France reduced the prewar figures to fractions. One Jew in every three sought sanctuary in the South. The newly created German military government looked for

185. Directive by 6th Army/OQu/Qu 2 (signed by Oberquartiermeister Pamberg) for "Administration and Pacification of the Occupied Areas of Holland and Belgium," February 22, 1940, NOKW-1515.

186. Postwar report by Belgian government, UK-76. U.S. Army Service Manual M 361-2A, *Civil Affairs Handbook Belgium* (prepared by Office of Strategic Services), May 16, 1944, p. 37.

187. American Joint Distribution Committee, *Report for 1939*, p. 30.

a way to lighten its burdens still more, and before long the generals shoved another 8000 Jews (mainly refugees from the Reich) into neighboring France.¹⁸⁸ Toward the end of 1940 only about 52,000 Jews were still in the country, and fewer than 10 per cent were citizens of the Belgian state.¹⁸⁹ The German administration in Brussels could now begin.

The chief personalities on the Belgian scene were the Military Commander, von Falkenhausen; the Chief of his Administrative Staff, Reeder; the Higher SS and Police Leader, Jungclaus; the Foreign Office representative, von Barga; and a number of German businessmen.¹⁹⁰ Within five months from the start of the occupation the work of these men was reflected in the first anti-Jewish measures in Belgium. In October, 1940, the *Militärbefehlshaber* issued two decrees which ran the whole gamut of the preliminary steps of the destruction process. The concept of "Jew" was defined; Jewish lawyers and civil servants were ousted from their positions; Jewish enterprises and stocks were subjected to registration;

188. Interior Ministry (signed Jacobi) to Foreign Office (att. St.S. Weizsäcker), November 19, 1940, enclosing report by military commander in Belgium and Northern France for October, 1940, NG-2380.

189. The total of 52,000 is based on a registration figure of 42,000, to which the Germans added 10,000 to account for unregistered children. Von Barga (representative of the Foreign Office in Brussels) to Foreign Office, November 11, 1942, NG-5219; *Donauzeitung* (Belgrade), August 9, 1942, p. 2. Two northern French départements were attached to the *Militärbefehlshaber* in Brussels. The Jewish inhabitants of these départements had been evacuated or had fled before the Germans arrived.

190. The office of the *Militärbefehlshaber* was divided into two staffs, a *Verwaltungsstab* headed by Reeder and a *Kommandostab* which was concerned with purely military matters. Regionally, the military administration branched out into *Feld-* and *Ortskommandanturen*. For details, see *Civil Affairs Handbook Belgium*, pp. 15-19.

and all transactions were made subject to official approval. Finally, the Jewish population was also ordered to register for future surveillance.

Unlike the Dutch Jews, the Jews of Belgium did not have much wealth. A report of the *Militärbefehlshaber* for October, 1940, mentions that "the influence of Jewry upon economic life in Belgium has been rather slight. Apart from the diamond industry in the Antwerp area, Jewish participation in the Belgian economy is hardly worth mentioning."¹⁹¹ Notwithstanding the trifling amounts of prospective loot, the German business sector evidenced considerable interest in the Belgian Aryanization market. In pursuance of an order by the *Militärbefehlshaber*, three German commercial banks were established in Belgium: the Continentalbank, the Hansabank, and the Westbank.¹⁹² They had hardly been organized for business when a number of customers appeared on their lists as parties interested in "useful hints": the Schultheiss Brauerei, Krupp, Siemens, the Allgemeine Elektrizitätsgesellschaft (AEG), Brown Boverie, and Deutsche Asbest Zement A. G.¹⁹³

The over-all campaign of capital penetration in Holland and Belgium was subject, in fundamental policy questions, to the approval of the Foreign Trade Division of the Economy

191. Report by *Militärbefehlshaber* for October, 1940, NG-2380.

192. Continentale Bank/*Abwicklungsstelle* Reich to *Devisenstelle* Frankfurt, January 31, 1945, NI-10229. Statement by Paul-Georges Janmart (Belgian employee of the Continentalbank), March 22, 1947, NI-13940. The Continentalbank was a Dresdner Bank subsidiary.

193. Fritz Andre (Dresdner Bank) to Direktor Overbeck (future manager of the Continentale Bank in Brussels), August 15, 1940, NI-13827. For a typical operation of the Continentale Bank, see Overbeck to Georg Stiller (Sekretariat Dr. Rasche of the Dresdner Bank), July 21, 1941, enclosing report on attempt to acquire Grands Moulins de Bruxelles and other firms, NI-13831.

Ministry.¹⁹⁴ In September, 1941, after about a year of Aryanization in Belgium, the army made an unsuccessful attempt to secure a part of the Jewish business for its soldiers. Upon the occasion of a capital penetration conference in the Economy Ministry, the representative of the *Militärbefehlshaber* in Belgium, *Kriegsverwaltungsrat* Dr. Pichier, suggested that 300 un-Aryanized wholesale and retail enterprises in his territory, with a yield of about 10,000 reichsmark a year, be reserved for German war veterans. Dr. Pichier's proposal was rejected decisively. It was pointed out that the war was still in progress, that trustee administration would have to be instituted until the

conferees, that these Aryanizations be conducted by German businessmen who were well provided with capital and who could withstand a Belgian boycott.¹⁹⁵ There is no evidence that *Kriegsverwaltungsrat* Pichier made any further attempt to benefit the soldiers in the Aryanization campaign.

By the end of 1942, the Aryanizations in Belgium were largely completed. Table 56, which was prepared in the *Militärbefehlshaber's* office, indicates how many enterprises in each branch were "de-Jewed" (*entjudet* i.e., transferred), liquidated, or "floating" (*in Schwebe* i.e., awaiting disposition) on December 31, 1942.¹⁹⁶ The value of sequestered Jewish assets (*überwachtes*

TABLE 56 / Belgian Aryanizations and Liquidations

	TOTAL	PERCENTAGE	TRANSFERRED	LIQUIDATED	AWAITING DISPOSITION
Textile trade	1,220	15.8	22	1,161	37
Clothing industry	965	12.5	50	876	39
Commercial agents	685	8.9	23	599	63
Diamond industry	675	8.7	13	647	15
Leather industry	520	6.7	8	494	18
Diamond trade	500	6.5	14	469	17
Leather trade	453	5.9	20	399	34
Food products trade	383	4.9	12	361	10
Metal industry	163	2.1	56	87	20
Metal products trade	156	2.0	26	111	19
Chemicals	142	1.8	65	39	38
Nursing	137	1.8	5	124	8
Real estate	122	1.6	9	0	113
Miscellaneous	1,608	20.8	265	1,021	322
Total	7,729	100.0	588	6,388	753

veterans came back, and that such business enterprises — in which personal contacts between proprietors and customers were so important — were not suitable for trustee administration. It was therefore advisable, concluded the

Judenvermögen) in reichsmark is indicated in Table 57.¹⁹⁷

195. Summary of Economy Ministry conference under chairmanship of Ministerialrat Schultze-Schlutius (deputizing for USt.S. von Jagwitz), September 23, 1941, NI-10699.

196. Report by *Militärbefehlshaber* on economic exploitation, April 1, 1943, Wi/IA 4.60. At the same time, the status of 652 Jewish enterprises in the two northern French départements was as follows: transferred, 33; liquidated, 207; awaiting disposition, 412. *Ibid.*

197. Economic report by *Militärbefehlshaber*, April 1, 1943, Wi/IA 4.60.

194. Directive by the Economy Ministry, May 28, 1940, NG-55. The Foreign Trade Division was under Unterstaatssekretär von Jagwitz. The Western countries were detailed to Ministerialdirigent Dr. Schlotterer. The *Referat* "capital-interlacing" in Schlotterer's section was headed by Dr. Gerhard Saager. Affidavit by Saager, December 16, 1947, NI-13775.

We should hasten to add that the banks were slow in reporting Jewish accounts; therefore the amount of cash in the banks — swelled by the proceeds from the sale of nearly six hundred enterprises — was much greater than the six million reichsmark indicated in the *Militärbefehlshaber's* report. Nevertheless, the total deposit ultimately accumulated in Belgium must have fallen far short of the half-billion figure which was surpassed in Holland. The Belgian Jews had comparatively little cash to begin with; the six hundred or so Aryanizations probably did not bring in vast sums; and the sale of securities and real estate posed very special difficulties to the German military administration.

During a conference in the Finance Ministry in December, 1942, *Kriegsverwaltungsrat* Pichier revealed some of the administration's efforts to get rid of real estate, diamonds, and other items. The Belgian public, he said, had exhibited an "aversion" (*Abneigung*) to the acquisition of Jewish real property from the *Militärbefehlshaber*. For that reason many real estate parcels had

creased the mortgages on the Jewish houses to the greatest possible extent. Creditors were available in sufficiently large numbers, and the borrowed money could be confiscated at once.

Another item calling for caution in disposal was the stock of diamonds from liquidated shops in the Antwerp area. A small amount, reported Dr. Pichier, had been sold for foreign currency in southern France. Not much progress had been made as yet with the disposal of furniture. The Trusteeship Corporation was moving into the Jewish apartments as soon as they became empty. Nevertheless, some of the furniture had to be sold to pay back rent, and some of it was wanted by the Wehrmacht finance officer for the troops. Valuable furnishings would be sold in the Reich. Art objects were being handed over to Red Cross Oberfeldführer von Behr, Director of the *Einsatzstab Rosenberg* in Paris. Gold and jewelry was melted down.

During the opening of safes, the military administration also had found securities in considerable quantity. An attempt was being made, reported Dr.

TABLE 57 / Value of Sequestered Jewish Assets

	END OF 1941	END OF 1942
Cash in banks	none	6,150,000
Securities and papers	80,000,000	70,650,000
Real estate parcels (2814)	36,000,000	50,000,000
Total	116,000,000	126,800,000

been exempted from confiscation. Their sale was accomplished by a state institution, the Brussels Trusteeship Corporation, which appeared in such cases as trustee for the Jewish owner. The proceeds were then confiscated. So far, however, the *Militärbefehlshaber* had not solved still another difficulty in the disposal of real estate: prices had been frozen, and the official price ceilings were only 40 per cent of current value. To alleviate that price retardation, the Trusteeship Corporation hoped to in-

Pichier, to collect large parcels of shares in order to secure "already the later influence of the Reich."¹⁹⁸ However, the

198. Summary of Finance Ministry conference with participation of MinRat Dr. Mädel and several *Kriegsverwaltungsritter* from the west, December 11/12, 1942, NG-5369. The Finance Ministry was the ultimate booking agency for assets confiscated in favor of the Reich. Not mentioned in this conference was, among other things, an item of 1000 women's furs which had been "made available" from liquidated Jewish firms for the OKW. War

disposal of the unneeded securities in the Belgian market was to run headlong into a major obstacle. The president of the Brussels Stock Exchange, van Dessel, refused to accept the papers in the absence of the Jewish owners. Under the direction of the *Devisenschutzkommando West*, the agency in charge of securities and other papers in Belgium, France, and Holland, the shares were then stamped "property of the German Reich," to be sold on the exchange or auctioned off to the highest bidder by the three German banks in the country.¹⁹⁹ That was how the Germans attempted to loot what they could in Belgium.

When the *Militärbefehlshaber* in October, 1940, laid the foundations for the economic destruction process, he instituted at the same time the first concentration measure: the registration of the Jews. Within the following year attempts were made to establish a Jewish council, but it seems that at the beginning of the invasion all the Jewish leaders except two prominent rabbis had left the country. One of these rabbis (Dr. Salomon Ullmann, who was head of Jewish chaplains in the Belgian Army) was chosen by the Jews, after consultation with Belgian secretaries general and Cardinal van Roey, as *Grand Rabbi de Belgique*. He was to head a committee which was transformed on November 25, 1941, into the *Association des Juifs en Belgique*, the Belgian *Judenrat*. All Jews were subjected to direction from this organiza-

diary, *Rü In Belgien*, May 19, 1942, W1/IA 4.69.

199. Memorandum by Count Phillip Orsich (Continental Bank), undated, probably 1944, NI-5776. For statistics of transactions involving also securities transmitted to Belgium by Lippmann-Rosenthal in Holland and Bank der Deutschen Arbeit in Luxembourg, see Chief Inspector of Registry Office, Brussels (signed Hopchet) to Commissar with Audit General, Brussels (Jans), March 22, 1947, NI-7358.

tion, and local committees were created in Brussels, Antwerp, Liège, and Charleroi.²⁰⁰

In October, 1941, the *Militärbefehlshaber* also instituted a curfew and ordered the restriction of all Jewish residences to the same four cities. As usual, the reason assigned for these measures was the allegation that Jews "still dared to engage in black market activities."²⁰¹

In May, 1942, the Jews were marked with a star, and thousands of men between the ages of 16 and 60, as well as women from 16 to 40, were rounded up for forced labor in projects of the *Organisation Todt* at Audinghem and other areas.²⁰² During the following month Belgium received her quota for the first deportations: a modest 10,000.²⁰³ A transit camp was thereupon set up for the prospective deportees at Malines.²⁰⁴

On February 9, 1942, Foreign Office representative von Bagen reported that *Militärverwaltungschef* Reeder was conferring with Himmler about the proposed deportations. There were, said von Bagen, a number of difficulties in the path of the German administration. The Belgians had no "understanding" (*Verständnis*) of the Jewish question; the Jews themselves were exhibiting "unrest" (*Unruhe*); and the Germans were suffering from a shortage of police forces. The seizures were therefore going to be directed first against the Polish, Czech, Russian, and "other" (*sonstige*) Jews.²⁰⁵

200. *Civil Affairs Handbook Belgium*, pp. 38-39.

201. *Die Judenfrage*, October 15, 1941, p. 208.

202. Final report by the *Militärbefehlshaber* on wage policy and labor utilization, undated, after September, 1944, pp. 78-79, 254-55, W1/IA 24. *Civil Affairs Handbook Belgium*, p. 40.

203. Eichmann to Rademacher, June 22, 1942, NG-183.

204. Report by Belgian government, undated, UK-76.

By the middle of September the initial quota had been filled; already, however, von Bergen had observed large-scale evasions. The Jews were hiding out with Belgian families. Many prospective victims had Belgian identification cards, and still others were fleeing to occupied and unoccupied France.²⁰⁵

On the day on which this pessimistic report was sent to Berlin, an SS deportation expert, Obersturmführer Asche, called the members of the Jewish Association into his office and informed them that in punishment for their passive resistance all the Jews would be evacuated from Belgium. Rabbi Ullmann and four of his associates were then sent for a few days to the concentration camp of Breendonck, presumably so that they might think about the possible consequences of their intransigence.²⁰⁷

On November 11, 1942, von Bergen reported that the deportation figure had now reached 15,000 men, women, and children, among them a few Belgian citizens who had dared to remove the Jewish star from their clothes. Von Bergen went on to describe the increasing difficulties faced by the machinery of destruction in the roundups. In the beginning, he said, prospective deportees had been served with a "report-for-work order" (*Arbeitseinsatzbefehl*) via the Jewish Association. After a while, however, the intended victims had been dissuaded from obeying the order by rumors about the "butchering of the

Jews, etc." (*Abschlachten der Juden, usw.*). The last transports therefore had to be filled by means of *razzias* and *Einzelaktionen*.²⁰⁸

Shortly after this report was received in Berlin, Unterstaatssekretär Luther of the Foreign Office requested von Bergen to ask the Militärbefehlshaber to deport the Jews of Belgian nationality too. Only complete deportation, said Luther, could put an end to the "unrest"; the Jews could in any case no longer be surprised, and "sooner or later" everything had to happen anyway.²⁰⁹

The military administration appears to have tried its best. As the operations moved into 1943, a transport of 1500 to 1600 Jews was filled every two or three months.²¹⁰ The decreasing flow of deportees is traceable, of course, to the renewal of flights into France, the concealment of many thousands in Belgian homes and institutions, and the existence of a privileged class, which included the Jews of certain foreign and doubtful nationalities and the intermarried Jews. So far as the Jews in intermarriage were concerned, we may observe again the precarious nature of their immunity. There is a report, dated May 27, 1944, about one of these intermarried Jews, a refugee who was a wounded war veteran and who held the Iron Cross Second Class. "The idea," said the report, "of submitting to a voluntary sterilization is not repugnant to S."²¹¹

Belgium was overrun by the Allies in September, 1944. Up to then, the German agencies in Belgium had man-

205. Von Bergen to Foreign Office, July 9, 1942, NG-5209. The armament inspector, Generalmajor Franssen, reported at this time a "strong rush" of Jewish workers into industry. *Rü In Belgien* to OKW/WI Rü, August 1, 1942, Wi/IA 4.64.

206. Von Bergen to Foreign Office, September 24, 1942, NG-5219. Flights reported also in *Donauzeitung* (Belgrade), August 9, 1942, p. 2.

207. *Civil Affairs Handbook Belgium*, p. 40. Rabbi Ullmann was replaced upon his release by Marcel Blum, *ibid.*

208. Von Bergen to Foreign Office, November 11, 1942, NG-5219.

209. Luther to von Bergen, December 4, 1942, NG-5219.

210. Report by Belgian government, undated, UK-76.

211. Office of Gruf. Jungclaus/SS-Führer in Race and Resettlement Matters (signed Stubaf. Aust) to RuSHA/Genealogical Records Office (Ahnentafelamt), May 27, 1944, NO-1494.

aged to deliver about 25,000 Jews to their fate.²¹²

FRANCE. — In France the anti-Jewish destruction process was a product of the Franco-German armistice. To the French authorities which in Vichy picked up the strands of government in June, 1940, the defeat was decisive; the war was irrevocably lost. From 1940 to 1944, then, the unequal relationship between victor and vanquished manifested itself in a stream of German demands which could not easily be opposed. The destruction of the Jews in France was such a German demand.

In its reactions to German pressure the Vichy government tried to confine the destruction process to certain limits. These limits were set forth first of all with a view to arresting the destructive development as a whole. The French authorities sought to avoid drastic action. They recoiled from the idea of adopting measures which were unprecedented in history. When German pressure was intensified in 1942, the Vichy government fell back upon a second line of defense — the foreign Jews and immigrants were abandoned, and an effort was made to protect the native Jews. To no small extent that Vichy strategy met with success. By giving up a part, most of the whole was saved.

The Vichy regime's ability to bargain with the Germans over the fate of the Jews rested upon a simple fact: the Germans needed French help. In no territory that we have covered so far was German dependence upon native administration so great as in France. To the French bureaucracy fell the burden of performing a large part of the destructive work, and the roster of Frenchmen in controlling positions of

212. Statistics of deportations from Malines camp in report by Belgian government, undated, UK-76. For partial totals, see also Korherr report, April 19, 1943, NO-5193.

the machinery of destruction is impressively long. Here is an abbreviated table of the Vichy machine:

Chief of State: Pétain
 Vice-President (to April, 1942): Laval (Darlan)
 Chief of Government (from April, 1942): Laval
 Commissar for Jewish Affairs (from June, 1942): Darquier de Pellepoix
 Delegate for Occupied Zone: La Laurencie (de Brinon)
 Foreign Affairs: Laval (Flandin, Darlan, Laval)
 Interior: Peyrouton (Darlan, Pucheu)
 Commissar for Jewish Affairs (to June, 1942): Vallat
 Justice: Alibert (Barthelémy)
 Finance: Bouthillier (Cathala)
 Industry: Pucheu (Bichelonne)
Service du Contrôle: Fournier
 Labor: Lagardelle (Bichelonne, Déat)
 Armed Forces: Darlan
 War: Huntziger (Brideux)
 Chief of Police: Bousquet
 Delegate for Occupied Zone: Leguay
 Paris Prefect and Chief of Camps: François
 Jewish Card Index, Paris: Tulard
 Anti-Jewish Police: Schweblin

Even a superficial examination of the prominent names on the list will indicate at once that the Vichy regime had a conservative base. Starting with Marshal Pétain, the government contained a number of military personalities, and it was on the whole strongly Catholic. In some respects it was perhaps more than a faint reflection of the anti-Dreyfus coalition of the previous century, and there were moments when the regime forgot itself and hit the Jews more strongly than German coercion could have compelled.²¹³

As we look over our table a little more closely, we may observe in it also a few administrative innovations. The first of these was the institution of delegates. Each ministry at Vichy main-

213. For a general description of the Vichy regime, see Paul Farmer, *Vichy — Political Dilemma* (New York, 1955).

tained a special delegate in Paris through whom it controlled its regional machinery in occupied territory – thus the delegate of the French police in occupied France was Leguay. The delegates of all the ministries in Paris were subordinated to a general delegate. At first this was General La Laurencie; later, Ambassador de Brinon.

Another peculiarity of the Vichy regime was the installment of commissars for the handling of special problems, such as captive soldiers or French laborers in Germany. One of these commissars was in charge of Jewish affairs. The initial one, Xavier Vallat, was placed under the Interior Minister; his successor, Darquier de Pellepoix, served directly under the Chief of Government, Laval. We should note, incidentally, that several other officials were exclusively concerned with the Jews – for example, the chief of the Aryanization agency (the *Service du Controle*), Fournier; the chief of the Jewish card index in the Paris prefecture of police, Tulard; and the chief of the Anti-Jewish Police, Schweblin. Indeed, the French outdid the Germans in developing administrative specialization in matters of destruction.

As a consequence of the armistice, most of France was covered by a German occupation regime made up of the following territorial jurisdictions: (1) the provinces of Alsace-Lorraine, which were ruled as quasi-incorporated areas by Gauleiter Robert Wagner and Gauleiter Bürckel, respectively; (2) the *Oberfeldkommandantur* in Lille, under Generalleutnant Niehoff, which was subordinated to the *Militärbefehlshaber* in Belgium; and (3) the main occupation area under the *Militärbefehlshaber in Frankreich*. Below is an abbreviated picture of the *Militärbefehlshaber's* office:

Militärgouverneur in Paris: Gen. von Bockelberg (June-October, 1940)
Militärbefehlshaber: Gen. Otto von Stülpnagel

(October, 1940- February, 1942), Gen. Heinrich von Stülpnagel (February, 1942-July, 1944)

ETRA (Railway Office): Glt. Kohl
Administrative Staff: Dr. Schmidt (Dr. Michel)

Administration: Dr. Best

Economy: Dr. Michel

Chief, Paris District: Staatsrat Turner (Glt. Schaumburg)

Stadtkommissar, Paris: Ministerialrat Rademacher

The office of the *Militärbefehlshaber* was a skeleton organization which made use of the French bureaucracy in occupied territory for the enforcement of German policy. The administrative center for the formulation of occupation directives was the administrative staff; the head of that office, Dr. Schmidt, was a former Württemberg Minister of the Interior and Economy. Below him we may note the presence of Ministerialdirigent Dr. Best, who had also handled administrative matters for Heydrich's prewar Security Main Office and who was to become still later the German plenipotentiary in Denmark. His colleague Ministerialdirektor Dr. Michel, who was entrusted with the direction of economic affairs in France, hailed from the Economy Ministry.

Regionally, the military government was made up of five *Militärverwaltungsbezirke* ("military administration districts"): A, B, C, Bordeaux, and Paris. The *Militärbezirkschef* of Paris was Staatsrat Turner; his successor, Generalleutnant von Schaumburg, had the title *Kommandant in Gross-Paris*. Below the level of the military district the regional network spread out into *Feldkommandanturen* and *Kreiskommandanturen*; the former controlled the French *départements*, the latter supervised the *arrondissements*. In the big cities the Germans had also established *Stadtkommissare*. One is listed above: the *Stadtkommissar* of Paris, Ministerialrat Rademacher.²¹⁴

Within a short time after the establishment of the *Militärbefehlshaber's* office in France, two other German agencies made their appearance in the occupied territory. These agencies were to outflank and crowd out the *Militärbefehlshaber* to no small extent.

In June, 1940, the name of Gesandter Abetz turned up in official army correspondence.²¹⁵ Abetz was the Foreign Office designate for its newly established post in Paris, and his appointment rested on an oral agreement between Keitel and Ribbentrop. In Keitel's words, Abetz was "attached to the staff of the military governor." However, when Keitel uttered this formulation to Weizsäcker, hoping perhaps to receive some confirmation of that interpretation of the agreement, the Foreign Office *Staatssekretär* remained silent. As Weizsäcker reported the conversation to Ribbentrop: "This topic I did not care to discuss [*Auf dieses Thema liess ich mich nicht ein*]."²¹⁶

On August 3, Ribbentrop sent to Keitel a long list of powers which Abetz, newly elevated to the rank of ambassador, would henceforth exercise in France. In the concluding paragraph of that letter, Ribbentrop wrote: "The Führer has expressly ordered herewith that only Ambassador Abetz is responsible for the treatment of all political questions in occupied and unoccupied France. Insofar as his task should involve military interests, Ambassador Abetz will act only with the agreement of the *Militärbefehlshaber* in France."²¹⁷ That directive sounded

214. Rademacher supervised the administration of the entire Seine prefecture, which comprised Paris and suburban areas. *Pariser Zeitung*, January 15, 1941, p. 4. For general description of German administration in France, see *Krakauer Zeitung*, November 3/4, 1940.

215. Keitel to von Bockelberg, June 30, 1940, RF-1301.

216. Weizsäcker to Ribbentrop, July 22, 1940, NG-1719.

hardly as though Abetz was an assistant to General von Stülpnagel; it seemed, rather, that the *Militärbefehlshaber* had been attached to the ambassador.

Abetz, however, had a very small staff. Its most important members were: deputy Schleier; Zeitschel and Achenbach in charge of Jewish affairs; von Krug in the Vichy office; and Rahn in Tunisia.²¹⁸ Just as the *Militärbefehlshaber* was dependent on the French administration for the enforcement of his decrees, so Abetz had to rely on the *Militärbefehlshaber's* office for the implementation of his policy. That was not a situation conducive to a complete harmony of purposes. Nevertheless, the arrangement did work, as the Jews were to discover in a short time.

The second agency which intruded upon the *Militärbefehlshaber's* jurisdiction was of course the SS and Police. The Himmler men began attaching themselves to Abetz, and they ended up by dominating, in Jewish matters at least, a large part of the scene. The SS men arrived in France in a slow procession – experts first, the Higher SS and Police Leader last. The following table is a very abbreviated outline of the SS organization in France; the Jewish experts are listed in the order of their arrival.

Higher SS and Police Leader: Bgf. Oberg
BdS: (Thomas) Staf. Knochen
Deputies: OStuf. Lischka, Stuf. Hagen
Jewish Experts: HStuf. Dannecker, OStuf. Röthke, UStuf. Ahnert, HStuf. Brunner

By now the names of some of these

217. Ribbentrop to Keitel, August 3, 1940, PS-3614.

218. Abetz spoke French, was considered a lenient Francophile. Schleier was a former *Landesgruppenleiter* in France. Rahn, a Foreign Office trouble shooter, served briefly in Paris as well as in Tunisia.

personalities should be familiar. Oberg had been an SS and Police Leader in Galicia; Thomas was moved from France to the Ukraine, where he was to command *Einsatzgruppe C*; Brunner came from Vienna. In France as elsewhere, the conduct of the anti-Jewish destruction process was to rest in expert hands.

The object of all this machinery was the destruction of the largest Jewish community in the western arc. At the end of 1939 the Jewish population of France had reached a total of about 270,000. More than 200,000 Jews were living in Paris alone. However, with the onset of the German invasion in May, 1940, a number of changes were introduced into this picture. The first one came when more than 40,000 Jews streamed into France from Holland, Belgium, and Luxembourg. The second upset occurred when more than 50,000 Jews abandoned the cities of northern France and Paris for safer places to the south. The third upheaval began when the German administrators of Alsace-Lorraine decided upon a complete removal of their Jews.

In a maneuver reminiscent of the expulsions in Poland, the Jews of the incorporated provinces were moved to the unoccupied zone. The movements started suddenly, on July 16, 1940, when the Jews of Colmar (in Alsace) were rounded up and shoved across the demarcation line.²¹⁹ During the following months, quiet prevailed. By October, 1940, however, local administrative pressure had been built up to such a point that General von Stülpnagel, as chief of the German Armistice Commission, met with General Huntziger, French Minister of War and chief of the French Armistice Commission, to conclude an agreement which provided for the deportation of all Jews of French nationality from Alsace-Lor-

²¹⁹. Trial of Robert Wagner, *Law Reports of Trials of War Criminals*, III, 34.

raine to unoccupied France.²²⁰ Twenty-two thousand Jews were involved in these movements from Alsace alone.²²¹ The victims were piled on trucks, driven across, and dumped out at night on a deserted country road in Vichy France.²²²

The Alsace-Lorraine deportations, incidentally, had a by-product which was mentioned before. The chiefs of civil administration, Wagner of Alsace and Bürckel of Lorraine, had decided — in a very broad interpretation of the Stülpnagel-Huntziger agreement — to deport not only the French Jews from the occupied provinces but also the German Jews from the home *Gaue*. Thus about 6300 Jews from Baden and 1150 Jews from Saarpfalz were also dumped in unoccupied France.²²³

As a consequence of all these population shifts, a new situation had arisen in which the center of gravity had been moved a considerable distance to the south. The occupied zone was left with 165,000 Jews (in Paris alone, 148,000); the unoccupied zone now had about 145,000, or almost half the total.²²⁴

²²⁰. Report on deportations received by Interior Ministry, October 30, 1940, NG-4933.

²²¹. Trial of Wagner, *Law Reports*, III, 34. Most of the Alsace Jews lived in Strasbourg and Mulhouse. Few Jews lived in Lorraine. The Alsace expulsions of 1940 affected 105,000 people, including Jews, Gypsies, criminals, "asocials," insane people, Frenchmen, and Francophiles. Other categories, including all the remaining Jews, were to be added in 1942. Summary of expulsion conference held on August 4, 1942, R-114; memorandum by OStubaf. Hardens (RuSHA/Rasseamt), September 28, 1942, NO-1499.

²²². Jacob Kaplan (Acting Grand Rabbi of France), "French Jewry under the Occupation," *American Jewish Year Book* 5706, 1945, p. 73.

²²³. Report to Interior Ministry, October 30, 1940, NG-4933. Memorandum by Division Germany, October 31, 1940, NG-4934. Hencke (German Armistice Commission) to Foreign Office, November 19, 1940, NG-4934. Von Sonnleithner to Wetzsücker, November 22, 1940, NG-4934.

²²⁴. Statistics on occupied zone in letter by

In Paris, Ambassador Abetz was satisfied with this situation. He proposed that a re-entry of Jews into the occupied zone be prohibited.²²⁵ (Abetz, like Frank, was thinking of Madagascar.²²⁶) The demarcation line, however, proved to be a two-sided barrier: it was an obstacle not only for Jewish refugees who in the beginning might conceivably have wished to return but also for the German occupation authorities who later sought to extend the "final solution" to the unoccupied zone.

No country in Europe posed such complexities in the mere territorial implementation of anti-Jewish measures as did France. The Vichy French legislation covered occupied as well as unoccupied territory;²²⁷ the German regime was restricted to the occupied area. As a result, the Jews of the occupied zone were suffering under a double oppression — French and German — while the unoccupied Jews were exposed only to the regulations of the Vichy regime. In 1942 the demarcation line collapsed, and French and German measures alike were enforced in all of France.

In 1940 the Vichy authorities enacted a few anti-Jewish decrees which revealed in barest outline the beginnings of a destruction process: the Jews were defined in accordance with the Nuremberg principle; dismissals from government service went into ef-

fect; and at the time of the expulsions of the Baden-Saarpfalz Jews, in October, 1940, the Vichy government foreshadowed its policy of separating the new Jews from the old by enacting a law in pursuance of which foreign Jews could be interned.

Dismayed by these Vichy outbursts, Jewish leaders dispatched letters of bewilderment to Marshal Pétain. It seemed to the Jews that the marshal must have made some kind of mistake. In one of the letters, Grand Rabbi Weill explained to the French Chief of State that "studies of anthropology have proved beyond a doubt that there is no such thing as a Jewish race."²²⁸ Why, then, all these decrees?

The Stülpnagel machine, on its part, was ready to fill out the French framework of destruction with heavy measures in the economic sphere. On September 27, 1940, General von Stülpnagel signed a decree which contained a definition and a provision for the registration of Jews. On October 18, 1940, he followed with the definition and registration of Jewish enterprises; that decree provided also for the voidance of transactions and the appointment of trustees. The content of these measures was of course not new, but their implementation was novel.

For the first time in German experience a foreign authority had to be employed for the administrative paper work. The initial task of the French bureaucracy was the enforcement of the registration provisions of the German decrees. In the entire occupied zone the prefects of the *départements* and the subprefects of the *arrondissements* were now mobilized for the registrations. The information received was to be collated on lists, to be prepared in four copies; one copy was to be submitted to the Vichy Undersecretary for Industrial Production and Labor; an-

²²⁸. Kaplan, *American Jewish Year Book*, 1945, p. 89.

Dannecker to Zeitschel, October 20, 1941, NG-3261. To the total should be added several thousand Jewish prisoners of war.

²²⁵. Memorandum by Best, August 19, 1940, Centre de Documentation Juive Contemporaine, *La persécution des juifs en France*, 1947, p. 48. Abetz to Foreign Office, August 20, 1940, NG-2433.

²²⁶. Hitler told Abetz on August 3, 1940, of the plan to remove all Jews from Europe. Affidavit by Abetz, May 30, 1947, NG-1893; memorandum by Luther, August 21, 1942, NG-2586-J.

²²⁷. In some cases French laws were extended also to North Africa, a complication to be dealt with later.

come into being in a somewhat decentralized manner. The French government, with its long tradition of administrative centralization, decided to do something about this situation; accordingly, the Vichy regime established within the Ministry of Industrial Production and Labor a special *Service du Controle*, which was headed by a former governor of the Bank of France, president Fournier. The *Service du Controle* dealt centrally with trusteeship nominations; it briefed the trustees and ruled on the legality of transactions. In the German *Verwaltungsstab* Dr. Michel immediately recognized that the new agency would lighten the load of the Germans without depriving them of their ultimate veto. He therefore instructed his regional machinery to make use of this apparatus, which the French had created in a spirit of "collaboration," for the accomplishment of the Aryanization process.²³²

To be sure, the willingness of the Germans to avail themselves of French collaboration had its limits. The French prefects and their superiors in Vichy were not to concern themselves with nominations for trustee appointments in Jewish-owned industrial plants. Factories were to be handled by the *Militärbefehlshaber* through his own channels.²³³ The object of that important reservation of course, was to retain an opportunity for German business interests to acquire Jewish industrial enterprises.²³⁴

232. Michel to *Militärverwaltungsbezirke* and *Feldkommandanturen*, January 28, 1941, NOKW-1270.

233. *Militärbefehlshaber*/Adm. Staff/Economy (signed Stülpnagel) to French Ministry for Industrial Production and Labor, December 9, 1940, NOKW-1237.

234. In that connection, see, for example, the documents on efforts by Krupp to acquire by means of a "lease" the Rothschild-owned Austin automobile works at Liancourt: Affidavit by Alfred Krupp, June 30, 1947, NI-10332; Ing. Walter Stein (director general of

Two major difficulties arose during the administration of the Aryanization program. One was caused by the failure of the legal draftsmen to make a distinction between French Jews and foreign Jews. Needless to say, that failure was intentional: a German agency could not very well admit that the protections afforded by elementary rules of international law applied also to Jews. However, the experts in Paris decided to issue unpublished instructions to field offices exempting American Jews from the requirement (in the decree of September 27) of marking their stores with a Jewish star.²³⁵

That unpublicized exemption was apparently not very effectual, for in December the United States complained of vandalism committed against establishments owned by American citizens.²³⁶ When the protest was brought to Ribbentrop's attention, he declared that no exemptions should have been accorded to American Jews in the first place, and, pointing to the fact that protests of friendly nations such as Spain and Hungary had been rejected, he ordered that no reply be made to the U.S. note.²³⁷ Ribbentrop's obstinacy worried Staatsminister Dr. Schmidt in Paris and the Foreign Office's American expert, Freytag, in Berlin. Both feared anti-German repercussions in America.²³⁸ But Ribbentrop refused

Krupp SA in France) to Schürmann, November 8, 1943, NI-7013; Stein to Direktor Schröder, November 25, 1943, NI-7012.

235. Schleier (Paris) to Schwarzmann (office of Ribbentrop), October 9, 1940, NG-4893.

236. Luther to Embassy in Paris, December 18, 1940, NG-4893.

237. Notation by Rademacher, December 19, 1940, NG-4893. Luther to embassy in Paris, December 23, 1940, NG-4893.

238. Schmidt (chief of administrative staff in *Militärbefehlshaber's* office) to Staatssekretär Weizsäcker of Foreign Office, February 22, 1941, NG-1527. Freytag (Pol. IX) via Erdmannsdorff to Wörmann, February 27, 1941, NG-4406.

new council, the *Union Generale des Israelites de France* (UGIF). The UGIF was the *Judenrat* of France. It was headed by Raymond-Raoul Lambert.²⁴⁷

The newly constituted UGIF entered into operation under a series of blows. On December 10 the entry into the war of the United States cut off French Jewry from its only major source of outside help.²⁴⁸ One week later a fatal obstacle was placed into the path of the fund-raising drive: the Germans had decided to do some fund-raising of their own. On December 14, 1941, the *Militärbefehlshaber* made use of a pretext based on the assassination of a German officer to impose upon Paris Jewry a billion-franc "fine." On December 17 he charged the UGIF with the task of collecting the money. All decisions of the *Union Generale* in pursuance of that German directive were to be backed by the French administration in accordance with the enforcement provisions of the tax statutes of France.²⁴⁹

The Jewish leadership was now in a corner. The fund drive collapsed in the wake of the "fine." The *Union Generale* was faced with the clear necessity of dipping into the reservoir of the blocked accounts to help the poor Jews. The chiefs of the community, however, were determined to confine the withdrawals to a minimum. In 1943, at a time when the first Jews were inducted into forced labor, the Jewish leaders obtained from the French authorities a decree authorizing

247. Kaplan, *American Jewish Year Book*, 1945, pp. 78, 93-98. Within the *Union Generale* the old organizations continued to function. However, only the cover organization had compulsive powers and legal responsibilities.

248. Later the Joint Distribution Committee was able to conduct covert operations from Geneva.

249. One billion francs = 50 million reichsmark = \$20 million.

the UGIF to impose a monthly head tax on every Jewish adult. The tax amounted to 120 francs in the occupied territory and 320 francs in the Vichy zone; its yield was supplemented by withdrawals from the blocked funds in the amount of 80,000,000 francs.²⁵⁰ At the end of 1943 the blocked accounts amounted to 485,000,000 francs.²⁵¹

During the creation of centralized Jewish machinery with compulsory powers, a parallel process took place in the French administration. Early in March, 1941, Ambassador Abetz requested the number-two man in Vichy, Admiral Darlan, to establish a central office for Jews in France.²⁵² Darlan now had the job of convincing the reluctant Pétain to accede to this step. Pétain finally agreed.²⁵³ On March 29, 1941, a commissariat for Jewish affairs was consequently set up in Vichy with an old anti-Semite, Xavier Vallat, as commissar. His functions were two-fold: he was to oversee the work of the trustees and the Jewish organizations, and to propose new anti-Jewish legislation. From that second function flowed increasingly tight economic restrictions, which culminated in the Vichy Aryanization and funds-control law of July 22.

To the Jewish leadership these developments were something unbelievable, a nightmare which did not make sense. On July 31, 1941, Grand Rabbi Weill's deputy, Jacob Kaplan, addressed a letter to Xavier Vallat which was designed to convince the Frenchman once and for all of the error of his ways. Kaplan pointed out that for a pagan or an atheist to defame Judaism

250. Kaplan, *American Jewish Year Book*, 1945, pp. 78-79, 95-98. *Donauzeitung* (Belgrade), June 13/14, 1943, p. 2.

251. *Donauzeitung* (Belgrade), January 14, 1944, p. 1.

252. Abetz to Foreign Office, March 6, 1941, NG-2442.

253. Abetz to Foreign Office, April 3, 1941, NG-2432.

that "they have no intention of quarreling with us over the Jewish statute." The Vatican had expressed only the desire that no provisions be enacted relating to [inter]marriage and that precepts of justice and charity be observed in the liquidation of business establishments.²⁵⁵ Clearly, the French government had not yet committed any "sins," but it was close to having reached the limits of "permissible" action.

Almost from the beginning of the occupation, the Vichy regime sensed that under increasing German pressure it would have to shift to a second line of defense. If the destruction process could not be halted at a certain point, efforts would have to be made to deflect the full force of the attack from the old-established, assimilated Jews to the newly arrived immigrants and refugees. On April 6, 1941, the newly appointed anti-Jewish commissar, Xavier Vallat, declared before members of the press that there was no such thing as a "standard solution" of the Jewish question in France. So far as the Jews of North Africa were concerned, there was no Jewish problem at all. "We must also," said Vallat, "take into account the old Jewish families, mostly of Alsatian origin, who appear to be assimilated." Another exceptional group was composed of the front-line soldiers of 1914-18 and 1940. The eastern Jews, however, "who in the last few years have flooded France," Vallat concluded without realizing the full import of his words, "will in all likelihood be shoved off again."²⁵⁶

The Jewish front-line soldiers were privileged to some extent in every European Axis state. Unlike the Reich

255. Excerpts from report by Ambassador Berard to Marshal Pétain in Leon Poliakov, *Harvest of Hate* (Syracuse, 1954), pp. 299-301.

256. *Die Judenfrage*, May 5, 1941, pp. 70-71.

veterans, who sought every privilege they could get, the Jewish veterans of the French Army felt disposed to declare their solidarity with the rest of Jewry. On August 11, 1941, a delegation of eighteen veterans, headed by General André Boris, former inspector General of Artillery and a member of the *Consistoire Central*, handed Xavier Vallat a statement which brought home the point that the anti-Jewish legislation was "valid only insofar as we are legally forced to comply with it and does not signify any agreement on our part." Having stated their general attitude as forcefully as they could, the veterans continued their protest with the words: "Would the General Commissar for Jewish Affairs consider subversive a statement . . . in the following terms: We solemnly declare that we renounce any exceptional benefits we may derive from our status as ex-servicemen."²⁵⁷

The problem of the Jewish veterans was not confined to their treatment in France itself, since there was still a contingent of several thousand Jewish soldiers in German captivity. No records are available of any French interventions in behalf of these soldiers. To be sure, the German regulations against Jewish prisoners of war from the western armies were in no way comparable to the drastic measures which were applied to the Jewish prisoners from the Red Army. The only western Jewish prisons subject to shooting were the emigrants from the Reich, who were shot immediately upon ascertainment of their identity at the army prisoner collecting points (*Armeegefangenensammelstellen*), that is, prior to the transfer of the prisoners to the permanent Stalags.²⁵⁸ The former Reich

257. Kaplan, *American Jewish Year Book*, 1945, pp. 91-92.

258. Directive by Army Group B, as transmitted by 4th Army Ic/AO Abw I (signed by Chief of Staff Gen. d. Inf. Brenecke) to

Jews who were caught in this procedure were beyond help, but the main body of Jewish prisoners enjoyed relative immunity. Enlisted men in the Stalags and officers in the Oflags were to be separated from other French prisoners, and Jewish enlisted personnel were to be assigned to special work parties; however, there was to be no marking of the Jews.²⁵⁹ Undoubtedly, the fear of reprisals restrained the German generals in their operations against the Jewish prisoners of war.

During his interview with the press on April 6, 1941, Vallat had also mentioned that he could see no Jewish problem in Africa. This statement is wholly in conformity with what we would expect, for German influence as well as interest in Africa was comparatively remote. So far as the Germans were concerned, the African Jews could have been left alone. But they were not. The Catholic-military hierarchy in Vichy took its own measures against

divisions, June 18, 1940, NOKW-1483. The commander of Army Group B was von Bock, while the 4th Army was commanded by von Kluge. No records are available of the number of shootings, and it is likely that none were carried out after the conclusion of the French campaign. In 1944 a directive of the OKW/Chef Kgf., which had jurisdiction only over permanent camps in the rear, provided merely that the bodies of Jewish prisoners who had been deprived of German nationality by the 11th ordinance to the Reich Citizenship Law were to be buried without military honors. OKW/Chef Kriegsgefangenenwesen, *Befehlssammlung* No. 48 (signed Meurer), December 15, 1944, OKW-1984.

259. OKW/Chef Kgf., *Sammelmitteilungen* No. 1 (signed Obstl. Breyer), June 16, 1941, OKW-1984. *Befehlssammlung* No. 11 (signed von Graevenitz), March 11, 1942, OKW-1984. *Befehlssammlung* No. 48 (signed Meurer), December 15, 1944, OKW-1984. A Red Cross delegation reported in March, 1941, that it had seen about 50 Jewish prisoners in Stalag XIa with the large indelible inscription *Jud* on their French uniforms. International Red Cross report (signed Dr. Marti and Dr. Descoedres), March 16, 1941, NG-2386. The report may have contributed to the prohibition.

these people.

One of the first Vichy measures in Africa was the abolition of the so-called Cremieux Decree, under which the Jews of Algeria had enjoyed since 1870 the status of French citizens. Next the Algerian Jews were hit by a number of provisions in French laws which had been enacted for the metropolitan area, but which were applied to Algeria as well, because that territory was an "integral" portion of France. Under these provisions, dismissals were effected in the civil service, limitations were placed on professional activity, and Aryanizations were introduced into business. Finally, a number of measures in Algeria and the neighboring "protectorates" of Morocco and Tunisia were prepared by the resident French military men who ruled North Africa during the early forties:

Delegate General Africa, Gen. Maxime Weygand
 Resident General Moroccan "Protectorate," Gen. Nougès (200,000 Jews)
 Governor General Algeria, Adm. Abrial (120,000 Jews)
 Resident General Tunisian "Protectorate," Adm. Esteva (80,000 Jews)

Under the leadership of General Weygand little Jewish commissariats were established in Algeria and Morocco. Most of the discriminations in effect in Algeria were now enforced through "decrees" of the Sultan in Morocco; in addition, the Sultan forbade his Jews such activities as moneylending, while the Resident General of Morocco, General Nougès, was busy with plans for the establishment of compulsory ghettos and concentration camps up to the very moment when Allied forces invaded his domain.²⁶⁰

260. See, in general, *Donauzeitung* (Belgrade), August 17, 1941, p. 2; and *Die Judenfrage*, September 10, 1941, p. 168; February 15, 1942, p. 37; April 15, 1942, p. 76; May 15, 1942, p. 101; October 15, 1942, p. 223.

The application of dismissals and Aryanizations to Tunisia led to difficulties with the Italians, who insisted upon the protection of 5000 Italian Jews in the territory. Ambassador Abetz now found himself in the peculiar position of defending the French before General Gelich of the Italian armistice commission. Abetz wanted to know what sort of impression was created when France was persecuting and Italy protecting the Jews; he asserted that in Tunisia Italian Jews controlled almost all commercial activities and tried to talk Gelich into a scheme which would allow Italian Aryans to take over the property of Italian Jews.²⁶¹ The Italian government refused to assent to any such scheme.²⁶² We shall come back to Tunisia to describe what happened there when German troops landed in the Protectorate in November, 1942; let us now return to the destruction process in France itself.

The most important remark by Vallat at the press conference following his appointment as commissar concerned the Jewish immigrants who had "flooded" France between the two wars and who were now to be "shoved off" again. Here was the wedge which became the starting point of the "final solution" in France. At the time when Vallat took office, the general policy toward the foreign and stateless Jews had already been fixed. Under the law of October 4, 1940, these Jews were subject to internment, and the French government lost little time in implementing that law.

The 7500 Reich Jews who had been dumped in unoccupied France from Baden and the Saarpfalz were promptly interned at a camp in Gurs. According

261. Abetz to Foreign Office, July 4, 1942, NG-133.

262. Weizsäcker to Luther, political and legal divisions, September 2, 1942, enclosing note from Italian Ambassador Alfieri of the same date, NG-54.

to a report by Rabbi Kaplan, these Jews "lived in crowded barracks, sleeping on the ground, devoured by vermin, suffering from hunger and cold in a damp muddy region. During the one winter of 1940-1941, they suffered 800 deaths."²⁶³ By 1941 the Vichy government had established in southern France a network of camps: Gurs, Rivesaltes, Noé, Récébédon, La Vernet, and Les Milles.²⁶⁴ Besides the Baden-Saarpfalz Jews, the camps contained recent arrivals from the Reich-Austria-Protectorat-Polish area, as well as an assortment of "stateless" Jews of all kinds. The total number of inmates was 20,000.²⁶⁵

In Paris the German administration watched these developments with approving acceptance; they saw in the French measure a basis for similar action in the occupied territory.²⁶⁶ Under the direction of SS-Obersturmführer Dannecker, the Jewish expert detailed to the embassy, the Paris prefecture of police compiled a card index in which every Jew was listed (1) alphabetically, (2) according to street address, (3) by profession, and (4) in accordance with the crucial criterion of nationality.²⁶⁷

The list was first put to use in May, 1941, with a roundup of Polish Jews, and again in August with a seizure of Jews who were involved in "Communist de Gaullist misdeeds and assassination attempts against members of the Wehrmacht" (i.e., intellectuals.)²⁶⁸ The victims of these raids were men only, and they were placed in three camps.

263. Kaplan, *American Jewish Year Book*, 1945, p. 84.

264. *Ibid.*

265. Schleier (embassy in Paris) to Foreign Office, September 11, 1942, NG-5109.

266. Summary of conference attended by Abetz, Dannecker, Achenbach, and Zeitschel, February 28, 1941, NG-4895.

267. Dannecker to RSHA IV-B, February 22, 1942, NG-2070.

268. Kaplan, *American Jewish Year Book*, 1945, pp. 82-83. Schleier to Foreign Office, October 30, 1941, NG-3264.

were confronted by still another shortage: police. In all of occupied France the German Order Police had only three battalions with 3000 men in all. (How weak these forces were in relation to their task may be glimpsed in the fact that little Holland had more than 5000 men.²⁹⁷) Clearly, the Order Police could not be enlisted to help. For the relatively small operation of guarding the trains the RSHA had secured the assistance of the *Feldgendarmerie*, but for the major undertaking of conducting the seizures the SS men had to draw upon the French police. In the occupied zone the French police force was 47,000 strong.²⁹⁸ The Frenchmen were needed particularly in Paris, a city of nearly 3,000,000 people that had more than 140,000 Jews.

To secure the complete support of the French police, BdS Standartenführer Knochen stepped into the office of Chief of the French Government Pierre Laval and informed him that the German government had decided to deport every Jewish man, woman, and child living in France. No distinction was going to be made between Jews of French nationality and others. The prefect of police in Paris had already been notified by the German authorities of their decision in this matter. Laval thereupon interceded with Higher SS and Police Leader Oberg to save the situation.

Oberg made a compromise proposal. If the French police would co-operate in the operation, the seizures would be confined for the moment to stateless Jews. "The trains are ready," explained the SS-man. "They have to be filled at any price. The Jewish problem has no frontiers for us. The police must help us or we shall do the arresting without any distinction between French Jews and others." Oberg then offered the as-

urance that the Jews were being sent to Poland, where a "Jewish state" would be set up for them.

Laval now had to make a "rapid decision." He decided to save the French nationals and involve the police in the roundup. Writing his memoirs in the death house after the liberation, Laval defended his decision in the following words: "I did all I could, considering the fact that my first duty was to my fellow-countrymen of Jewish extraction whose interests I could not sacrifice. The right of asylum was not respected in this case. How could it have been otherwise in a country which was occupied by the German Army? How could the Jews have been better protected in a country where the Gestapo ran riot?"²⁹⁹

The compromise which brought temporary immunity to all Jews of French nationality had an upsetting effect on the German deportation strategy. For example, a transport scheduled to leave Bordeaux on July 15 had to be canceled because only 150 stateless Jews could be found in the city. The cancellation caused particular annoyance to Obersturmbannführer Eichmann; calling his expert Röhke from Berlin, he demanded an explanation for this fiasco. The RSHA had conducted lengthy negotiations with the Reich Transport Minister to obtain the cars, and now Paris canceled a train. Such a thing had never happened to him before. He could not even report it to Gestapo Chief Müller, lest the blame fall on his own shoulders. Disgusted, Eichmann uttered the threat that he might even drop France as an evacuation land.³⁰⁰

If Laval had made a dent in the German plan by saving the French Jews, he

299. Quotation and account of meetings with Knochen and Oberg from Pierre Laval, *Diary* (New York, 1948), pp. 97-99.

300. Memorandum by Röhke on long-distance telephone conversation with Eichmann, July 15, 1942, RF-1228. Eichmann had called at 7 P.M. on July 14.

297. Dalugee to Wolff, February 28, 1943, NO-2861.

298. *Ibid.*

made up for the loss in part by throwing in the children of the stateless victims. The question of the Jewish children remaining behind in the occupied territory did not "interest" him.³⁰¹ The Germans and their helpers among the French police could now proceed with the seizure of men, women, and children alike.

On the eve of the Paris roundup, a "working committee" met for the first time to discuss the "technical" details of the operation. The committee consisted of Dannecker and the following Frenchmen: the anti-Jewish commissar, Darquier de Pellepoix; the deputy of the French police chief in the occupied zone, Leguay; the director of the transit camps, François; the director of the Street Police, Hannequin; the director of the Jewish register in the Paris prefecture of police, Tulard; a representative of the prefect of the Seine département, Director Garier; the director of the Anti-Jewish Police, Schwebelin; the *Chef de Cabinet* of the anti-Jewish commissariat, Gallieu; and a staff officer of the Street Police, Guidot.³⁰²

As the raids struck the French capital, 12,884 stateless Jews were rounded up by the French police.³⁰³ Men without family were sent directly to Drancy; families were routed through the race track (the Velodrome d'Hiver) to Pithiviers and Beaune la Rolande. At these camps the children were separated from their parents, who were moved rapidly to the evacuation center at Drancy. The children were to follow.³⁰⁴

The German plan for the initial de-

301. Dannecker to RSHA IV-B-4, July 6, 1942, Centre de Documentation Juive Contemporaine, *La persécution des Juifs en France*, p. 128.

302. Dannecker to Lischka, Knochen, and Oberg, July 8, 1942, *ibid.*, p. 144.

303. Schleier to Foreign Office, September 11, 1942, NG-5109.

304. Kaplan, *American Jewish Year Book*, 1945, pp. 82-84.

portation of 100,000 Jews had called for 50,000 from each zone, and the two operations were to be implemented simultaneously. Thus, on June 27, Hauptsturmführer Dannecker mentioned in a conversation with Legationsrat Zeitschel that he would need 50,000 Jews from the Vichy zone "as soon as possible." Zeitschel communicated the matter immediately to Ambassador Abetz and Gesandtschaftsrat Rahn.³⁰⁵ The diplomats and SS men now joined forces to apply the necessary pressure (*Druckarbeit*) upon Laval.

Not much pressure was needed. Laval declared himself ready to hand over the foreign Jews from the unoccupied zone and proposed that the Germans also "take along" the children under sixteen.³⁰⁶ The Germans were elated. They were also surprised. After one meeting a German negotiator, Gesandtschaftsrat Rahn, could not help remarking to Laval that the whole business was just a little unsavory. Irritated, Laval jumped at Rahn: "Well, what am I to do? I offered these foreign Jews to the Allies, but they didn't take them off my hands."³⁰⁷

On August 13, 1942, the delegate of the French police in the occupied zone, Leguay, declared in a conference with Dannecker that the first transport with Jews from the occupied zone would cross the demarcation line on August 17, 1942. The transports from southern France were to be routed to Drancy, where they were to be "mixed" with the Jewish children from Pithiviers and Beaune la Rolande in the proportion of 500-700 adults per 300-500 children. At the same time Leguay assured the German representative that renewed

305. Zeitschel to Knochen, June 27, 1942, RF-1220.

306. Dannecker to RSHA IV-B-4, July 6, 1942, Centre de Documentation Juive Contemporaine, *La persécution des Juifs en France*, p. 128.

307. Testimony by Rudolf Rahn, Case No. 11, tr. pp. 17581-83.

roundups had been launched in the unoccupied zone in order to fill the German quota. The German negotiators listened carefully and bluntly warned Leguay that it was a question of a "permanent *Aktion*" which eventually would have to include the Jews of French nationality.³⁰⁸

The Vichy authorities understood. By September 1 they had handed over 5000 Jews, and during the same interval another 7100 were arrested in the unoccupied zone.³⁰⁹ A low point had been reached in the ability of the Pétain-Laval regime to withstand German pressure. But counter-pressures were already building up.

In the southern city of Toulouse the archbishop instructed the clergy of his diocese to protest from their pulpits against the deportation of the Jews. When Laval heard of these instructions, he called a representative of the Nuncio, Monsignor Rocco, and requested him to call to the attention of the Pope and Cardinal State Secretary Maglione the French government's determination not to permit interferences of this type in the internal affairs of the state of France. Laval then warned Rocco that in the event of any attempt on the part of the clergy to shield deportable Jews in churches and cloisters, he would not hesitate to drag out the Jews with French police. In conclusion, Laval expressed his surprise that the Church was so adamant in its attitude; after all, he said with reference to the "yellow hat," anti-Jewish measures were not exactly new to the Church.³¹⁰

Laval implemented his threat. In the Lyon diocese a number of priests were arrested for reading protest declarations to the congregations and for har-

308. Summary of German-French police conference, August 13, 1942, RF-1234.

309. Schleier to Foreign Office, September 11, 1942, NG-5109.

310. Abetz to Foreign Office, August 28, 1942, reporting conversation of August 27 with Laval, NG-4578.

boring Jewish children on the church grounds.³¹¹ Among the arrested men was the Jesuit Elder Chaillet, the "right hand" of Archbishop Gerlier of Lyon. Chaillet was accused of hiding eighty Jewish children.³¹²

While Laval was fighting off the Church, counter-pressure was being applied to him from still other quarters — the United States and Switzerland. Diplomatic relations between the United States and Vichy France persisted through the summer months of 1942, but the relationship was already strained when in August, 1942, the Americans watched the preparations of the Vichy regime to return the Jewish refugees to the German Reich. When the delegate of the American Friends Service Committee protested against the impending deportations, he was told by Laval "that these foreign Jews had always been a problem in France and that the French Government was glad that a change in the German attitude towards them gave France an opportunity to get rid of them." Laval asked the Quaker delegate why the United States did not take these Jews and concluded with "a rather bitter general discussion of the Jewish problem."³¹³

The American chargé d'affaires in Vichy then approached the Chief of the French Government to obtain a few exit permits for threatened Jewish victims. During these discussions the American diplomat expressed the attitude of the United States toward the deportations, stressing the contention that "the world, and the people of

311. Bergen (German Ambassador at the Vatican) to Foreign Office, September 14, 1942, NG-4578.

312. Abetz to Foreign Office, September 2, 1942, NG-5127.

313. Thompson (Second Secretary of Legation in Switzerland, temporarily in France) to Secretary of State Hull, August 7, 1942, *Foreign Relations of the United States 1942* (Washington, D.C., 1960), I (general, etc.), 463-64.

France, would some day pass judgment on Laval for this callous act."³¹⁴ At the same time, U. S. Secretary of State Hull told French Ambassador Henry Haye in Washington what the American government thought of Vichy's decision to deport the Jewish refugees.³¹⁵

The government of Switzerland, casting its eyes upon the developments in neighboring France, had a momentary vision of a mass invasion of refugees. As frightened Jews from southern France and prospective Wehrmacht draftees from Alsace-Lorraine began to drift across the border, the federal authorities sent back a few of the Jewish arrivals on the ground that the Jews did not qualify for "political" asylum. Faced with considerable criticism of this action, the chief of the Federal Justice and Police Department declared that "we cannot turn our country into a sponge for Europe and take in for example 80 or 90 per cent of the Jewish refugees."³¹⁶

While Swiss police were engaged in tightening the frontier, the Swiss Minister in Vichy, Walter Stucki, acting as the delegate of the International Red Cross Committee for France, stepped into the office of Pétain and, pounding the table, delivered his protest to the old French marshall. Pétain is said to have "deplored" the situation, adding that it was a matter of "internal concern"; Stucki is reported to have replied that he disagreed and that, under the deportation measures, children were being taken from institutions where they had been cared for by Swiss charity.³¹⁷

314. President Roosevelt to Representative Celler (U.S. Congress), October 21, 1942, in Emanuel Celler, *You Never Leave Brooklyn* (New York, 1953), pp. 90-92.

315. Abetz to Foreign Office, September 18, 1942, reporting conversation between Sauckel and Laval, NG-2306.

316. Harrison (U.S. Minister in Switzerland) to Hull, September 5, 1942, *Foreign Relations* 1942, I, 469-70.

The Germans, in the meantime, were not wholly satisfied with the pace of the deportations in France. During an RSHA conference of Jewish experts in Berlin on August 28, 1942, the remark was dropped that other countries were ahead of France in final solution matters and that the French sector would have to catch up.³¹⁸ A few days later Untersturmführer Ahnert sent Oberg a compilation of figures which revealed that, up to September 2, deportations had totaled 18,000 Jews from the occupied zone and 9000 from the unoccupied area - 27,000 in all. Although operations were to be stepped up in September, said Ahnert, the Germans faced an obvious difficulty in the French insistence upon a distinction between French and foreign Jews. It would therefore be necessary to effect at least a French revocation of naturalizations granted to Jews after 1933.³¹⁹

During the following few weeks BdS Knochen talked to French Police Chief Bousquet and to Premier Laval about the possible concentration of the Jews of French nationality. The talks were unsuccessful. Pétain was opposed to the deportation of French Jews, and the Vichy bureaucracy was reluctant to act in contravention to Pétain's wish. Higher SS and Police Leader Oberg then informed Himmler of the situation. Himmler, backing down, agreed that for the time being no Jews of French nationality were to be deported. All

317. Harrison to Hull, September 26, 1942, *ibid.*, p. 472. See also the conversations carried on by French Protestant Pastor Boegner with Bousquet, Darlan, and Laval, in Alexander Werth, *France 1940-1955* (New York, 1956), pp. 61-62.

318. Röthke to Knochen and Lischka, September 1, 1942, RF-1228.

319. Ahnert via Hagen to Oberg, September 3, 1942, RF-1227. The figure of 18,000 for the occupied zone includes the deportation of the 5000 Jews who had been rounded up in 1941. Schleier to Foreign Office, September 11, 1942, NG-5109.

efforts were now to be concentrated on another front: the deportation of those foreign Jews who were protected only by Axis states - the Italian Jews, the Hungarian Jews, and the 3000 Roumanian Jews in France.³²⁰

Again the Germans were checked. The negotiations with the Roumanians and Hungarians turned out to be a slippery affair. The Roumanians would agree to relinquish their Jews, only to turn around and withdraw their consent. When pressured, the Roumanian negotiators would agree, subject to prior co-operation by the Hungarians, while the Hungarians insisted that the Roumanians move first. In part at least, this reluctance was due to the Italians, who refused to move at all. The German Foreign Office did all in its power to persuade the Italians to co-operate. From the pen of Unterstaatssekretär Luther flowed letter after letter on the need to do something about the Italians,³²¹ but Germany's principal Axis partner remained absolutely firm.

In Paris the Italian Consul General, Dr. Gustavo Orlandini, exacted from Obersturmführer Röthke an agreement that no Italian subject in France would be touched by the Germans without prior Italian consent. In considering such consent, the Italian consuls were going to be guided by the Italian "racial laws" and the higher directives received from Rome.³²² And in Rome even the highest circles had no sym-

320. Knochen to RSHA IV-B-4, September 25, 1942, NG-1971.

321. Luther to Weizsäcker, July 24, 1942, NG-5094. Luther to Weizsäcker and Wörmann, September 17, 1942, NG-5093. Luther via Weizsäcker to Ribbentrop, October 22, 1942, NG-4960. Only about 500 Italian Jews were living in the occupied zone, "but this," said Luther, "does not detract from the importance of the question." Luther to Ribbentrop, October 22, 1942, NG-4960.

322. Orlandini to Röthke, August 4, 1942, in Leon Poliakov (ed.), *La condition des Juifs en France sous l'occupation italienne* (Paris, 1946), p. 149.

pathy with the killing of the Jews.

The increasing difficulties encountered with the attempted deportations of Jews holding French or Axis nationalities were reflected in a decreasing number of transports leaving France for the East. Instead of "catching up" with the rest of Europe, the French sector appeared to fall further and further behind. Then, one day in the beginning of November, an event in North Africa shook up the equilibrium. Allied troops had started landings in Morocco and Algiers. The Germans, in a lightning countermove, occupied Vichy France and the Protectorate of Tunisia. The demarcation line had disappeared.

A large new area was now under German control, but newly acquired opportunities were matched by a host of fresh obstacles and barriers. The first of these was the geographic factor; if the SS and Police had been stretched thin in the old occupied zone, there were now tens of thousands of additional square miles to cover. Another obstacle presented itself in the form of the Italian opposition, for if Italian influence was felt in Paris, it was felt much more strongly east of the Rhone and in Tunisia. A third difficulty was perhaps the most important: it was the Vichy's realization that Germany had lost the war.

In Tunisia the German sphere of activity was most restricted. For one thing, the geographic position of the area was forbidding. The Germans knew that in the event of an Allied breakthrough they would not be able to evacuate the fighting army from there. How, then, could they have shipped out the Jews? Besides, Tunisia was Africa, and the "final solution" by its very definition was applicable only to the European continent. These considerations, however, were not going to stop the German bureaucrats from inflicting upon the Tunisian Jews a

ganda Office of the OKW wanted the propaganda platoon in Tunisia to foment pogroms and the looting of Jewish stores, but Minister Rahn took a dim view of these instructions. He thought them unenforcible until such time as German troops stood "at least" at the Algerian border.³²⁷

On the island of Djerba, off the eastern coast of Tunisia, the Germans managed to present to the Jews a parting gift. Some 4500 Jews were living in two ancient ghettos there. A major in charge of the *Kommandantur* on the island is said to have approached the chief rabbi of the principal ghetto, the Hara Khebir, and demanded the delivery within two hours of 50 kilograms of gold under threat of bombardment by two German planes. The major departed with 47 kilograms, leaving the community impoverished.³²⁸

The Tunisian expedition was at an end. The 80,000 Jews were left there, benumbed by the German cyclone which had touched them.

While in Africa the Germans were confined to looting and labor exploitation, they hoped to accomplish something more in the newly occupied regions of metropolitan France. The Higher SS and Police Leader, Brigadeführer Oberg, sent his *Einsatzkommandos* south. On the river Rhone he discovered an obstacle: a large area east of that river was occupied by Italian troops. Acting under the assumption that the Italian forces were under German command, Oberg asked General-

feldmarschall von Rundstedt, the *Oberbefehlshaber West*, to "pave the way" with the Italians for his *Einsatzkommandos*. Rundstedt, however, had no jurisdiction in the matter. The Italian divisions were under the command of the Italian Fourth Army, stationed in Turin.³²⁹ In the new Italian occupation zone the Jews were to enjoy complete sanctuary, and as the Germans turned toward the Pyrenees, Spain too became a place of refuge for some Jews.³³⁰

The Germans now attempted to bring down as many police forces as could be scraped up on a moment's notice. The 3000 men of the Order Police stretched out from the Belgian frontier to the Mediterranean were reinforced by a police regiment under Colonel Griese, and by January, 1943, another 2000 men with heavy weapons were on their way.³³¹

Pressure was then exerted upon the chief of the French police, Bousquet, for his full co-operation. Bousquet appeared to agree. "The French police," reported Himmler, "are prepared to collect the Jews within the prefectures, from which we could then transport them to the East."³³² As if to show its good faith in the matter, the Vichy regime "of its own accord" forbade Jewish travel in the newly occupied zone and ordered identity and food ration cards to be stamped with the J. The German Embassy, however, was afraid that without Italian co-operation east of the Rhone River the Jews would simply wander off from the German to

327. Rahn to Foreign Office, December 22, 1942, NG-2676. Testimony by Rahn, Case No. 11, tr. pp. 17583-84. The SS and Police in Paris contacted the embassy with a similar request that a clandestine radio station, under control of the embassy, broadcast in Arab dialects to North Africa with a view to inciting natives to riot against the Jews and American occupation authorities. Schleier to Foreign Office, November 24, 1942, NG-57.

328. Mane Katz (Paris painter), "Bei den Juden von Djerba," *Aufbau* (New York), September 3, 1954, p. 9.

329. Oberg to Himmler, November 16, 1942, NO-3085.

330. Abetz to von Krug in Vichy, November 14, 1942, NG-3192. Schleier to embassy's Vichy branch, November 20, 1942, NG-3192. The small state of Andorra, wedged in the Pyrenees, was reported to be filled with Jewish refugees. *Die Judenfrage*, April 15, 1943, p. 136.

331. Daluege to Wolff, February 28, 1943, NO-2861.

332. Himmler to Ribbentrop, January, 1943, NO-1893.

The military situation did not exactly change in Germany's favor. At the beginning of September Italy surrendered to the Allies, and the Germans were left as the undisputed though overextended masters of all France. Within a matter of days the Security Police swept over the zone vacated by the Italians. Thousands of Jews were caught at Nice. Several hundred families who had taken refuge in Monaco left their sanctuary in fear of a German invasion. Many of these victims walked to their undoing as they tried to reach the frontiers of Switzerland or Spain.³⁵¹

Notwithstanding the temporary flare-up of activity in the former Italian zone, the German machinery of destruction in France was forced to slow down by an emergence of formidable barriers. Because of the increasing French reluctance to co-operate in arrests and seizures, the German police were gradually forced to rely upon their own resources. Raids were staged on arbitrary targets without much regard for the nature of the victims. One of these raids was described in some detail by the KdS in Lyon. In the early morning hours of April 6, 1944, Security Police in the Lyon sector had forced their way into the children's home in Izieu-Ain and had moved out with fifty-one persons, including five women and forty-one children between the ages of three and thirteen. Cash or other valuables, according to the report, could not be secured.³⁵²

in Poliakov, *Harvest of Hate*, pp. 178-81, fn. Also, Pierre Laval, *Diary*, p. 96.

351. Between the Security Police and the Foreign Office, a long correspondence ensued about the advisability of conducting seizures within Monaco: Von Thadden to Hencke, September 21, 1943, NG-4978. Steengracht to Consulate General in Monaco, September 23, 1943, NG-4978. Von Thadden to Eichmann, October 25, 1943, NG-4978. German Consul General in Monte Carlo (signed Hellenthal) to Foreign Office, July 14, 1944, NG-4964.

352. KdS Lyon IV-B (signed OStuf. Bar-

While the Germans thus stepped into the open, the Jews, with the aid of French organizations, began to submerge. The prospective victims went into hiding by the tens of thousands, and, wherever possible, they moved across the borders.³⁵³ The growing tendency of the Jews not to move blindly to their death is illustrated by an incident reported by a sergeant of the Order Police who guarded a transport to Auschwitz. At Leroville, reported the policeman, nineteen Jews had jumped off the train during the night. By way of self-defense, he pointed out that these Jews were the same ones who had previously tried to tunnel their way out of the Drancy transit camp. Those men, the report continued, should have been entrained without their clothes. The date of the report was December 3, 1943.³⁵⁴

The increasing recalcitrance of the French administration and the organized submersion by masses of Jews finally resulted in a German decision to employ all the available forces of the Security Police for an all-out drive against the remaining Jews. This final phase of the French deportations was inaugurated with an order signed by the BdS, Standartenführer Knochen, and his assistant, Hauptsturmführer Brunner, on April 14, 1944, a little more than four months before the Germans lost France. The order directed the seizure of all Jews of French nationality, save only those who were living in mixed marriages. The targets of the raids were to be children's homes,

bie) to BdS Paris IV-B, April 6, 1944, RF-1235.

353. Marie Syrkin, *Blessed is the Match* (Philadelphia, 1947), pp. 294-95, 301. Kaplan, *American Jewish Year Book*, 1945, pp. 97-98. *Einsatzkommando Marseille* (signed Stubaf. Mühler) to BdS IV-B, November 18, 1943, Occ 20.

354. Meister der Schupo Friedrich Köhnlein (5./PI. Wachbatl. V) to OStuf. Röthke, December 3, 1943, Occ 19.

last nationality had been German.³⁶⁷ On September 15, 1943, he extended the decree to the property of "former" Polish and Protektorat Jews. Thus were the French to be punished for their lack of co-operation in the closing stages of the deportations.

ITALY. — As we move from France to Italy, we can observe for the first time the development of a destruction process in a country which was one of Germany's allies. The anti-Jewish regime in the Italian realm was established without German participation; in fact, the status of the Jews in Italy was a subject which could not easily be touched in German-Italian negotiations throughout the duration of the Axis partnership.

The first Italian measures were as thorough in appearance as any which had been drafted by German hands, but the Italian government failed to follow up its decrees and, frequently, even to enforce them. In certain basic respects the Italian approach to anti-Jewish persecutions was similar to the Italian attitude towards the war: the Italians wanted to keep up with their powerful German ally; they strove, above all, to be taken seriously, like the Germans. As Foreign Minister Ciano once put it, "The Germans have loved us without respecting us."³⁶⁸ But

367. Decree of December 2, 1942, *Verordnungsblatt des Militärbefehlshabers in Frankreich*, 1942, p. 451. From the billion-franc fine, the sum of 50,000,000 francs was made available at this time to the French government for the support of families whose breadwinners were working in Germany. Schleier to Foreign Office, December 9, 1942, NG-3335. Nothing appears to have been charged to the French state for the transport of the Jews. However, the French railway system, in which 400,000 French employes were serving under 10,000 German supervisors, bore a heavy part of the burden. On the role of the French railway men, see in general the memorandum by OB West Ic/AO, August 8, 1943, NOKW-2627.

368. Galeazzo Ciano, *Ciano's Hidden Diary*

in the end the Italians did not match the Germans in expenditure of ferocity and the shedding of blood. Quite unlike the German Nazis, the Italian Fascists committed themselves in words without fulfilling themselves in deeds, for in their hearts the Italians had no use for the Germans and the German way of life. "We have respected them," said Ciano, "without loving them."³⁶⁹

In a more narrow sense, there is another reason why the Italian operation against the Jews never quite got off the ground: Not only was the Fascist government no ideal persecutor, but the Italian Jews were not its ideal victims. That is not to say that the Italians were wholly incapable of hurting subject peoples; there were incidents, too serious to be overlooked, against Yugoslavs, Greeks, and African inhabitants. Nor must we conclude that the Jews in Italy were more able to take care of themselves than Jews elsewhere. The Italian Jews turned out to be as vulnerable to German attack as Jews were everywhere in Axis Europe. But the relationship between Jews and Italians had progressed to a point which made Italian persecutions of Jews psychologically as well as administratively difficult. The Jews had rapidly and thoroughly been absorbed into Italian life. From the abolition of the papal ghetto in Rome in 1870 to the first anti-Jewish laws by the Fascist government in 1938, the integration of Jewry in Italy had been greater than almost anywhere else in the world.

The acceptance of the Italian Jews is reflected to some extent in statistics. Thus we find that conversions affected approximately 10 per cent of the Jewish population³⁷⁰ and that in a city like

1937-1938 (New York, 1953), entry for November 17, 1938, p. 195.

369. *Ibid.*

370. The converted Jews numbered 5000. Institute of Jewish Affairs, *Hitler's Ten-Year War on the Jews*, 1943, p. 294.

Trieste about 50 per cent of all the married Jews had Christian spouses.³⁷¹ Significant also was the occupational distribution, which in 1910 already looked like this:³⁷²

- 41.5 per cent in trade and commerce
- 23.0 per cent in professions, civil service, and military service
- 8.1 per cent in agriculture

Jews were unusually active not only as officers in the armed forces but also as public servants in the highest positions of government. The Institute of Jewish Affairs provides us with an enumeration of Jews who in the brief history of modern Italy had held the offices of Prime Minister, Foreign Minister, War Minister, Finance Minister, Labor Minister, Justice Minister, and Minister of Education.³⁷³ These, then, were the people who became the victims of a sudden hostile outburst in 1938. How did that happen?

In Ciano's so-called *Hidden Diary* (1937-38), there has been preserved for us an inside story of the evolution of the Italian anti-Jewish laws. On December 3, 1937, just when the Italians began to feel a strong breeze from the north, Ciano made the following entry in his diary:³⁷⁴

The Jews are flooding me with insulting anonymous letters, accusing me of having promised Hitler to persecute them. It is not true. The Germans have never mentioned this subject to us. Nor do I believe that we ought to unleash an anti-Semitic campaign in Italy. The problem doesn't exist here. There are not many Jews and, with some exceptions, there is no harm in them. . . .

A few weeks later Ciano refused to

371. In 1927, Trieste had 255 mixed marriages per 100 Jewish marriages. Arthur Ruppin, *Soziologie der Juden* (Berlin, 1930), I, 213.

372. *Ibid.*, p. 348.

373. *Hitler's Ten-Year War*, p. 286.

374. *Ciano's Hidden Diary*, p. 40.

lend his support to an anti-Jewish campaign to Giovanni Preziosi, renegade priest and editor of the anti-Semitic periodical *La Vita Italiana*.³⁷⁵ On February 6, 1938, Ciano remarked, in a talk with his father-in-law, Duce Benito Mussolini, that he favored "a solution which will not raise a problem which fortunately does not exist here." Mussolini agreed. "He will pour water on the flames," wrote Ciano, "though not enough to suppress the thing altogether."³⁷⁶ A few days later the Duce was already pouring so much water as to declare himself in *Informazione Diplomatica* No. 14 in favor of a Jewish state. Ciano thought that this was going too far.³⁷⁷

On June 3, 1938, Mussolini was in turn angry with Roberto Farinacci, a member of the Fascist Grand Council and leader of the anti-Semitic movement in Italy, for having himself a Jewish secretary, Jole Foa. This was the kind of thing, wrote Ciano, "which foreigners see as proof of a lack of seriousness in many Italians."³⁷⁸

Some time later in July, Pope Pius XI made a speech "violently critical" of racism. The Pope's remarks were received with something less than good humor by the Fascist leadership, to whom racism implied not a mere assertion of power vis-à-vis Jewry but, much more importantly, a feeling of superiority over the recently conquered African populations of the empire. Upon hearing of the papal criticism, Foreign Minister Ciano called the nuncio, Borgongini-Duca, to express his displeasure. Ciano pointed out that the Duce regarded the racial question as fundamental. It was the lack of racial preparedness which had caused the Am-

375. *Ibid.*, entry for December 29, 1937, p. 52.

376. *Ibid.*, entry for February 6, 1938, p. 71.

377. *Ibid.*, entry for February 18, 1938, p. 75.

378. *Ibid.*, entry for June 3, 1938, p. 93.

hara insurrection in Ethiopia. Ciano's entry continues: "I spoke quite plainly to Borgongini, explaining the premises and aims of our racial policy. He seemed pretty convinced, and I may add that he showed himself personally very anti-Semitic. He will confer with the Holy Father tomorrow."³⁷⁹ Mussolini himself was worked up about the Catholic offensive and in a state of agitation gave his son-in-law Ciano an order for the first anti-Jewish measure in Italy. He ordered all Jews to be struck off the diplomatic list.³⁸⁰

In September, 1938, the Interior Ministry, under the direction of the Duce, was working on an anti-Jewish charter. In the months from September to November the Fascist Grand Council met several times to discuss the law.³⁸¹ At the council meeting of October 6, Marshals Italo Balbo and Emilio de Bono, as well as president of the Senate Federzoni, spoke in favor of the Jews; however, the Education Minister, Giuseppe Bottai, opposed any mitigation of the anti-Jewish measure. "They will hate us," he said, "because we have driven them out. They will despise us if we let them in again." Between speeches the Duce turned to his son-in-law and remarked, "The discriminatory measures mean nothing." The important thing, he thought, was to raise the problem and then to allow anti-Semitism to develop "of its own accord."³⁸² At a subsequent meeting Lieutenant General Achille Starace, as Secretary General of the Fascist Party, proposed the unconditional expulsion of all Jews from the party. Mussolini rejected this proposal without ado.

By the middle of November the anti-Jewish provisions were ready. They

379. *Ibid.*, entry for July 30, 1938, p. 141.

380. *Ibid.*, entry for August 8, 1938, p. 141.

381. *Ibid.*, entries for September 1 and 4, October 6 and 26, November 6 and 10, pp. 149-51, 174, 184, 190, 192.

382. *Ibid.*, entry for October 6, 1938, p. 174.

contained a curious mixture of all the influences at work on the Italian scene: "racialism," anti-foreignism, clericalism, and bureaucratic paternalism. The definition of the term "Jew" was drawn up in such a way that everyone was affected (a) if both of his parents belonged to the Jewish religion, or (b) if one parent belonged to the Jewish religion and the other was a foreigner, or (c) if the mother was Jewish by religion and the father unknown, or (d) if one parent was Jewish and the other Italian, provided, however, that on October 1, 1938, the offspring belonged to the Jewish religion, or was a member of the Jewish community, or "in some other way participated in some Jewish undertaking."

The anti-Jewish decrees then went on to exclude the Jews from membership in the armed forces, the civil service, and the party, and from ownership or management of armament firms or enterprises of any other sort which employed at least a hundred Italians. Jews were also forbidden to own real estate in excess of 20,000 lira and agricultural property valued over 5000 lira. However, war veterans, old Fascists, etc., their children, grandchildren, parents, and grandparents, were not affected by the restrictions on enterprises and immobile property.

In a later decree, dated June 29, 1939, the professionals (including doctors, lawyers, auditors, engineers, architects, etc.) were restricted "except in cases of proven necessity and urgency" to serving Jews. Once again, however, exceptions were made for war veterans, old Fascists, etc.

In the field of social concentration the Italian legislation was very detailed. The formation of marriages between Jews and Italians was forbidden except on the point of death or to legitimize an offspring.³⁸³ The employment

383. The Pope's suggestion that an exception be made also for converted Jews was

of non-Jewish household help was barred. The adoption or care by Jews of non-Jewish children was forbidden, and provision was made for depriving a Jewish parent of his Christian child if proof was adduced that the child did not obtain an education consonant with Christian principles or national aims. The basic law and the decrees which followed provided for expulsions from schools, revocation of name changes, and registration in the civil lists. ¹⁹³²

Finally, the law of November 17 ordered the nullification of all naturalizations obtained by Jews after January 1, 1919, and stipulated that all foreign as well as denaturalized Jews — except those who were over sixty-five or living in mixed marriage — were to leave Italy and its possessions by March 12, 1939. ³⁸⁴

When the drafting of the first two laws was finished, Benito Mussolini had a discussion with the man who had to sign his name to all the anti-Jewish decrees, King Victor Emmanuel. Three times during the conversation the King remarked that he felt an "infinite pity for the Jews." He cited cases of persecution, among them that of General Pugliese, "an old man of eighty, loaded with medals and wounds, who had been deprived of his housekeeper." An-

rejected. *Ibid.*, entry for November 6, 1938, p. 190.

384. For full texts of the decrees of November 17, 1938/XVII No. 1728 (basic law); November 15, 1938/XVII No. 1779 (schools); December 22, 1938/XVII No. 2111 (military pensions); June 29, 1939/XVII No. 1054 (professions); July 13, 1939/XVII No. 1055 (name changes); see the *Gazzetta Ufficiale*, 1938 and 1939. Complete German translations in *Die Judenfrage (Vertrauliche Beilage)*, October 15, 1942, pp. 78–80; December 1, 1942, pp. 91–92; December 15, 1942, pp. 94–96; March 1, 1943, p. 20. For summary and explanations, see also Emilio Canevari, "Die Juden in Italien," *Die Judenfrage*, October 1, 1940, pp. 143–46. On administration of expropriated agricultural property, see Rademacher to Luther, November 14, 1940, NG-3934.

noyed, the Duce pointed out that there were "20,000 spineless people" in Italy who were moved by the fate of the Jews. The King replied that he was one of them. ³⁸⁵

It is perhaps unnecessary to stress that the Italian anti-Jewish code was not altogether mild. Its victims must have felt that code severely, precisely because in the past they had found in their country such complete acceptance. The provisions against employment by the state and possession of farms, for example, had an import more serious than that of similar decrees elsewhere, because in Italy a comparatively large number of Jews had found a livelihood as government workers and farmers. To be sure, the Italian laws allowed for many exceptions, and the implementation of the legislation as a whole was both slow and lax. There is perhaps no better illustration of the total effect of the Italian laws than the figures on Jewish emigrations given in Table 59. ³⁸⁶

TABLE 59 / Jewish Emigrations from Italy

	EMIGRATED BY OCTOBER 15, 1941	JEWISH POPULATION AT END OF 1941
Citizens	5,966	39,444
Foreigners	1,338	3,674
Total	7,304	43,118

Of the foreign Jews, most of whom had been obliged to leave, only about 27 per cent had gone by 1941, but of the native Jews, who did not have to go, 13 per cent had left as well.

The remaining foreign Jews were not to have an easy time. By May, 1942, about a thousand of them had been interned in camps at Salerno and Cosenza as well as in a women's camp at

385. *Ciano's Hidden Diary*, entry for November 28, 1938, p. 199.

386. *Die Judenfrage*, March 15, 1942, p. 56.

Chieti. ³⁸⁷ In the late summer of 1942, Jews of Italian nationality were called up for labor in Rome, Bologna, Milan, and the African colony of Tripoli. ³⁸⁸ The Jews of Rome were forced to wash the retaining wall of the Tiber River; for the Jews of Milan a work camp was erected in the city. Near the Tripolitanian town of Giado, between 2000 and 3000 Jews were incarcerated in a desert camp, and when the British arrived at Giado early in 1943, they found that a typhus epidemic was raging there. ³⁸⁹ According to Jewish sources, 318 of the Giado Jews had died. ³⁹⁰

From the German viewpoint, however, all these measures were extremely inadequate. A large segment of the Italian Jews was almost wholly unaffected by anti-Jewish action. The pace of the destruction process since the first laws had been issued in 1938 and 1939 was much too slow to suggest that the Italians would ever arrive under their own power at the critical point at which deportations would become a feasible proposition. In Italy there was as yet no total deprivation of Jewish property and no foolproof regulation of Jewish residence and movements. Still, the Germans were reluctant to interfere. Italy was still Germany's principal ally, and the Germans did not forget that fact.

On September 24, 1942, Ribbentrop called Luther on the telephone to issue instructions about the deportation strategy in various countries of Europe. With respect to Italy, however, Luther was to undertake nothing. That question was to be reserved for a personal discussion between the Führer and the

387. *Ibid.*, May 1, 1942, p. 92.

388. *Ibid.*, August 1, 1942, p. 172; September 15, 1942, p. 197; October 15, 1942, p. 223; September 1, 1942, p. 183.

389. Maj. Gen. Lord Rennel of Rodd, *British Military Administration of Occupied Territories in Africa during the Years 1941–1947* (London, 1948), p. 272.

390. *Hitler's Ten-Year War*, pp. 294–95.

Duce or between the Foreign Minister and Count Ciano. ³⁹¹

By January, 1943, the SS was exhibiting signs of impatience. Jews were being deported all over Europe, but Italian Jews in German-controlled areas continued to be immune. Their immunity made them more and more conspicuous. By January 13, 1943, Ribbentrop therefore instructed Ambassador Mackensen to inform Foreign Minister Ciano that in German eyes Jews of Italian nationality were also Jews. In German-controlled territories, at least, the Germans wanted complete freedom of action after March 31, 1943. ³⁹²

In February Ribbentrop asked, in preparation for a visit to Rome, about the wishes of the SS in the Jewish question. Himmler replied immediately that he would like the Italians to cease sabotaging the measures of the RSHA in areas under German occupation. In Italy itself he wanted measures parallel to those in force in Germany. ³⁹³ The wishes of the SS were not destined to be quickly fulfilled. The Italians were not approachable in matters of destruction.

In May, 1943, Dr. Zeitschel of the Paris Embassy wrote a letter to his friend Dr. Knochen, who was the BdS in France, in which he set down his impressions of what he had observed during a visit to Rome. The German Embassy in Rome, he wrote, had for years been in possession of instructions from Berlin in no case to undertake anything that could cloud the friendly relations between Italy and Germany.

391. Luther to Weizsäcker, September 24, 1942, NG-1517.

392. Ribbentrop to Embassy in Rome, January 13, 1943, NG-4961. Bergmann to Embassy in Rome, February 18, 1943, NG-4958. Rademacher to Foreign Office representative in Brussels, February 27, 1943, NG-4955.

393. Minister Bergmann to office of Ribbentrop, February 24, 1943, NG-4956.

It therefore appeared utterly hopeless, he continued, that the German Embassy in Rome would ever grasp so hot an iron as the Jewish question in Italy. The Italian government, on its part, was "not interested" in the Jewish question. As the RSHA representative in Rome, Obersturmbannführer Dr. Dollmann, had told Zeitschel, the Italian armed forces were "still shot through with full Jews and countless half-Jews" (*noch mit Volljuden and zahllosen Halbjuden durchsetzt*). From the Fascist party itself action could be expected only under direct instructions from the Duce.³⁹⁴

But on July 25, 1943, the Duce was overthrown, and three days later the Fascist party was dissolved. As yet the new government of Marshal Badoglio made no other move. The war was still on, and the anti-Jewish laws were still in force.³⁹⁵ Then, suddenly the Badoglio government surrendered to the Allies. The Germans reacted with lightning speed. The Italian forces were disarmed, and Italy became an occupied country.

During September, 1943, and the period which followed, a horde of German bureaucrats moved into Italy in order to direct its affairs. From the multitude of German agencies which were then in existence on the Italian peninsula, we select the three which appear to have had decisive functions in the attempt to destroy the Italian Jews:

The German General Plenipotentiary and Ambassador: Rahn

Police Attaché (RSHA): OStubaf. Kappler

The German Plenipotentiary General and Higher SS and Police Leader:

394. Dr. Carltheo Zeitschel to BdS in France, May 24, 1943, in Poliakov, *La condition des Juifs en France sous l'occupation italienne*, pp. 157-58.

395. "Judengesetze in Italien noch in Kraft," *Donauzeitung* (Belgrade), August 7, 1943, p. 1.

OGruf. Wolff

Chief of Military Administration: Gruf. Wächter

Oberbefehlshaber Süd and commander of Army Group C: Gfm. Kesselring

Commander, Fourteenth Army: Gen. von Mackensen

Commander, Rome: Gen. Stahel

(Mälzer)

Italy thus had a civilian German overlord, the Foreign Office trouble shooter, Minister (later Ambassador) Rahn, whom we last saw in Tunisia. Then there was a military governor who also fulfilled the functions of Higher SS and Police Leader; this was the chief of Himmler's Personal Staff, Wolff. Incidentally, his chief of military administration, Wächter, came from Poland, where he had served as *Gouverneur* of Galicia. Finally, there was a commander of armed forces, Generalfeldmarschall Kesselring.

This, of course, was not all. In areas that before the conclusion of World War I had been Austro-Hungarian, the Germans installed two special overlords who had the title *Der Oberste Kommissar*. One such *Kommissar* was the *Gauleiter* of Tyrol, Hofer; his added area was southern Tyrol. The other was the *Gauleiter* of Carinthia, Rainer, who acquired the operations zone *Adriatisches Küstenland*, with the important city of Trieste. Under Rainer, Himmler had established a special Higher SS and Police Leader, none other than Odilo Globocnik, late of Lublin, now back in his home town.

The new machinery went to work immediately. Characteristically, the Germans did not wait for the re-establishment of a shadow government under Benito Mussolini. Just as, previously, the Italians had been too powerful to be approached, they were now too weak to be consulted. On September 25, 1943, the RSHA sent a circular to all its branches at home and abroad, specifying that "in agreement with the

Foreign Office" all Jews of listed nationalities could now be included in deportation measures. Italy headed the list. The circular continued: "The necessary measures will be carried out with regard to (a) Jews of Italian nationality at once. . . ."³⁹⁶

The operations in Italy itself started in Rome and gradually shifted north. The Italian capital had a Jewish community of perhaps 8000 people. The chief of the *Giunta* of the Rome community was Ugo Foa; the chief rabbi was Israel Zolli. The only account of what transpired within the Jewish leadership in the city comes from Zolli, one of the strangest figures of European Jewry during the days of the great catastrophe.³⁹⁷

When the Germans entered Rome, Zolli immediately went into hiding. He wanted to close the temple and urged everybody else to hide. Zolli was convinced that the Church with its monasteries and convents would offer refuge to the Jews; he believed that the Jews could never be traced through their old addresses, for he thought that the files in the Interior Ministry and the city hall were neither up-to-date nor complete. He feared only that the accurate Jewish community files might fall into German hands, and he therefore urged that they be destroyed. According to Zolli, none of these recommendations were carried out; on the contrary, President Foa ordered the head usher of the temple, Romeo Bondi, to deliver the address lists to the Fascist authorities upon demand.³⁹⁸

396. Von Thadden to missions abroad, October 12, 1943, enclosing RSHA circular dated September 23, 1943, NG-2652-H.

397. Eugenio (Israel) Zolli, *Before the Dawn* (New York, 1954).

398. *Ibid.*, pp. 140-55. In the Rome police Maresciallo Mario di Marco was especially busy with the preparation of false identity cards for Jews. His superior, Angelo de Fiore, who was in charge of the registration lists, flatly refused to hand them over to the Ger-

While Zolli was in hiding, the German police attaché, Obersturmbannführer Kappler, in an outburst of preliminary activity demanded from the Jewish community 50 kilograms of gold and threatened as a penalty for non-delivery the taking of 300 hostages. (Fifty kilograms of gold represent \$56,264 in American currency.) Although there were 8000 Jews in the city, so many well-to-do members of the community were already in hiding that the amount could not be raised in full. When word of the dilemma reached Zolli, he left his hiding place to negotiate with Bernardino Nogana, head of the Vatican Treasury, for a loan in the amount of 15 kilograms of gold (\$16,879). The loan, which had the approval of the Pope, was to be granted upon receipt of a simple guarantee signed by Zolli and the president of the Jewish community in Rome. Zolli then sent his daughter to transmit the terms to Foa and, as he recounts, to offer himself as a hostage.³⁹⁹ The gold was apparently delivered to Kappler in the German Embassy, just before the big guns were opened on the Jewish community in the city.⁴⁰⁰

With the Germans everything had so far proceeded according to plan, but the Jewish leaders faced with a sense of frustration their ancient blueprints for survival. Rabbi Zolli in his hideout remained convinced that everything would have worked out for the best if only President Foa had listened to his

mans. Interview of di Marco in *Aufbau* (New York), September 5, 1952, p. 11.

399. *Ibid.*, pp. 159-61. Also, declaration by Giorgio Fiorentino, *ibid.*, pp. 206-7. Fiorentino, who hid the Zolli family during the occupation, accompanied the rabbi on his mission to the Vatican.

400. Declaration by Prof. Elena Sonnino-Finzi (daughter of the chief rabbi of Genoa), July 2, 1944, *ibid.*, p. 209. Testimony by Albrecht von Kessel (member of the German Embassy staff at the Vatican from 1943 to 1945), Case No. 11, tr. p. 9518.

advice. What the president thought of the rabbi is revealed in the following letter dispatched by Foa to Zolli on July 4, 1944, one month after Rome's liberation.

Illustrious Sir:

I have attentively read the typewritten memorandum dated the 31st of September [*sic*] that you have sent me. I have the duty nevertheless, for the sake of the facts, to clarify a few affirmations concerning me which are not exact.

1. You have made no request for a conversation with the President of the Union and me, to present a project of yours intended to ward off the danger menacing our co-religionists on the part of the Germans.

2. No note with your signature was given me on September 28th, in which you said that you had assured to the Community a loan of fifteen kilograms of gold. On that day I only had from your daughter a very general promise of eventual help in presence of third parties who will be able to confirm this.

3. Neither by voice nor in writing did you declare to me your readiness to offer yourself as hostage. Furthermore, all your conduct gives the lie to such an affirmation.

I received from you only one note during the German Occupation. That was in February 1944 and in that note was mentioned exclusively a request for money. So much for the truth.

Best regards,
the President
UGO FOA⁴⁰¹

Zolli, by the way, came out of hiding and resumed his post in the temple of Rome after the liberation. While conducting the high holiday services there in the fall of 1944, he saw a vision of Christ. On February 13, 1945, he was baptized a Christian.⁴⁰²

The crisis came in October, 1943. Although the Jews of Rome were the only people threatened with immediate de-

401. Zolli, *Before the Dawn*, p. 203.

402. *Ibid.*, pp. 182-84.

struction, the operation which was now to transpire did not affect them alone, for Rome was also the city of the Catholic Church, and whatever happened there could not fail to concern the Pope himself. The Germans in Rome were aware of this situation, and they were not exactly enthusiastic about the prospect of a major clash with the Church. On October 6, Consul Moellhausen addressed a letter to Ribbentrop personally, to tell him that Obersturmbannführer Kappler had received an order from Berlin to arrest the 8000 Jews of Rome and to transport them to northern Italy, "where they are supposed to be liquidated" (*wo sie liquidiert werden sollen*). General Stahel had declared his intention to allow the implementation of this *Aktion* only if he had the agreement of the German Foreign Minister. "Personally, I am of the opinion," concluded Moellhausen "that it would be better business [*dass es besseres Geschäft wäre*] to mobilize Jews for defense construction just as in Tunis, and will propose this together with Kappler to Generalfeldmarschall Kesselring. Please send instructions."⁴⁰³ The answer from Berlin stated that on the basis of an order by Hitler, the Jews of Rome were to be brought to the Austrian concentration camp Mauthausen as hostages. Rahn and Moellhausen were not to interfere with this matter under any circumstances (*sich auf keinen Fall in diese Angelegenheit einzumischen*).⁴⁰⁴

On October 16, 1943, Bishop Hudal, rector of the German church in Rome, sent a last-minute appeal to General Stahel:⁴⁰⁵

403. Konsul Moellhausen (Rome) to Ribbentrop personally, October 6, 1943, NG-5027.

404. Von Sonnleithner to Bureau of the Foreign Minister, October 9, 1943, NG-5027. Von Thadden to Moellhausen, October 9, 1943, NG-5027.

405. Gumpert to Foreign Office, enclosing message from Hudal, October 16, 1943, NG-5027.

I have just been informed by a high Vatican office in the immediate circle of the Holy Father that the arrests of Jews of Italian nationality have begun this morning. In the interest of the good relations which have existed until now between the Vatican and the high German military command — which in the first instance is to be credited to the political insight and greatness of heart of Your Excellency and which will some day go down in the history of Rome — I would be very grateful if you would give an order to stop these arrests in Rome and its vicinity right away; I fear that otherwise the Pope will have to make an open stand, which will serve the anti-German propaganda as a weapon against us.

The *Aktion* could no longer be stopped. It began during the night of October 15/16 and was finished in less than twenty-four hours. For its implementation General Stahel made available to Obersturmbannführer Kappler Company 5 of the 15th Police Regiment, Company 3 of the 20th Police Regiment, and Company 11 of the 12th Police Regiment. Since Company 5 of the 15th Police Regiment had been performing guard duties for General Stahel, he detailed a unit of the 2nd Parachute-Pursuit Regiment to relieve the policemen in their regular assignment. During the *Aktion* there were no "incidents." All together, 1259 people were seized in the roundup. After the release of some half-Jews and Jews in mixed marriages, a total of 1007 were shipped off, on October 18, 1943, to the killing center of Auschwitz.⁴⁰⁶

From the statistics in the official German correspondence we may read-

406. War diary, German commander in Rome (Gen. Stahel), October 16, 1943, October 17, 1943, and October 18, 1943, NO-315. The figure of 1007 is taken from the report by Kappler to OGruf. Wolff, October 18, 1943, NO-2427. The arrival of the Rome Jews in Auschwitz on October 22, 1943, was noted by a Jewish doctor there, Otto Wolken. See Filip Friedman, *This was Oswiecim* (London, 1946), pp. 24-25.

ily conclude that nearly 7000 Jews — seven out of eight — had been able to hide during the *Aktion*. Although there are no figures on Jews sheltered by the Vatican, the Church had undoubtedly done its part.⁴⁰⁷ The Germans, however, were relieved that their greatest fear had not been realized, for to them the elusion of a few thousand victims was not nearly so important as a fact which was to have tremendous significance for the bureaucracy, not only then but in years to come: the silence of the Pope.

One day after the completion of the roundup, the German Ambassador at the Vatican and former Staatssekretär of the Foreign Office, Weizsäcker, reported to Berlin that the College of Cardinals was particularly shocked because the event had, so to speak, transpired under the windows of the Pope. (*Die Kurie ist besonders betroffen, da sich der Vorgang sozusagen unter den Fenstern des Papstes abgespielt hat.*) The reaction, said Weizsäcker, might have been muffled if the Jews had been kept in Italy for forced labor. Now anti-German circles in Rome were putting pressure on the Pope to step out of his reserve. "It is said," reported Weizsäcker, "that bishops in French cities where similar things happened [*wo ähnliches vorkam*] had taken a clear stand"; the Pope, as head of the Church and Bishop of Rome, could not

407. A high estimate of the number of Jews protected by the Pope himself was given to the International Refugee Organization by Father Killion, Official Observer for the Holy See, who "recalled that before the inception of the IRO, His Holiness Pius XII gave asylum within the Vatican City to 3000 people who were not of his own faith during the occupation of Rome by an enemy power." IRO/General Council, 2d Session, Summary Record of 25th Meeting held at Geneva, April 4, 1949, GC/SR/25. The Jewish researcher Leon Poliakov estimates the number at a few dozen. "The Vatican and the Jewish Question," *Commentary*, November, 1950, pp. 439-49.

very well do less. Already, said Weizsäcker, comparisons were being made between the present pontiff and the "much more temperamental Pius XI."⁴⁰⁸

The pressure, however, was unsuccessful. "The Pope," wrote Weizsäcker on October 28, "although reportedly beseeched by various sides, has not allowed himself to be drawn into any demonstrative statement against the deportation of the Jews of Rome. Even though he has to calculate that this attitude will be held against him by our opponents and taken advantage of by Protestant circles in Anglo-Saxon countries for propagandistic purposes against Catholicism, he has also in this touchy matter done everything in order not to burden relations with the German government and German agencies in Rome." The *Osservatore Romano* (pro-Vatican newspaper in Rome) had printed a communique about the "benevolent activity of the Pope" (*über die Liebestätigkeit des Papstes*), but this statement was so "richly embroidered and unclear" (*reichlich gewunden und unklar*) that very few people would be able to read into it a special reference to the Jewish question. The whole affair could therefore be looked upon as "liquidated."⁴⁰⁹

One more incident was to occur during the remaining months of the German occupation of Rome. On March 23, 1944, a bomb exploded in the midst of a German police company marching through Rosella Street. Thirty-three men were killed. That same evening an order was transmitted from Hitler to Kesselring to "kill ten Italians for every German." A second order during the night specified that Kesselring charge the SD with the shootings. Both orders were passed down to General von Mackensen, commander of the Four-

teenth Army, and to General Maelzer, then military commander of Rome. The final recipient of the instructions was Kappler. Since the Führer's orders had included a provision for "immediate" executions, Kappler had to carry out his task in twenty-four hours.

The military desired that, so far as possible, only persons under sentence of death be included among the victims. Kappler, however, did not have a sufficient number of condemned men at his disposal. He therefore drew up a list of persons who for various reasons he deemed "worthy of death." The shootings were carried out on March 24, 1944, in the Ardeatine Cave. When the job was done, army engineers blew up the cave entrance. Kappler had shot 335 people (five more than he had to) because there had been some mistake in the counting. Among the victims were 57 Jews.⁴¹⁰

From Rome the operation was shifted to the northern Italian area, which held perhaps 35,000 Jews. Here, too, the vast majority of the prospective deportees eluded the grasp of the Germans.

The dispersal of the Jews into hiding places began with the onset of the German occupation. In Florence the prominent American art critic Bernard Berenson (himself in hiding) noted that the newly installed Fascist prefect was warning the Jews as soon as he took office to leave their homes and move into concealment. Berenson observed ten or twelve Jews hiding in a single villa near Siena. "One great landed proprietor, brother and cousin of officers high in the army and navy," wrote Berenson, "has been flitting from hole to hole, and at last has decided to take shelter in a small apartment of a friend in the heart of Florence on the Arno."⁴¹¹

The flight of the Jews from their

410. Trial of Generals von Mackensen and Maelzer, and trial of Albert Kesselring, *Law Reports of Trials of War Criminals*, VIII, 1-2, 9-10, 13.

homes and apartments was thus well under way when, on December 1, 1943, the radio broadcast an announcement of a new Italian law, in pursuance of which all Jews were to be sent to concentration camps and their belongings confiscated as enemy property.⁴¹²

In a sense the new Fascist law was a warning as well as a threat. The movement into hiding was now intensified. The Italians were shocked; the Jews were filled with panic. In Florence, Berenson heard that the prefect was "beside himself" and was threatening to resign. Now that the hunt was on, wrote Berenson from his hideout, "even a Dominican of Hebrew origin had to flee his monastery for fear of arrest, and found his way here." In another incident a parish priest was seized for harboring a Jew. Elia Cardinal da Costa of Florence himself intervened in this case, declaring himself to be the culprit and requesting to be jailed in place of the priest.⁴¹³

In Berlin the chief of the Foreign Office's Inland II, Wagner, surveyed the situation with a cautious mixture of hopefulness and anxiety. The RSHA had just notified him that the seizure of the Jews in Italy had failed to achieve any success worthy of mention (*zu keinem nennenswerten Ergebnis geführt*) because the Italian delays had enabled a majority of the Jews to find hiding places in small villages, etc. The available forces of the SS and Police were not sufficient for a thorough search of all Italian communities. Now that the Fascist government had issued

411. Bernard Berenson, *Rumor and Reflection* (New York, 1952), p. 143.

412. "Konzentrationslager für Juden-keine Ausnahmen mehr," *Donauzeitung* (Belgrade), December 2, 1943, p. 2. The new law was instituted by the Duce, after a Fascist Party manifesto issued at Verona had branded the Jews as "enemy foreigners." *Ibid.*, December 10, 1943, p. 2.

413. Berenson, *Rumor and Reflection*, pp. 183, 218.

a law for the transfer of all the Jews to concentration camps, however, Inland II, in agreement with the RSHA, proposed "that Ambassador Rahn be instructed to convey to the Fascist government the happiness [*Freude* — crossed out in the draft and 'satisfaction' (*Genugtuung*) substituted] of the Reich government" with the new Italian decree. It was advisable also, thought Wagner, to inform the Italian government of the necessity for a rapid construction of concentration camps in northern Italy and of the Reich's willingness to supply the Italians with "experienced advisers" (*erfahrene Berater*) for this purpose. Wagner believed that in such fashion the *Einsatzkommando* in Italy could be "built into" the Italian government, so that the entire Fascist apparatus could be mobilized to implement the anti-Jewish measures.

The RSHA, continued Wagner, had also proposed that a demand be made to the Italians for the subsequent surrender of the Jews to German agencies, for shipment to the East. Inland II, however, was of the opinion that such a request had better be delayed. The experts of Inland II thought that the concentration would proceed with less friction if the transfers to the camps appeared to constitute a "final solution" rather than a "preparatory measure in the evacuation to the eastern territories." The RSHA, added Wagner, would have no objection to this tactical procedure.⁴¹⁴

Botschaftsrat Hilger replied in behalf of the Foreign Minister that Ribbentrop was in agreement with these proposals. "His agreement," wrote Hilger, "applies to the content of the instructions to Ambassador Rahn discussed in paragraph 2 of the proposal, as well as to the recommendation in the concluding paragraph of the proposal of Group

414. Group Inland II (signed Wagner) via Hencke to Ribbentrop, December 4, 1943, NG-5028.

Inland to delay for the moment the request for the removal of the Jews to the eastern territories."⁴¹⁵

While the German experts implemented their plan to lull the Jews and their Italian protectors into a false sense of security, the Security Police and their Fascist helpers slowly concentrated the victims in camps, and Italian bureaucrats busied themselves with the confiscation of the abandoned property.⁴¹⁶ In the spring of 1944 the Germans sprang the trap. From April to October of that year, transports arrived with Italian Jews from assembly points at Trieste, Carpi, and Bolzano at the killing center of Auschwitz.⁴¹⁷ Although we have no accurate figures for these deportations, the number must be reckoned in the thousands. In Italy, too, the German destructive machine had left its mark.

The Balkans

Within the German sphere of influence the largest concentration of Jews was in the Balkans. About 1,600,000 Jews lived in the southeastern portion of Europe. The deportations there were accomplished with least difficulty in the military-controlled areas of Serbia and Greece. The Jews of Serbia and Greece were annihilated.

Croatia and Slovakia, the two satellites which owed their very existence to Germany, presented to the Germans one major obstacle: the institution of "honorary Aryans" (*Ehrenarier*), "pro-

415. Hilger via Steengracht and Hencke to Group Inland II, December 9, 1943, NG-5026.

416. Steengracht to von Papen (Turkey), July 29, 1944, NG-4993. In Florence 500 Jews had been seized out of 1600, and property amounting to 600 million lira (RM 7,520,000, or \$3,150,000) was sequestered there. *Deutsche Zeitung* (Budapest), May 16, 1944, p. 3; *Donauzeitung* (Belgrade), May 17, 1944, p. 2; June 23, 1944, p. 2.

417. See partial data compiled by Wolken, in Friedman, *This was Oswiecim*, pp. 24-25.

TECTIVE letters" (*Schutzbriefe*), and other devices for the exemption of influential, indispensable, or baptized Jews. The reason for these exemptions is to be found in the fact that both Croatia and Slovakia were Balkan countries, somewhat backward and rigorously Catholic.

In Bulgaria, Roumania, and Hungary the Germans encountered considerable difficulties. These three countries were in the German camp because of their opportunism, and all three pursued a policy of maximum gain and minimum loss. They had no understanding for the German all-or-nothing principle. They realized — sooner than Germany did — who was winning the war, and they tried to make arrangements accordingly. That opportunism was of the utmost importance for the development of the destruction process in the three countries.

The Roumanians, Bulgarians, and Hungarians did not share the German conception of the "Jewish problem"; they regarded the Jews primarily as a strategic commodity to be traded for political gain. The governments in Bucharest, Sofia, and Budapest knew that Germany wanted to destroy European Jewry, but they also believed that the Allies wanted to preserve the Jews. Hence, when Germany was on the ascent, handing out territory to her Axis associates, anti-Jewish measures were enacted as a concession to the Germans. When Germany was losing and the necessity for some contact with the Allies became apparent, anti-Jewish measures were opposed as a concession to the Allies.

It is therefore understandable that in all three countries the destruction process was cut off just as soon as the tide had unmistakably turned. The Germans found that at a certain point they were completely stymied in Roumania and Bulgaria. Ultimately, these two countries slipped away from the Axis

fold and joined the Allies as co-belligerents against Germany. Hungary too attempted to make the switch but it did not succeed. In a daring and desperate maneuver the Germans moved into Hungary. Germany's unhappy ally was kept in the fight, and, as late as the spring of 1944, the bulk of Hungarian Jewry was destroyed.

MILITARY AREA "SOUTHEAST." — The Serbian-Greek section of the Balkans was, next to the military occupation zone in Russia and the military governments in the West, the third largest German Army stronghold in Axis Europe. The planning and design of the anti-Jewish operations in this area followed the pattern of the West, although the conditions in the Balkans more closely resembled the situation in the Russian East. In fact, so close was the resemblance of circumstances that in Serbia the operation began to look more and more like a replica of the mobile killings in the occupied USSR.

The military organization "Southeast" was established in Serbia and Greece after the smashing of Yugoslav-Greek resistance in the short Balkan campaign of April, 1941. Table 60 indicates the changes in the southeast command from 1941 to 1944.⁴¹⁸ Until August 26, 1943, military government, i.e., power over civilians (*die kollziehende Gewalt*), and troop command, or power over military units in the area, were concentrated in one person, first List, then Löhr. That same "personal union," or concentration of two offices in one man, applied also to the lower territorial commanders. However, from August to December, 1943, military

418. Böhme to U.S. Prosecution, Nuremberg, February 3, 1947, NOKW-743. Statement by Speidel, February 10, 1947, NOKW-742. Report by OB Südost/Ia, January 1, 1943, NOKW-832. Order by OB Südost (signed Förtsch), October 30, 1943, NOKW-1010. Order by Keitel, December 12, 1943, NOKW-1471.

government and troop command were gradually separated.

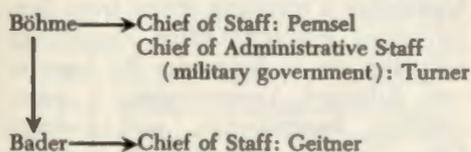
At the end of that separation process, power over civilians was exercised by Felber (who was responsible, in military government matters only, to Keitel), while Generalfeldmarschall von Weichs was confined to the command of troops. Von Weichs thus had no military government powers except in new territories wrested from the Italians as a consequence of Italy's collapse on September 8, 1943. Actually, when things settled down, most of the new territories too were placed — in civilian matters only — under the *Militärbefehlshaber Südost*, Felber. The newly occupied Greek mainland was transferred from Löhr's Army Group E (actually an army and not an army group) to General Felber on October 30, 1943; six weeks later, on December 12, 1943, Montenegro and Albania, heretofore under Rendulic's Second Panzer Army, were similarly subordinated to Felber.

So far as the military correspondence indicates, von Weichs retained military government control only over the island strongholds: Corfu, Crete, and the east Aegean group of Rhodes, Cos, Leros. The islands remained under army group command because of their exposed position. In its entirety the southeast seemed never to have been permanently conquered.

Serbia. — Although the Serbian area was under German occupation for almost four years, we shall be interested only in the Serbia of 1941 and 1942, for by the middle of 1942 the destruction process there was over except for the liquidation of some Jewish property. The machinery of destruction which carried out that cataclysmic operation may be divided into five offices.

1. The keystone in the administrative structure was the military commander in Serbia: (in succession) Schröder, Danckelmann, Böhme, Bader.

The first two of these commanders were called *Befehlshaber in Serbien*. In the fall of 1941 General der Gebirgstruppen Franz Böhme, a former chief of the Austrian General Staff, took over the command. He now had the title "Plenipotentiary Commanding General in Serbia" (*Bevollmächtigter Kommandierender General in Serbien*). In reading documents it is important to keep this title in mind, because there was also a "Commanding General in Serbia" (without the "Plenipotentiary"). That was General Bader. When Böhme left at the end of the year, Bader became the highest territorial officer in Serbia, but he did not inherit Böhme's title. In diagram form, the command structure under Böhme was as follows:



Two divisions, the 113th and 342d, were placed directly under Böhme; the other units were commanded by Bader. Staatsrat Turner, an old civil servant whom we have already met in France, remained, incidentally, as chief of the administrative staff after Böhme's departure. He played a crucial role in the destruction of the Serbian Jews.

2. Economic matters, particularly Aryanizations, were handled by a special office outside the military hierarchy and responsible to Göring: the General Plenipotentiary for the Economy in Serbia (Dr. Franz Neuhausen).

3. A watchful eye on general political developments was kept by the Foreign Office plenipotentiary, Minister Benzler.

4. Political security was of course a function of the SS and Police. Like many newly invaded territories, Serbia first had an *Einsatzgruppe* of the RSHA, commanded by Standartenführer Dr. Fuchs. In January, 1942, a

Higher SS and Police Leader (Meyszner) was installed in Serbia. Under him, a Commander of Security Police and SD (Ostuf. Dr. Schäfer) took the place of *Einsatzgruppe* Commander Fuchs. The Order Police in Serbia consisted of Germans (ca. 3400) and the Serbian State Guard (*Serbische Staatswache*, ca. 20,000).⁴¹⁹

5. Finally, Serbia also had, after August, 1941, a puppet regime headed by the former Yugoslav Minister of War, General Milan Nedic.

The destruction process descended upon the Jews of Serbia with immediate force. On May 30, 1941, the military administration issued a definition of the Jews (Lösen principle), ordered the removal of Jews from public service and the professions, provided for registration of Jewish property, introduced forced labor, forbade the Serb population to hide Jews (*Beherbergungsverbot*) and ordered the Jewish population to wear the star.⁴²⁰ In other words, the first three steps of the destruction process had been introduced in a single day. Of course the confiscation of Jewish property was a somewhat lengthy procedure.

Compulsory Aryanization was decreed on July 22, 1941. The General Plenipotentiary for the Economy, Dr. Neuhausen, slowly went about his business of providing for the transfer of Jewish enterprises to "Aryan" interests. The "Aryan" interests in this case were preponderantly, if not ex-

419. Daluge to Wolff, February 28, 1943, NO-2861.

420. In the town of Grossbetscherek (Petrovgrad) an SS unit (not identified) and the local military commander anticipated things. Barely two weeks after the occupation of the town the local "well-to-do" Jews had to pay a "fine" of 20 million dinars (1 million reichsmark) and the entire Jewish community (2000) was ordered to wear a star and move into a ghetto. Hauptmann Rentsch (Commander, *Ortskommandantur I/823*) to *Militärbefehlshaber Serbien*, April 23, 1941, NOKW-1110.

clusively, German. For instance, the sixteen trustees (*kommissarische Leiter*) listed in the *Donauzeitung* of Belgrade from July, 1941, to March, 1942, do not include one with a Yugoslav name. The ethnic Germans were definitely in the saddle again.

The proceeds from the sale of the Jewish firms, and ultimately also of the Jewish furniture that was left behind, was of course confiscated. Serbs who had any kind of Jewish property in their possession were ordered to register such assets. Credits and debts, too, were to be registered. Officially, the beneficiary of the confiscated assets was the "Serb state"—the puppet regime of General Nedic.⁴²¹ However, the "Serb state" did not actually receive all these funds because the Germans withheld money to cover claims for war damages, etc.

While the bookkeeping could barely be finished before the occupation ended in 1944, the owners of the property were dealt with much more quickly. In Serbia there was less delay in the killing operation than almost anywhere else, for here the German machine of destruction worked with a particularly dedicated zeal and feverish endeavor to "solve the Jewish problem."

In Russia the German Army had been very nervous about the partisans, and that same scourge struck the Germans in Serbia. The Serbs dislike foreign domination in practically any form, and German-occupied Serbia was consequently the scene of continuous partisan warfare. As in the case of Russia, so also in Serbia the German Army reacted to the rebellious outbreaks by shooting hostages, especially Jewish hostages.

In the beginning the shootings were carried out on a relatively small scale. For instance, 10 Communists and 3 Jews were shot on July 5, 1941, after

421. *Donauzeitung* (Belgrade), August 30, 1942, p. 3.

packages containing explosives had been discovered on a public square just before a mass meeting of ethnic Germans was to get under way;⁴²² 122 Communists and "Jewish intellectuals" (mostly the latter) were shot on July 28, on the ground that someone had attempted to set a German vehicle afire;⁴²³ and so on. During the late summer of 1941, however, two camps were set up, one in Belgrade, the other in Sabac. At the same time, systematic roundups of Jewish men were set in motion in the entire Serb territory.⁴²⁴ Apparently the military was already beginning to think in terms of large-scale shootings of Jews.

These measures attracted attention in the Foreign Office. At the beginning of September a traveling envoy from Berlin joined Foreign Office Plenipotentiary Benzler in Belgrade; the traveler was Edmund Veesenmayer, a party member, businessman, and Foreign Office trouble shooter.⁴²⁵ On September 8, 1941, Veesenmayer and Benzler sent a joint dispatch to the Foreign Office, pointing out that, again and again, Jews had participated in sabotage and terroristic acts. Accordingly, Veesenmayer and Benzler proposed that 8000 Jewish men be removed from Serbia, perhaps in barges moving downstream on the Danube to the delta

422. *Befehlshaber in Serbien/Kommandostab* Ia (signed Heimann) to *Wehrmachtbefehlshaber Südost* (12th Army), July 5, 1941, NOKW-1057. War diary, commanding general and *Befehlshaber in Serbien* Ia, July 5, 1941, NOKW-902.

423. *Befehlshaber in Serbien* Ic to *Wehrmachtbefehlshaber Südost* (12th Army), July 27, 1941, NOKW-1057. Benzler to Foreign Office, July 28, 1941, NG-111. *Donauzeitung* (Belgrade), July 29, 1941, p. 3.

424. *Befehlshaber in Serbien* Ia to *Wehrmachtbefehlshaber Südost* (12th Army), September 17, 1941, NOKW-1057.

425. On Veesenmayer career, see his affidavit of May 27, 1947, NG-1628. At the time of his arrival in Serbia he was thirty-four years old.

of the river in Roumania.⁴²⁶

Two days later the two diplomats sent an even more urgent message to Berlin:

Quick and Draconic settlement of Serbian Jewish question is most urgent and appropriate necessity. Request authorization from the Foreign Minister to put maximum pressure on *Militärbefehlshaber* Serbia. No opposition is to be expected from the Serb [puppet] government. . . .⁴²⁷

Foreign Minister Ribbentrop was not enthusiastic about the plan. He indicated that one could not dump Serbian Jews on Roumanian soil without Roumania's consent.⁴²⁸ Undeterred by the lack of higher approval, Benzler sent another message to Berlin, explaining that the Sabac camp, then holding 1200 Jews, was practically on the firing line and that the Jews had to be deported.⁴²⁹

Upon receipt of that communication *Abteilung Deutschland's* expert in Jewish affairs, Rademacher, consulted *Sturmbannführer* Baetz (RSHA IV-D-4), who dealt with Gestapo matters in occupied territories, about the feasibility of the proposal. Baetz pointed out that deportations were out of the question; not even the Reich Jews could be deported yet. Rademacher then turned to Adolf Eichmann for advice. The RSHA's expert on Jewish affairs had a remedy: "Eichmann proposes shooting."⁴³⁰ The idea appealed to Rademacher very much, and on September 13 he wrote Luther that there was really no necessity for deporting the 1200 Jews in the

426. Veesenmayer and Benzler to Foreign Office, September 8, 1941, NG-3354.

427. Veesenmayer and Benzler to Foreign Office, September 10, 1941, NG-3354.

428. Sonnleithner via Wörmann to Weizsäcker, September 10, 1941, NG-3354. Luther to Benzler, September 11, 1941, NG-3354.

429. Benzler to Foreign Office, September 12, 1941, NG-3354.

430. Notation by Rademacher on Benzler report, NG-3354.

Sabac camp. The shooting of "a large number" of hostages would solve the problem just as well.⁴³¹

On September 28, 1941, however, another message was received from Serbia. Benzler now explained that General Böhme, the plenipotentiary commanding general, wanted to deport all 8000 Jewish men in Serbia. Böhme could not place 8000 people into camps; besides, the general had heard that deportations had successfully been carried out in other countries, such as the *Protektorat*.⁴³² The tone of that letter aroused *Abteilung Deutschland's* Luther. Addressing *Staatssekretär* Weizsäcker, he wrote on October 2, 1941:

It is my opinion that the military commander is responsible for the immediate elimination of those 8000 Jews. In other territories [Russia] other military commanders have taken care of considerably greater numbers of Jews without even mentioning it.

Luther then proposed having a discussion with Heydrich (then *Reichsprotektor* in Prague, but expected to visit Berlin momentarily) for the purpose of clearing up the question.⁴³³ But on that very day, October 2, 1941, things were already happening in Serbia.

At the town of Topola a truck convoy of Company 2, 521st Signal Battalion, was ambushed by partisans. Twenty-one men were killed immediately; another died later. Two days afterwards, General Böhme instructed the 342d Division and the 449th Signal Battalion to shoot 2100 inmates of the Sabac and Belgrade camps.⁴³⁴ The ice was broken.

431. Rademacher to Luther, September 13, 1941, NG-3354.

432. Benzler to Rademacher, September 28, 1941, NG-3354.

433. Luther to Weizsäcker, October 2, 1941, NG-3354. Also, Luther to Rademacher, October 3, 1941, NG-5224.

434. Böhme to Chief of Military Administration, 342d Infantry Division, 449th Signal Battalion, October 4, 1941, NOKW-192. *Wehrmachtbefehlshaber Südost* Ic/AO to

The shootings started on October 9. To make sure that the victims were Jews and Gypsies only, a detachment of the *Einsatzgruppe* in Serbia screened the inmates and prepared them for killing. This was an odd reversal of functions — in Russian camps the Wehrmacht had done the screening and the *Einsatzgruppen* the shooting. Now, however, the Army had to do the “dirty work.”⁴³⁵

On October 10 Böhme decided to go all the way. He ordered the “sudden” (*schlagartige*) arrest of all Communists and suspected Communists, “all Jews” (*sämtliche Juden*), and a “certain number” of “nationalistically and democratically inclined inhabitants.” The arrested victims were to be shot according to the following key: for every dead German soldier or ethnic German, a hundred hostages; for every wounded German soldier or ethnic German, fifty hostages. (This was the key Böhme had applied to the Topola ambush.) Limiting the role of the SS in the killings, Böhme specified that “the shootings are to be carried out by the troops. If possible, the executions are to be performed by the unit which suffered the losses.”⁴³⁶ Straight revenge on the Jews. At first there was some doubt whether the hostage order also applied to women, but that question was clarified in the negative. Only men were to be shot.⁴³⁷

OKW / Wehrmachtführungsstab / Abteilung Landesverteidigung (Warlimont), October 9, 1941, NOKW-251. RSHA IV-A-1, Operational Report USSR No. 120, October 21, 1941, NO-3402. Reports from the *Einsatzgruppe* in Serbia were sandwiched into the reports from the *Einsatzgruppen* in Russia.

435. RSHA IV-A-1, Operational Report USSR No. 108, October 9, 1941, NO-3156. RSHA IV-A-1, Operational Report USSR No. 119, October 20, 1941, NO-3404.

436. Order by Plenipotentiary Commanding General in Serbia/Chief of Military Administration (signed Böhme), October 10, 1941, NOKW-557.

437. Glt. Max Pemsel (Böhme’s chief of

The army was now fully involved in the destruction process. Having introduced the first steps into Serbia, the military was about to carry out the last steps also. The divisions were mobilized for the *schlagartige Aktion*, the sudden and quick roundup of the Jewish male population. *Feldkommandanturen*, *Kreiskommandanturen*, the police, and the Serb mayors were pressed into service.⁴³⁸

Staatsrat Turner, the chief of civil administration under Böhme, explained to the field commands the necessity for the *Aktion*. “Basically,” he wrote, “one must remember that Jews and Gypsies quite generally are an element of insecurity and thereby a danger to public order and peace. It is the Jewish intellect which has brought on this war, and which must be annihilated. The Gypsy,” continued Turner, “cannot, by reason of his inner and outer makeup [*Konstruktion*], be a useful member of an international society [*Völkergemeinschaft*].”⁴³⁹

Attending to the more immediate problems of the operation, Böhme issued “special instructions for the implementation of shootings” (*Einzelanordnungen für Durchführung von Erschiessungen*). These instructions equal in detail any orders the *Einsatzgruppen* ever got. The shooting detachments were to be officer-led; the shootings were to be carried out with rifles from a distance of eight to ten yards; there was a provision for simultaneous aiming at head and chest. “To avoid unnecessary touching of corpses,”

staff) to Gfm. List, October 19, 1941, NOKW-197. Staatsrat Turner to all *Feldkommandanturen* and *Kreiskommandanturen* in Serbia (20 copies), October 26, 1941, NOKW-802.

438. Affidavit by Glt. Friedrich Stahl (Commander, 714th Division), June 12, 1947, NOKW-1714.

439. Turner to *Feld-* and *Kreiskommandanturen* (20 copies), October 26, 1941, NOKW-802.

Böhme ordered that the candidates for shooting stand at the edge of the grave. In mass shootings, he said, it would be appropriate to have the hostages kneel facing the grave. Each *Kommando* was to be accompanied by a military doctor, who was to give the order for any mercy shots. Clothes and shoes were to be handed over to the local military officer, and under no circumstances were personal effects to be handed out to the population.⁴⁴⁰

The army’s experience with the shootings was similar to that of the *Einsatzgruppen* in Russia. We have a report on such an operation by a company commander, Oberleutnant Walther, whose unit (Company 9 of the 433d Regiment) was engaged in extensive killings at the Belgrade camp. When Company 9 removed hostages from the camp enclosure, the wives of the Jews were assembled outside, “crying and howling” (*die heulten und schrien, als wir abfahren*). Baggage and valuables of the victims were collected and delivered by truck to the NSV (*Volkswohlfahrt* — Welfare Agency). At the killing site three light machine guns and twelve riflemen were posted as security. “The digging of ditches takes a long time,” observed Walther, “while the shooting itself is very quick (100 men, 40 minutes).”

Walther then noted some differences in the behavior of Jews and Gypsies. “The shooting of Jews is easier than the shooting of Gypsies,” he said. “One has to admit that the Jews are very composed when they go to their death [*sehr gefasst in den Tod gehen*] — they stand still — while the Gypsies cry out, howl, and move constantly, even when they are already standing on the shooting ground. Some of them even jumped into the ditch before the volley and pretended to be dead.”

440. Böhme to LXV Corps, 704th Division, 764th Division, October 25, 1941, NOKW-907.

As for the effects of the shootings upon his own men, Walther had this to say: “In the beginning my men were not impressed [*nicht beeindruckt*]. However, on the second day it became obvious that one or another did not have the nerve to carry out shootings over a lengthy period of time. It is my personal impression that during the shooting one does not have psychological blocks [*seelische Hemmungen*]. They set in, however, if after several days one reflects about it on evenings, alone [*Diese stellen sich jedoch ein, wenn man nach Tagen abends in Ruhe darüber nachdenkt*].”⁴⁴¹

As the shootings took their course, the military administration was not unaware of a basic contradiction: the insurgents were Serbs and Croats; the hostages were Jews and Gypsies. This awareness was revealed in a private letter from Staatsrat Turner to the Higher SS and Police Leader in Danzig, Gruppenführer Hildebrandt; the letter was written on October 17, 1941. Turner thanked Hildebrandt for a birthday present, a little book, “which will be a welcome diversion in the eternal monotony [*in dem ewigen Einerlei*] of my present job.”

Having gotten over the introduction, Turner wrote: “That the devil is loose here you probably know [*Dass hier der Teufel los ist, weißt Du ja wohl*]. There was murder, sabotage, etc. Five weeks before, Turner had put 600 men to the wall, then 2000, more recently 1000; “and in between [*zwischen*] I had 2000 Jews and Gypsies shot dur-

441. 734th Inf. Regiment to 704th Division, November 4, 1941, enclosing report by Oblt. Walther (Commander, 9th Company, 433d Regiment), dated November 1, 1941, NOKW-905. See also affidavit by a Yugoslav eye-witness, Milorad-Mica Jelešić, February 25, 1945, J-29. Affiant, a peasant who was employed to collect valuables at a shooting, observed Jews and Gypsies bound to stakes. He reports also that the Germans took many photographs of the event.

ing the last eight days in accordance with the quota 1:100 for bestially murdered German soldiers, and another 2200, again almost exclusively Jews, will be shot in the next eight days. This is not a pretty business [*Eine schöne Arbeit ist das nicht*]. At any rate, it has to be, if only to make clear to these people what it means to even attack a German soldier, and, for the rest, the Jewish question solves itself most quickly this way.

"Actually," Turner continued, "it is false, if one has to be precise about it [*wenn man es genau nimmt*], that for murdered Germans — on whose account the ratio 1:100 should really be borne by Serbs — 100 Jews are shot instead; but the Jews we had in the camps — after all, they too are Serb nationals, and besides, they have to disappear. At any rate, I don't have to accuse myself that on my part there has been any lack of necessary ruthless action [*Rücksichtslosigkeit des Durchgreifens*] for the preservation of German prestige and the protection of members of the German Wehrmacht."⁴⁴²

In Berlin, Staatssekretär Weizsäcker of the Foreign Office was troubled by still another question: Hadn't the German Minister, Benzler, pushed things a little too much? Were shootings any business of the Foreign Office? In a carefully worded note to *Abteilung Deutschland*, Weizsäcker pointed out that Benzler had to concern himself with the transport of Jews from Serbia

442. Turner to Hildebrandt, October 17, 1941, NO-5810. Reports on the German prestige were, incidentally, collected by the OKW/*Ausland-Abwehr*. Thus, one informant who was a lawyer and board member of various German firms wrote in after a trip to Hungary that "the shootings of the Jews in Belgrade were reported to me by three different Hungarians, in part with little friendly commentary [*Die Judenerschiessungen in Belgrad wurden mir von 3 verschiedenen Ungarn berichtet, teils mit wenig freundlichen Kommentar*]." Report by Amt *Ausland-Abwehr*, December 13, 1941, W1/IF 2.24.

to other countries. "On the other hand, said Weizsäcker, "it is beyond Benzler's and the Foreign Office's task to take an active part in decisions on how the competent military and interior jurisdictions should overcome the Jewish question within the Serbian frontiers." The agencies involved were receiving their instructions from places other than the Foreign Office. Weizsäcker had told Minister Benzler this very fact that day, and he thought it appropriate to repeat the rebuke in writing."⁴⁴³

This time, however, Luther took Benzler under his wing. After all, it was Benzler who had urged deportation, and it was Luther who had rammed down the "territorial solution." Luther therefore replied, that in view of Ribbentrop's decision to submit the question of the 8000 Jews to a discussion with Heydrich (now no longer necessary), Benzler was acting in accordance with Ribbentrop's wishes when he intervened "in this certainly rather delicate matter."⁴⁴⁴

The reason for Weizsäcker's annoyance and for Luther's reference to the "delicacy" of the matter was of course the fact that the publicized shootings had evoked protests from neutral countries. Weizsäcker was the recipient of these protests. In 1941, at any rate, most countries were still under the impression that the shooting of hostages was contrary to international law, and the Foreign Office was consequently deluged with representations from such states as Mexico and Haiti.

On December 5 the papal representative was about to make a protest. In Weizsäcker's words: "The nuncio today groped around to the well-known subject of hostages, in order to determine whether a discussion between him and me about the question of shooting

443. Weizsäcker to *Abteilung Deutschland*, November 22, 1941, NG-3354.

444. Luther to Weizsäcker, December 12, 1941, NG-3354.

hostages — of late in Serbia — would be fruitful [*erspriesslich*]. I replied to the nuncio that, among all foreign governments which have concerned themselves with this question, the Vatican had conducted itself most cleverly [*am Klügsten*], in that it took the hint I had furtively extended to Papal Counselor Colli upon a social occasion. If the Vatican should nevertheless feel constrained to return to this subject, I would be obliged to give to the nuncio the same answer that Mexico, Haiti, and other governments had received already. The nuncio saw this point completely and pointed out that he had not really touched this topic and that he had no desire to touch it."⁴⁴⁵

While the German Army was completing the shooting of 4000-5000 men,⁴⁴⁶ there remained a problem of killing about 15,000 women and children,⁴⁴⁷ for "it was contrary to the viewpoint [*Auffassung*] of the German soldier and civil servant to take women as hostages," unless the women were actually wives or relatives of insurgents fighting in the mountains.⁴⁴⁸ The Jewish women and children consequently had to be "evacuated."

At the end of October Minister Benzler, Staatsrat Turner, and Standartenführer Fuchs — joined by the Foreign Office's Jewish expert, Rademacher —

445. Weizsäcker to Wörpmann, von Erdmannsdorff, and Legationsrat Haidlen, December 5, 1941, NG-4519.

446. Not 8000, as had originally been planned — see memorandum by Rademacher, October 25, 1941, NG-4894.

447. Rademacher noted an estimate of 20,000 Jews and 1500 Gypsies. Memorandum by Rademacher, October 25, 1941, NG-4894. However, a later report by the *Oberbefehlshaber Südost/Ia* mentioned 16,000 Jews and Gypsies. *OB Südost/Ia* to *WB Südost/Ic*, December 5, 1941, NOKW-1150. The *OB Südost* was General der Pioniere Kuntze. The *Donauzeitung* (Belgrade), July 3, 1943, p. 3, gave a figure of 15,000 Jews "according to last reports" (*nach letzten Angaben*).

448. Turner to *Feld- and Kreiskommandanturen*, October 26, 1941, NOKW-802.

were considering various methods of quietly removing the women and children. The bureaucrats planned a ghetto in the city of Belgrade, but Staatsrat Turner, who did not like ghettos, urged the quick removal of the Jews to a transit camp on a Danubian island at Mitrovica, not far from the Serbian capital.⁴⁴⁹ When the proposed Danubian island turned out to be under water, the choice fell upon Semlin (*Zemun*), a town (opposite Belgrade) originally under the jurisdiction of the *Befehlshaber* in Serbia but now transferred to Croatia. The Croat government graciously gave its permission for the construction of a camp in Semlin.⁴⁵⁰

On November 3, 1941, Turner instructed the *Feld- and Kreiskommandanturen* to start counting the Jewish women and children in all Serbian towns.⁴⁵¹ Preparations were completed in December.⁴⁵² Troop units began to move the families of the dead hostages to Semlin, where Commander of Security Police and SD (*BdS*) Schäfer waited for his victims. There is no indication that any transports moved out to Poland; Semlin was the end of the line. As the Jews arrived, they were accommodated in the camp. From time to time a batch of women and children were loaded on a special vehicle which drove off into the woods. The vehicle was a gas van.⁴⁵³

Slowly but methodically the gas van

449. Memorandum by Rademacher, October 25, 1941, NG-3354.

450. Rademacher to Luther, December 8, 1941, NG-3354.

451. Turner to *Feld- and Kreiskommandanturen* (20 copies), November 3, 1941, NOKW-801.

452. *Oberbefehlshaber Südost/Ia* to *Wehrmachtbefehlshaber Südost* (12th Army)/*Ic*, December 5, 1941, NOKW-1150.

453. *OStubaf.* Schäfer to *Stubaf.* Pradel (*RSHA II-D-3-a; Technical Office/Security Police Motor Vehicles Referat*), June 9, 1942, PS-501. See also Gerald Reitlinger, *The Final Solution* (New York, 1953), pp. 362-64.

did its work. In March, 1942, the Jewish population of the Semlin camp fluctuated between 5000 and 6000;⁴⁵⁴ in April the number dropped to 2974;⁴⁵⁵ and in June Dr. Schäfer reported that apart from Jews in mixed marriages there was no longer any Jewish problem in Serbia (*keine Judenfrage mehr*).⁴⁵⁶ At the same time he returned to Berlin the gas van, which was to see further service in White Russia.⁴⁵⁷

When in August, 1942, Generaloberst Löhr took over as *Oberbefehlshaber Südost*, Staatsrat Turner jotted down a few notes for a personal report to his new chief. In that report Turner itemized all the achievements of the previous administration. With considerable satisfaction he wrote down a unique accomplishment: "Serbia only country in which *Jewish question and Gypsy question solved* [Serbien einziges Land in dem *Judenfrage und Zigeunerfrage gelöst*]."⁴⁵⁸

454. Bader to *Wehrmachtbefehlshaber Südost*, copies to General Plenipotentiary for the Economy, Plenipotentiary of the Foreign Office, Higher SS and Police Leader, *Abwehrstelle* (Counter Intelligence Office) Belgrade, Ia, Qu, Ic, Adm., War diary, March 10, 1942, NOKW-1221. Bader to WB *Südost* (same distribution), March 20, 1942, NOKW-1221. Bader to WB *Südost* (same distribution), March 31, 1942, NOKW-1221.

455. *Kommandierender General* and *Befehlshaber Serbien*/Chief of Staff (signed Oberst Kewisch) to WB *Südost*, April 20, 1942, April-1444. *Kommandierender General* and *Befehlshaber Serbien*/Chief of Staff (signed Obstlt. Kogard) to WB *Südost*, *Kampfgruppe* (Combat Group) General Bader, Plenipotentiary Foreign Office, General Plenipotentiary Economy, Higher SS and Police Leader, German Liaison Staff with 2d Italian Army, Counter Intelligence Office Belgrade, German Liaison Officer with Bulgarian Occupation Corps, Adm. Staff, Ia, OQu, Ic, War diary, April 30, 1942, NOKW-1444.

456. Report by Hauptmann Leeb (OB *Südost*/Id), June, 1942, NOKW-926.

457. Schäfer to Pradel, June 9, 1942, PS-501. Rauff (Chief, RSHA II-D) to BdS *Ostland*, June 22, 1942, PS-501.

458. Note by Turner for personal report to Löhr, August 29, 1942, NOKW-1486.

Greece. — When Greece was overrun in 1941, it was carved into three sections. The northeastern territory (Thrace), which held between 5000 and 6000 Jews, was incorporated into Bulgaria. (We shall discuss the fate of these Jews when we get to the Bulgarians.) The remainder of the country was divided into Italian and German areas, and a puppet government, seated in Athens, functioned in both Italian and German zones. The Italian area was much larger than the German, for the Italians, after all, had been the first to attack Greece, and the Germans had come in only after the Italian invaders had been pushed by the Greek Army almost 50 miles into Albania.

However, while the Italians held most of the Greek territory, the Germans had acquired most of the Greek Jews. About 13,000 Jews lived in the Italian zone, but the number of Jewish inhabitants in German-dominated Macedonia and eastern Thrace (Salonika-Aegean) was over 55,000. The pre-war Jewish population of the city of Salonika alone was 53,000. That was geographic fate.⁴⁵⁹

Although most of the Greek Jews were in German hands, the Germans for a long time undertook no action; in fact, the operations in nearby Serbia had been over for about nine months before deportations were started in Greece. Many factors were probably responsible for this delay: the distance from Salonika to Auschwitz, the scarcity of SS and Police personnel, and a desire to co-ordinate measures with the Italians. At least, so far as the Italians were concerned, German efforts in Greece were as fruitless as they had been everywhere else.

On July 13, 1942, the German commander in Salonika-Aegean (General-

459. Based upon statistics compiled by Josef Nehama in Michael Molho (ed.), *In Memoriam — Hommage aux victimes juives des Nazi en Grèce* (Salonika, 1948), II, 164.

leutnant von Krenzki) struck the first blow at the Greek *Judenmetropole* ("Jewish metropolis"). On that day, at 8 A.M., 6000 to 7000 Jewish men between the ages of 18 and 48 were lined up in huge blocks on "Liberty Square" in Salonika to be registered for forced labor.⁴⁶⁰ The "fit" Jews were sent to work in the malaria-infested swamps, where many a victim perished from sickness and starvation.⁴⁶¹

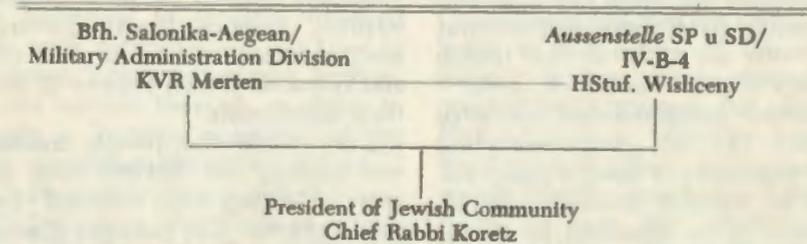
As the forced labor system was put into effect, the Salonika Jews began to emigrate to the Italian zone.⁴⁶² The Germans sought to check this flow by inviting the Italian administration to co-operate in the joint introduction of a Jewish star. The Italians refused any such co-operation.⁴⁶³

At the beginning of 1943 the Germans knew that the Italians could not be counted upon; the deportations would have to be confined to the German zone. Early in February two RSHA

men arrived, they went into conference with Generalkonsul Schönberg of the Foreign Office, *Kriegsverwaltungsrat* Merten (representing the *Befehlshaber Salonika-Aegean*, then Generalleutnant Haarde), and Kriminalkommissar Paschleben, the local commander of Security Police and SD. There were no special problems. Merten demanded only the temporary retention of 3000 Jews for railway construction by the *Organisation Todt*, on the understanding that these Jews would be released for deportation before the completion of the *Aktion*.⁴⁶⁵ The operation could begin.

The uprooting and deportation process in Salonika was accomplished with unprecedented rapidity in the space of a few months. Three men were instrumental in bringing the *Aktion* to such a speedy conclusion: *Kriegsverwaltungsrat* Merten, Hauptsturmführer Wisliceny, and Chief Rabbi Koretz.

TABLE 61 / Deportation Machinery in Salonika



emissaries, Hauptsturmführer Wisliceny and Hauptsturmführer Brunner (Vienna), moved into Salonika to carry out the operation.⁴⁶⁴ As soon as the two

460. *Donauzeitung* (Belgrade), July 14, 1942, p. 3. Photograph in *Donauzeitung* of July 26, 1942, p. 3.

461. Cecil Roth, "The Last Days of Jewish Salonika," *Commentary*, July, 1950, pp. 50-51. The author, a historian, interviewed survivors and examined the community records after the war.

462. Luther via Weizsäcker to Ribbentrop, October 22, 1942, NG-4960.

463. *Ibid.*

464. Testimony by Wisliceny, *Trial of the*

The hierarchical relationship between these three officials is indicated in Table 61.⁴⁶⁶

Dr. Merten was in charge of all civilian affairs in the district. He had over-

Major War Criminals, IV, 363.

465. Affidavit by Wisliceny, November 29, 1945, *Conspiracy and Aggression*, VIII, 606-21.

466. The *Befehlshaber* was then Gen. Haarde. The chief of the *Aussenstelle* was Paschleben. During the middle of March, Wisliceny became independent of Paschleben by assuming the direction of a *Sonderkommando für Judenangelegenheiten* in Salonika.

all responsibility for what was happening to civilians in his area, and he never relinquished that responsibility. In fact, many of the orders received by the Jewish community came from Dr. Merten himself. All other orders were issued by Hauptsturmführer Wisliceny in pursuance of an express authorization by the *Kriegsverwaltungsrat*.⁴⁶⁷

Wisliceny was, of course, an expert in Jewish matters. His sole task was to see to it that all Jews were deported as quickly as possible. To fulfill that assignment, he made maximum use of the Jewish community leadership. The Jewish leader, Chief Rabbi Dr. Koretz, was an Eastern Jew with a Western education; the Salonika Jews had chosen him as their spokesman because they felt that a German-speaking emissary would be most effective in dealing with the German overlords. In Koretz the Jews actually had a leader who believed in "unquestioning compliance."⁴⁶⁸ He was an ideal tool for the German bureaucrats.

The Salonika operation was launched almost hastily by *Kriegsverwaltungsrat* Merten with an order to the Jewish community dated February 6, 1943.⁴⁶⁹ The directive contained two operative provisions: (1) All Jews, excepting only the possessors of foreign passports, were to be marked; similarly, Jewish stores were to be identified by means of shields bearing Greek and German inscriptions. (2) All Jews — again excepting the foreign Jews — were to move into a ghetto. Both orders were to be carried out by February 25, 1943.

Within the next few days implementation directives rained down upon the Jewish community. On February 12, Wisliceny communicated to Rabbi

467. Bfh. Salonika-Aegean/Mil Adm. (signed Merten) to Jewish community in Salonika, February 6, 1943, in Molho, *In Memoriam*, I, 135.

468. Roth, "Salonica," p. 51.

469. Merten to Jewish community, February 6, 1943, Molho, *In Memoriam*, I, 135.

Koretz a definition in accordance with which a person was a Jew if he had three or four Jewish grandparents, or if he had two Jewish grandparents and (a) belonged to the Jewish religion on April 1, 1941 (that is, just prior to the German invasion of Greece), or (b) was the offspring of an extramarital relationship and was born after that date.⁴⁷⁰ In the same letter to Koretz the methodical Wisliceny also described the Jewish star, its size, material, etc. He directed the Jewish community to hand out with each star an identification card; the cards were to be numbered consecutively, and the number on each card was to be inscribed on the yellow cloth star to be worn by the card-holder. Wisliceny ordered that every Jew who had reached the age of five wear the Jewish star and that in the case of mixed marriages the Jewish partner be marked. "Petitions for exemptions from the identification," wrote the all-powerful Wisliceny, "are useless."⁴⁷¹ In a subsequent directive, Wisliceny defined the term "Jewish enterprise," ordered Jewish doctors and lawyers to mount stars on their offices, and required Jewish tenants to identify their apartments.⁴⁷²

Even while the Jewish community was turning out 100,000 stars at top speed,⁴⁷³ orders were received to move into a ghetto. The Salonika ghetto was

470. There was a minor omission in the definition. Apparently a little careless, Wisliceny had left out Christian half-Jews married to Jews.

471. Wisliceny to Koretz, February 12, 1943, Molho, *In Memoriam*, I, 136-37. Wisliceny's last pronouncement notwithstanding, petitions were not entirely useless. See, for example, the certificate signed by Merten and dated March 30, 1943, exempting the Greek Jew Morris Raphael from wearing the star because he was married to a non-Jewish Frenchwoman with whom he "possessed four children." Molho, *In Memoriam*, I, 37.

472. Wisliceny to Koretz, February 17, 1943, Molho, *In Memoriam*, I, 140.

473. Apparently two stars per person. Roth, "Salonica," p. 52.

to be divided into several non-contiguous sections, completely severed from one another.⁴⁷⁴ Jews were forbidden to leave their quarters; the use of trolleys, buses, and taxis was prohibited; public telephones were closed to Jews, and all private phones had to be surrendered to the Greek telephone company, accompanied by payment of all outstanding bills.⁴⁷⁵

The division into ghetto sections was part of a definite plan. The poorest Jews were sent into the Baron de Hirsch quarter near the railway station. This particular section was fenced in, and at the three entrances signs were mounted forbidding passage in German, Greek, and Ladino.⁴⁷⁶ The Baron de Hirsch Jews were to be the first to go, and the emptied quarter was then to be filled with victims from the other ghetto sections. In short, the Salonika Jews were to be deported, section by section, via the Baron de Hirsch houses, which were to serve as a funnel leading to the death transports.

On February 13, Merten invested Koretz with authority over all Jews in the German *Befehlshaber* area, both inside and outside the city, in order to facilitate a "uniform solution" of the Jewish question in the entire district.⁴⁷⁷ Shortly thereafter Merten called Koretz for an audience. The German officer explained to the rabbi that the Jewish population had no cause for worry; the Baron de Hirsch ghetto would have to be emptied because a large number of Communists in that section were threatening the safety of the occupation

474. *Ibid.*, p. 53.

475. Merten to Jewish community, February 13, 1943, Molho, *In Memoriam*, I, 138. Doctors and Jewish community officials were allowed to retain their vehicles.

476. Roth, "Salonica," p. 53. Ladino, a Spanish dialect mixed with Hebrew, was spoken by Greek Jews in Salonika.

477. Merten to Koretz, February 13, 1943, Molho, *In Memoriam*, I, 139.

army, but these Jews would not be harmed. The emigrants would take up life anew in the Polish city of Krakow, where the local Jewish community would welcome them with open arms.⁴⁷⁸

Koretz returned to the ghetto and informed the victims of their forthcoming trip to Poland. He assured them that they would find new homes there, that the Jewish community in Krakow would receive them with open arms, that each man would find employment in the Polish city, etc., etc. It was a disquieting explanation, but the Jews made their preparations. Polish paper money was distributed, the permitted items were packed, and the deportees were marched off to the trains.⁴⁷⁹

Within hours the Germans struck again. The ghetto section in the Aghia Paraskevi district was surrounded, and its inhabitants were driven to the Baron de Hirsch quarter. Again the rabbi was summoned to German headquarters. This time he was told that all the common sections were infested with Communists but that the middle classes living in the center of the city had nothing to fear. Once more, feverish preparations gripped the Baron de Hirsch quarter. Family possessions were packed, plans were made, and young couples concluded hasty marriages to face life together in the East.⁴⁸⁰ When the Aghia Paraskevi Jews were deported, the Germans seized the middle class.

Restlessness was now increasing in the Jewish community. During the night of March 18-19 a physician, Dr. Cuenca, made his getaway. On March 21 a special messenger brought Rabbi Koretz a note from Merten;⁴⁸¹ the

478. Albert Menasche, *Birkenau* (New York, 1947), p. 12. Menasche, a Jewish doctor who resided in Salonika, is a survivor.

479. Roth, "Salonica," p. 53.

480. *Ibid.* Menasche, *Birkenau*, p. 13.

481. Merten to Jewish community, March 21, 1943, Molho, *In Memoriam*, I, 144.

Kriegsverwaltungsrat announced that twenty-five hostages would be seized, to be shot upon the slightest indication of any further Jewish "opposition" (*Zuwiderhandlung*). Henceforth Jews were permitted to be in the streets only between 10 A.M. and 4 P.M., and anyone caught in the open outside these hours would be shot on sight by German and Greek police. The Jewish police (*Ordner*) and the foreign Jews alone, he specified, were exempted from this provision.

The end was now approaching for the privileged Jews, the professionals and the Jewish community leaders themselves. But the Germans did not cease their attempts to keep the populace quiet. At the end of May a transport was given to understand that its destination was Theresienstadt. The news caused a big commotion, as zloty were hurriedly exchanged for reichsmark.⁴⁸² The Jewish community organization was kept busy; it was made responsible for the seizure of all movable assets left behind by the "resettled Jews" (*ausgesiedelte Juden*),⁴⁸³ and on March 29, Wisliceny sent to the Chief Rabbi a complete table of reorganization for the Jewish community, with a note requesting Koretz to submit by April 1 a statement of personnel needs and a work program for the future.⁴⁸⁴ The new table of organization was, incidentally, as follows:

Koretz
Advisory Committee
Central Secretariat
Finance Division
Records Division (to keep records of the "population movement")

482. Menasche, *Birkenau*, pp. 15-17. The author was on this transport. It arrived, of course, in Auschwitz.

483. Merten to Koretz, March 13, 1943, Molho, *In Memoriam*, I, 142. Wisliceny to Koretz, March 15, 1943, *ibid.*, p. 143.

484. Wisliceny to Koretz, March 29, 1943, *ibid.*, p. 145.

Division for Resettlement and Commission for Labor Allocation in Camp "Baron Hirsch"

Division for Health and Cemeteries
Division for Public Kitchens and Supplies

Jewish Police (*Ordner*) Division

Division for Cash and Valuables (to be headed by Koretz personally)

Within a few months that entire organization was swept away and deported.⁴⁸⁵

From the middle of March through May, Wehrmacht trains carrying 2000 to 2500 Jews rolled almost daily from Salonika via Belgrade to Auschwitz.⁴⁸⁶ When the game was over, about 46,000 Salonika Jews had been deported.⁴⁸⁷

485. Koretz, it seems, did not go to Auschwitz. He was shipped to the Bergen-Belsen camp instead, but he did not survive there. Roth, "Salonica," p. 55.

486. Testimony by Wisliceny, *Trial of the Major War Criminals*, IV, 365. Wagner to German Consul in Sofia, April 30, 1943, NG-4924. Affidavit by Heinburg (Foreign Office/Pol. IV), September 5, 1947, NG-2570. Report by Korherr, April 19, 1943, NO-5193. A final transport left in August. Roth, "Salonica," p. 54.

487. The breakdown is as follows:

City of Salonika	43,850
Towns in vicinity of Salonika	1,132
East-Aegean area (facing Turkish border)	1,002
Total	45,984

Compiled from a detailed town-by-town deportation chart prepared by Josef Nehama in Molho, *In Memoriam*, II, 164. The figures are based on Jewish Community statistics. About 45,000 of these Jews went to Auschwitz. Executive Office of the President/War Refugee Board, "The Extermination Camps of Auschwitz and Birkenau," November, 1944, mimeographed, declarations by escaped Slovak Jews, p. 17. Also, Olga Lengyel, *Five Chimneys: The Story of Auschwitz* (Chicago and New York, 1947), p. 70. Only a few hundred privileged and foreign Jews (discussed below) were shipped to Bergen-Belsen. Roth, "Salonica," p. 55. Wisliceny mentions as many as 55,000 deportees. See his affidavit of November 29, 1945, *Conspiracy and Aggression*, VIII, 606-21. According to the Nehama table referred to above, no more

Short disposition was made of the property of the deported Jews. The cash sum of 280,000,000 drachmas (ca. RM 3,500,000, or \$1,500,000) was turned over to the military administration;⁴⁸⁸ the empty Jewish apartments were transferred to the Greek puppet governor of Macedonia;⁴⁸⁹ and the abandoned Jewish stores were unanimously handed over to the Macedonian governor, to be run under "trusteeship" by the Agrarian Bank of Salonika in behalf of the Greek state.⁴⁹⁰

Rarely had a major operation been carried out so smoothly. Still, the Germans were not spared a few headaches. This time the difficulties were caused by two foreign representatives, one the Italian Consul General in Salonika, the other the Spanish chargé d'affaires in Athens. Through the efforts of these men the fate of the Salonika Jews was altered for at least two special groups.

In February the RSHA dispatched to the Foreign Office a note complaining that Italian Consul General Castrucci was handing out Italian naturalization papers to Greek Jews in Salonika. The Foreign Office was requested to intercede with the Italian government for the purpose of stopping that development immediately and effecting a revocation of the naturalizations.⁴⁹¹ In April

than about 55,000 Jews resided in the Salonika-East Aegean area in 1940. There was a slight decline of population between 1940 and 1943, due to excess of deaths over births. In addition, several thousand Jews had escaped to the Italian zone or had remained in hiding at Salonika.

488. Testimony by Wisliceny, *Trial of the Major War Criminals*, IV, 363.

489. *Donauzeitung* (Belgrade), June 22, 1943, p. 3.

490. Merten to Governor of Macedonia/Office for Jewish Property in Salonika, June 15, 1943, Molho, *In Memoriam*, II, 179.

491. Bergmann (Bureau of the Foreign Minister) and Wörmann to embassy in Rome, February 15, 1943, NG-4957. Castrucci's name is mentioned only by Molho, *In Memoriam*, I, 124.

news was received that the Italian Consul General was protecting 281 Jews whose Italian citizenship was uncontested, plus 48 more who had lost their Italian nationality and to whom he now wanted to restore citizenship. Wagner of Inland II immediately instructed the German Consul General (Schönberg) to decline the Italian request. Castrucci, however, did not give up. With a "pointed hint" to "special Italian rights in the Greek sphere" he repeated his request, and Wagner thereupon decided to exempt the 48 contested Jews "for the moment." Appealing for support, he wrote to Unterstaatssekretär Hencke of the Political Division and Staatssekretär Steengracht himself, to secure their approval for the deportation of these Jews. Hencke and Steengracht scribbled "agreed" (*einverstanden*) on the memorandum.⁴⁹² The Italian Consul General, in the meantime, was taking some measures of his own: he put uncontested and contested Italian citizens on an Italian troop train and smuggled them to the Italian zone of Greece.⁴⁹³

The Jewish community in Salonika also had about 600 Jews who were Spanish citizens. When the deportations started, the RSHA intercepted messages from the Spanish chargé d'affaires in Athens (Eduard Gasset) to the Spanish Foreign Ministry in Madrid which revealed that Gasset, with the aid and abetment of the chief of the Political Division of the Spanish Foreign Office (Doussinague), was trying very hard to save the Spanish Jews. It seemed that on April 1, 1943, the Spanish government had opened a branch of the Falange (Franco's sole political party) in Athens. The branch

492. Wagner via Hencke to Steengracht, April 29, 1943, NG-5052.

493. Von Thadden to embassy in Rome, April 30, 1943, NG-5053. The Italian Jews were actually withdrawn in small batches. Memorandum by Erdmannsdorff, June 10, 1943, NG-5207.

was directed by the counselor of the Spanish Legation, Eugen Palssewsky, and was financed by "rich Jews."⁴⁹⁴

The German Foreign Office thereupon tried to pressure the Spanish government into withdrawing its 600 Jews to Spain. In making that proposal, the Foreign Office struck a telling blow, for the Spaniards did not want to accept such a large number of Jews. From Madrid, Gasset was instructed that his government would be willing to receive at most about 50 Jews. In Berlin a member of the Spanish Embassy orally informed Inland II that Madrid would much rather transfer these 600 Jews to German jurisdiction, if only "one could be sure that they would not be liquidated" (*wenn man sicher wäre dass sie nicht liquidiert würden*). Inland II then proposed as an interim solution the transport of the Jews to some camp in the Reich. Eichmann was requested for that purpose to treat the Spanish Jews in a manner that would not — in the event of their later emigration — lead to "undesired atrocity propaganda."⁴⁹⁵

During the subsequent months the Germans and Spaniards continued to haggle about the Jews. The Spanish government was given "two or three" months to make up its mind.⁴⁹⁶ On December 22, 1943, the secretary of the Spanish Embassy in Berlin, Diez, requested that all Spanish Jews be "treated as Spanish citizens and be permitted to emigrate freely, for they were after all neutrals and no enemies of Germany." Von Thadden replied that "every Jew was an enemy of Germany, even if by chance he had a Spanish passport." Free emigration from Salo-

494. Obf. Schellenberg (RSHA-VI) to Kon- sul Geiger (Inland II-B), June 22, 1943, NG-5352.

495. Von Thadden to Eichmann, July 24, 1943, NG-5050.

496. Wagner to consulate in Salonika, July 26, 1943, NG-5050.

nika was out of the question, but as an extraordinary concession a collective transport might be organized.⁴⁹⁷ The final outcome of these negotiations was the transfer of the Spanish Salonika Jews to a very favored "residence camp" in Germany, Bergen-Belsen.⁴⁹⁸ Three hundred and sixty-five of these Jews reached Spain at the end of the war.⁴⁹⁹

While the Foreign Office had its hands full with foreign Jews in Salonika, it did not forget the Greek Jews in the Italian area. Before the deportations started in the German zone, Ambassador von Mackensen in Rome and Minister Altenburg in Berlin attempted in vain to persuade the Italian government to deport the 13,000 Jews in its jurisdiction.⁵⁰⁰ On March 13, 1943, von Mackensen reported to the Foreign Office that the Italian government had decided to intern its Jews either on the Ionian Islands or in Italy.⁵⁰¹ Ribbentrop was skeptical. He wanted to know whether the SS was satisfied with this measure and, if so, whether the Italians actually planned to carry it out. "If that should not be the case," thought Ribbentrop, "we on our part would have to take new steps."⁵⁰² Obersturmbannführer Eichmann pointed out unequivocally that the measure was "unsatisfactory" and that experience had shown the necessity for serious doubt of the "sincerity of implementation" on the part of the Italians. The Foreign Office's Jewish expert, Rademacher,

497. Memorandum by von Thadden, December 22, 1943, NG-5262.

498. Von Thadden to von Erdmannsdorff, January 11, 1944, NG-5332.

499. Nehemiah Robinson, "Die Juden in Franco-Spanien," *Aufbau* (New York), September 11, 1953, p. 3.

500. Report by Minister Bergmann, February 24, 1943, NG-4956.

501. Von Mackensen to Foreign Office, March 13, 1943, NG-5051.

502. Von Sonnleithner (Bureau of the Foreign Minister) via Weizsäcker to Minister Bergmann, March 16, 1943, NG-5051.

agreed with that evaluation completely.⁵⁰³

On May 7, 1943, the new Inland II chief, Horst Wagner, wrote a memorandum in which he voiced the opinion that the Italians could not be persuaded to agree to the deportation of their Jews to the East. Under the circumstances Wagner thought it advisable that the RSHA at least make sure that the Italians carry out what promises they made. The Italians, he said, were now beginning to make excuses — such as lack of transportation facilities — for going back on their word. If the Jews could not be removed right away, Wagner continued, the Italians should at least be prevailed upon to impress the Jews into forced labor, such as road construction, fortification work, and railway improvement projects.⁵⁰⁴

Following the circulation of this memorandum in the Foreign Office, Wagner repeated his proposal in the form of draft instructions to the embassy in Rome. The Italians he reiterated, should be pressed to carry out "the deportation of the Jews to the Ionian Islands or to Italy"; in the meantime, use of the Jews in labor battalions for work on fortifications and railways would result in great savings of occupation costs, etc.⁵⁰⁵ Before these instructions were dispatched to Rome, the new Staatssekretär, Steengracht von Moyland, made a significant change in their meaning: in the sentence "deportation of the Jews to the Ionian Islands or to Italy," he crossed out the words "to the Ionian Islands or to Italy," leaving only "deportation of the Jews."⁵⁰⁶ Steengracht still had not given up hope.

503. Bergmann via Weizsäcker to Ribbentrop, March 17, 1943, NG-5051.

504. Wagner via Hencke to Steengracht, May 7, 1943, NG-5048.

505. Wagner to Rome Embassy, June 4, 1943, NG-5048.

506. *Ibid.* Bielfeld to Wagner, May 13, 1943, NG-5048.

At the end of July, Mussolini was succeeded by Marshal Badoglio, and by September 8, 1943, Italy had ceased to be an Axis partner. The German Army now turned on its former ally. In the entire Mediterranean area Italian garrisons were overwhelmed and disarmed. All of Greece, together with Albania, Montenegro, and the Dodecanese Islands, came under German domination. Some 16,000 Jews were living in these areas.

The new territory of Greece was important enough for the assignment of a special plenipotentiary of the Foreign Office, Minister Neubacher, and the appointment of a Higher SS and Police Leader, Gruppenführer Walter Schimana. The entire Greek civil apparatus, the Albanian puppet government, and the Italian civil administration in the Dodecanese (*Ost-Aegaeis*) — which was responsible to the new Fascist regime in northern Italy — were now placed under the direction of the expanded military organization in the southeast. The new military overlord in Greece was Generaloberst Löhr (under Weichs). In October, 1943, he transferred civil affairs to the *Militärbefehlshaber* in Greece, Speidel (under Felber). However, Löhr's Army Group E did not thereby pass from the scene; he retained complete control in the islands. The *Admiral Aegaeis* was responsible for the shipping which carried the island Jews to the mainland, and, on the mainland itself, the division and corps commanders continued to regard it as a matter of course that every move against Jewry was brought to their attention.⁵⁰⁷

On October 3, 1943, Higher SS and Police Leader Schimana ordered all Jews to register. In Athens the Jewish community organization was entrusted

507. On that point, see XXII Mountain Corps/Ic (signed by Corps Commander Lanz) to Army Group E/Chief of Staff, November 8, 1943, NOKW-1915.

with the supervision of the registration; in the rest of the country the local Greek officials were designated for this task. It appears that registrations did not come up to expectation — in Athens, for example, the number of registrants was 1200. Schimana, evidently not well informed, had expected 8000. (There were 3500 Jews in the city.) To “punish” the Jews for their failure to register, the *Militärbefehlshaber* in Greece (General der Flieger Speidel), in agreement with the Foreign Office Plenipotentiary Neubacher, confiscated the Jewish property and transferred it to the Greek state.⁵⁰⁸

The Jews were rather spread out on the Greek mainland, and for that reason it was necessary to mobilize trucks and guards in preparation for the roundup.⁵⁰⁹ In March, 1944, the RSHA was ready to order the sudden (*schlagartige*) arrest of all Jews (except those in mixed marriages); the seizures were to be completed in three days, from March 23 to March 25.⁵¹⁰ We can form some idea about the precision work that was involved in this operation from a report about the removal of the Jews from the town of Ioannina.

The Ioannina operation was carried out by Order Police Major Hafranek with his own men, Greek police, Army *Feldgendarmarie* (Military Police), Secret Field Police (Counterintelligence), and soldiers stationed in the area. At 3 A.M. Hafranek surrounded the ghetto; at 5 A.M. the chairman of the Jewish community was informed that within three hours all Jews were to assemble at designated points for

508. *Militärbefehlshaber* Greece/Mil. Adm. to *Militärbefehlshaber Südost* (Felber), December 18, 1943, NOKW-892.

509. War diary, Army Group E, March 15, 1944, NOKW-923.

510. *Militärbefehlshaber* Greece/Mil. Adm. Ic/Ia (signed Speidel) to *Militärbefehlshaber Südost* Ia, Ic, and chief of mil. adm., copies to Army Group E and Higher SS and Police Leader, April 14, 1944, NOKW-2520.

“evacuation.” Each family was allowed 100 pounds of luggage. Greek police and members of the Jewish council passed on the announcement to the ghetto residents. Strong detachments of Order Police patrolled the streets. There was “no incident” (*kein Zwischenfall*).

At 10 A.M. 1725 Jews were moved out to Trikkala. About a hundred were retained to clean up. All furnishings and food in the vacated apartments were handed over to Greek offices for distribution to the Greek population — the purpose of this generosity was to combat hostile propaganda by the insurgent EAM organization (pro-Communist). From the EDES (nationalist anti-Communist), said the report, one could hear only “full approval” (*volle Zustimmung*).⁵¹¹

When the German Army had first moved into the Italian zone of Greece, the Jewish population of the prefecture of Ioannina had been estimated at about 2000;⁵¹² six months later, more than 90 per cent of these people were caught in the Ioannina ghetto. To be sure, that kind of performance could not be repeated with the same success at all the mainland points, but the March raids did result in the deportation of about 5400 Jews.⁵¹³

The roundups spread from the mainland of Greece to neighboring Albania. In April, 1944, the commanding general in Albania reported that SS Division

511. Report by noncommissioned officer Bergmayer (Secret Field Police Group 621 with XXII Mountain Corps), March 27, 1944, NOKW-1915. The history of the Greek underground movements ELAS-EAM and EDES is quite complex. By the spring of 1944, the former was Moscow-oriented; the latter was poised to fight the EAM and later on did.

512. Memorandum by Major Brandner (1st Mountain Division), September 13, 1943, NOKW-1104.

513. Nehama in Molho, *In Memoriam*, II, 164. In the Volos-Trikkala-Larissa area, as well as in Athens and the Peloponnesus, the seizures were less than 50 per cent successful.

Skanderbeg (Albanian collaborators) had arrested 300 Jews in Pristina (“new” Albania, in Yugoslav territory, near the frontier of the domain of the *Befehlshaber* in Serbia).⁵¹⁴ Between May 28 and July 5, 1944, the SS division rounded up another 510 “Jews, Communists, partisans, and suspicious persons” in the Albanian area. From that group, 249 were deported.⁵¹⁵

The removal of the island Jews was more complicated than the mainland deportations. Approximately 2000 Jews lived on the Ionian island of Corfu, close to 300 on Zante, a little over 300 on Crete, and around 2200 on the east Aegean island of Rhodes. All these islands were under the complete control of Army Group E (Generaloberst Löhr).

On April 25, 1944, the intelligence officer on Corfu reported that the Jews on his island had been registered (*karteimässig erfasst*) and that from his point of view there was no fundamental objection (*keine grundsätzliche Bedenken*) to the removal of these Jews.⁵¹⁶ These impressions were confirmed by the corps intelligence officer who had visited Corfu on April 23 and 24. He thought that the deportation of the Jews would ease the food situation, and he requested the army group to “bring about implementation measures” by contacting the Security Police and SD.⁵¹⁷ On May 12 the Order Police in Athens approached the army group

514. *Militärbefehlshaber Südost* (signed Chief of Staff von Ceitner) to Army Group F, copies to OKH/Gen Qu, OKW/WFSI, 2d Panzer Army, German Plenipotentiary General in Albania, German Plenipotentiary General in Croatia, Luftwaffe Commander in Croatia, V SS Mountain Corps, April 16, 1944, NOKW-668.

515. Report by XXI Mountain Corps (signed Chief of Staff von Klocke), July 13, 1944, NOKW-838.

516. Oberleutnant König (Ic — *Aussenstelle Korfu*) to Corps Group Ioannina Ic, April 25, 1944, NOKW-1916.

517. Corps Group Ioannina Ic to Army

with a request for ships to transport the Corfu Jews to Patras and the Crete Jews to Piraeus. Army Group E/Operations approved of the request, on the condition that the tactical situation would not be jeopardized by the diversion of transport.⁵¹⁸

Two days later the commander of Corfu, Oberst Jäger, sent a long memorandum to the XXII Mountain Corps. Jäger reported, first, that the *Admiral Aegaeis* had been requested to dispatch the ships. On the day before (May 13) a Himmler representative, Obersturmführer von Manowsky, had arrived on the island; he had left as soon as he had arrived. Jäger then came to the main point. He was uncomfortable about the whole undertaking. In fact, he found seven good reasons why the Jews should *not* be removed from Corfu. He thought that the “Badoglio Italians” (demobilized Italian soldiers) should be taken off the island first, since they were “far more dangerous than the Jews, about whom, incidentally, there has never been a complaint.” The Jews had already been warned, and he feared that they would hide in the mountains. There was danger also that the Jews might bribe the Greek police. The *Aktion* could not be carried out quickly enough. Passive resistance by Greek sailors was a distinct possibility.

Next Jäger mentioned a most important consideration: Under an Allied-Nazi arrangement, Red Cross ships were permitted to enter Greek harbors with food in order to combat widening starvation among the Greeks. There was now such a Red Cross ship in the harbor of Corfu, where the visitors could observe everything and see to it that plenty of “atrocious propaganda” was spread about this matter. Finally, Jäger reminded the XXII Mountain

Group E Ic/AO, April 28, 1944, NOKW-1985.

518. War diary, Army Group E Ia, May 12, 1944, NOKW-885.

Corps that Corfu was an exposed area (*militärisches Vorfeld*). For all these reasons he urged an indefinite postponement of the *Aktion*. Then he added in stenographic language: "Only if sudden (*schlagartige*) action possible, otherwise disadvantages."⁵¹⁹

Corps headquarters took these objections seriously and sent them to Army Group E.⁵²⁰ However, on May 15 *Obersturmführer* Burger (Theresienstadt) arrived on Corfu. The deportations could not be stopped any more; the machinery of destruction was in motion. On May 24 a fleet of six ships came in; on May 26, in expectation of the arrival of Security Police personnel, the island commander ordered the printing of posters calling upon the Jews to assemble. On May 28, with no Security Police in sight, the *Admiral Aegaeis* withdrew the ships — empty.

The next day *Obersturmführer* Burger finally brought in a company of *Feldgendarmerie* and Secret Field Police dispatched from Ioannina, and the island commander immediately set aside an old fortress to accommodate the Jews. On May 30, *Kapitän zur See* Magnus arrived. He announced that another fleet was on the way and promised to use the ships for the "evacuation" in spite of the expenditure of another 2600 gallons of gasoline.⁵²¹ By June 11 the *Aktion* was "rolling" (*im Rollen*).⁵²² On June 17 the Security Police could report that 1795 Corfu Jews had been seized and transported from the island; their property was

519. Jäger to XXII Mountain Corps, May 14, 1944, NOKW-1915.

520. XXII Mountain Corps/Ic to Army Group E, May 18, 1944, NOKW-1915.

521. Memorandum by *Oberst* Jäger (Commander, 1017th Infantry Regiment and Island Commander, Corfu) and *Kapitän zur See* Magnus (Naval Commander, Western Greece), June 1, 1944, NOKW-1915.

522. Jäger to XXII Mountain Corps, June 11, 1944, NOKW-1997.

given to the Greek governor of Corfu for distribution to the islanders.⁵²³

More than one hundred miles south of Corfu, 270 Jews slipped off the Ionian island of Zante and escaped by sea to Italy. From Crete, however, the Germans deported some 260 Jews according to plan.⁵²⁴

On the east Aegean islands the Commander of the 999th Division (*Sturmdivision Rhodos*), *Generalleutnant* Ulrich Kleemann, was in charge; he reported directly to *Generaloberst* Löhr, commander of Army Group E. The east Aegean islands were exposed territory. In September, 1943, barely two weeks after the Italian collapse, British forces had landed on Samos, Leros, and Cos; but the British could not hold the islands. Kleemann counterattacked and within two months overwhelmed the three British garrisons, one by one. He then turned his attention to the Jews.

In June, 1944, two SS officers arrived by plane on Rhodes to hold discussions with Kleemann.⁵²⁵ On July 13 Kleemann issued an order designating the city of Rhodes and the towns of Trianda, Cremasto, and Villanovo as collecting points for the Jews. The entire Jewish population of Rhodes had to be in those towns by July 17 at noon.⁵²⁶

The order had its repercussions, not only among the Jews but also among the troops. On July 16, Kleemann was therefore forced to issue another order in which he stated that the Jewish question on Rhodes had apparently given rise to "doubts" (*Zweifeln*). A soldier,

523. BdS Greece/Aussenstelle Janina IV-B to XXII Mountain Corps/Ic and *Feldkommandantur* 1032/Ic, June 17, 1944, NOKW-1915.

524. Nehama in Molho, *In Memoriam*, II, 68-69, 72-74, 164.

525. Affidavit by Erwin Lenz (artilleryman, *Sturmdivision Rhodos*), May 10, 1947, NOKW-1715.

526. Order by Kleemann, July 13, 1944, NOKW-1802.

Kleemann pointed out, could not possibly judge this matter from a soldier's narrow point of view; in the interest of the measures now started, the Jewish question on Rhodes and its solution was no longer to be made the topic of daily conversation among the troops.⁵²⁷

A soldier who on the day of the deportation went to the city of Rhodes to have his teeth fixed, noticed about 1200 men, women, and children standing with faces to the wall in the blistering heat. Greek and Turkish civilians who wanted to hand food and drink to the deportees were kept away. (There was a food shortage on Rhodes also.) The visiting soldier noticed that the victims had very little baggage. He started to gossip with the German soldiers standing guard and was told that the Jews did not need any baggage since they would not, after all, live very long.⁵²⁸

Thus, by July, 1944, the "final solution" was no longer a secret even on Rhodes, more than 1000 miles from Auschwitz as the crow flies. One month later, on August 17, 1944, the Rhodes Jews arrived at their destination.⁵²⁹ When the British occupied the island in May, 1945, only a handful of Jews waited for their liberators in Rhodes City.⁵³⁰

All in all, more than 60,000 Jews had been deported from Greece, Albania, and Rhodes. Perhaps 12,000 remained.

527. Kleemann to subordinate units, July 16, 1944, NOKW-1801.

528. Affidavit by eyewitness Lenz, May 10, 1947, NOKW-1715.

529. See list of transports compiled by Dr. Otto Wolken (Jewish Auschwitz inmate) in Friedman, *This was Oswiecim*, p. 25.

530. Major General Lord Rennell of Rodd, *British Military Administration of Occupied Territories in Africa During the Years 1941-1947*, (London: H. M. Stationery Office, 1948), p. 513. While the Germans waited for the surrender, they fought for the spoils with local Italian officials. See *Kreiskommandantur Rhodos to Sturmdivision Rhodos Ic*, September 3, 1944, NOKW-1795.

SATELLITES PAR EXCELLENCE. — During the German march across Europe, some territories were occupied and others were allotted to Axis allies. Two areas were in a special category. Germany did not wish to incorporate them, but they were not to be absorbed by her partners. Hence, these regions became countries themselves. The new entities — states by default and satellites par excellence — were Croatia and Slovakia.

Croatia. — Although the State of Croatia was a German creation, its establishment was not planned very far in advance. In fact, it was a rush job. On March 25, 1941, Yugoslavia followed in the footsteps of some of her neighbors and joined the Axis. Two days later a new government in Belgrade repudiated the agreement, and that same day Hitler decided to destroy Yugoslavia.⁵³¹ Military operations against the Yugoslavs began on April 6; by April 10 the German Army had occupied the Croat city of Zagreb. One day later the German Foreign Office trouble shooter Veesenmayer was in the city, discussing with Croat leaders an "exact plan for the assumption of power."⁵³² By April 16 there was a Croat government. Its most important personalities were:⁵³³

Chief of State: Dr. Ante Pavelic
Prime Minister: Dr. Pavelic (succeeded on September 4, 1943, by Nikola Mandic)
Foreign Minister: Dr. Pavelic (Lorkovic, Dudak)
Commander, Armed Forces: Gen. Slavko Kvaternik
Interior Minister: Dr. Artukovic (Nikic, Lorkovic, Frkovic)
Justice Minister: Dr. Puk (Artukovic)
Economy Minister: Dr. Dudak (Toth)

531. Summary of Führer conference, March 27, 1941, PS-1746.

532. Veesenmayer to Ribbentrop, April 11, 1941, NG-5875.

533. *Krakauer Zeitung*, April 18, 1941, p. 2. *Donauzeitung* (Belgrade), passim.

Aryans.⁵³⁵ As every so often, the tightly shut front door concealed the wide-open back entrance.⁵³⁶

In a very short time the Croat government also proceeded to enact all those measures which German bureaucrats had toiled over for eight years: the prohibition of intermarriage, of employing female Aryan servants under forty-five, of raising the Croat flag; the revocation of name changes adopted since December 1, 1918; the marking of Jewish stores and persons; the registration of property; the removals from the bureaucracy and the professions; the termination of business activities; and transfer of enterprises.⁵³⁷

The impoverishing process spread with great rapidity. By the end of August, 1941, after only four months of Croat government, most Jewish enterprises worth less than 200,000 kuna (RM 10,000 or \$2,500) had been "Aryanized."⁵³⁸ By mid-October, 1941, the Jews had been drawn out of the cities and sent to labor camps. Out of a population of 30,000 (only 25,000 in the German zone of occupation), 6000 Jews were employed in the salt mines at Karlovac and Yudovo,⁵³⁹ and several hundred Jews were working in the torture camp of Yasenovac.⁵⁴⁰ By summer of 1942 the Croat Jews were "ripe" for deportation. A representative of the

535. *Ibid.*

536. The number of honorary Aryans increased steadily from month to month. RSHA IV-E-3 (signed Schellenberg) to Himmler, September, 1942, Himmler Files, Folder No. 120.

537. *Die Judenfrage*, March 1, 1943, pp. 74-75.

538. *Donauzeitung* (Belgrade), August 23, 1941, p. 3.

539. *Die Judenfrage*, October 15, 1941, p. 209.

540. *Deutsche Ukraine-Zeitung*, (Luck), February 22, 1942, p. 5. See also documents and photographs in Izdanje Saveza Jevrejskih Opstina fur Jugoslavije, *Zlocitni Fasistickih Okupatora i Njihovih Pomagaca Protiv Jecreja u Jugoslaviji* (Belgrade, 1952).

RSHA, Hauptsturmführer Abromeit, joined German Minister Kasche in the Croat capital.⁵⁴¹ Thousands of Jews were trekking to the Italian-occupied zone of Croatia⁵⁴² and to the Hungarian-annexed Yugoslav Backa⁵⁴³ to find refuge. But already the German Foreign Office was moving ahead with clock-like precision.

Some time at the end of 1941 or beginning of 1942 the Croat government was asked to express its disinterest in the fate of a few dozen Croat Jews residing in the Reich. This request was always put into the form of a courteous question: Did the Croat government plan to recall its Jews, or did it agree to their deportation?⁵⁴⁴ The Croat government expressed "its gratitude for the gesture of the German government," but indicated that "it would appreciate the deportation of its Jews to the East."⁵⁴⁵

That reply doomed not only the handful of Croat Jews in Germany but almost all of Jewry in Croatia itself, for when consent has been given to the death of even one victim, the threshold has been crossed and the decisive involvement has begun. The killer of one person is no less a murderer than the killer of thousands, and, conversely, the mass killer is no more accountable than he who has killed only once. The experts of the RSHA and the German Foreign Office knew that principle better than anyone; therefore they always started a foreign campaign by applying pressure for the deportation of those few Jews who were already in the Reich.

541. Affidavit by Wisliceny, November 25, 1945, *Conspiracy and Aggression*, VIII, 608-21.

542. *Ibid.*

543. *Deutsche Ukraine-Zeitung* (Luck), January 28, 1942, p. 8.

544. Rademacher via Luther to Weizsäcker, October 28, 1941, NG-182. Memorandum by Luther, August 21, 1942, NG-2586-J.

545. *Ibid.*

The relinquishment of those Jews by the Croat government required no administrative buildup and no bureaucratic action save a word of consent. Thus the initiation into the killing phase was brought about with ease, almost imperceptibly. The second request affected a much larger group of people, but it was already routine. The Croat government agreed — and the Germans had free rein.⁵⁴⁶

There was, however, one complication: nearly 5000 Jews were living in the Italian-occupied zone. So far, not even the Croat laws enacted in the German-dominated capital of Zagreb could be implemented in the Italian area. The Italian commander in Mostar, for instance, had promised equal treatment to all inhabitants, and he had even refused to evict Jewish tenants to make room for the German *Organisation Todt*. When asked for an explanation, he declared that anti-Jewish measures were “incompatible with the honor of the Italian Army.”⁵⁴⁷ The Foreign Office experts were now encountering the same problem in Croatia that we have already observed in southern France and Greece. In Croatia, too, the Foreign Office tried to goad the Italians into action, and in Croatia, too, the Foreign Office failed.

The German Minister in Zagreb, Kasche, advised that the deportation machinery start collecting Jews in the Italian zone without asking any questions. “We should take a chance,” he said, “and see whether any complications would arise in the course of the operation.”⁵⁴⁸ Vortragende Legationsrat von Sonnleithner (Bureau Ribbentrop) and Staatssekretär Weizsäcker thought that perhaps the German Ambassador in Rome, von Mackensen, should be heard first.⁵⁴⁹ On August 20, 1942,

546. *Ibid.*547. *Ibid.*548. *Ibid.*

549. Handwritten notation by Weizsäcker,

Kasche wrote to the Foreign Office that the key man in the Italian zone was the Italian commander, General Roatta. This was the man whose collaboration was required, and therefore it was necessary to convince the Rome government to issue the proper directives to him.⁵⁵⁰ But Ribbentrop decided *not* to interfere in Rome. In his view, the deportation of the Jews from the Italian zone was “a matter concerning the Croat government”; hence, he thought that the Croat government was the proper authority to carry on negotiations with the Italians.⁵⁵¹

Apparently the Croat government did not do much negotiating, for on September 24, 1942, on the eve of a Führer-Duce meeting, Minister Kasche was instructed to draw up a memorandum for possible presentation by Hitler to Mussolini. The memorandum was to deal with two subjects: the Jews and the supply of bauxite from Mostar. Suggested Ambassador Ritter: “The correct diplomatic language is to be adopted so as not to offend Italy and the Duce.”⁵⁵²

The available documents unfortunately do not indicate what transpired during the Hitler-Mussolini conference, although we do know that negotiations between the Croats and Italians continued in October and November. The trend of these discussions shows a remarkable resemblance to the course of the Greek negotiations: The Italians first offered to take the Jews to Italy.⁵⁵³

undated, NG-3560. Lohmann (Bureau Ribbentrop) via Weizsäcker to Luther, August 8, 1942, NG-3560.

550. Kasche to Foreign Office, August 20, 1942, NG-2368.

551. Rintelen to Luther, August 25, 1942, NG-2586-K.

552. Note by Ritter, copy to Kasche, September 24, 1942, NG-3165.

553. Kasche to Foreign Office, October 20, 1942, NG-2814. Klingenfuss (D III) to German Embassy in Rome, October 24, 1942, NG-2366. Kasche to Foreign Office, November 10, 1942, NG-2814.

Next the negotiators considered the possible removal of the victims to the island of Lopud, off the Dalmatian coast.⁵⁵⁴ Finally the Italian government promised to concentrate the Jews on the spot; however, it declined to permit Croat confiscations of Jewish property and, more important, refused a German request for Jewish “labor battalions.”⁵⁵⁵ The German Foreign Office was therefore blocked in its efforts to deport the Jews from the Italian-controlled part of Croatia. As in the case of Greece, the deportations were begun in the German zone, without Italian participation.

At the beginning of August, 1942, the Croat government published its version of the 11th Ordinance to the Reich Citizenship Law: all Jews leaving the country were to lose their Croat nationality in order that they might also lose their personal property. Again there was an improvement over the original German decree: any dependents left behind by the deported persons were to lose their nationality, too.⁵⁵⁶ On October 9, 1942, Finance Minister Koshak agreed to pay to the German Government 30 reichsmark for each deported Jew — payment by the Croat people to the German people for the German contribution to the “final solution of the Jewish problem” in Croatia. The details of payment were worked out by Kasche and Foreign Minister Lorkovic.⁵⁵⁷

Our statistics of deported Croatian Jews are incomplete. Up to the end of 1942 the number was only 4927,⁵⁵⁸ but Jews were deported in small batches during 1943 and 1944. In March, 1943,

554. Kasche to Foreign Office, November 20, 1942, NG-2345.

555. *Ibid.*

556. *Donauzeitung* (Belgrade), August 13, 1942, p. 3.

557. Kasche to Foreign Office, October 14, 1942, NG-2367.

558. Report by Korherr, April 19, 1943, NO-5193.

the representative of the *Reichsbahn* in Zagreb agreed to furnish cars, to be hooked to regularly scheduled trains, for the deportation of about 2000 Jews via Austria to Auschwitz.⁵⁵⁹ On the occasion of these deportations another vain attempt was made to induce the Italians to co-operate in their zone.⁵⁶⁰ In July, 1943, Inland II Chief Wagner urged Kasche to do his utmost to deport some 800 Jewish women and children who still remained in Croat concentration camps.⁵⁶¹ In September the Italian zone disappeared — not, however, before a large number of the Jews in the area had disappeared too.⁵⁶²

In April, 1944, Kasche and the police attaché, Obersturmbannführer Helm, sent their final report to Berlin. The Jewish question in Croatia, said Kasche, had been solved, but for three general exceptions: the Jews recognized as honorary Aryans, Jews in mixed marriages, and *Mischlinge*. Police Attaché Helm added that the problem of honorary Aryans was admittedly unsolved; some of them were still holding office. One Jew, Alexander Klein, had even been dispatched by Ustasha headquarters — that is, the headquarters of the Croat counterpart of the German SS — as a procurement official to Hungary and Italy. With respect to the mixed marriages and *Mischlinge*, Helm re-

559. Kasche to Foreign Office, March 3, 1943, NG-2348.

560. Wagner to legation in Zagreb, April 10, 1943, NG-2347.

561. Wagner and von Thadden to Kasche and police attaché in Zagreb, July 15, 1943, NG-2413.

562. Many had apparently found sanctuary at Fiume, Italy, where they survived until the end of the war. The Jewish property in the Croat areas wrested from the Italians became the subject of German-Croat quarrels. See German Plenipotentiary General in Croatia/Ia to XV Mountain Corps, December 6, 1943, enclosing report by Vladimir Jonic (Ustasha commissar and representative of the Croat civil administration in Dalmatia) of November 8, 1943, NOKW-1419.

Jews,⁶⁵⁰ and approximately 15,000 more were added to the Bulgarian power sphere in the newly won territories of Macedonia and Thrace. During the war an American Jewish organization compiled a book called *Hitler's Ten-Year War on the Jews*;⁶⁵¹ the writers of that book lamented the fate of the European Jewish communities by reciting the notable contributions by great Jews in Germany, France, Italy, etc. When the editors came to the Bulgarian section, they found nothing special to say about the Bulgarian Jewish community, and so they noted somewhat apologetically that the Bulgarian Jews had no "spectacular" achievements.⁶⁵²

Indeed, the Bulgarian Jews were not "essential." They were not "indispensable." They were not especially talented or particularly well off. They attracted neither extraordinary sympathy nor exceptional hostility. There was no need to preserve them and no reason to destroy them. The Bulgarian Jews were a pawn in the hands of an opportunistic power: they were like a surplus commodity, to be traded for political advantage. The Reich could not completely destroy the Bulgarian Jews because it could not offer sufficient gain to the cautious Bulgarian rulers.

On the German side, the chief protagonists who helped decide the fate of Bulgarian Jewry were: Minister Beckerle; the Jewish Adviser, Dannecker, and the Police Attaché, Hoffmann. Beckerle, like the other German emissaries in the Balkans, was an SA man. His relations with the SS, however, were quite good. In fact, Beckerle was police president of Frankfurt when the Foreign Office snatched him from the Himmler hierarchy and appointed him Minister to Bulgaria.⁶⁵³ Dannecker did

not come to Bulgaria until January, 1943; as we have already learned, he was in France until then. The other SS-man, Hoffman, represented the Attaché Group of the RSHA in Bulgaria.⁶⁵⁴

The Bulgarian government's principal personalities in Jewish affairs were the following:⁶⁵⁵

King: Boris
 Prime Minister: Filov (Bojilov)
 Foreign Minister: Popov (Kirov)
 Interior Minister: Gabrowski (Christov)
 Justice Minister: Partov
 Jewish Commissar (from 1942): Belev (Stomonjakov)

As an Axis country, Bulgaria had a few peculiarities. There was a Parliament in Sofia (the *Sobranje*) which actually passed laws. Unlike the Slovakian Parliament (which also passed laws), it was not entirely a rubber-stamp body, for it was the scene of discussion, debate, protest, and even amendment of policy. We shall see some of these amendments in the anti-Jewish legislation. A second factor of some importance in the Bulgarian political arena was the King. The Bulgarian King (or *Czar*) was respected for his shrewdness even by Hitler.⁶⁵⁶ Boris displayed some of that shrewdness in Jewish matters.

One of the most important personali-

653. See memorandum by Weizsäcker, April 5, 1941, NG-2064. Beckerle's predecessor was Richthofen.

654. A police attaché was the counterpart of a military attaché. A Himmler invention, police attachés were dispatched to some embassies and legations, in pursuance of an agreement between Himmler and Ribbentrop. Himmler to main offices and Higher SS and Police Leaders, May 23, 1942, enclosing Himmler-Ribbentrop agreement of August 8, 1941, and supplementary agreement between Weizsäcker and Heydrich of August 28, 1941, NO-763.

655. Names taken from German documents and newspapers.

656. Picker *Hitler's Tischgespräche im Führerhauptquartier 1941-1942*, entry for April 2, 1942, p. 223.

650. Census of 1934: 48,565.

651. Institute of Jewish Affairs.

652. *Ibid.*, p. 113.

time was ripe, and so he scribbled two words on Luther's report: *noch warten* ("wait some more").⁶⁸⁶ Two weeks later Ribbentrop changed his mind and gave the go-ahead signal,⁶⁸⁷ but these two weeks made a difference.

While Berlin waited, Sofia took its time. The expulsions proceeded at a leisurely pace, and the marking ran into difficulties. On November 9, 1942, the RSHA's foreign intelligence chief, Schellenberg, sent a report on Bulgarian anti-Jewish developments to Luther. The report already revealed evidence of deliberate procrastination. The Bulgarian government, said the RSHA, had come to the conclusion that with the latest anti-Jewish ordinances the "point of toleration" (*das Mass des Erträglichchen*) had already been exceeded.

This attitude was revealed in a number of ways. On September 27, for example, about 350 Jews assembled in the courtyard of the Interior Ministry to deliver a petition for the extension of expulsion deadlines. Interior Minister Gabrowski stepped into the courtyard and, "to the amazement of all his officials and employees watching from the windows, delivered a half-hour speech to calm the Jews." On top of that, he said that "the worst was already over" and personally accepted the Jewish petition. The next day Gabrowski directed the press to cease discussion of the Jewish question, basing his order on the ground that the Jewish question had already been regulated and that the people were satisfied with these measures against the Jews. In addition, Gabrowski "hinted" repeatedly to Jewish Commissar Belev that the Cabinet

and the Czar wished an alleviation of anti-Jewish activities. In accordance with that alleviation policy, Gabrowski had refused to sign an ordinance introducing certain movement restrictions in the capital.

Bulgarian procrastination, continued the RSHA report, was particularly noticeable in the matter of marking. The Bulgarian government had originally introduced a Jewish star, "albeit a little one" (*einen "allerdings nur kleinen" Judenstern*). As of the moment, however, very few Jews were wearing the star. The opening salvo against the star had been fired by the "Anglophile" Metropolitan Stephan of Sofia, who on September 27 had delivered a sermon pointing out that God had already punished the Jews "for having nailed Christ to the cross" by driving them from place to place and allowing them no country of their own. God had thereby determined the Jewish fate, and men had no right to torture the Jews and to persecute them. This applied especially to Jews who had accepted Christianity. The metropolitan had then succeeded in freeing all baptized Jews from wearing the star. Prime Minister Filov on his own had liberated the Jews in mixed marriage; thereupon, on September 30, Justice Minister Partov demanded that the wearing of the star should not be obligatory and that all expulsions should be halted.

By the beginning of October about a fifth of Bulgarian Jewry was wearing the emblem, and at that point the Bulgarian government halted star production by cutting off the electricity supply from the plant that was producing the badges. This measure was justified on the ground of the power shortage. Many Jews who had already been wearing the star took it off again, while others wore it in an "arrogant" manner, pinned next to a patriotic symbol such as a picture of the Czar or the Queen.

686. Luther via Weizsäcker to Ribbentrop, September 11, 1942, NG-2582. Von Sonnenleithner via Weizsäcker to Luther September 15, 1942, NG-2582. Luther to Rademacher, September 15, 1942, NG-2582.

687. Luther to Weizsäcker, Wörmann, von Erdmannsdorff, Pol. I, Pol. IV, D II, D III, Legal and Trade Political divisions, September 24, 1942, NG-1517.

leged to have occurred during the deportations. Peshev was voted down and lost his office; however, his intervention was followed by another one described only as a "hint from the highest quarter" — presumably from the Czar — to stop all planned deportations from Old Bulgaria. "Prominent" Jews who had already been interned were thereupon set free again.⁶⁹¹

In concluding his report about the deportations, Police Attaché Hoffman explained that, considering the fact that nothing at all had yet been accomplished in "Italy, Hungary, Spain, etc.," the Bulgarians had done quite well. Furthermore, a "Jewish problem" in the form in which it had existed in Germany was actually unknown in Bulgaria. The deportation of 11,343 Jews was consequently quite "satisfactory" (*zufriedenstellend.*) Based on the agreed total of 20,000, this meant an achievement of 56 per cent — quite a normal "reduction" in a Balkan country.⁶⁹²

Ribbentrop, however, was by no means satisfied with such reductions. When King Boris visited Berlin in the beginning of April, the German Foreign Minister had a chance to express his displeasure. Boris explained that he had given the order confining the evacuations to Macedonia and Thrace and that he intended to deport "only a small number of Bolshevik-Communist elements" from Old Bulgaria because he

691. Hoffmann (police attaché in Sofia) to RSHA/Attaché Group, April 5, 1943, NG-4144. The Hoffmann report was marked "seen: Beckerle." Memorandum by Wagner, April 3, 1943, NG-4180. The above account is based on both reports. There are minor discrepancies in the statistics. Hoffmann mentions 11,343 deportees, including 7122 Macedonian and 4221 Thrace Jews. Wagner lists 11,459, including 7240 from Macedonia and 4219 from Thrace. Korherr reported a total of 11,364 deportees. Korherr to Himmler, April 19, 1943, NO-5193.

692. Hoffmann to Attaché Group, April 5, 1943, NG-4144.

needed the rest of the Jews for road construction. Ribbentrop replied that "in our view the only correct solution of the Jewish problem was the most radical solution" (*dass nach unserer Auffassung in der Judenfrage die radikalste Lösung die allein richtige sei*).⁶⁹³

Under the application of new pressure from the German Legation in Sofia, Commissar Belev, a man with divided loyalties, prepared two alternate plans: one provided for the deportation of all Jews to Poland; the other allowed for the complete evacuation of the Sofia Jews to the country. The two plans were submitted to Boris, who naturally chose the latter.⁶⁹⁴ The new expulsion order was published on May 25.⁶⁹⁵

For the Germans there was not much to be done any more. But the RSHA pressured the Foreign Office to pressure Beckerle into pressuring the Bulgarian government. On June 7, Beckerle replied: "I would like to assure you that we here are doing everything in our power to arrive in a suitable manner at a final liquidation of the Jewish question." Unfortunately, Beckerle continued, direct pressure just didn't work. The Bulgarians had been living with peoples like the Armenians, Greeks, and Gypsies for so long that they simply could not appreciate the Jewish problem.⁶⁹⁶

Police Attaché Hoffmann was more optimistic. He reported that the expulsion of all but 2000-3000 privileged Jews from Sofia was now nearing its completion. The expelled Jews were quartered with Jewish families in the

693. Ribbentrop to Beckerle, April 4, 1943, NG-62.

694. Hoffmann to Attaché Group, June 7, 1943, NG-2357.

695. *Donauzeitung* (Belgrade), May 26, 1943, p. 3; May 28, 1943, p. 3; June 1, 1943, p. 3.

696. Beckerle to Foreign Office, June 7, 1943, NG-2357.

Roumania. — Like the Bulgarians, the Roumanians joined the Axis for opportunistic reasons. Unlike Bulgaria, however, Roumania became an ally of Germany only after the loss of considerable territory: northern Bukovina and Bessarabia to the USSR, northern Transylvania to Hungary, and southern Dobrudja to Bulgaria. These territorial losses came like hammer blows in a period of two months.⁷⁰² Roumania now had enemies east and west; Russia and Germany were responsible for her losses. The Roumanians joined the Axis and reconquered the eastern provinces; when the fortunes of war turned and Bukovina and Bessarabia were irretrievably lost, the Roumanians, moving with the tide, joined the Russians and recovered Transylvania.

However, there was something in Roumanian action which was more than mere opportunism — an overpowering need to hurl oneself with all one's might at some enemy target. That factor was responsible for the circumstance that the Roumanians made more than a token contribution in their war against the USSR. Measured in sheer numbers, Roumania was Germany's most important ally in the East. The Roumanian armies fought without restraint and bled heavily in such places as Odessa and Stalingrad. And it is interesting to note that when the Roumanians changed sides, they displayed that same ferocity in battles against the Germans and Hungarians.

In Jewish matters, too, the Roumanian attitude was partly opportunistic and partly something more. There were times, for example, when the Germans complained that the Roumanians were exasperatingly slow. At one time, Eichmann even wanted to withdraw his expert in Jewish matters from Bucharest, on the ground that the Roumanians did

not follow the expert's advice. But there also were instances when the Germans actually had to step in to restrain and slow down the pace of Roumanian measures. At such times the Roumanians were moving too fast for the German bureaucracy. Not hasty measures but thorough ones were required by the Germans.

If the Roumanians overstepped the bounds of opportunism in the speed of their action, they virtually forgot all motives of profit in the extent of their measures. What is significant in the case of the Roumanians is not only how fast they were going but also how far.

In Old Roumania (that is, the Roumania without the lost provinces) the Jews were hardly ever concentrated, and, although deportations from Old Roumania to Auschwitz were actually planned, the Roumanian government abruptly changed its mind and virtually stopped the destruction process in its tracks.

East of the Prut River, on the other hand, the picture was quite different. In Bukovina and Bessarabia, which were recovered from Russia in 1941, the Roumanians took the most drastic action. In these provinces the Roumanian authorities did not follow the usual pattern of concentrating the Jews and handing them over to the Germans; instead, the Bukovina and Bessarabia Jews were transported to what we might call the Roumanian "East" — the territory of "Transnistria" (in the Soviet Ukraine), which was under Roumanian occupation. In that territory the Roumanians maintained true killing centers. Besides Germany itself, Roumania was thus the only country which implemented all the steps of the destruction process, from definitions to killings.⁷⁰³

Characteristics of group activity and

702. Bukovina and Bessarabia were lost on June 28, 1940; Transylvania on August 30, 1940; Dobrudja on September 12, 1940.

703. As we have seen, the Roumanians also were significantly involved in the mobile killing operations. See pp. 199-201.

individual behavior are not always alike, but in the case of Roumania there were pronounced similarities. Unlike the Germans, who did not ordinarily practice their official behavior patterns in private life, the Roumanians were a fairly consistent lot. Opportunism was practiced in Roumania not only on a national basis but also in personal relations. Roumania was a corrupt country. It was the only Axis state in which officials as high as minister and mayor of the capital city had to be dismissed for "dark" transactions with expropriated Jewish property.⁷⁰⁴

The search for personal gain in Roumania was so intensive that it must have enabled many Jews to buy relief from persecution. The institution of bribery was, in fact, so well established that it was diverted for the benefit of the state: the Roumanian government permitted Jews to purchase exemptions from such anti-Jewish measures as forced labor and travel restrictions. However, what was true of personal opportunism in Roumania was true also of personal involvement in killings. Repeatedly the Roumanians threw themselves into *Aktionen*. Witnesses and survivors testifying to the manner in which the Roumanians conducted their killing operations speak of scenes unduplicated in Axis Europe. Even in German reports there are criticisms of these operations, and in some cases — as we have already seen — the Germans stepped in to halt killings that seemed offensive even to so hardened an establishment as the German Army.

In examining the Roumanian bureaucratic apparatus, one is therefore left with the impression of an unreliable

704. The dismissed officials were the mayor of Bucharest, Modreanu; his deputy, Dohary; and the Colonization Minister, General Zwiedeneck, who, incidentally, was ethnic German. German Legation in Bucharest/Military Attaché (signed Spalcke) to OKH/Attaché Division, December 12, 1941, W/IC 4.86, p. 274.

machine that did not properly respond to command and that acted in unpredictable ways, sometimes balking, sometimes running away with itself. That spurting action, unplanned and uneven, sporadic and erratic, was the product of an opportunism which was mixed with destructiveness, a lethargy periodically interrupted by outbursts of violence. The product of that mixture was a record of anti-Jewish actions which is decidedly unique.⁷⁰⁵

The Roumania of 1939 had the third-largest Jewish community in Europe — the figure was approximately 800,000.⁷⁰⁶ The provinces ceded to Russia in June, 1940, contained about 300,000 Jews;⁷⁰⁷ the Jewish population in ceded Transylvania was in the neighborhood of 150,000.⁷⁰⁸ The remaining Jews in

705. A three-volume work about the destruction of the Jews in Roumania has been published in the Roumanian language. See Matatias Carp, *Cartea Neagra — Suferintele Evreilor din Romania 1940-1944* (Bucharest, 1946-48). Copies, marked vol. I, IIa, and III, are available in the YIVO Institute for Jewish Research in New York City. Vol. I deals with Roumanian measures to the end of 1940. Vol. IIa is devoted to the Iasi pogrom. Vol. III is an account of the Transnistria camps. A volume II, presumably covering events in Old Roumania from 1941 to 1944, is not available and may not have been written. The available volumes are based upon Roumanian documents and survivors' accounts. Because of the language difficulty, little use has been made of the work of Matatias Carp in this chapter. It is to be hoped, however, that specialists will not fail to examine closely that voluminous study.

706. During the census of 1930 the count was 756,930. Some Jewish estimates place the number for 1939 as high as 850,000. Probably these estimates are too high.

707. The 1930 census figure was 307,340, including 92,492 in Bukovina and 204,858 in Bessarabia. From 1930 to 1940, the population probably increased to 330,000. However, southern Bukovina was not transferred to Russia; hence the 1940 total for the transferred provinces must have been about 300,000.

708. The 1930 census figure was 138,917. An official Roumanian estimate for January 1, 1940, was 148,573. These figures apply to

Old Roumania consequently numbered about 350,000.⁷⁰⁹ In each of these regions the Jews suffered a different fate: the Jews of Old Roumania survived, on the whole; those in Transylvania were engulfed in the Hungarian deportations; while in the eastern provinces — lost in 1940 but recovered in 1941 — the Jews were subjected to the brunt of the Roumanian destruction process.

At the time when the first anti-Jewish measures were launched, Roumania had hardly emerged from an earlier system of ghettoization. The emancipation of the Jews had been a recent occurrence in most of Europe, but it was particularly recent in Roumania. Most Jews had acquired Roumanian citizenship after the end of World War I, in pursuance of a minority treaty concluded by Roumania with the Allied Powers — part of the price that Roumania had to pay for its new-won terri-

the ceded portion of Transylvania only. Kingdom of Roumania/Ministry of Foreign Affairs, *Memorandum on Transylvania* (Bucharest, 1946), pp. 9, 37-38.

709. The Jews in the Bulgarian-occupied Dobrudja numbered only about 1000. The figure of 350,000 which is arrived at by subtraction, poses a difficulty in that a census of Jewish population on April 6, 1941, yielded a figure of only 302,092. *Wirtschaft und Statistik*, October 2, 1941, p. 392. This result cannot be reconciled with the 1930 census unless we presume an absolute decline during the years 1930-40. Such a decline is very unlikely. (See Roumanian estimate for Transylvania, above). It is quite possible that, like other measures, the Roumanian census was not very efficient. To make matters even more confusing, a census taken in the summer of 1942 yielded only 272,409 Jews. While we may conceivably explain a reduction of nearly 30,000 Jews (or, at any rate, 20,000) from 1941 to 1942, we cannot account for the fact that in the 1942 census the Bucharest and Iasi figures are higher than in the 1941 census. In the case of Bucharest, the figures are 91,268 (1941 census) and 97,868 (1942 census). In the case of Iasi, there was an increase from 32,942 in 1941 (just before the great pogrom) to 34,000 in 1942. Figures of 1942 count in *Donauzeitung* (Belgrade), August 8, 1942, p. 3.

tories. There was considerable sentiment in Roumania against payment of that price, and in the 1930's the rise of the pro-Nazi and anti-Jewish Iron Guard cast a shadow on Jewish security in the country. When in December, 1937, Roumania acquired its first pro-Nazi regime under Prime Minister Octavian Goga, about 120,000 Jews lost their citizenship.⁷¹⁰

The Goga regime fell, Iron Guard "legionnaires" were arrested by the thousands, and Iron Guard leaders were massacred while "trying to escape," but the Jews were not entirely forgotten. Under Goga's successors Jewish engineers were excluded from the railways,⁷¹¹ the quota system was introduced into the labor force in industry,⁷¹² and dismissals were begun in the government service.⁷¹³ These measures, incidentally, applied only to "Jews," that is, persons who belonged to the Jewish religion.

After Roumania's frontiers in the East crumbled under a Russian ultimatum, the government of Prime Minister Gigurtu decided to move one step closer to the Germans and to take a big stride forward in the destruction of the Jews. On August 8, 1940, two laws were proclaimed which already contained the seeds of administrative continuity, and which for that reason may be said to have inaugurated the destruction process in Roumania. For the first time the Roumanian government adopted a definition that included, besides Jews by religion, some baptized Jews, such as the baptized children of unbaptized Jewish parents, and the baptized wives of Christian husbands, in the case of women whose baptism did not predate by more than one year

710. *Die Judenfrage*, May 21, 1938, p. 10; December 22, 1938, pp. 1-2.

711. *Ibid.*, July 14, 1938, p. 5.

712. *Ibid.*, February 26, 1940, p. 20.

713. *Krakauer Zeitung*, June 29, 1940; August 3, 1940, p. 1.

the formation of King Carol's Unity Party.

In the economic sphere, Jews were dismissed from the army and from the civil service; they lost their jobs as editors and company board members; they were restricted in the right to practice law and other professions; they lost their liquor licenses; they were prohibited from acquiring real estate, industrial enterprises in the provinces, and so on. Two ghettoization measures were also included in the laws of August 8—the prohibition of intermarriage and the revocation of name changes.

Nevertheless, the effect of all those provisions upon the Jews was not necessarily decisive. The laws set up three Jewish categories. The most privileged were Jews who had possessed Roumanian citizenship before December 30, 1918, and their descendants, as well as Jews who had been front-line soldiers in World War I and their descendants—about 10,000 people all together. Only a part of the discriminations applied to that group. The next category comprised Jews who were residents (but not citizens) of Old Roumania before December 30, 1918; and the least favored category—which was subjected to all restrictions—consisted of the Jews in the provinces annexed after World War I, and immigrants.⁷¹⁴ On the whole, therefore, the Gigurtu government's measures were still very mild by German standards. But the Gigurtu administration did not last very long.

At the beginning of September, 1940, as Hungarian troops were marching into Transylvania, Roumania acquired a new government which was to last for four years. At the head of that government was a man who called himself the Chief of State: General (later

714. *Ibid.*, August 3, 1940, p. 1; August 10, 1940, p. 2. *Die Judenfrage*, September 15, 1940, pp. 128–28.

Marshal) Ion Antonescu. His Cabinet was called the "regime of the legionnaires" because never before had Iron Guard leaders held so many positions of power: the Vice Premier was the Iron Guard commander himself, Horia Sima; the Foreign Minister was Iron Guardist Count Michael Sturdza; the Interior Ministry was in the hands of another "legionnaire," General Petrovicescu; the Labor Minister was the Iron Guard commander of Bucharest, Jasinchi.⁷¹⁵ In spite of the makup of this regime, the center of power was soon revealed to be in other hands.

The Jews reacted to the new government with apprehension. In the fall of 1940 thousands of them left Roumanian ports in unseaworthy ships bound for Palestine. Some of the ships sank on their way with hundreds of passengers; hundreds of other emigrants were threatened with deportation when they arrived in the British-ruled Jewish homeland.⁷¹⁶ However, during the brief period of legionnaire participation in the government, only two measures were enacted: a decree dated October 5, 1940, for the state's expropriation of Jewish agricultural property, and a decree dated November 16, 1940, which provided for the gradual dismissal of Jews employed in private commerce and industry. Both measures were implemented by a newly formed Central Office of "Roumanianization" in the Labor Ministry.⁷¹⁷ The use in this connection of the Term "Roumanianization" in preference to a phrase like "Aryanization" is not with-

715. *Krakauer Zeitung*, September 17, 1940, p. 2.

716. Ira A. Hirschmann, *Lifeline to a Promised Land* (New York, 1946), pp. 11–13. The author was the representative of the U.S. War Refugee Board in Turkey.

717. *Donauezeitung* (Belgrade), February 3, 1942, p. 3; June 14, 1942, p. 3. The same office was later employed in the administration of expropriated Jewish real estate. *Die Judenfrage*, April 25, 1941, pp. 57–58.

out significance; "Aryanizations" could hardly have been aimed at anyone but Jews, but the office of "Roumanianization" directed its activities against Armenians and Greeks as well.⁷¹⁸

All in all, the two fall measures did little more than round out the basic Gigurtu decree. The Roumanians never got around to issuing a law for the compulsory transfer of commercial and industrial enterprises (as distinguished from state expropriations of agricultural and real property). There was a secret regulation by the Finance Ministry, partially blocking credits due to Jewish suppliers,⁷¹⁹ and the Iron Guard did attempt to push the progress of voluntary Aryanizations. However, German observers watched these transactions with skepticism—apparently the new owners had neither capital nor business acumen. "Wise men raise a warning finger and shake their heads," commented one German writer. In particular, he noted that the ethnic German community had not gotten an even break. But these things he concluded amiably, were the inevitable attributes of a "revolution."⁷²⁰

In the meantime the Iron Guard "revolution" was still unfinished business. For one thing, the Iron Guard was only a minority in the Cabinet; for another, the Chief of State was not an Iron Guardist but an army general. On January 20 the Iron Guard launched a revolution to overthrow General Antonescu, and for three days there was

718. *Donauezeitung* (Belgrade), February 3, 1942, p. 3.

719. For details, see *Auslandsbriefprüfstelle* Vienna to OKW/Abw III (N), attention Obstlt. Jacobsen, November 22, 1940, W1/IC 4.66.

720. Michael Maier, "Beginnende Neuordnung in Rumänien," *Volk im Osten* (Bucharest), January, 1941, p. 37. The ethnic German complaints with regard to Roumanian discrimination in the distribution of Jewish property continued well into 1942. See report by VOMI to Himmler's aide Rudi Brandt, August 3, 1942, Himmler Files, Folder No. 8.

street fighting in Bucharest. The putsch was crushed, but before it was over it had been widened into a pogrom.

Iron Guardists had stormed into the Jewish quarter, burning down synagogues, demolishing stores, and devastating private apartments. For miles around the city the Guardists had left traces of their revolution. On January 24, travelers on the Bucharest-Ploesti road discovered at Baneasa over a hundred Jewish bodies without clothes. Gold teeth had been knocked out of the mouths of the dead. (Gypsies were believed to have been the looters.) On the road to Giurgiu passers-by stumbled upon another eighty bodies of Jewish slain. In the city itself the German military attaché was busy collecting casualty reports. "In the Bucharest morgue," he wrote, "one can see hundreds of corpses, but they are mostly Jews [*doch handelt es sich meistens um Juden*]." Jewish sources report that the victims had not merely been killed; they had been butchered. In the morgue bodies were so cut up that they no longer resembled anything human, and in the municipal slaughterhouse bodies were observed hanging like carcasses of cattle. A witness saw a girl of five hanging by her feet like a calf, her entire body smeared with blood. On January 27 the Jewish community organization had identified 630 of the dead; another 400 were missing.⁷²¹

Two weeks after the putsch Iron

721. H/MA *Auslandsdienst* Report No. 185/41, January 27, 1941, W1/IC 4.2-b. Reports on slaughterhouse in Institute of Jewish Affairs, *The Jews in Nazi Europe* (New York, 1941), p. 11. Also, U.S. Minister in Roumania (Franklin Mott Gunther) to U.S. Secretary of State Hull, January 30, 1941, *Foreign Relations of the United States, 1941, II* (Europe) (Washington, 1959), 860. Published reports in the press listed only 118 Jews killed and 28 wounded, 118 Roumanians killed and 228 wounded. *Krakauer Zeitung*, February 6, 1941, p. 2.

and his position was a powerful one. Richter was Lecca's opposite number.

Not very much happened during the first few months of 1941. Only one important law was enacted: the decree of March 27, 1941, for the state's expropriation of Jewish real estate. The Jews were to be paid for their houses in negotiable bonds. Like the agricultural property, the real estate was entrusted to the Roumanianization Office. In its provisions on applicability the decree retained the basic design of the Gîgurtu legislation. The definition was a little wider, the privileged category a little narrower, but the approach was the same.⁷²⁵

The position of Jewish business at this time remained virtually unchanged. Censored private correspondence in Vienna revealed that Jewish enterprises frequently could be bought only for dollars, pounds, or Swiss francs. Moreover, the Roumanians had trouble in managing their newly acquired enterprises.⁷²⁶

The slow pace of the Roumanian machine of destruction was changed suddenly into rapid action in June, 1941. It is significant that the events of the second half of 1941 and the first half of 1942 took place under a militaristic regime that only a few months before had rid itself of those elements (the Iron Guard) which — like the Slovak Hlinka Guard, the Croatian Ustasha, and the German SS — were the principal proponents and prime movers of anti-Jewish activity. Apparently the presence of uniformed ideologists is not necessary for the accomplishment of very drastic action. The mainsprings of such action do not lie in the mere agitation of party formations. The impetus comes from deeper wells in the

national character.

The immediate precipitatory event for the new holocaust was the war against Russia. On the eve of the outbreak of war the Interior Ministry ordered the removal of Jews from the frontier areas as a "precautionary" measure against "sabotage and espionage." That is to say, Jews were to be transported in a westerly direction within Old Roumania, from frontier districts to the interior of the country. In that highly charged atmosphere, on the night of June 25, 1941 (three days after the outbreak of war), a rumor circulated through Iași that Soviet parachutists had landed near the city. The army ordered an immediate search of Jewish homes.

At this point some deserters who were hiding in Iași, and who believed that the search was designed to effect their arrest, fired on the troops. The report then spread that the Jews were firing upon the soldiers, and a massacre ensued.⁷²⁷ The Iași pogrom, carried out by Roumanian soldiers, dwarfed the Bucharest outburst of the Iron Guard. At least 4000 Jews died in Iași.⁷²⁸ At the end of June several freight trains, carrying thousands of Jews, were dispatched from the frontier zones to the interior. The cattle cars were padlocked, and the trains moved for days around the countryside. There are said to be mass graves containing the bodies of thousands of Jews who died on those trains of suffocation and starvation, and who were dropped by the

727. Leval, *Black Book on the Martyrdom of Hungarian Jewry*, p. 68. While the bulk of that book is devoted to Hungary, pages 58-73 deal with Roumania.

728. Von Killinger to Foreign Office, September 1, 1941, NG-4962. Some Jewish estimates run as high as 8000 dead. See Carp, *Cartea Neagra*, Vol. II A. The entire volume (complete with photographs) is devoted to the pogrom. See also the account of the Italian eyewitness Curzio Malaparte, *Kaputt* (New York, 1946), pp. 122-24, 126-29, 137-43, 165-74.

725. *Die Judenfrage*, April 25, 1941, pp. 57-58.

726. Reports by *Auslandsbriefprüfstelle* Vienna, April 1, 1941, April 30, 1941, Wi/IC 4.2-b.

wayside.⁷²⁹ But these occurrences in Old Roumania were mere foreshadowing of things to come.

As we have already seen, northern Bukovina and Bessarabia were territory of *Einsatzgruppe D*, which, together with Roumanian Army units, conducted mobile killing operations in such cities and towns as Cernauti, Balti, Chisinau, and others.⁷³⁰ The *Einsatzgruppe* was also responsible for the establishment of ghettos and the introduction of marking — measures that had not been taken in Old Roumania. The first major ghetto was set up at Chisinau on August 4, 1941;⁷³¹ another ghetto was formed three days later at Tighina.⁷³² At that very time, in the first week of August, something happened that caught even the Germans by surprise.

A glance at a map will indicate that there are three rivers flowing parallel in the area of these operations: from west to east, the Prut, the Dniester, and the Bug. West of the Prut was Old Roumania. Between the Prut and the Dniester lay the Bessarabian province. Between the Dniester and the Bug was a territory which had always belonged to Russia and which later became Roumanian-occupied Transnistria. East of the Bug lay an area which was later constituted into the *General-kommissariat Nikolaev* of the *Reichskommissariat Ukraine*.

During the first week of August the Roumanians, acting upon local initiative, prepared to shove Bessarabian Jews across the Dniester into what was then still a German military area and

729. Leval, *Martyrdom*, pp. 68–69. Carp, *Cartea Neagra*, Vol. II A (particularly photographs). Malaparte, *Kaputt*, pp. 165–74.

730. See pp. 191, 194, 199–200.

731. Ohlendorf to 11th Army Ic/AO, August 4, 1941, enclosing report by Stubaf. Zapp (Skdo. 11a) to Ohlendorf, dated August 4, 1941, NOKW-3233.

732. RSHA IV-A-1, Operational Report USSR No. 45 (47 copies), August 7, 1941, NO-2948.

a German sphere of interest (*deutsches Interessengebiet*). The object of these movements was clarified immediately: the Roumanians wanted to utilize the services of *Einsatzgruppe D* in the killing of these Jews.

As soon as the Eleventh Army observed the concentration of Jews on the west bank of the Dniester, an order was given to block traffic across the river.⁷³³ But the Roumanians already had driven thousands of Jews into the military area. At Mogilev-Podolsk, *Sonderkommando 10b* of *Einsatzgruppe D* collected 12,000–15,000 Jews and prepared to drive them back into Bessarabia. However, on the other side of the bridge, Roumanian soldiers blocked the way, and a Roumanian colonel declared that if the Jews were driven on the bridge, he would open fire. The Germans thereupon detoured the column and moved it across on another bridge.⁷³⁴ But the stream of Jews continued like a flood through a broken dike. Again and again the *Einsatzkommando* turned back Jews, and again and again more Jews came across. In the process of shoving back and forth, thousands of Jews died on the roadsides from exhaustion and bullet wounds.⁷³⁵ Already, the Germans suspected the Roumanians of planning to play this game until the Jews remained lying in the ditches. Actually, the Roumanians had even bigger plans.

On August 5, 1941, the police chief of Bucharest, General Palangeanu, ordered all Jews of military age to report for work.⁷³⁶ A few days later a report reached Berlin that Marshal An-

733. Order by Wöhler (chief of staff, 11th Army), August 3, 1941, NOKW-2302.

734. Affidavit by Felix Rühl (staff officer, *Sonderkommando 10b*), May 26, 1947, NO-4149.

735. RSHA IV-A-1, Operational Report USSR No. 64 (48 copies), August 26, 1941, NO-2840. RSHA IV-A-1, Operational Report USSR No. 67 (48 copies), August 29, 1941, NO-2837.

tonescu had directed that 60,000 Jews be transported from Old Roumania to Bessarabia for "road construction."⁷³⁷ The Germans were now truly alarmed. They began to see a specter of more than a half-million Jews driven across the Dniester into the rear of the thinly stretched *Einsatzgruppe D*, which was already overburdened with the staggering task of killing the southern Ukrainian Jews. The six hundred men of the *Einsatzgruppe* would be swamped with Jews, front and rear.

The Germans moved quickly. Less than a week after the labor mobilization order the German Legation advised Deputy Premier Mihai Antonescu "to proceed with the elimination of the Jewish element only in a systematic and slow manner." The younger Antonescu replied that he had already recommended a revocation of the order, since the marshal had obviously "overestimated" the number of Jews capable of work, anyhow. The police prefects had accordingly been told to stop the measure.⁷³⁸

Shortly after this intervention the chief of the German army mission in Roumania, Generalmajor Hauffe, took steps to prevent the movement of Jews into the area of *Einsatzgruppe D*. To give the *Einsatzgruppe* a breathing spell, he fixed a line beyond which the Jews were not to be moved for the duration of the war against Russia. (The end was expected shortly.) Since the area between the Dniester and the Bug (Transnistria) was to be trans-

736. *Krakauer Zeitung*, August 5, 1941, p. 2. *Donauzeitung* (Belgrade), August 6, 1941, p. 4; August 7, 1941, p. 3.

737. Rademacher to Reichsbahnoberspektor Hoppe and Ministerialdirektor Wohlthat (Four-Year Plan), August 12, 1941, NG-3104.

738. *Ibid.* Incidentally, the Roumanian government just then was negotiating with the Jewish community organization for a 2.5 billion-lei loan. Report by German military intelligence agent, Code Ru No. 62, W1/IC 4.2-a, pp. 211–16.

ferred to Roumanian control and since the *Einsatzgruppe* was already crossing the Bug, Hauffe abandoned the Dniester and held on to the Bug. On August 30, 1941, Hauffe and the Roumanian Army chief of staff, General Tataranu, signed an agreement in the town hall of the Bessarabian town of Tighina. The agreement provided that no Jews were to be driven across the Bug "at present." To make sure that the Jews would remain in Transnistria until "the end of operations," Hauffe also specified that the Jews would have to be placed in concentration camps.⁷³⁹

Marshal Antonescu did not wait for the end of operations; he had to have his Jews killed now. Since the Germans could not do the job for him, he did it himself. On October 17, 1941, the following note was written by an official in the legation (probably *Hauptsturmführer Richter*):

According to information received today from Generaldirektor Lecca, 110,000 Jews are being evacuated from the Bukovina and Bessarabia into two forests in the Bug river area. So far as he could learn, this *Aktion* is based upon an order issued by Marshal Antonescu. Purpose of the action is the liquidation of these Jews [*Sinn der Aktion sei die Liquidierung dieser Juden*].⁷⁴⁰

A vast movement now started across the Dniester. Unlike the August expulsions, which were based on local initiative and which claimed as victims primarily those who were unable to buy themselves free, the fall deportations took on an organized character. There was now a quota which had to be met, and while there appears to have been no rule for the inclusion of

739. Bräutigam (deputy chief, Political Division, East Ministry) to Foreign Office, March, 1942, enclosing Hauffe-Tataranu agreement signed at Tighina (Bessarabia) on August 30, 1941, PS-3319.

740. File memorandum by a HStuf. (probably Richter), October 17, 1941, PS-3319.

neared their climax in October, 1941, the president of the Jewish community, Fildermann, addressed a petition to Marshal Antonescu. Fildermann was an experienced petitioner; only a few years before he had protested in the League of Nations against Roumania's violations of the minority treaty, and now he was petitioning for the lives of hundreds of thousands. His letter is not available, but we have some excerpts from a document which is perhaps even more significant: Antonescu's reply.

"You speak of tragedy," said the marshal, "and appeal for the Jews. I understand your pain, but you should have understood, in time, the pain of the entire Roumanian nation." The Roumanians, said Antonescu, had paid with their blood for the hatred of Fildermann's Jews. In Odessa the Jews had "goaded" the Soviet troops into unnecessarily prolonged resistance, "merely in order to inflict casualties upon us." In the Bukovina and Bessarabia the Jews had received the Red Army with flowers, and during the "Communist terror" they had denounced Roumanians, thus causing sorrow in many Roumanian families. But when the Roumanian Army returned, it was not received with flowers. "Why," asked Antonescu, "did the Jews set their houses on fire before abandoning them? Why have we found Jewish children of fourteen and fifteen who had hand grenades in their pockets?" Tirelessly, the marshal recited atrocity after atrocity. Then he concluded with the words, "Have mercy, rather, for the mothers who have lost their sons, and do not pity those who have done this evil."⁷⁴⁹

Marshal Antonescu did not enjoy that sure-footedness of action which characterized Hitler. The German Führer did not have to answer petitions, for

none were addressed to him. The German Jews did not "protest." Fildermann petitioned, and he received a reply. In that reply Marshal Antonescu had found it necessary to give reasons for his actions and had even concluded with a rhetorical appeal for Fildermann's approval. Still, Marshal Antonescu was the only man besides Hitler who placed upon himself the burden of an order to commence a full-fledged killing operation. Two years later, as we shall see, that order frightened him.

Transnistria was a Jewish disaster. The 185,000 victims who were deported to that territory were concentrated in camps. So far as we can determine, the camps were under the command of army officers (captains or majors),⁷⁵⁰ who were in turn responsible to the local prefects (army colonels).⁷⁵¹ Although the prefects reported to the governor of Transnistria, Professor Alexianu, we must conclude from the actual occurrences in the camps that the spirit in which the Antonescu order was carried out was left to the discretion of the prefects and, perhaps, the individual camp commanders.

All camps seemed to have had one characteristic in common: there was no regular food distribution. To obtain food, the Jews had to sell everything they had. According to survivors' accounts collected by the writer Eugene Levai, the inmates of the Pecsara camp had sold all their clothes and were running around naked. "Parentless children were roaming about the district in a state of semi-starvation."⁷⁵² In several camps the Jews were eating grass. "Potato peelings were a veritable delicacy." In the Vertujen camp the

750. Matatias Carp lists the commanders of the Vapniarka camp (in succession): Major I. Murgescu, Captain Sever Baradescu, Captain Christodor Popescu. See his *Cartea Neagra*, III, 21.

751. Carp, *Cartea Neagra*, III, 17-21.

752. Levai, *Martyrdom*, p. 68.

749. *Donauzeitung* (Belgrade), October 28, 1941, p. 3.

reported to the Foreign Office that Lecca had told him of a plan by Marshal Antonescu to allow 75,000 to 80,000 Jews to emigrate to Palestine, in return for a payment by the Jews to the Roumanian state of 200,000 lei (that is, RM 3340 or \$1336) for each emigrant. Von Killinger added that, in his opinion, Antonescu wanted to collect 16 billion lei (RM 267,000,000 or \$107,000,000) and at the same time get rid of a large number of Jews "in a comfortable manner." Tiredly, the German envoy concluded his message with the words: "I am in no position to judge from here as to whether it would be advisable to oppose this plan."⁸⁰¹ Unterstaatssekretär Luther and one of his experts, Geheimrat Klingenfuss, replied that the Foreign Office refused to believe in the seriousness of the project but that it had to be prevented, by all means. Then they outlined a series of arguments for von Killinger's use, namely, that the 80,000 Jews were enemies of the Axis, that the action would be construed as showing a lack of unity in the Axis, and so on.⁸⁰²

The feeling of alarm in *Abteilung Deutschland* was somewhat premature, for, although the Jews could now buy their way out, any possibility of mass emigration was frustrated by two major obstacles: the lack of shipping and the lack of a destination. Neither Axis nor Allied shipping was available for the transport of the Jews; only small, unseaworthy ships of neutral registry could be used, and passage even in such vessels was a difficult proposition because of their great cost and the German unwillingness to grant them safe conduct. But even if the vessels could be procured and their departure secured, they had no place to go. Entry restrictions into neutral countries, Allied

801. Von Killinger to Foreign Office, December 12, 1942, NG-3986.

802. Luther and Klingenfuss to von Killinger, January 3, 1943, NG-2200.

states, and Palestine were very tight. The fate of the "SS Struma" was still a vivid memory.

Briefly, the Jews tried to overcome the shipping shortage by using the overland route across Bulgaria. They attempted to pry open the doors to Palestine by restricting the emigration to children, who could not be turned away so easily for lack of proper entry permits. To a very limited extent this solution worked. On March 11, 1943, Rademacher and Consul Pausch dispatched a communication to von Killinger in which they stated that 72 Jewish children had arrived in Athlit, Palestine, from Hungary, through Roumania, Bulgaria, and Turkey; that these were apparently a part of the 270 Jewish children from Hungary and Roumania mentioned in the British House of Commons as having arrived in Palestine; and that von Killinger was to do everything possible to prevent any further emigration or transhipment of Jews to Palestine.⁸⁰³ A similar letter was sent by Rademacher to the German Consulate in Sofia.⁸⁰⁴

Apparently, however, the Foreign Office was not entirely successful, for on May 13, 1943, the exiled Grand Mufti of Jerusalem, Amin el Husseini, who had thrown in his lot with the Axis, wrote to the Foreign Office that 4000 Jewish children accompanied by 500 adults had recently reached Palestine, and for that reason he asked the German Foreign Minister "to do his utmost" (*das Äusserste zu tun*) to prevent further emigrations from Bulgaria, Roumania, and Hungary.⁸⁰⁵ The Germans now did their utmost. When, two weeks later, von Killinger reported that a representative of the International

803. Rademacher and Pausch to von Killinger, March 11, 1943, NG-2184.

804. Rademacher to consulate in Sofia, March 12, 1943, NG-1782.

805. Amin el Husseini via Ambassador Prüfer to Ribbentrop, May 13, 1943, G-182.

discovered that so many Jews were still around. The town of Iasi, he said, should have been evacuated, but that was impossible because the Jews had made large payments of a special tax. In another Moldavian town, Bârlad, Wöhler reported that Jews had tried to buy clothes and food from his men. "I ordered arrest of these creatures," he wrote. Then, concluding, he said: "Jews must disappear" [*Zusammenfassung: Juden müssen verschwinden*].⁸¹⁴ A few weeks later Wöhler organized a forced labor system for the Moldavian Jews — the German Army's parting gift to the Jews of Roumania.⁸¹⁵

In those closing days of Roumania's war effort on Germany's side, an interesting conference was held in Bucharest, under the chairmanship of Mihai Antonescu, on the subject of Jewish emigration, particularly the emigration of children repatriated from Transnistria. The record of that conference, dictated by Mihai Antonescu, is even more remarkable than the minutes of the Transnistria conference in its distortion of past events; the record reads almost as though it had been prepared for postwar consumption. When Radu Lecca, a participant in the discussion, handed over a copy to the German Legation, he remarked that alleged statements by Mihai Antonescu, Radu Lecca, and three other participants (Interior Minister Popescu, Undersecretary Vasiliu, and Marine Undersecretary Sova) had not been made at all but had simply been invented by the Roumanian

814. *Armeegruppe* Wöhler/Ia (signed Wöhler) to Army Group South Ukraine, May 31, 1944, NOKW-3422. An *Armeegruppe* was an improvised army organized in the field; the Wöhler in question is the same general who, three years before, had complained about Roumanian atrocities. See p. 213.

815. *Armeegruppe* Wöhler OQu/Qu 2 to Corps Group Mieth, Corps Kircher, XVII Corps, XL Corps, XLIX Mountain Corps, Army Rear Area, Army Engineers commander, copy to Ia, July 15, 1944, NOKW-3118.

Vice Premier.⁸¹⁶ Whether the distortion of past history had in fact occurred during the conference, or whether it was created as an afterthought in a false summary, the record of that discussion remains a true indicator of how Mihai Antonescu and perhaps also his colleagues felt about the events that had taken place under their direction for the past four years.

Mihai Antonescu, according to his own summary, opened the talks by pointing out that even in 1940 a decision had been made not to impede any Jewish emigration. Von Killinger's and Richter's demands to place the Roumanian anti-Jewish regime under German control had been rejected. The Office of the Commissar for Jewish Questions (Lecca) had never been a public office. When Ribbentrop in 1943 had attempted to curtail emigrations by referring to the Arabs, the Roumanians had replied that Roumania had the same right to be spared from the Jews as the Arabs. The British government's inquiry whether the Roumanian government permitted emigration was answered "positively." Only transport difficulties had frustrated a mass emigration. Roumania naturally could not allocate its own ships, which were needed for national defense; consequently, it was left to the Jews to organize their own emigration. But very few ships had come to Constanza. The foreign maritime companies which had sent these ships had collected "fantastic sums" from the Jews and had also exercised a bad influence on Roumanian offices. Marshal Antonescu had consequently held up the ships in Constanza to check abuses.

General Vasiliu observed that no obstacles had been placed in the way of Jewish emigration. The Roumanian

816. Von Killinger to Foreign Office, July 17, 1944, enclosing summary by Mihai Antonescu dated July 15, 1944, NG-2704. The conference had been held on June 9, 1944.

Veesenmayer's controlling palm. In a lightning move Horthy dismissed State Secretaries Endre and Baky and issued warrants for the arrest of the two men. Veessenmayer protested immediately, menacingly pointing to the possible consequences of the action. Horthy retreated, reinstating the officials, but not without complaining that his personal influence had apparently declined to zero and that he could not even effect the removal of two State Secretaries. Repeating that he was swamped with messages about the Jews, he said that he had written a personal letter about the Jewish question to Hitler.¹⁰¹¹

Meanwhile, Eichmann fretted outside of Budapest. Moving swiftly, he deported 1700 Jews from the internment camp of Kistarcsa, which was located some seventeen miles from the capital. Horthy learned of the transport and gave orders that the train be stopped before it reached the frontier. Intercepted at Ratvang, the Jews were shipped back to Kistarcsa.¹⁰¹² A few days later the persevering Eichmann called the Jewish Council to his office and, while the Jewish leaders were detained, successfully emptied out the internment camps of Kistarcsa and Szarva.¹⁰¹³

On July 16, Ribbentrop decided to break the stalemate. He instructed Veessenmayer to deliver to Horthy an ultimatum which expressed in blunt terms the German attitude toward the Sztojay government and the German terms with respect to the Budapest Jews.¹⁰¹⁴ The warning began:

With utmost surprise the Führer learned from the report of the *Reichs-*

1011. Veessenmayer to Foreign Office, July 13, 1944, NG-5577. Ribbentrop to Veessenmayer, July 16, 1944, NG-2739.

1012. Testimony by Horthy, Case No. 11, tr. p. 2713.

1013. Testimony by Kastner, Case No. 11, tr. p. 3626.

1014. Ribbentrop to Veessenmayer, July 16, 1944, NG-2739.

verweser [Horthy], transmitted by the Reich plenipotentiary [Veessenmayer], that he intends to recall the present Sztojay government. . . . With still greater surprise the Führer learned from the report of the Reich plenipotentiary that the *Reichsverweser* issued warrants for the arrest of individual ministers and State Secretaries of the Sztojay government who recently took measures against Jews.

Pointing out that any such move would result in total military occupation of Hungary, the ultimatum continued:

The Führer expects that the measures against the Budapest Jews will now be taken without any further delay by the Hungarian government, with those exceptions which were allowed to the Hungarian government by the German government, on principle, upon suggestion of Minister Veessenmayer [the protected Jews]. However, no delay of any kind in the execution of the general measures against Jews must take place due to these exceptions; otherwise the Führer would be compelled to withdraw his consent to these exceptions.

After delivering this note to Horthy, Veessenmayer remarked that two additional armored units would soon be sent into Hungary.¹⁰¹⁵

The warning was not successful. Already Russian troops were pouring into neighboring Galicia, and the entire southern front was in retreat. Interior Minister Jarosz and his two State Secretaries lost their posts. On July 27 the Sztojay government, still in office but no longer enthusiastic, declared its readiness to transfer the Budapest Jews to camps within Hungarian territory.¹⁰¹⁶

On August 2, Higher SS and Police Leader Winkelmann sent a note to Veessenmayer in which he voiced the opinion that a more reliable government had to be formed in Hungary at

1015. Memorandum by Altenburg, July 21, 1944, NG-2739.

1016. Affidavit by Kastner, September 13, 1945. PS-2605.

once.¹⁰¹⁷ Once again the Germans set up lists of candidates. But Veessenmayer did not form a new government. Horthy did.

During August 23-24 an event occurred in Roumania which shook the German position in Hungary to its roots. The Soviet Army had broken through the German-Roumanian lines in Bessarabia and Moldavia. On August 23, King Mihai informed the Germans that he had to conclude an armistice and that they had three days to remove their army from the country. One hour after the receipt of this ultimatum German bombers attacked the royal palace in Bucharest, and the consequences for the Reich were disastrous. Within a few weeks twenty-six German divisions were hacked to pieces by the rushing Soviets and their new Roumanian allies. The German Legation personnel were trapped, and their chief, von Killinger, committed suicide.¹⁰¹⁸ It was during the Roumanian turnabout, on August 25, that Horthy installed a new Prime Minister: General Geza Lakatos.¹⁰¹⁹ Once more Hungary was ruled by a reluctant collaborator.

The government of General Lakatos was, in fact, unwilling to co-operate with the Reich in any matter whatsoever. When Lakatos was shown the agreement concluded by Sztojay to remove the Budapest Jews to the provinces, he pleaded that there was no transportation, that there were no guards, and that there were no camps.¹⁰²⁰ Encouraged by the German

1017. Veessenmayer to Foreign Office, enclosing note by Winkelmann, August 3, 1944, NG-2973.

1018. Rudolf Rahn, *Ruheloses Leben* (Düsseldorf, 1949), pp. 268, 262. Kingdom of Roumania, Ministry of Foreign Affairs, *Memoirandum on the Military and Economic Contribution of Roumania to the War against Germany and Hungary* (Bucharest, 1946).

1019. Affidavit by Lakatos, June 10, 1947, NG-1848.

1020. *Ibid.* Veessenmayer to Foreign Office, October 10, 1944, NG-4985.

inability to strike back, he instructed his minister in Berlin to demand "a free hand in the Jewish question."¹⁰²¹ Lakatos then asserted Hungarian sovereignty by requesting the Germans to remove the Eichmann *Sondereinsatzkommando*.¹⁰²² The *Kommando* was disbanded at the end of September,¹⁰²³ but one of its leading personalities, Wisliceny, remained behind just in case. The presence of Wisliceny so disturbed the Jewish Council that it sent a deputation to the Hungarian *Gendarmerie* officer Ferenczy with a request to remove the Budapest Jews to labor camps in the country as a means of forestalling any deportations to Auschwitz.¹⁰²⁴ Lakatos in the meantime sought with a few token measures to show exactly where he stood. Thus, the curfew was relaxed,¹⁰²⁵ and Jewish stores were permitted to reopen, provided that one of the managers was a non-Jew.¹⁰²⁶

The Germans knew what these developments meant. The legation and the SS and Police watched closely every move of the Hungarian Government. They observed the secret flight of high-ranking Hungarian Army officers to undisclosed destinations. It was clear that the Lakatos regime had been appointed for only one purpose: to conclude an armistice with the Allies. It was also

1021. Hoffmann (Hungarian Minister in Berlin) to Hennyey (Hungarian Foreign Minister), September 22, 1944, NG-2604.

1022. Affidavit by Kastner, September 13, 1945, PS-2605.

1023. Feine to Veessenmayer, September 29, 1944, NG-4985.

1024. Grell to Veessenmayer, September 30, 1944, NG-4985.

1025. *Deutsche Zeitung* (Budapest), September 22, 1944, p. 3.

1026. *Ibid.*, September 30, 1944, p. 5. Significantly, the reversal began in the last days of the Sztojay regime, when an ordinance was passed to confer exemptions from the effect of anti-Jewish decrees upon individual Jews who had made outstanding contributions in the field of science, art, and the economy. *Ibid.*, August 23, 1944, p. 4.

clear that this aim was being pursued by Horthy himself.

At the beginning of October the Red Army broke into southern Hungary, taking Hódmezővásárhely and Szeged. The spearhead of the Soviet Second Ukraine Army was now only a hundred miles from the capital. On October 14 the Germans sent into Budapest the 24th Panzer Division with forty Tiger tanks. The division's assignment, however, was not to reinforce the sagging frontline but to overthrow Horthy and Lakatos. With the division three well-known personalities arrived to take charge: the anti-partisan chief, Obergruppenführer von dem Bach-Zelewsky; the Foreign Office provocateur, Ambassador Dr. Rudolf Rahn; and the RSHA man in charge of special tasks, Obersturmbannführer Skorzeny.

On the morning of October 15, Skorzeny succeeded in luring Horthy's son to a surrounded building; Horthy Jr. was quickly wrapped in blankets, thrown on a truck, and brought to an airport to be flown to the Mauthausen concentration camp. That same day, while the Hungarian radio was preparing to broadcast an armistice appeal, Veessenmayer told the Regent that upon the least sign of "treason" his son would be shot. The old Horthy broke under the strain. "Horthy cried like a little child, held Rahn's hand, promised to annul everything, ran to the telephone — without calling anyone however — and in general appeared to be totally deranged." During the next morning (October 16), under the guns of the Tiger tanks, Horthy and Lakatos surrendered.¹⁰²⁷

The new Hungarian Führer, who combined the offices of Regent and

1027. For the complete story of the putsch, see: Winkelmann to Himmler, October 25, 1944, NG-2540. Testimony by Ernst Kienast (*Hauptsturmführer* on Winkelmann's staff), Case No. 11, tr. p. 7153. Rahn, *Ruheloses Leben*, pp. 265-71.

Prime Minister, was the Arrow Cross leader, Szalasi. This man was no aristocrat. Once a major, he had been dishonorably discharged and in civilian life had served a prison sentence for three years.¹⁰²⁸ To be sure, the Szalasi regime had not been chosen for its respectability; Szalasi had been installed because in October, 1944, he was the only pro-Nazi candidate in Hungary. For the Jews the coup could have only one consequence: they now had to go through another nightmare. New ordeals were in the making.

When the Szalasi government came into power, the killing center of Auschwitz was approaching its liquidation stage. At the same time, new scarcities of labor made themselves felt on a vast scale. Across the border in the Reich, the construction chief of the SS Economic-Administrative Main Office, Gruppenführer Kammler, was building large underground plants for the assembly of pursuit planes and V-2 weapons. Kammler needed laborers, tens of thousands of slave laborers; and now that German control was once more established in Hungary, the underground chambers were to be fed with Budapest Jews. There was only one obstacle: the transportation system had broken down. Trains could no longer be dispatched, and the Jews had to be marched out on foot.

On October 18, Veessenmayer and the new Hungarian Interior Minister, Vajna Gabor, came to the following agreement: A total of 50,000 Jews, men as well as women, were to be moved to the Reich. All other Jews capable of work were to be concentrated in four labor camps. For the remaining Jews a ghetto was to be created on the periphery of the city or in the outskirts. In his report to the Foreign Office Veessenmayer added confidentially that Eichmann intended to press for another 50,-

1028. Testimony by Horthy, Case No. 11, tr. p. 2715.

000 Jews later.¹⁰²⁹ Eichmann could not rest until all the Hungarian Jews were in their graves. From Ribbentrop there was no objection. The German victory in Hungary had to be exploited without restraint, and the Hungarians now had to "proceed with utmost severity against the Jews" (*auf das allerschärfste gegen die Juden vorgehen*).¹⁰³⁰

On the morning of October 20 the Hungarian police knocked on the doors marked with the star and seized all men from 16 to 60 who were fit for labor, whether converted or unconverted, protected or unprotected. By nightfall 22,000 had been rounded up.¹⁰³¹ During the next few days the drive was extended to women between 16 and 40, and by October 26 the forced labor reservoir had grown to 25,000 men and 10,000 women.¹⁰³²

At the end of the month the treks began. Without food, the slave laborers walked over a hundred miles in snow, rain, and sleet to Austria. Riding in the opposite direction toward Budapest, the chief of the SS Operational Main Office, Obergruppenführer Jüttner, spotted the long column of Jews driven on by Hungarian soldiers. Most of the trekers, so far as he could see, were women. As the car made its way past the marching people, Jüttner noticed exhausted men and women in the ditches.¹⁰³³ On November 13, Veessenmayer reported that 27,000 Jews of "both sexes" had been marched off. He was counting on 40,000 additional Jews in "daily rates" of 2000 to 4000; the remaining Budapest Jews — about 120,000 in all — were to be concentrated in

1029. Veessenmayer to Foreign Office, October 18, 1944, NG-5570.

1030. Ribbentrop to Veessenmayer, October 20, 1944, NG-4986.

1031. Veessenmayer to Foreign Office, October 20, 1944, NG-5570.

1032. Veessenmayer to Foreign Office, October 26, 1944, NG-5570.

1033. Affidavit by Jüttner, May 3, 1948, NG-5216.

a ghetto. In an ominous tone Veessenmayer added that the "ultimate disposition" of these Jews depended upon the availability of transport facilities.¹⁰³⁴

The treks did not continue much longer, since Szalasi had become uneasy. On November 21 he canceled all further foot marches because of the death rate of the Jewish women. The SS man in charge of Jewish labor on the Danube, Obersturmbannführer Höse consoled Veessenmayer by informing him that he could not use women anyway; he could employ only men fit for the heavy subterranean work. In his message to the Foreign Office Veessenmayer concluded that 30,000 marchers had been sent out so far and that it would hardly be possible to reach the figure of 50,000.¹⁰³⁵

Now there remained in the Hungarian capital about 160,000 Jews, who were shoved into a ghetto within range of Russian artillery. As this movement got under way, some tens of thousands of Jews were still holding on to "protective passports." The passports offered very little protection. The Szalasi government refused to recognize their validity,¹⁰³⁶ and the Germans backed Szalasi. Thus, when the Portuguese Minister in Berlin interceded in behalf of his "protectees," Staatssekretär Steengracht replied that he could not accept the intercessions because the

1034. Veessenmayer to Foreign Office, November 13, 1944, NG-5570.

1035. Veessenmayer to Foreign Office, November 21, 1944, NG-4987. The SS, however, did not stop trying. In December the Hungarian Interior Minister, Vajna Gabor, had conferences with Himmler, Berger, and Kaltenbrunner about further removals of Budapest Jews by rail. Transport difficulties frustrated these plans. Affidavit by Vajna Gabor, August 28, 1945, NO-1874. On employment of Jews in west Hungarian fortifications project, see Army Group South/Wi (signed Zörner) to OKW/Feldwirtschaftsamt, January 10, 1945, Wi/I 226.

1036. Declaration by Gabor reported in *Donaueitung* (Graz), October 21, 1944, p. 3.

Himmler must have had a few difficulties, for on May 31, 1942, the aim of a Reich-owned district (*Gutsbezirk*) not yet having been accomplished, the *Oberpräsident* of Upper Silesia (Bracht) issued a decree establishing the administrative district (*Amtsbezirk*) of Auschwitz.⁴¹

In the meantime, Höss went ahead with the construction of killing installations, which were to contain two major improvements. The first of these was compactness. Höss built his installations as combination units, each of which contained an anteroom, a gas chamber, and an oven for body disposal. Second, he decided after visiting Treblinka that the carbon monoxide method was not very "efficient."⁴² Accordingly, he introduced in his camp a different type of gas: quick-working hydrogen cyanide (prussic acid — commercial name, Zyklon B). Unlike carbon monoxide, however, this gas was *not* produced on the spot; and a major administrative effort, stretching out over a period of years, was required to solve some of the complicated problems arising during the erection of the special combination units and the establishment of a dependable gas supply.

The construction program was directed centrally by *Amtsgruppe C* (the Construction Office) of the WVHA, under Gruppenführer Dr. Ing. Kammeler. Locally, the *Amtsgruppe* set up a branch: the *Zentralbauleitung der Waffen-SS und Polizei Auschwitz*, under Hauptsturmführer (later Sturmbannführer) Bischoff. At the end of 1941 the *Zentralbauleitung* began the con-

struction of a special camp on the moor of Brzezinka (Birkenau).⁴³

The first chambers were not built-in combination units but makeshift affairs. Two old peasant houses were remodeled; the windows were filled in, the interior walls removed, and a special airtight door constructed. These were the first gas chambers. A barracks nearby served as a dressing room for the deportees entering the gas chambers.⁴⁴ The installations were put into operation in the summer of 1942. Himmler, Gauleiter of Upper Silesia Bracht, and local Higher SS and Police Leader Schmauser were present at the first test. Himmler had nothing to criticize, but neither did he enter into any conversation.⁴⁵

The two gas chambers were only provisional, and plans were laid out for the construction of the combination units, each of them complete with a gas chamber, anteroom, and oven. To carry out this project the *Zentralbauleitung* in Auschwitz engaged the help of two companies: the SS company *Deutsche Ausrüstungswerke* (DAW) to make the doors and windows, and the firm Topf and Sons, Erfurt, oven builders. The Topf concern, which specialized in the construction of cremation furnaces, had done such work in concentration camps before.⁴⁶

Originally it had been intended to build two furnaces; however, on February 27, 1942, Oberführer Kammeler arrived in Auschwitz and decided to erect five of them. The money for the extra ovens was simply taken off

43. Sehn, "Oswiecim," p. 31.

44. Affidavit by Friedrich Entress, April 14, 1947, NO-2368.

45. Affidavit by Höss, January 11, 1947, NO-4498-B.

46. Topf had built the crematorium in Buchenwald, where the mortality rate in 1940 had become very high. See *Hauptamt Haushalt und Bauten/Neubauleitung* Buchenwald: construction report and estimate, January 10, 1940, NO-4401.

41. Order by Bracht establishing *Amtsbezirk* of Auschwitz (with detailed description of the area), May 31, 1943, PS-1643. For "controversial" southern border, see Stabshauptamt correspondence, October 12, 1943, NG-932.

42. Affidavit by Höss, April 5, 1946, PS-3868.

With the erection of the cremation units Höss had solved half his task. The procurement of the gas was the other half of the problem. Hydrogen cyanide, or Zyklon B, was a powerful lethal agent — a deadly dose was 1 milligram per kilogram of body weight. Packed in containers, the Zyklon was put to use simply by opening the canister and pouring the pellets into the chamber; the solid material would then sublimate. The Zyklon had only one drawback: within three months it deteriorated in the container and thus could not be stockpiled.⁵⁵ Now Auschwitz was a receiving station, always on call. Whenever trains arrived, whether during the day or the night, the machine went into motion, shunting the victims through the assembly line into the gas chambers. Consequently, it was necessary to have a dependable gas supply.

The SS did not manufacture Zyklon, so the gas had to be procured from private firms. The enterprises which furnished it were part of the chemical industry, specialists in the "combating of vermin" (*Schädlingsbekämpfung*) by means of poison gases. Zyklon was one of eight products manufactured by these firms,⁵⁶ which undertook large-scale fumigations of buildings, barracks, and ships; disinfected clothes in specially constructed gas chambers (*Entlausungsanlagen*); and deloused human beings — protected by gas masks.⁵⁷ In short, this industry used very powerful gases to exterminate rodents and insects in enclosed spaces; that it should now have become involved in an operation to kill off Jews by the hundreds of

thousands is not mere accident. In German propaganda Jews had frequently been portrayed as insects. Frank and Himmler had stated repeatedly that the Jews were parasites who had to be exterminated like vermin, and with the introduction of Zyklon into Auschwitz that thought had been translated into reality.

How was the gas supply maintained? To answer this question, we must examine the organization of the extermination industry a little more closely. Basically, we must differentiate here between three structural components: the share-holding channels (ownership), the production and sales organization, and the allocation apparatus. The company which developed the gas method of combating vermin was the Deutsche Gesellschaft für Schädlingsbekämpfung mbH (German Vermin-Combating Corporation), abbreviated DEGESCH.⁵⁸ The firm was owned by three corporations and itself controlled two retailers (see Table 75).⁵⁹

The capital investment figures shown in the table are no indication of the volume of business and profits. The DEGESCH profit in 1942 was 760,368 reichsmark. From its HELI holdings alone, the DEGESCH received 76,500 reichsmark; from TESTA, 36,500 reichsmark. In 1943, after the TESTA shares were sold, the DEGESCH made 580,999 reichsmark, of which 102,000 reichsmark were netted from the HELI in-

58. For the interesting history of that corporation, see lectures by Peters and Sossenheimer (both DEGESCH officials), February 27, 1942, NI-9098.

59. Contract between DEGESCH, DEGUSSA, IG, and Goldschmidt, 1936/37, NI-6363. Affidavits by Paul H. Haeni (prosecution staff) based on analysis of documents, July 27, 1947, and October 28, 1947, NI-9150 and NI-12073. The Zyklon B Case, *Law Reports of Trials of War Criminals*, I (London, 1947), 94. The *Verwaltungsausschuss* (administrative committee) of the DEGESCH had the powers of an *Aufsichtsrat* (board of directors).

55. Characteristics of Zyklon described in undated report by Health Institute of Prosektorat: "Directive for Utilization of Zyklon for Extermination of Vermin" (*Ungeziefervertilgung*), NI-9912.

56. Lectures by Dr. Gerhard Peters and Heinrich Sossenheimer (gas experts), February 27, 1942, NI-9098.

57. *Ibid.*

sions as "favored transport" (meaning Theresienstadt transport), "I see black," "to tempt fate," "final act of the drama," etc.¹⁶ The direct word is lacking.

Moreover, the attempt to repress unbearable thoughts was characteristic not only of the ghetto community but of the killing center itself. In Auschwitz the inmates employed a special terminology of their own for killing operations: a crematory was called a "bakery"; a man who could no longer work — and who was therefore destined for the gas chamber — was designated a "Moslem"; and the depot holding the belongings of the gassed was named "Canada."¹⁷ These, it must be emphasized, are not Nazi terms; they are expressions by the victims. They are the counterparts of the Nazi vocabulary, and, like the German euphemisms, they were designed to blot out visions of death.

There were moments, of course, when the issue could not be evaded, when forgetting was no longer effective. In such moments of crisis the victims, like the perpetrators, resorted to rationalizations. The Jews, too, had to justify their actions. It is interesting to note how the two principal rationalizations emerged directly from the repressive pattern.

The Germans were notably successful in deporting Jews by stages, for always those who remained behind could reason that it was necessary to sacrifice the few in order to save the many. The operation of that psychology may be observed in the Vienna Jewish community, which concluded a deportation "agreement" with the Gestapo, with the "understanding" that six categories of Jews would not be de-

ported.¹⁸ Again, the Warsaw ghetto Jews argued in favor of co-operation and against resistance on the ground that the Germans would deport sixty thousand Jews but not hundreds of thousands.¹⁹ The bisection phenomenon occurred also in Salonika, where the Jewish leadership co-operated with the German deportation agencies upon the assurance that only "Communist" elements from the poor sections would be deported, while the "middle class" would be left alone.²⁰ That fatal arithmetic was also applied in Vilna, where *Judenrat* chief Gens declared: "With a hundred victims I save a thousand people. With a thousand I save ten thousand."²¹

In situations where compliance with death orders could no longer be rationalized as a life-saving measure there was still one more justification: the argument that with rigid, instantaneous compliance unnecessary suffering was eliminated, unnecessary pain avoided, the necessary torture reduced. The entire Jewish community, and particularly the Jewish leadership, now concentrated all its efforts in one direction — to make the ordeal bearable, to make death easy.

This effort is reflected in the letter which the Jewish Council in Budapest sent to the Hungarian Interior Minister on the eve of the deportations: "We emphatically declare that we do not seek this audience in order to lodge complaints about the merit of the measures adopted, but merely ask that they be carried out in a humane spirit."²²

The effort is also illustrated in the following statement, which the chief of the Reich Association of the Jews in

Germany, Rabbi Leo Baeck, made after the war:

I made it a principle to accept no appointments from the Nazis and to do nothing which might help them. But later, when the question arose whether Jewish orderlies should help pick up Jews for deportation, I took the position that it would be better for them to do it, because they could at least be more gentle and helpful than the Gestapo and make the ordeal easier. It was scarcely in our power to oppose the order effectively.²³

When Baeck was in Theresienstadt, an engineer who had escaped from Auschwitz informed him about the gassings. Baeck decided not to pass on this information to anyone in the ghetto city because "living in the expectation of death by gassing would only be the harder."²⁴

The supreme test of the compliance reaction came in front of the grave; yet here, too, the Jews managed to console themselves. From one of the numerous German eyewitness reports comes the following typical passage:

The father was holding the hand of a boy about ten years old and was speaking to him softly; the boy was

23. Leo Baeck in Eric H. Boehm (ed.), *We Survived* (New Haven, 1949), p. 288.

24. *Ibid.*, pp. 292-93.

fighting his tears. The father pointed to the sky, stroked his head, and seemed to explain something to him. . . . I remember a girl, slim and with black hair, who passed close to me, pointed to herself, and said, "Twenty-three". . . . The people, completely naked, went down some steps which were cut in the clay wall of the pit and clambered over the heads of the people lying there, to the place where the SS-man directed them. Then they lay down in front of the dead or injured people; some caressed those who were still alive and spoke to them in a low voice. Then I heard a series of shots.²⁵

The German annihilation of the European Jews was the world's first completed destruction process. For the first time in the history of Western civilization the perpetrators had overcome all administrative and moral obstacles to a killing operation. For the first time, also, the Jewish victims — caught in the strait jacket of their history — plunged themselves physically and psychologically into catastrophe. The destruction of the Jews was thus no accident. When in the early days of 1933 the first civil servant wrote the first definition of a "non-Aryan" into a civil service ordinance, the fate of European Jewry was sealed.

25. Affidavit by Hermann Friedrich Graebe, November 10, 1945, PS-2992.

16. See pp. 278-82.

17. On "bakery," see Lengyel, *Five Chimneys*, p. 22. On "Moslem" (*Muselman*), see report by commander's office, Auschwitz III, May 5, 1944, NI-11019. On "Canada," see Sehn, "Oswiecim," in *German Crimes in Poland*, p. 41.

18. See pp. 279-80.

19. See pp. 318-20.

20. See pp. 445-46.

21. Philip Friedman, "Two 'Saviors' Who Failed," *Commentary*, December, 1958, p. 487.

22. See pp. 541-42.

Anti-Nazis had lived in a less disciplined childhood, received more affection from parents. Perhaps most important, many of them recalled that their liberal outlook began in their teens when they heard a grown-up question the omnipotence of the Kaiser and the ruling class. Prejudiced persons suffer from "mental constriction," a narrowmindedness that prevents them from finding solutions, even to arithmetic problems.¹⁵

We may understand, therefore, the extensive Jewish preoccupation with German re-education and rehabilitation.¹⁶ The "environment" is to be changed; the "bad" Germans are to be made "good"; in the end there is to be "peace." As Rabbi Leo Baeck put it: "In the name of God's command and man's future, this peace should finally be concluded. Two nations, both with one destiny, cannot forever turn their backs to each other and pass each other by."¹⁷

Let us not mistake the tenor of the Jewish repressions and rationalizations: these distortions are evidence of deep-rooted disturbances. It is safe to conclude that the more absurd the arguments appear to be, the greater must have been the effort to contain and smother the inner revolt. Indeed, the Jews of the Western world have sought outlets for their hostility elsewhere. They found such an outlet in the enemies of Israel.

The reaction of displaced hostility is not uncommon in the annals of individual and mass behavior. Here it was almost inevitable. Israel is Jewry's great consolation. It is a vast "undoing"

15. *Conference*, spring, 1949, p. 5.

16. The National Conference of Christians and Jews alone has sunk hundreds of thousands of dollars into its operations in Germany. These operations were subsidized by the American military government. *Ibid.*, pp. 15, 12.

17. Leo Baeck, "Israel und das deutsche Volk," *Merkur* (Stuttgart), October, 1952, p. 911.

achievement — one of the greatest in all history. Even while the Jews of Europe were being slaughtered, the delegates to the first session of the American Jewish Conference were turning their thoughts to the future state.

Their thoughts were expressed to some extent in a speech delivered by Dr. Israel Goldstein of the General Zionists during the rescue symposium: "For all our rivers of tears and oceans of blood, for our broken lives and devastated homes, for all our gutted synagogues and desecrated scrolls, for all our slain youths and spoliated maidens, for all our agony and for all the martyrdom of these black years, we shall be consoled when in Eretz Israel, reestablished as a Jewish Commonwealth, land of our sunrise, and in every land where the dispersed of Israel dwell, the sun of freedom will rise," etc. etc.¹⁸ From this came the great concentration of fury upon England and, to a lesser extent, the Arab countries after the war. In the years 1945 to 1949, England was Jewry's primary enemy. The English, and the Arabs, moved into this position because in seeking to frustrate the establishment of a Jewish homeland, they were reopening wounds that only Israel could heal.

Significantly, the creation of the state of Israel resulted in the development of conditions under which Jews could express themselves in larger numbers and in much stronger terms as Germany's enemies than anywhere else. For a while at least, Israel kept its distance from Germany. No diplomatic representatives were exchanged.¹⁹ Germans could not easily visit Israel, and the German language, as well as German

18. Alexander S. Kohanski (ed.), *The American Jewish Conference — Its Organization and Proceedings of the First Session, August 29 to September 2, 1943* (New York, 1944), pp. 80-81.

most entirely a by-product of victory. We may note, therefore, that, on the one hand, the Allies could harmonize with their war effort all sorts of denunciations of the Germans but that, on the other hand, there was no disposition to deviate from military goals for the deliverance of the Jews. In that sense the destruction of the Jews presented itself as a problem with which the Allies could not effectively deal.

During the war the rescue of dying Jewry interfered with the doctrine of victory first; after the war the rectifications in favor of Jewry conflicted with the attempts which both East and West were carrying on to woo the occupied German power sphere. Thus there developed from the beginning an ambiguity in the Allied position; the condemnations of persecution, the freedom propaganda, the expressions of sympathy for the oppressed, were hedged in by reservations which preserved more basic Allied interests. These reservations were responsible for the functional blindness which afflicted the Allies during decisive moments of the Jewish catastrophe, and for some strange imputations which were levied against Jewry thereafter.

The repressive pattern manifested itself primarily in a refusal to recognize either the special character of German action or the special identity of the Jewish victims. Examples of the obscuration of the German destruction process are the periods of total silence, extending particularly from 1941 through 1942; the subsequent generality of language, such as the profuse but exclusive employment in the three-power Moscow Declaration of descriptive terms on the order of "brutalities," "atrocities," "massacres," "mass executions," and "monstrous crimes;"³⁹ the

39. Statement signed by Roosevelt, Churchill, and Stalin, released to the press by the Department of State, November 1, 1943,

constant emphasis in the literature and in speeches upon "concentration camps," often including the epitomization of Dachau and Buchenwald but rarely embracing any mention of Auschwitz, let alone the faraway camps of Treblinka and Sobibor or Belzec; the tendency in public statements to link the Jewish fate with the fate of other peoples, such as the reference in a declaration by President Roosevelt to "the deportation of Jews to their death in Poland or Norwegians and French to their death in Germany;"⁴⁰ and finally the lawyers' invocation of the "act of state" doctrine to show that at least some of the German measures against Jewry were nothing special — they were "acts of government" by the "authorities of the German state"⁴¹ or at worst "governmental persecution . . . under the municipal law of another state."⁴²

Closely linked to that obliteration of the German destruction process is the disappearance of the Jewish victim. In the one case the annihilation phase is not fully recognized; in the other it descends upon an amorphous group of people. The aforementioned Moscow Declaration, which bears the heavy imprint of Churchill's hand and which also carries the signatures of Roosevelt and Stalin, managed to omit any reference to the Jewish disaster. This document, drafted in October, 1943, contains the public warning that "Germans who take part in the wholesale shooting of Italian officers or in the execution of French, Dutch, Belgian or

in report by Justice Jackson to the President on *International Conference on Military Trials*, Department of State Publication 3080, 1949, pp. 11-12.

40. Statement by the President, released to the press by the White House, March 24, 1944, *ibid.*, pp. 12-13.

41. Justice Jackson in *International Conference on Military Trials*, p. 333.

42. Judge Learned Hand in *Bernstein v. Van Heygen Freres Societe Anonyme* (1947), 163 F 2d 246.

Norwegian hostages or of Cretan peasants, or who have shared in slaughters inflicted on the people of Poland or in the territories of the Soviet Union which are now being swept clear of the enemy, will know that they will be brought back to the scene of their crimes and judged on the spot by the peoples whom they have outraged."⁴³

What happened to the Jews in this declaration? The Jews are among the "French hostages"; they are a component part of the "people of Poland"; they are lost in the "territories of the Soviet Union." The Western and Soviet governments alike were able to take from the Jews their special identity by the simple device of switching classifications. Thus the Jews of German nationality became Germans, the Jews of Polish nationality were converted into Poles, the Jews of Hungarian nationality into Hungarians, and so on.⁴⁴

Some of the most fantastic legal consequences flowed from this legalistic interplay. For example, in 1942 Home Secretary Morrison replied to an inquiry by a member of Parliament that Jews in England who were rendered stateless by German decree would still be treated as German nationals, because the United Kingdom government did not recognize the competence of an enemy state in time of war to deprive its citizens of their nationality. In Berlin the Foreign Office legal expert Albrecht read about this development in a Transocean news report and wrote,

43. Statement by Roosevelt, Churchill, and Stalin, in *International Conference on Military Trials*, pp. 11-12.

44. In the United States the Office of War Information as a matter of policy refrained from mentioning Jews as a special group of victims. Verbatim statement by Dr. Leon A. Kubowitsky (World Jewish Congress) in Kohanski, *American Jewish Conference, First Session*, p. 119. The OWI was headed by Elmer Davis. The domestic branch was under Gardner Cowles, policy and development under Archibald MacLeish, the overseas branch under Robert Sherwood.

"Good."⁴⁵ Again, in 1944 British military authorities in Belgium interned about 2000 Jews as "enemy aliens." When Sidney Silverman, M.P., intervened with the Earl of Halifax in Washington, he was told that the measure was dictated by "military necessity."⁴⁶ In the Soviet Union prominent Jews about to be purged had to expect as a matter of course to be accused of "spying" for the Germans.⁴⁷ Some 15,000 Hungarian Jewish forced laborers taken

45. Transocean report, dated July 31, 1942, with notation by Albrecht, NG-2111.

46. Dr. Maurice L. Perlzweig (chairman, British section of World Jewish Congress) in Kohanski, *American Jewish Conference, Second Session*, p. 214. The treatment of denationalized Jews in British, South African, American, French, and Swiss courts is discussed by H. Lauterpacht in "The Nationality of Denationalized Persons," *Jewish Year Book of International Law* (1948), pp. 164-85. Article 44 of the Geneva Convention of 1949 on Civilian Persons in War states that a belligerent in its own territory shall not treat as enemy aliens "refugees who do not, in fact, enjoy the protection of any government." Department of State Publication 3938, 1950.

47. See, for example, the case of the Red Army generals in W. G. Krivitsky, *In Stalin's Secret Service* (New York and London, 1939), p. 212. The author was chief of Red Army intelligence in western Europe. Also, the case of Wiktor Alter and H. Ehrlich, Jewish Socialists from Poland, shot in the USSR after organizing an international Jewish anti-Fascist committee, on the ground that they had appealed to the Soviet armies "to conclude an immediate peace with Germany." Bogomolov (Soviet Ambassador in London) to Raczkinski (Polish Foreign Minister), March 31, 1943, in Government of Poland/Polish Embassy in London, *Polish-Soviet Relations 1918-1943*, p. 180, and preceding correspondence on pp. 178-79. During the period 1940-41 the Soviets also practiced the deportation of unwanted Jews of German nationality to German or German-occupied territory. Victor Kravchenko, *I Chose Freedom* (New York, 1946), pp. 210, 217, 264. Alexander Weissberg, *The Accused* (New York, 1951), pp. 501-5. On the approach of an American court toward the extradition of a Jew to Germany, see In re Normano (1934), 7 F. Supp. 329.

They alone were in a position to determine what was to be done to the perpetrators and what was to be done for the victims. The reaction to the perpetrators reached its culmination in a series of trials. Action in behalf of the victims was evolved in two consecutive phases, the rescue of survivors and the salvage of their property.

1 / THE TRIALS

The Allied leaders began to think about the postwar treatment of their Axis opponents in the fall of 1943. At that time thinking was confined to the possible proceedings against the top strata of the Axis leadership. These men — central targets of Allied resentment — were to suffer death. The only question open for consideration was the method of implementation: summary execution or execution after trial.

During the Moscow Conference on War Criminals in October, 1943, American Secretary of State Hull declared himself in favor of a "drumhead court martial." He did not see why the Axis "outlaws" should have the benefit of a "fancy trial." The Soviet delegation agreed with "loud exclamations of approval." British Foreign Secretary Eden dissented; he thought that "all the legal forms" should be observed.¹

Much later a law-and-order movement began in the U.S. War Department under Secretary Stimson and Assistant Secretary McCloy. Although President Roosevelt personally favored shooting, he appointed one of his assistants, Judge Samuel Rosenman, to "study the question for him." On January 18, 1945, Stimson, Rosenman, and Attorney General Biddle agreed that legal action should be taken.²

1. Cordell Hull, *The Memoirs of Cordell Hull* (New York, 1948), II, 1289-91.

2. Henry Stimson and McGeorge Bundy, *On Active Service in Peace and War* (New York, 1948), pp. 584-86. The Stimson movement was in response to a Morgenthau pro-

The Soviets, in the meantime, also veered to a policy of trial. A surprised Churchill reported to Roosevelt on October 22, 1944, that Stalin had suddenly adopted an "ultra-respectable line" — the Soviet dictator felt that the world might draw the wrong conclusions from a summary procedure.³

When both the Americans and the Russians had switched their positions, the British turned too. They were now *against* a trial. In a lengthy *aide-memoire* handed by Sir Alexander Cadogan to Judge Rosenman on April 23, 1945, the British official recorded his anxiety that the whole procedure would be regarded as a "put-up job," that it would be "exceedingly long," and that in the confusion attending an amalgamation of Russian, American, and British ideas the defense might even score some "unexpected point."⁴

The British reluctance to try the prospective defendants before executing them was soon overcome by American arguments,⁵ and in the following summer months representatives of the United States, Great Britain, and Russia met in London to draw up a charter for an international military tribunal that would try those "major criminals" whose offenses had no particular geographic localization and who, in the words of the wartime Moscow Declaration, were to be "punished by joint decision of the Governments of the Al-

posals for summary shooting. The full text of the Morgenthau plan has not been published. In his book, *Germany Is Our Problem*, Morgenthau does not even make passing reference to the treatment of the German perpetrators.

3. Churchill to Roosevelt, October 22, 1944, in Winston S. Churchill, "The Second World War," Vol. VI: *Triumph and Tragedy* (Boston, 1953), p. 240.

4. Cadogan to Rosenman, April 23, 1945, in *International Conference on Military Trials*, pp. 18-20. Cadogan was Permanent Undersecretary in the Foreign Office.

5. See American memorandum of April 30, 1945, *ibid.*, pp. 28-38, 39n.

lies."⁶ The chief problem now was to define what was meant by "offenses." The prospective "major criminals" were responsible for many deeds across the lands of Europe. How, in that context, were the four delegations going to handle the destruction of the European Jews?

For a period of two years preceding the Charter Conference in London, the Jewish leadership in the United States had been concerning itself precisely with that question. To the Jews the problem of definition was paramount. An interim commission established during the first session of the American Jewish Conference in 1943 stated succinctly that the trials were "not a matter of vengeance or of punishment of the guilty in the ordinary sense"; they were a matter of "practical" import. The non-punishment of the Germans for their crimes against an entire people, said the commission, would "signify the acquiescence of the democratic nations in the act of Jewish extermination."

Already there were disquieting reports from German-occupied territories of "infection" with the anti-Jewish "virus." That "infection" had to be expunged, and a "warning" would have to be issued to "other countries, on other continents, that are trying to introduce the Nazi racial theories and methods in public life." The commission therefore recommended to the State Department that annihilation of a people, including all acts whereby this aim was sought to be accomplished before and during the war, in Axis territories and occupied areas, be made a punishable crime.⁷

In London the conferees considered three kinds of offenses. The first of

6. *Ibid.*, p. 22n.

7. Report of the Commission on Post-War in American Jewish Conference, *Report of Interim Committee* (New York, 1944), pp. 90-91, 98-99, 106, 123-25.

these was "crimes against peace." To the American and British delegations, this was the "essence" of their complaint.⁸ The American chief representative, Justice Jackson, was particularly concerned with that charge. As Attorney General of the United States in 1940, Jackson had advised President Roosevelt that the United States would not be violating its obligations as a neutral by extending aid to the Allies; now Jackson was determined to show that the United States had not done an illegal thing. He wanted to justify American action on the ground that German aggression had violated everybody's rights. Here in London he wanted to establish German responsibility in the only way that was still open to him: by declaring the planners of aggression personally culpable for their deeds.⁹ No conceivable accusation could have been more remotely applicable to anti-Jewish acts, and in a sense no indictment could have done more to overshadow and obscure them.

The second charge was of primary interest to the Russians and French. It dealt with war crimes. In its final form that category of offenses was defined to

include, but not be limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of *civilian population of or on occupied territory*, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity.¹⁰

8. Statement by Sir David Maxwell Fyfe in verbatim minutes of London Conference, *International Conference on Military Trials*, p. 305.

9. Jackson to President Truman, June 6, 1945, *ibid.*, pp. 42-52. Jackson in verbatim minutes of London Conference, *ibid.*, pp. 299, 383-85.

10. Text of charter, August 8, 1945, *ibid.*, p. 423. Italics added.

War crimes have long been recognized as punishable under international law, and any definition of them would have covered the vast majority of German actions against the Jews. The very extent of the destruction process, its geographic range and administrative thoroughness, had trapped the perpetrators in the vise of this law. The killing of the Jews in the guise of anti-partisan operations was a war crime; the shooting of Jewish Red Army men in a German *Stalag* was a war crime; the gassing of Reich Jews on Polish soil at Auschwitz was a war crime. Under the traditional law of war almost the entire destruction process between 1939 and 1945 consisted of acts for which the perpetrators could be condemned, and for many of these acts they could be condemned to death. Yet there remained important segments of German activity to which the law of war could not apply. It did not automatically cover anti-Jewish measures wholly performed within Axis territories, nor did it reach the prewar decrees.

The four delegations though satisfied themselves, had not yet solved the problem for the Jews. In the first place, the two categories of offenses did not embrace everything the Germans had done. Conceivably, some of the "major criminals" might even escape conviction for their acts. At the same time, no special deterrent had been erected to prevent "other countries, on other continents," from introducing a destructive regime into their public life; the destruction of a minority on home territory was still legal, even when carried to an extreme. Confronting this situation, the Anglo-American delegates were faced with a dilemma: they wanted to remove the limitation upon the jurisdiction of the proposed tribunal,¹¹ they wanted to get Strei-

11. See note submitted by Jackson to other delegations, *ibid.*, p. 394.

cher,¹² but in *this* sphere of human activity they did not want to make new law.

In attempting to resolve the issue, the Anglo-American representatives set up a series of acts which could be recognized as criminal if they were a part or a product of the "conspiracy" to commit an aggression or a war crime. In short, this was not an independent category of offenses; it had to have a connection either with preparing for an illegal war or with fighting a war illegally. The chief of the British delegation, Sir David Maxwell Fyfe, explained the matter this way:

The preparation would in my view include such acts as the terrorization and murder of their own Jewish population in order to prepare for war; that is, preparatory acts inside the Reich in order to regiment the State for aggression and regimentation. This would be important politically for us because the ill-treatment of the Jews has shocked the conscience of our people and, I am sure, of the other United Nations; but we should consider it at some stage, and I thought it was covered by this act in the preparation of this design. I just wanted to make it clear that we had this in mind because I have been approached by various Jewish organizations and should like to satisfy them if possible. I have in mind only such general treatment of the Jews as showed itself as part of the general plan of aggression.¹³

Justice Jackson, concurring in this view, pointed out in unmistakable language why there could be no other basis for jurisdiction:

It has been a general principle from time immemorial that the internal affairs of another government are not

12. Statement by Sir David Maxwell Fyfe, *ibid.*, p. 301.

13. Statement by Sir David Maxwell Fyfe in verbatim minutes of London Conference, *ibid.*, p. 329. See also his statement on p. 361. Sir David was Attorney General in the Conservative government.

ordinarily our business; that is to say, the way Germany treats its inhabitants, or any other country treats its inhabitants, is not our affair any more than it is the affair of some other government to interpose itself in our problems. . . . We have some regrettable circumstances at times in our own country in which minorities are unfairly treated. We think that it is justifiable that we interfere or attempt to bring retribution to individuals or to states only because the concentration camps and the deportations were in pursuance of a common plan or enterprise of making an unjust war in which we became involved. We see no other basis on which we are justified in reaching the atrocities which were committed inside Germany, under German law, or even in violation of German law, by authorities of the German state.¹⁴

After fifteen drafts the tribunal was therefore invested with power to try defendants for

CRIMES AGAINST HUMANITY: namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or

14. Justice Jackson in verbatim minutes, *ibid.*, pp. 331, 333. Also, Jackson to Truman, June 6, 1945, *ibid.*, pp. 48, 50-51. The first American draft, prepared by representatives of the State, War, and Justice Departments in conference with Justice Jackson, referred specifically to acts which were unconnected with any other crime but which were in "violation of the domestic law of any Axis power." Narrowly construed, only "excesses" would have been covered by such a provision. More controversial would have been the contention that in German constitutional law the Hitler regime rested entirely upon illegal foundations. For a discussion of the latter point, see testimony by Prof. Herman Jahrreis, Case No. 3, tr. pp. 4253 ff. Jahrreis makes a distinction between "illegality" and "illegitimacy." Overriding was the viewpoint, expressed by Secretary of War Stimson in a memorandum dated September 9, 1944, that not even "excesses" could be dealt with by an "external court." Stimson, *On Active Service*, p. 585.

persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.¹⁵

The London delegates were unwilling to recognize the destruction of European Jewry as a crime *sui generis*; in the end they were not even able to cover the prewar anti-Jewish decrees under the count of aggression. During the trial the prosecution failed completely to establish any connection between these decrees and the "conspiracy" to make war.¹⁶ The "crimes against humanity" were deadwood.

15. Text of agreement and charter, August 8, 1945, signed by Justice Robert Jackson for the United States, Judge Robert Falco for France, Lord Chancellor Jowitt for Great Britain, and Maj. Gen. Nikitchenko and Prof. A. Trainin for the USSR, with protocol containing correction, dated October 6, 1945, *International Conference on Military Trials*, pp. 423, 429.

16. Judgment of the International Military Tribunal at Nuremberg, *Trial of the Major War Criminals*, XXII, p. 498. The French delegation had suggested that persecutions be defined as an independent crime. See French draft and explanation by Prof. André Gros in *International Conference on Military Trials*, pp. 293, 360. The French government had already proposed during the killing of the Armenians in World War I that in view of these "crimes of Turkey against humanity," the Allied governments should announce publicly that all members of the Ottoman government and those of their agents who were implicated in the massacres would be held personally responsible for their acts. See American Ambassador in France (Sharp) to Secretary of State, May 28, 1915, enclosing French note of May 24, *Foreign Relations of the United States, 1915, Suppl.*, p. 981. The warning was duly delivered by the American Ambassador in Constantinople. Morgenthau to Secretary of State, June 18, 1915, *ibid.*, p. 982. French Delegate Gros did not think that the prosecution would be able to prove that the anti-Jewish persecutions had been inflicted in pursuit of aggression. Statement by Gros, *International Conference on Military Trials*, p. 361. The Soviet delegates were indifferent to the entire issue. They were preoccupied with procedural problems

About two months after the conclusion of the agreement the trial began in Nuremberg before an international military tribunal.¹⁷ Most of the defendants, most of the exhibits, and most of the witnesses were produced by the Americans.¹⁸ The chief defendant was Göring. From the party the prosecution had selected Hess, Ley, and Streicher. The ministers included Schacht, Funk, Frick, Ribbentrop, and von Papen. There were two ranking officials of the central bureaucracy: Kaltenbrunner of the RSHA and Ministerialdirektor Fritzsche of the Propaganda Ministry. The armament and labor mobilization machinery was represented by Speer and Sauckel. In the military the choice had fallen upon Keitel and Jodl, as well as Räder and Doenitz. In addition, there were five territorial chiefs: von Schirach (Vienna), von Neurath (Protektorat), Frank (*Generalgouvernement*), Rosenberg (Eastern Territories), and Seyss-Inquart (Netherlands).¹⁹

Although the selection of the defendants betrayed a definite emphasis upon the charge of aggression, the great bulk of them had been heavily implicated in actions against the Jews. There was no longer any way of hiding these actions. Too many copies had been made of too many reports, and in

such as the location of the proposed tribunal, etc. The principal Soviet delegate, Maj. Gen. Nikitchenko, took the view that the "chief war criminals" had "already been convicted" and that their "conviction" had already been "announced" by the Moscow declaration. See his statement in verbatim minutes, *ibid.*, pp. 104-5.

17. The judges, as well as the prosecutors, were drawn from the four powers. Nikitchenko now sat on the bench.

18. Statement by Jackson, *International Conference on Military Trials*, p. 343. On Soviet unpreparedness, see statement by Nikitchenko, *ibid.*, p. 213.

19. Indictment in *Trial of the Major War Criminals*, I, 68-79. Industry was to have been represented by Gustav Krupp von Bohlen and Halbach. He was judged too ill to stand trial.

the closing phase of the war they could not be destroyed in time. Now this secret correspondence was introduced, item by item, to the judges.²⁰ "My own diary bears witness against me," said Frank, as he surveyed the situation and saw that he was doomed.²¹ The crushing written evidence was reinforced by oral testimony from former subordinates of the defendants, such as Staatssekretäre Buhler and Steengracht and SS men Ohlendorf, Wisliceny, Höttl, Höss, and Pohl. The sight of these men provoked consternation in the defense, and when Himmler's own favored general, Obergruppenführer von dem Bach-Zelewski, testified for the prosecution, the prisoners were unanimous in calling him a *Schwein*.²²

The defense did not have much to expect. Its arguments were desperate. Notwithstanding their high positions in the machinery of destruction, the accused claimed ignorance: they did not

20. The prosecution had assembled for the tribunal the following document series: EC, L, M, PS, R, RF, UK, and USSR.

21. Testimony by Frank, *Trial of the Major War Criminals*, XII, 13. Rudolf Hess complained that everybody was looking at him with "strange, glassy eyes." Testimony by Hess, *ibid.*, XXII, 370-71. The German Labor Front leader Ley committed suicide; he left a note in which he explained that he had a new solution to the Jewish problem. To remove the suspicion that he was advancing the solution for personal reasons, he had decided to kill himself. The Nazis, said Ley, had gone too far. "This is no criticism of my dead Führer," he continued, for the Führer "is too great and too noble to be tainted by a passing mistake." Ley was now worried that the triumphant Jews would go too far. That would be the same mistake. His plan consisted of a "conciliation" in which the returning Jews and the old anti-Semites would form a committee to make peace. Suicide statement by Dr. Ley found in his cell, October 25, 1945, after discovery of the body, in *Nazi Conspiracy and Aggression*, VII, 740-48.

22. Off-the-record comments recorded by the prison psychologist G. M. Gilbert in his *Nuremberg Diary* (New York, 1947), pp. 113-14.

the defendants' dock today, if this book had been taken into consideration by the Prosecution. In the book *The Jews and Their Lies*, Dr. Martin Luther writes that the Jews are a serpent's brood and one should burn down their synagogues and destroy them. . . .³⁹

In constructing their defense, the accused were evidently reaching beyond the tribunal to address the whole world. Even so, they knew that they could not ward off the end.

The trial ended on October 1, 1946. The sentences imposed by the judges, and the extent to which the destruction of the Jews was noted in the judgment may be seen in Table 90.⁴⁰

TABLE 90 / *Judgments of the International Military Tribunal*

DEFENDANT	SENTENCE	CONVICTED OF CRIMES AGAINST HUMANITY	ANTI-JEWISH ACTION AN APPARENT FACTOR IN CONVICTION
Göring	death	X	X ✓
Hess	life		
Streicher	death	X	X ✓
Schacht	free		
Funk	life	X	X ✓
Frick	death	X	X ✓
Ribbentrop	death	X	X ✓
Von Papen	free		
Kaltenbrunner	death	X	X ✓
Fritzsche	free		
Speer	20 years	X	
Sauckel	death	X	✓
Keitel	death	X	✓
Jodl	death	X	
Raeder	life		
Doenitz	10 years		
Von Schirach	20 years	X	X ✓
Von Neurath	15 years	X	X ✓
Frank	death	X	X ✓
Rosenberg	death	X	X ✓
Seyss-Inquart	death	X	X ✓

39. Testimony by Streicher, *ibid.*, XII 318.

40. Judgment, *ibid.*, XXII, 524-89. The Soviet judge, Nikitchenko, was of the opinion that Schacht, von Papen, and Fritzsche should have been convicted and that Hess should have been sentenced to death. He did not dissent from the other sentences. *ibid.*, p. 589.

The pattern of sentences contained a few anomalies. Schacht could not be convicted of crimes against humanity because his administration of the expropriatory exchange controls took place entirely before the war. Von Neurath, on the other hand, could not escape punishment for his enforcement of anti-Jewish measures in Prague because the tribunal was acting under the assumption that the Protektorat, as a territory with international personality (i.e., autonomy), had been under military occupation.⁴¹

Stranger still is the contrast between Streicher's conviction and Fritzsche's acquittal: Streicher was hanged because of his "incitement to murder and extermination at the time when Jews in the East were being killed";⁴² Fritzsche was allowed to go free because he "did not urge persecution or extermination of Jews." Though that subtle dispenser of rationalizations had broadcast that the war had been caused by Jews and that their fate had turned out "as unpleasant as the Führer predicted," the tribunal still felt that he had not been "aware" of what was happening to them.⁴³ Even here in Nuremberg the tribunal was safeguarding the freedom to engage in declaratory propaganda.⁴⁴

Before the establishment of the first tribunal in Nuremberg the principal difficulty was the formulation of an indictment which would spell out *why*

41. Judgment, *ibid.*, p. 581.

42. Judgment, *ibid.*, p. 549.

43. Judgment, *ibid.*, p. 584.

44. With regard to the other sentences, we should note that the judges were not in possession of Speer's full record. They did not know, for instance, of his connection with "primitive construction" in Auschwitz and other concentration camps. See pp. 597-98. In the case of Göring, Funk, Frick, Ribbentrop, von Neurath, Rosenberg, and Seyss-Inquart, the evidence was almost overwhelming. Yet all of these defendants were convicted also of aggression, and now it is no longer clear which charge was most decisive in determining their sentence.

the accused were being tried. When the prosecution of "lesser" personalities was brought into focus, the primary consideration became the question of *who* was to be charged. Whereas the qualitative issue was fought out mainly between the Allies, the quantitative problem concerned also a large number of Germans who waited in uncertainty for their fate.

The high point of Allied sentiment for massive punitive measures was reached in the spring of 1945 with the widespread publication of detailed accounts of wartime German activities. Thus in May, 1945, the editor of the *St. Louis Post-Dispatch*, Joseph Pulitzer, addressing the Society for the Prevention of World War III in Carnegie Hall, urged the shooting of 1,500,000 Nazis. He was joined by Representative Dewey Short of Missouri, who demanded mass executions of SS men and the OKW.⁴⁵

Yet the counter-currents and counterpressures against such a program were building up even before its beginning. On June 15, 1944, a commission of the Federal Council of Churches of Christ in America had declared that, while the punishment of "those most responsible" for the "systematic extermination of the Jews of Europe" was an "elementary demand of justice," such punishment had to be limited to men whose responsibility was "central" and could not extend, for example, to "soldiers who were implicated because they carried out orders."⁴⁶ Among the Jews themselves there was little eagerness for mass trials. In all the sessions of the American Jewish Conference and its interim committees, no proposal was put forward for the trial of any specific individual or category of individuals,

45. "Urges Execution of 1,500,000 Nazis," *New York Times*, May 23, 1945, p. 11.

46. Declaration of Federal Council of Churches, cited in American Jewish Conference, *Report of the Interim Committee*, pp. 104-5.

save one: the ex-Mufti of Jerusalem.⁴⁷ The restraining influences could thus prevail. No significant group in the Allied world set out to achieve large-scale revenge.

The prosecution of the "lesser" offenders became essentially a process of elimination, and in that process basic attitudes in the ranks of the Allies came to the fore once again. The Americans were most persistent in reaching the lower strata of German leadership; the British limped along; and for the Russians the show was already almost over.

On April 26, 1945, the American Joint Chiefs of Staff sent a directive to the U.S. commander subjecting the following ten groups to automatic arrest:⁴⁸

1. Party officials down to *Ortsgruppenleiter*
2. Gestapo and SD
3. *Waffen-SS* down to lowest non-commissioned rank (*USchaf.*)
4. General Staff officers
5. Police officers down to *Oberleutnant*
6. SA to lowest commissioned rank (*Stuf.*)
7. Ministers and leading civil servants as well as territorial officials down to *Bürgermeister* in the Reich and civil and military town commanders in occupied territories
8. Nazis and Nazi sympathizers in industry and commerce
9. Judges and prosecutors of special courts
10. Allied traitors

47. Hershman, *American Jewish Conference, Third Session*, p. 236. During the first conference Dr. DeSola Pool of the General Zionists went so far as to oppose the arrest of Germans who had acted under "compulsion." He preferred a resolution which would have urged the detention only of those who had given orders or who had committed acts of their own accord. Kohanski, *American Jewish Conference, First Session*, pp. 198-99, 203-4.

48. J.C.S. Directive 1067/8 to Commander-in-Chief of U.S. Forces of Occupation, April 26, 1945, in report of U.S. Military Governor, *Denazification*, 1948, pp. 14-16.

The membership date of September 1, 1939, or after, was decisive because it was founded on the ruling that crimes against humanity could not have been committed before the war; the conditions of participation were included in obedience to the principle that "criminal guilt is personal."⁵² Three organizations were not declared criminal: the SA, because its activities after the outbreak of war were too insignificant; the Cabinet, because it was too small; and the "High Command and General Staff," because the definition given to that group by the prosecution comprised only a handful of generals. The prosecution had failed altogether to reach down into the civil service and into the officers' corps.⁵³

The top strata were tried by Allied military tribunals, particularly in the American and British zones. By August, 1946, the American Subsequent Proceedings Division, headed by Brigadier General Telford Taylor, had compiled a trial list of close to 5000 names.

49. American memorandum, April 30, 1945, presented at San Francisco and in London, *International Conference on Military Trials*, pp. 32-33. Jackson to Truman, June 6, 1945, *ibid.*, pp. 47-48. Compare this proposal with the Smith Act, 54 Stat. 671, promulgated in 1940 when Jackson was Attorney General.

50. *International Conference on Military Trials*, pp. 241-42.

51. Judgment, *Trial of the Major War Criminals*, XXII, 498-517.

52. *Ibid.*, p. 500. Not spelled out was the question of who had the burden of proof with respect to defendants' knowledge. In subsequent proceedings the burden was divided, in that knowledge was presumed after the prosecution had established certain facts. The tribunal ruled that *all* members of the Gestapo and SD had joined these organizations voluntarily. *Ibid.*, p. 503. In the case of the party and the SS, the voluntary character of membership was left to be established in each individual case.

53. *Ibid.*, pp. 517-23. In this connection, note that the RSHA was covered only in Offices III, IV, VI, and VII. The *Kripo*, because of its regular law-enforcement functions, was not even charged.

That list had to be cut down because of "time, staff, and money," and in the reduction process an attempt was made to achieve "balance" with respect to types of offenses and occupations of offenders. In the end the bottom line was sometimes drawn by "the size of the defendants' dock in the particular courtroom which was to be used." Fewer than 200 men were brought into the courtrooms.⁵⁴ However, these defendants had not been minor cogs in the destructive machine; they were its central core, and the evidence amassed against them was so great that for the trial of most of them, there was little need to rely upon membership in criminal organizations to secure convictions.⁵⁵

The 180 accused were divided into twelve groups for arraignment. The first case was brought against the medical doctors. In the second the sole defendant was Generalfeldmarschall Milch. The third group consisted of Schlegelberger and his associates in the judiciary. The fourth was Pohl and the bureaucracy of the concentration camps. In the fifth case the defendants were the industrialists of the Flick combine. In the sixth, they came from I. G. Farben. The seventh case involved the

54. Brig. Gen. Telford Taylor (chief counsel for war crimes), *Final Report to the Secretary of the Army on the Nuremberg War Crimes Trials under Control Council Law No. 10* (Washington, D.C., 1949), pp. 50-51, 54-55, 73, 85, 91. The control council, as the four-power governing body of Germany sitting in Berlin, authorized the trials to be held in the four zones. Though the nationality of the judges in the subsequent proceedings at Nuremberg was American, the tribunals were therefore international.

55. Although there were ten times as many defendants in the subsequent proceedings as in the original trial, there was ten times as much evidence. The documents collected by the American prosecution for these trials were divided into four series; NG (governmental, i.e., ministerial materials), NI (industry), NO (Nazi organizations, particularly the SS), and NOKW (armed forces).

In a moment of irritation he was moved to remark: "Everybody has saved the few survivors; nobody has killed the many dead [*Jeder hat die wenigen Geretteten gerettet, keiner hat die vielen Toten umgebracht*]."62 Blame was passed upward, downward, and sideways. And for teeth-puller Pook, who had salvaged the gold from the mouths of the gassed, counsel Dr. Ratz had a unique defense: "The corpse has no more rights of any sort, but no one has any right to the corpse either. The body, so to speak, from a legal point of view, floats between heaven and earth."⁶³

However, the most significant element in the defense array was the return to the attack. That return was pronounced most clearly in *United States v. Ohlendorf*, by the chief defendant himself. Ohlendorf maintained that the Jews ~~had to be destroyed~~. Even if they had not actually started the war, they had now been attacked, and after such an assault one could expect from them only the most dangerous reactions. Asked by prosecutor Heath what had happened to the Jewish children, Ohlendorf replied, "They were to be killed just like their parents." Questioned about the reason for such relentlessness, he said, "I believe that it is very simple to explain if one starts from the fact that this order did not only try to achieve security but also permanent security because the children would grow up, and surely, being the children of parents who had been killed, they would constitute a danger no smaller than that of their parents." Then he added, "I have seen very many children killed in this war through air attacks, for the security of other nations."⁶⁴

62. Statement by Becker, Case No. 11, German tr. p. 26789.

63. Statement by Ratz, Case No. 4, tr. p. 7902.

64. Testimony by Ohlendorf, Case No. 9, *Trials of War Criminals*, IV, 356-58. Also,

The judges in Nuremberg were established American lawyers. They had not come to exonerate or to convict. They were impressed with their task, and they approached it with much experience in the law and little anticipation of the facts. That is not to say that they were immune to outside pressures. On the first day of the I. G. Farben trial Judge James Morris remarked to Prosecutor Josiah DuBois at luncheon: "We have to worry about the Russians now; it wouldn't surprise me if they overran the courtroom before we get through."⁶⁵ Indeed, Chief Prosecutor Taylor was prompted to remark in his final report that on the whole "the sentences became lighter as time went on."⁶⁶

There were variations from case to case which reflected more fundamental influences. The most stringent judgments were handed down in the SS cases, where the judges perceived murder in its most direct and unmitigated form. Three of these cases — the trials of the doctors, the *Einsatzgruppen* leaders, and the concentration camp administrators — were the only ones which resulted in death sentences.⁶⁷ Several defendants in the judiciary were imprisoned for life.⁶⁸ A sickening feeling had overcome the tribunal as it glanced upon the defendants who had once been judges themselves, and the court gave vent to this feeling in the statement that "the prostitution of a judicial system for the accomplishment of criminal ends involves an evil to the state which is not found in frank

legal opinion by Dr. Reinhard Maurach. Ohlendorf-38. Phosphorus bombs, blockbusters, and atomic bombs were hurled as constant reminders by the defense at the tribunals.

65. DuBois, *The Devil's Chemists*, p. 95.

66. Taylor, *Final Report*, p. 92.

67. Originally, seven in the doctors' case, four in the Pohl case, and fourteen in the Ohlendorf case. For details, see pp. 704-15.

68. Klemm, Oeschey, Rothaug, and Schlegelberger.

atrocities which do not sully judicial robes."⁶⁹ In the military, too, several defendants were sentenced to life imprisonment.⁷⁰ The bureaucracy fared better, with a maximum of twenty years.⁷¹ Among the industrialists only Alfried Krupp and two of his associates received as much as twelve years in prison. In the I. G. Farben case five defendants were convicted for their participation in I. G. Auschwitz; two of them, Dürrfeldt and Ambros, were handed eight years; Ter Meer got seven; Krauch and Bütefisch, six.⁷² In the Flick case no defendant was convicted for anti-Jewish actions—the Petschek Aryanizations were not crimes against humanity.⁷³

When judgments were rendered in all twelve cases of the subsequent Nuremberg proceedings, thirty-five defendants were declared not guilty, ninety-seven received prison terms ranging from time served to twenty-five years, twenty were imprisoned for life, and twenty-five were condemned to death. Considering the difficulties facing the accusers, the American prosecution had scored no minor success. However, as soon as the judgments were written, the reduction process began.

In the concentration camp case the tribunal itself reduced four sentences;⁷⁴

69. Judgment, Case No. 3, tr. pp. 10793-94.

70. Milch, List, Kuntze, Warlimont, and Reinecke.

71. Lammers and Veesenmayer.

72. Judge Hebert in a dissent said that three other defendants should have been held guilty on the Auschwitz charge. No defendants were found guilty for the supply of poison gas to the camp. The eight-year sentences were the maximum pronounced in the case. One judge had remarked privately during the proceedings that there were "too many Jews on the prosecution." DuBois, *The Devil's Chemists*, pp. 182-93. Two Jews served on the I. G. Farben trial team. *Ibid.*

73. Judgment, Case No. 5, *Trials of War Criminals*, VI, 1212-16.

74. Georg Lörner, Kiefer, Fanslau, Bobermin.

then the military governor, General Clay, commuted another;⁷⁵ and finally, a special clemency board arrived from the United States to review all the decisions for the High Commissioner.⁷⁶ The Clemency Board consisted of three officials: David W. Peck, Presiding Judge, Appellate Division, First Department, New York Supreme Court, chairman; Frederick A. Moran, chairman, New York Board of Parole; and Brigadier General Conrad E. Snow, Assistant Legal Adviser, Department of State. The board began its work in April, 1950. Although the members felt themselves "bound" by the facts in the judgments, the defense was allowed to introduce "new evidence" and to present old arguments.⁷⁷ The board then did four things: It recommended a downward revision of individual sentences on the basis of the newly acquired testimony.⁷⁸ It urged that var-

75. Sommer.

76. A High Commissioner, responsible to the State Department, replaced the military governor and took over from him responsibility and control over convicted war criminals. Executive Order 10062 of June 6, 1949, and Executive Order 10144 of July 21, 1950, in *Trials of War Criminals*, XV, 1154-56.

77. None of these materials were published, but their impact can broadly be gauged from the following paragraph in which the board gave its description of the anti-Jewish destruction process: "The elimination of Jews, occasionally by deportation, but generally by outright slaughter. This organized business of murder was centered in SS groups which accompanied the army for the purpose of eliminating the Jews, Gypsies, and all those even suspected of being partisans. No less than 2 million defenseless human beings were killed in this operation." Report of Advisory Board on Clemency for War Criminals (signed Peck, Moran, and Snow) to High Commissioner McCloy, August 28, 1950, *ibid.*, p. 1159.

78. In the main it would appear that these German appellants succeeded in convincing the board that their position had been more "remote" and also more difficult than the tribunals had assumed. *Ibid.*, pp. 1163-64. Statement and announcement of decisions by McCloy, January 31, 1951, *ibid.*, pp. 1176-91,

iations in sentences for similar offenses be resolved in favor of the most lenient treatment.⁷⁹ Insofar as imprisonment before and during trial had not been counted, such confinement was to be deducted now.⁸⁰ The board asked, finally, that the time credited to prisoners for "good behavior" be increased from five days to ten per month, thus cutting the reduced sentences by a third.⁸¹

High Commissioner McCloy was under considerable pressure not merely to accept these recommendations but to go beyond them.⁸² "With difficulty" he commuted several more death sentences of his own.⁸³ When he announced his decisions on January 31, 1951, the 142 convicted defendants had shrunk to less than half: 77 were free, 50 were still imprisoned, one had been sent to Belgium,⁸⁴ the seven condemned in the doctors' case had already been hanged, and five remained under sen-

passim. The individual recommendations of the board were not published.

79. See particularly the evening-out of the sentences in the industrial cases to effect release of the Krupp defendants. Decisions by McCloy, January 31, 1951, *ibid.*, pp. 1187-88.

80. *Ibid.*, p. 1180. This recommendation affected the prison sentences in the SS cases.

81. *Ibid.*, p. 1180.

82. See summary by Arthur Krock of the minutes of a meeting held on January 9, 1951, between McCloy and a German delegation consisting of Hermann Ehlers (President of the *Bundestag*), Heinrich Höfler (Free Democrat), Carlo Schmid (Social Democrat), Jakob Altmeier (a Jew), Hans van Merkatz (German Party), and Franz Josef Strauss (Christian Democrat - Bavarian wing). "In the Nation," *New York Times*, April 26, 1951, p. 28. One German periodical explained that "automatic sympathies" were accruing to many a defendant because of the "composition" of the prosecution. "Die Juden," *Die Gegenwart*, September 1, 1949, pp. 5-6.

83. Decisions by McCloy in *Einsatzgruppen* case, *Trials of War Criminals*, XV, 1185-87.

84. Strauch.

tence of death. Among the freed were all the convicted industrialists. As the I. G.'s Ter Meer walked out of jail, he remarked to his entourage, "Now that they have Korea on their hands, the Americans are a lot more friendly."⁸⁵

The prisons still held a number of generals who had been granted no reductions, and Chancellor Adenauer's military advisors lost no time in pointing out that this lack of clemency rested as a "heavy psychological burden" upon Germany's effort to rearm (*eine schwere psychologische Belastung des Wiederbewaffnungsproblems*).⁸⁶ The five who faced death included the now solitary figure of Pohl and four *Einsatzgruppen* leaders: Blobel, Braune, Naumann, and Ohlendorf. Though the sentences of these men had been reviewed again and again, the pressures for commutation did not abate. Bishop Johannes Neuhäusler declared that it would have been more "humane" to have decided quickly and then to have quickly carried out the decision.⁸⁷ In his prison cell Ohlendorf himself dic-

85. "Flick, Dietrich, among 19 Nazi Criminals Freed from Jail after Serving 5 Years," *New York Times*, August 26, 1950, p. 7.

86. "Von 28 Todeskandidaten wurden 21 begnadigt," *Süddeutsche Zeitung* (Munich), February 1, 1952, pp. 1-2.

87. "Um die Landsberger Entscheidung," *ibid.*, February 2, 1951, p. 1. In appeals to the United States federal courts the defense argued that the German constitution of 1949 had abolished the death penalty and that in view of Allied recognition of Germany's new independence in 1951, the sentences could no longer be carried into effect. The appeals failed, not because the U.S. military tribunals had derived their powers from an international agreement and not because jurisdiction over war criminals was reserved by the Allies, but on the ground that the district judge had received no official certification that the state of war was over and so long as war continued, nonresident enemy aliens could not obtain relief in a federal court. Memorandum of the District Court of Columbia, May 29, 1951, and Supreme Court denial of certiorari in *Trials of War Criminals*, XV, 1192-98.

tated a statement in which he protested his innocence, declaring that he had tried to rescind the Himmler order; that he had commanded the smallest *Einsatzgruppe*; that of thousands of *Einsatz* personnel only thirty-three had been tried and only fourteen condemned to death, and that, therefore, he was a martyr.⁸⁸ High Commissioner McCloy gave way no more. As one of the captains of the law-and-order movement in 1944, he could not scuttle the trials in 1951. To the accompaniment of the protests of Vice Chancellor Franz Blücher and a chorus of voices in the German press, the five were hanged on June 7.⁸⁹

What was happening in Nuremberg was duplicated on a smaller scale in the British zone. Among the defendants in the British trials were a number of SS men in the Auschwitz-Belsen group, three members of the TESTA firm which had supplied Auschwitz with poison gas, and an assortment of generals from various theaters of war. The British military courts, unlike the American tribunals, were staffed with military men, and defense counsel too were British officers. The proceedings were handled with a certain amount of dispatch. From the SS group eleven were sent to the gallows — notable among the condemned were Krämer, Klein, Hössler, and Irma Grese.⁹⁰ The

88. Text of Ohlendorf statement, January 19, 1951, in *Neues Abendland* (Augsburg), March, 1951, pp. 133-34.

89. Drew Middleton, "Germans Condemn U. S. on Executions," *New York Times*, June 8, 1951, p. 5.

90. *Law Reports of Trials of War Criminals* (London, 1947), II, 153-54. The royal warrant under which the judges sat limited their jurisdiction to crimes against Allied nationals. In one of the affidavits against an SS guard, it was alleged that he had shot a girl deported from Hungary to Bergen-Belsen. The defense objected on jurisdictional grounds. The prosecutor answered that, by that time, the Hungarians had "come to the Allied side," and that therefore they were "at least some form of Allies," though he did not know "to

Zyklon B supplier, Dr. Bruno Tesch, was also hanged.⁹¹ The generals, on the other hand, were not tried immediately, and that delay led to different results. Von Rundstedt and Strauss were freed as unfit to stand trial.⁹² Von Brauchitsch died before indictment.⁹³ Kesselring was condemned to death, but his sentence was commuted to life and then reduced to twenty-one years. Released on medical parole and granted clemency in expectation that he would die, he resumed an active life in 1952.⁹⁴ In December, 1949, von Manstein was sentenced to eighteen years. Two months thereafter, his sentence was reduced to twelve years, and by 1952 he too was free.⁹⁵

Once the British had joined their American partners in going to court; now they followed the Americans in opening the prison doors. In February, 1952, both powers agreed with the new Germany to establish a tripartite clemency board to review once more the sentences of the imprisoned war criminals.⁹⁶ When the board began its work in 1955, the number of anti-Jewish perpetrators still filling the American and British jails had shrunk to about two dozen.⁹⁷

what extent." The defendant, Egersdorf, was pronounced not guilty. *Ibid.*, pp. 150, 153. The British judgments were not accompanied by reasoning.

91. *Ibid.*, I, 102. His *Prokurist*, Karl Weinbacher, suffered the same fate.

92. "British to Free von Rundstedt and Strauss," *New York Times*, May 6, 1949, p. 4.

"Poles Question Britain on Nazis," *ibid.*, May 20, 1949, p. 14.

93. "Brauchitsch Dies of Heart Attack," *ibid.*, October 20, 1948, p. 7.

94. Alistair Horne, *Return to Power* (New York, 1956), p. 52.

95. *Ibid.*

96. "Adenauer Explains Board," *New York Times*, February 21, 1952, p. 6.

97. In March, 1954, the United States had decided to discontinue announcements of releases. "War Criminals Policy Is Changed by U.S.," *ibid.*, March 26, 1954, p. 5.

Reichskommissar of the Ostland, received the maximum of ten years; released in 1951 because of health, he was awarded a pension.¹⁰⁵ The former chief of the Main Trusteeship Office East, Dr. Max Winkler, was exonerated.¹⁰⁶ Ex-Staatssekretär Stuckart of the Interior Ministry, gravely ill, was sentenced in the eleventh case to time served, on the ground that any confinement would be tantamount to a death penalty. Brought before a denazification tribunal after his release, he was classified as a follower and fined 500 marks, payable upon receipt of a pension. Shortly thereafter he was killed in a crash of an automobile.¹⁰⁷ Obergruppenführer Wolff, who had headed Himmler's Personal Staff, was extradited by the Americans to the British zone to be tried there for his crimes.¹⁰⁸ Placed before a denazification court instead, he was sentenced to four years with credit for previous confinement; then informed by the presiding judge that he could leave "in clean and unstained dress" (*mit reinem und fleckenlosem Kleid*), he walked out of the courtroom with a radiant face, while his lawyer angrily demanded exoneration.¹⁰⁹

There was one more hurdle confronting the former perpetrators: the Allies had also empowered the ordinary German courts to try cases involving war crimes. But, judging from its results, that punitive expedition assumed only

bers of criminal organizations. *Denazification Report* (Cumulative Review), pp. 12-13, 138-55.

105. Gerald Reitlinger, *The Final Solution* (New York, 1953), p. 512.

106. "Ein grosser Hehler des Nazi-Regimes entlastet," *Aufbau* (New York), August 26, 1949, p. 5.

107. "Himmler's Stellvertreter tödlich verunglückt," *ibid.*, December 11, 1953, p. 4.

108. Taylor, *Final Report*, p. 78.

109. "Sie gehen mit fleckenlosem Kleid," *Aufbau* (New York), July 1, 1949, p. 4. The above-cited cases were all decided in the British zone.

the slightest proportions. The former Jewish expert of the Foreign Office, Legationsrat Rademacher, was sentenced to three years and five months; after his conviction, he skipped bail and disappeared, probably to South America.¹¹⁰ Gerard Peters of DEGUSSA, whose Zyklon B had killed 1,000,000 Jews in Auschwitz, got five years. The defense succeeded in obtaining another trial, but drew a six-year sentence. Trying again in 1955 before another tribunal, Peters was declared not guilty - this time the prosecution had left its evidence at home.¹¹¹ Proceedings begun against Leibbrandt of the East Ministry and Generalkommissar Frauenfeld (Melitopol) were dropped.¹¹² Obersturmbannführer Dr. Schäfer (BdS Serbia of Semlin fame) had received twenty-one months from a denazification tribunal. Tried afterwards for his Serbian activities, he was declared to be a "basically clean and decent man," and sentenced to another six and a half years.¹¹³ Obergruppenführer von dem Bach, who had served as Higher SS and Police Leader Russia Center as well as chief of the anti-partisan units, had been a prosecution witness at Nuremberg. Escaping extradition to Russia, he was sentenced by a denazification court to ten years of house arrest.¹¹⁴ Fretting in his home

110. "Germans Jail Nazi Aide," *New York Times*, March 18, 1952, p. 4. "Neuer Haftbefehl gegen Rademacher," *Aufbau* (New York), September 26, 1952, p. 1.

111. "Gemütliches Deutschland," *ibid.*, March 30, 1951, p. 10. Kurt R. Grossmann, "Kronzeuge aus dem Grabe," *ibid.*, May 6, 1955, pp. 1-2, and Grossmann, "Der Freispruch im Blausäureprozess," *ibid.*, June 10, 1955, p. 3.

112. "Judenmörder laufen frei herum," *ibid.*, December 8, 1950, p. 3. "Haftentlassung Frauenfelds," *ibid.*, February 27, 1953, p. 3.

113. "Gestapo-Leiter der Judenvernichtung angeklagt," *ibid.*, September 19, 1952, p. 3. Home, *Return to Power*, pp. 55-56.

114. Reitlinger, *The Final Solution*, p. 505.

petrators there is no report. We know that some are in Spain and Argentina; others are in the Arab Middle East; a few have probably found refuge in Italian monasteries; many more are undoubtedly hiding at home; but most of them have simply been by-passed. By the law they had not lived. By the law they did not die.

Abetz, Otto (Ambassador in Paris): Sentenced in France to twenty years. Released, 1954. Burned to death in auto collision, 1958.

Altstötter, Josef (Justice Ministry): Sentenced by U.S. military tribunal to five years for membership in criminal organization.

Ambros, Otto (I. G. Farben): Sentenced by U.S. military tribunal to eight years. Aufsichtsrat, Bergwerksgesellschaft Hibernia; Aufsichtsrat, Süddeutsche Kalkstickstoffwerke; Aufsichtsrat, Grünzweig und Hartmann, 1955.

Antonescu, Ion (Marshal): Executed in Roumania, 1946.

Antonescu, Mihai: Executed in Roumania, 1946.

Artukovic, Andrija (Croat Interior Minister): Entered U.S. as "visitor" in July, 1948. Deportation proceedings before federal district court in Los Angeles failed, 1959.

Bach, Erich von dem (Higher SS and Police Leader Russia Center, and Chief of Anti-Partisan Units): Sentenced by denazification court to ten years of house arrest. Denounced himself for mass murder, 1952. Sentenced by German court in Nuremberg to three and one-half years for participation in 1934 purge, February, 1961.

Backe, Herbert (Acting Food Minister): Suicide, 1947.

Baer, Richard (Commander of Auschwitz I): Arrested near Hamburg in

December, 1960, after the posting of a reward for his capture.

Baier, Hans (WVHA): Sentenced by U.S. military tribunal to ten years.

Baky, Laszlo (Hungarian Interior Ministry): Executed in Hungary, 1946.

Bardossy, Laszlo (Hungarian Prime Minister): Executed in Hungary, 1946.

Bargen, Werner von (Foreign Office Representative in Belgium): Minister for Special Purposes in new Foreign Office, March, 1952. Declared by Bundestag committee as unfit for service because of past activities, July, 1952. Federal Ambassador to Iraq, November, 1960.

Beckerle, Adolf Heinz (Police President of Frankfurt and German Minister to Bulgaria): Arrested in West Germany upon apprehension of Eichmann by Israel, 1960.

Bene, Otto (Foreign Office Representative in Holland): Reported in new Foreign Office, 1952.

Berger, Gottlob (SS-Main Office): Sentenced by U.S. military tribunal to twenty-five years. Sentence reduced by Clemency Board to ten years.

Best, Werner (Plenipotentiary in Denmark): Condemned to death in Denmark. Sentence commuted to five years. Released, 1951.

Biberstein, Ernst (Einsatzgruppe C): Condemned to death by U.S. military tribunal. Sentence commuted to life by Clemency Board.

Biebow, Hans (Lodz ghetto administration): Condemned to death in Poland and executed, 1947.

Blankenberg, Werner (Führer Chancellery): Missing.

Blobel, Paul (Einsatzgruppe C): Condemned to death by U.S. military tribunal and executed, 1951.

Blome, Kurt (Party Main Office Health): Acquitted by U.S. military tribunal.

Blume, Walter (Einsatzgruppe B): Condemned to death by U.S. military

tribunal. Sentence commuted to life by Clemency Board.

Bobermin, Hans (WVHA): Sentenced by U.S. military tribunal to twenty years. Sentence reduced by the tribunal to fifteen years. Freed by Clemency Board, 1951.

Bock, Fedor von (Commander, Army Group Center): Retired, 1942. Reported killed in air raid, 1945.

Böhme, Franz (Military Commander, Serbia): Committed suicide after indictment by U.S. prosecution in Nuremberg.

Bormann, Martin (Party Chancellery): Believed killed in Battle of Berlin, 1945.

Böttcher (SS and Police Leader, Radom): Extradited from British zone in Germany to Poland, 1947. Subsequently hanged.

Bouhler, Philipp (Führer Chancellery): Suicide, 1945.

Bousquet, René (Secretary General of Police, France): Secretary General of the Bank of Indo-China, Paris, 1952.

Bracht, Fritz (Gauleiter, Upper Silesia): Missing.

Brack, Viktor (Führer Chancellery): Condemned to death by U.S. military tribunal and executed, 1948.

Brandt, Karl (Plenipotentiary for Health): Condemned to death by U.S. military tribunal and executed, 1948.

Brandt, Rudolf (Secretary of Heinrich Himmler): Condemned to death by U.S. military tribunal and executed, 1948.

Brauchitsch, Walter von (Commander-in-chief of the army): Died in British army hospital waiting for trial, 1948.

Braune, Werner (Einsatzgruppe D): Condemned to death by U.S. military tribunal and executed, 1951.

Bräutigam, Otto (East Ministry): Foreign Office, 1956.

Brizgys, Vincent (Auxiliary Bishop of Kaunas): In the United States.

Brunner, Alois [?] (SS deportation

expert in Vienna, Salonika, France, and Slovakia): Missing.

Buhler, Joseph (Generalgouvernement): Condemned to death in Poland and executed, 1948.

Bütefisch, Heinrich (I. G. Farben): Sentenced by U.S. military tribunal to six years. Aufsichtsrat, Deutsche Gasolin A. G., Berlin; Aufsichtsrat, Feldmühle, Papier- und Zellstoffwerke, Düsseldorf; Director, Technical Committee of Experts, International Convention of Nitrogen Industry, 1955.

Calotescu, Corneliu (Governor, Bukovina): Condemned to death in Roumania. Indefinite stay granted by King Mihai upon petition from Prime Minister Groza and Justice Minister Patrascu.

Catlos, Josef (Slovak War Minister): Deserted to insurgent territory, 1944. Reported "liquidated" by Soviets.

Clauberg, Carl (Medical experimenter, Auschwitz): Released by Soviets, 1955. Died of apoplexy while waiting for trial in Kiel, 1957.

Daluege, Kurt (ORPO and Protektorat): Executed in Czechoslovakia, 1946.

Dannecker, Theodor (SS deportation expert, France and Bulgaria): Missing.

Dirlewanger (Dirlewanger Brigade): Reported in Cairo, 1952.

Dollmann (SS and Police, Rome): Arrested in Lugano, Switzerland, and deported to unspecified country, 1952.

Dorpmüller, Julius (Transport Minister): Retained by occupation forces. Died, July, 1945.

Dürfeld, Walter (I. G. Auschwitz): Sentenced by U.S. military tribunal to eight years. Vorstand, Scholven-Chemie A. G. Gelsenkirchen, 1955.

Eichmann, Adolf (RSHA): Escaped, unrecognized, from internment camp in American zone, 1946. Apprehended by Israel agents in Argentina and flown to Israel for trial, May, 1960.

Eitenschmalz, Franz (WVHA): Condemned to death by U.S. military tri-

Kluge, Guenther von (Commander of Army Group Center): Suicide, 1944.

Knochen, Helmut (BdS France): Condemned to death in France, 1954. Sentence commuted to life, 1958.

Koch, Erich (*Reichskommissar* Ukraine): Seized by British, 1949. Extradited to Poland, 1950. Brought to trial in 1958 and condemned to death in 1959. Execution postponed indefinitely because of continuing illness.

Koppe, Wilhelm (Higher SS and Police Leader, Wartheland and *Generalgouvernement*): Reported under arrest in Bonn, 1961.

Körner, Paul (Office of Four-Year Plan): Sentenced by U.S. military tribunal to fifteen years. Sentence reduced by Clemency Board to time served, 1951.

Korschan, Heinrich Leo (Krupp Markstädt): Sentenced by U.S. military tribunal to six years. Sentence reduced by Clemency Board to time served, 1951.

Kramer, Josef (Commander of Auschwitz II and commander of Bergen-Belsen): Condemned to death by British court and executed, 1945.

Krauch, Carl (General Plenipotentiary Chemical Industry): Sentenced by U.S. military tribunal to six years.

Krebs, Friedrich (*Oberbürgermeister* of Frankfurt): Elected to City Council on the ticket of the German Party, 1952.

Kritzinger, Friedrich Wilhelm (Reich Chancellery): Died at liberty after severe illness.

Krosigk, Schwerin von (Finance Minister): Sentenced by U.S. military tribunal to ten years. Sentence reduced by Clemency Board to time served, 1951.

Krüger, Friedrich (Higher SS and Police Leader, *Generalgouvernement*): Reportedly killed in action, May, 1945.

Krumey, Hermann (*Einsatzkommando Eichmann*): Pronounced lesser

offender by denazification court, 1948. Rearrested in Waldeck near Frankfurt upon Austrian allegation of extortion against Hungarian Jews, April, 1957. Released without bail; active in right-wing politics and as drugstore owner, November, 1957. Reported under arrest again, April, 1958.

Krupp, Alfried: Sentenced by U.S. military tribunal to twelve years and deprivation of property. Sentence reduced by Clemency Board to time served and restoration of assets.

Kube, Wilhelm (*Generalkommissar*, White Russia): Assassinated, 1943.

Küchler, Georg von (Commander of Eighteenth Army and commander of Army Group North): Sentenced by U.S. military tribunal to twenty years. Sentence reduced by Clemency Board to twelve years because of defendant's age.

Kuntze, Walter (Commander-in-chief, Southeast): Sentenced by U.S. military tribunal to life.

Kvaternik, Eugen (Croat Interior Ministry): Reported in Argentina, 1950.

Kvaternik, Slavko (Croat Defense Minister): Executed in Yugoslavia, 1946.

Lages, Willy (Security Police and SD, Amsterdam): Condemned to death in Holland, 1949. Sentence commuted to life, 1952.

Lammers, Hans Heinrich (Reich Chancellery): Sentenced by U.S. military tribunal to twenty years. Sentence reduced by Clemency Board to ten years. Released, 1952.

Landfried, Friedrich (Economy Ministry): Released from custody because of mental condition. Pensioned. Died, 1953.

Lange, Otto (KdS, Latvia): Reported in leading position, East German police forces, 1950.

Lanz, Hubert (XXII Corps, Greece and Hungary): Sentenced by U.S. military tribunal to twelve years, but not for anti-Jewish acts. Sentence re-

duced by Clemency Board to time served, 1951.

Laval, Pierre (Premier of France): Executed in France, 1945.

Leeb, Wilhelm von (Commander, Army Group North): Sentenced by U.S. military tribunal to three years, but not for anti-Jewish acts.

Leibbrandt, Georg (East Ministry): Proceedings before German court in Nuremberg discontinued, 1950.

Liebehenschel, Arthur (Commander of Auschwitz): Condemned to death in Poland and executed, 1948.

Lindow, Kurt (RSHA): Arrested by German authorities, 1950, but apparently not brought to trial.

List, Wilhelm (Wehrmacht commander, Southeast): Sentenced by U.S. military tribunal to life. Released on medical parole, 1951.

Löhr, Alexander (Army Group E, Southeast): Executed in Yugoslavia, 1945.

Lohse, Hinrich (Reichskommissar, Ostland): Sentenced by denazification court to ten years. Released because of ill health, 1951.

Lorenz, Werner (VOMI): Sentenced by U.S. military tribunal to twenty years. Sentence reduced by Clemency Board to fifteen years.

Lorkovic (Croat Foreign Minister): Purged and executed by Croat government, 1944.

Lörner, Georg (WVHA): Condemned to death by U.S. military tribunal. Sentence commuted by the tribunal to life, further reduced by Clemency Board to fifteen years. Upon release, acquitted by Bavarian denazification court, 1954.

Lörner, Hans (WVHA): Sentenced by U.S. military tribunal to ten years. Sentence reduced by Clemency Board to time served, 1951.

Lösener, Bernard (Interior Ministry): Prosecution witness, released 1949.

Löser, Ewald (Krupp): Sentenced by U.S. military tribunal to seven years.

Sentence reduced by Clemency Board to time served, 1951.

Ludin, Hans Elard (Minister to Slovakia): Condemned to death in Czechoslovakia, 1948.

Luther, Martin (Foreign Office): Purged. Died in concentration camp.

Mach, Sano (Slovak Interior Minister): Sentenced in Czechoslovakia to thirty years.

Mackensen, Eberhard von (Commander in Rome): Condemned to death by British court. Released, 1952.

Manstein, Erich von (Commander, Eleventh Army): Sentenced by British court to eighteen years. Sentence reduced to twelve years. Released, 1952. Informal consultant to West German Defense Ministry during subsequent years.

Mengele, Josef (Camp doctor, Auschwitz): West German requests for extradition from Argentina, 1959 and 1960, without success. Subsequently reported hiding in Brazil and Argentina.

Merten, Max (Chief of military administration, Salonika): Active as attorney after the war. Returned to Greece as representative of travel bureau. Arrested there and sentenced to twenty-five years, 1959. Released before conclusion of indemnification agreement between West Germany and Greece during the same year.

Meyer, Alfred (East Ministry): Suicide, 1945.

Milch, Eberhard (Air Force and Jägerstab): Sentenced by U.S. military tribunal to life. Sentence reduced by Clemency Board to fifteen years.

Mrugowsky, Joachim (Chief, Hygienic Institute, SS): Condemned to death by U.S. military tribunal and executed, 1948.

Müller, Erich (Krupp Artillery Construction): Sentenced by U.S. military tribunal to twelve years. Sentence reduced by Clemency Board to time served, 1951.

Müller, Heinrich (RSHA): Missing.

Mummenthey, Karl (WVHA): Sentenced by U.S. military tribunal to life. Sentence reduced by Clemency Board to twenty years.

Naumann, Erich (Commander of *Einsatzgruppe B*): Condemned to death by U.S. military tribunal and executed, 1951.

Nebe, Artur (RSHA): Reported purged and executed, 1944-45.

Nedic, Milan (Chief of Serb government): Suicide.

Neubacher, Hermann (Mayor of Vienna and Economic Plenipotentiary, Southeast): Sentenced in Yugoslavia to twenty years of hard labor; amnestied after seven years. With Austrian Airlines, 1958. Died, 1960.

Neurath, Constantin von (Foreign Minister and *Reichsprotektor*): Sentenced by International Military Tribunal to fifteen years. Released, 1954.

Nosske, Gustav (*Einsatzgruppe D*): Sentenced by U.S. military tribunal to life. Sentence reduced by Clemency Board to ten years.

Novak, Franz (RSHA): Arrested in Vienna, January, 1961, within hours after broadcast of DM 10,000 reward offered by State Prosecutor in Frankfurt.

Oberg, Karl Albrecht (SS and Police Leader, Galicia, and Higher SS and Police Leader, France): Condemned to death in France, 1954. Sentence commuted to life, 1958.

Ohlendorf, Otto (Commander of *Einsatzgruppe D*): Condemned to death by U.S. military tribunal and executed, 1951.

Ott, Adolf (*Einsatzgruppe B*): Condemned to death by U.S. military tribunal. Sentence commuted to life by Clemency Board.

Panzinger, Friedrich (RSHA): Released from Soviet captivity, 1955. Collapsed and died in Munich apartment upon arrest by German police, 1959.

Pavelic, Ante (Chief of Croat state):

In Argentina until 1957. Died in Madrid, 1959.

Pemsel, Max Joseph (Chief of staff to commanding general in Serbia): Commander, Military District IV, West German Army, during middle 1950's.

Pfannenstiel (Professor, Marburg an der Lahn): Investigation begun by German authorities in Marburg, 1950. Apparently no trial.

Pleiger, Paul (Hermann Göring Works): Sentenced by U.S. military tribunal to fifteen years. Sentence reduced by Clemency Board to nine years.

Pohl, Oswald (WVHA): Condemned to death by U.S. military tribunal and executed, 1951.

Pokorny, Adolf (Author of sterilization plan): Acquitted by U.S. military tribunal.

Pook, Hermann (WVHA): Sentenced by U.S. military tribunal to five years. Sentence reduced by Clemency Board to time served, 1951.

Pradel, Johannes (RSHA): Police officer in Hannover. Arrested there, January, 1961.

Prützmann, Hans (Higher SS and police leader, Ukraine): Suicide, 1945.

Puhl, Emil (Reichsbank): Sentenced by U.S. military tribunal to five years.

Rademacher, Karl (Foreign Office): Arrested by German authorities, 1949. With REEMTSA cigarette concern, 1950. Sentenced by German court to three years, March, 1952. Skipped bail, August, 1952. Believed in South America, September, 1952. Reported by *Bundestag* Deputy Arndt to be in Egypt, 1959.

Radetzky, Waldemar von (*Einsatzgruppe B*): Sentenced by U.S. military tribunal to twenty years. Sentence reduced by Clemency Board to time served, 1951.

Rahn, Rudolf (On Foreign Office mission in France, Foreign Office Rep-

years by removing conviction for aggression. Released, 1950.

Steimle, Eugen (Einsatzgruppe B): Condemned to death by U.S. military tribunal. Sentence commuted by Clemency Board to twenty years.

Steinbrinck, Otto (Mitteldeutsche Stahlwerke): Sentenced by U.S. military tribunal to five years, but not for anti-Jewish acts.

Strauch, Eduard (Einsatzgruppe A): Condemned to death by U.S. military tribunal. Extradited to Belgium and condemned to death again. Execution stayed because of defendant's insanity.

Strauss, Adolf (Commander, Ninth Army, Army Group Center): Held in British zone for trial, 1948. Pronounced too ill to be tried, 1949.

Streicher, Julius (Publisher, Der Stürmer): Sentenced to death by International Military Tribunal and hanged, 1946.

Stroop, Jürgen (SS and Police Leader, Warsaw): Condemned to death in Poland and executed, 1951.

Stuckart, Wilhelm (Interior Ministry): Sentenced by U.S. military tribunal to time served because of ill health. Fined 500 marks by denazification court. Killed in automobile accident, 1953.

Stülpnagel, Heinrich von (Commander, Seventeenth Army, and military commander, France): Purged and executed, 1944.

Stülpnagel, Otto von (Military commander, France): Committed suicide in French prison, 1948.

Szalasi, Ferenc (Hungarian Chief of State): Executed in Hungary, 1946.

Sztojay, Döme (Hungarian Prime Minister): Executed in Hungary, 1946.

Taubert, Eberhard (Propaganda Ministry): Volksbund für Frieden und Freiheit, 1955.

Ter Meer, Fritz (I. G. Farben): Sentenced by U.S. military tribunal to seven years. Released, 1950. Deputy Chairman, T. G. Goldschmidt A. G.,

Essen; Aufsichtsrat, Bankverein Westdeutschland A. G., Düsseldorf; Aufsichtsrat, Düsseldorfer Waggonfabrik, 1955.

Thadden, Eberhard von (Foreign Office): Indicted before German court in Nuremberg, 1948. Escaped to Cologne, where state attorney refused extradition, 1949 and 1950. Still in Cologne, 1953.

Thierack, Otto (Justice Minister): Suicide, 1948.

Thomas, Georg (OKW/Wi Rü): Purged and incarcerated in Buchenwald. "Liberated" there by Allies, 1945.

Thomas, Max (BdS Ukraine): Believed killed in action, 1944.

Tiso, Jozef (President of Slovakia): Shielded by Cardinal Faulhaber in Bavarian monastery, May, 1945. Caught by Americans and extradited to Czechoslovakia, November, 1945. Executed there, 1947.

Tscheutscher, Erwin (WVHA): Sentenced by U.S. military tribunal to ten years. Sentence reduced by Clemency Board to time served, 1951.

Tuka, Vojtech (Slovak Prime Minister): Condemned to death in Czechoslovakia, 1946.

Turner, Harald (Office of military governor, Serbia): Condemned to death in Yugoslavia, 1947.

Vallat, Xavier (Anti-Jewish commissioner, France): Sentenced in France to ten years. Released by Justice Minister Rene Mayer, 1950.

Veesenmayer, Edmund (Minister to Hungary): Sentenced by U.S. military tribunal to twenty years. Sentence reduced by Clemency Board to ten years.

Volk, Leo (WVHA): Sentenced by U.S. military tribunal to ten years. Sentence reduced by Clemency Board to eight years.

Wächter, Otto (Gouverneur of Galicia): Died in Rome Monastery Maria dell' Anima under protection of Bishop Alois Hudal, 1949.

Wagner, Eduard (Generalquartiermeister of the Army): Purged and executed, 1945.

Wagner, Horst (Foreign Office): Arrested ordered by German authorities in 1949. Fled to Spain and then to Italy. Extradition proceedings in Italy commenced in 1953 and failed. Subsequently went back to Germany. Arrested after making application for pension, and released upon 80,000-mark bail, April, 1960.

Wagner, Robert (Reichsstatthalter of Baden and Chief of Civil Administration in Alsace): Executed in France, 1946.

Warlimont, Walter (OKW): Sentenced by U.S. military tribunal to life. Sentence reduced by Clemency Board to eighteen years.

Weichs, Maximilian von (Commander, Second Army, Army Group Center, and commander-in-chief, Southeast): Indicted before U.S. military tribunal. Too ill to be tried.

Weizsäcker, Ernst von (Foreign Office): Sentenced by U.S. military tribunal to seven years. Sentence reduced by the tribunal to five years by removing conviction for aggression. Released, 1950. Died, 1951.

Winkler, Max (Main Trusteeship Office East): Exonerated by denazification court, 1949.

Wisliceny, Dieter (SS deportation expert in Slovakia, Greece, and Hungary): Executed in Czechoslovakia, 1948.

Wöhler, Otto (Eleventh Army): Sentenced by U.S. military tribunal to eight years.

Wohlthat, Helmut (Office of the Four-Year Plan): Aufsichtsrat, Farbenfabriken Bayer A. G., 1951.

Wolff, Karl (Chief of Himmler's Personal Staff): Sentenced by denazification court to time served, 1949.

Wörmann, Ernst (Foreign Office): Sentenced by U.S. military tribunal to seven years. Sentence reduced by the tribunal to five years by removing conviction for aggression.

Wüster, Karl (I. G. Farben): Acquitted by U.S. military tribunal. Chairman, Badische Anilin and Soda-fabrik, Ludwigshafen, 1951.

Zirpins, Walter (Criminal Police, Lodz): Polizeidirektor in Hannover. Arrested there, November, 1960.

2 / RESCUE

The most effective rescue is that which is undertaken before the danger point has been reached. In the Jewish case this meant emigration before the outbreak of war. However, the prewar migration was limited by two decisive factors. The first of these was the inability of the European Jews to foresee the future. The second was the limitation upon reception facilities for prospective emigrants. Most of the world's surface offered no economic base for a new productive life, and the two countries which historically had been the most feasible goals of Jewish emigration, the United States and Palestine, were saddled with entry restrictions.¹

In the United States the maximum number of immigrants to be admitted in one year was fixed in accordance with the following formula:

Yearly quota of admissible persons
born in a given country

150,000

Population of U.S. in
1920 whose "national
origin" was traced to
such country

Total population of
European descent in
U.S. in 1920

- Bachmann, Hans, 634
 Bach-Zelewsky, Erich von dem, 193, 208n, 215-16, 218, 219, 251, 254n, 552, 646, 662, 665, 688, 702, 704
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 Baia-Mare, 537
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 Bergmann (Foreign Office), 351, 414n, 415n, 425n, 448n, 449n, 518n, 524n
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