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Inside...

NAZI GOLD

RECOVERED ART

INSURANCE CLAIMS

DORMANT ACCOUNTS

The legacy of the
 Holocaust is changing.

In this issue, we explore
 the emerging questions of
 policy and memory, and
 how we should begin
 answering them.

From All of Us to
 All of You:
 May your Hanukkah
 be bright!

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Sh'ma

A JOURNAL OF JEWISH RESPONSIBILITY

Justice, justice ■ Marilyn Henry

Struggling alone for more than a half-century after World War II, untold thousands of Jews—survivors and their heirs—tried to recover the assets that had been spirited to Switzerland for safekeeping during the Nazi rampage of Europe. They were rebuffed by Swiss bankers, who were merciless in their precise demands for often-impossible proofs and documents.

Two years ago, unlocking the vaults and recovering these accounts suddenly became a sacred mission for Jewish organizations. The once-futile individual claims for dormant Holocaust-era assets in Swiss banks were transformed into something of a collective Jewish cause.

Unleashing The Demons

There is much speculation about why this is so—and much of the conjecture is unkind. The initial reasons have become irrelevant. What remains crucial, though, are the effects.

Since the Swiss imbroglia resurrected the concern with Jewish material losses in Europe, the Jewish community has been forced to grapple simultaneously with intertwined issues: its notion of “justice,” its idea of heroes and villains, and its image of survivors.

These are questions that will continue to confront the Jewish community. It was

easy to open the Pandora’s box. Closing it is another matter.

The sudden focus on Jewish losses did not remain confined to unrecovered assets in Swiss banks. In the effort to document these losses, Jewish organizations turned to American archives, many of which had been available—but generally ignored—for some 20 years. The archives revealed multiple layers of war-era history. As each layer was peeled away, a new demon was exposed, until the matter burgeoned into a broader review of what has come to be generally known as “Nazi gold.”

Accounting For The Nazi Gold

This sterile shorthand refers to Germany’s looting of Europe, usually referring to the gold reserves of the European central banks; the Reich’s use of the loot to trade with the neutrals and sustain the war; and the Allies’ efforts to recover and restore the plunder.

In the end, said Stuart Eizenstat, the US State Department official overseeing the American historical review of the Holocaust era, the “Nazi gold” issue shows that Holocaust victims also were victimized by “the sad combination of indifference on the part of neutrals and inaction on the part of the Allies.”

The curious thing, though, is that despite the avalanche of evidence identify-

ing numerous rogues, the Jewish community has been myopic, selectively pursuing "justice" from the only easy target, Switzerland.

The Jewish community's reaction to the earliest historical report on "Nazi gold," which came from the British Foreign Office in September 1996, highlighted the shortcomings of the communal response. The community pounced on the report's statement that Switzerland turned over to the Allies only a small part of the Nazi gold it had bought during World War II—even though the British figures were highly suspect because of an egregious error in currency calculations. The community disregarded the fact that the report minimized how Britain obstructed the Allied negotiations to recover gold from the Swiss.

More important, there was scarcely a word of complaint from the Jewish community when the British report ignored entirely how Whitehall undermined post-war reparations and refugee relief because London did not want to make available funds that would be used for Jewish immigration to Palestine.

Also overlooked was that neither the United States nor Britain made any appreciable effort to restore heirless Jewish assets that were in their own banks after the war. There has been nary an organizational peep about their obligations to compensate for Jewish material losses.

What Do We Seek?

The question of obligations is a difficult one; they spring from different sources. As the creator and perpetrator of the Shoah, Germany has obvious obligations, and thus has been paying reparations for more than 45 years. What, though, are the obligations of other European states, both the occupied and the neutral? One could argue that, in some way, each profited at the expense of Nazi victims; all fell somewhere along what Deborah Dwork, director of the Center for Holocaust Study at Clark University, calls "the C continuum": a progression of compromise, collusion, complicity, collaboration.

Instead, the Jewish community pursues "justice" almost exclusively from Switzerland. Of course, the bank accounts must be restored to the survivors and heirs. Those accounts, however, have become virtually a negligible aspect of the Nazi gold issue, leaving the question: What next? What exactly does justice demand of Switzerland, or any European state?

None in the Jewish communal leadership has ever said explicitly what that is. The implication is that it is measured by money. If so, then, how much? Who decides? To whom

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is it owed and how is it paid? Who pays? Where is the line between reparations and retribution?

The presumption that this is about money is the only conclusion to be reached when Jewish organizations habitually marshal their arguments that "more must be done" by noting that survivors are poor, sick, old and dying. This is a subtle shift in the emphasis from the original claimants of dormant Swiss bank accounts to the world of survivors. And what is that world?

Tarnishing The Memories

After the war, people focused on how the Jews of Europe died. In trauma and pity, many observers failed to remember the fullness of centuries of the Jewish life in Europe that was annihilated by the Nazis, or to appreciate the heroic efforts of survivors to rebuild their families

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and communities after the Shoah. It took decades to shake the one-dimensional image of survivors, frozen in emaciated bodies at liberation.

Yet, in the two years of "Nazi gold," what a regression there has been in how we collectively view survivors, as we admonish the world that they are poor, sick and dying. That is tragically true for many, especially those in Central and Eastern Europe—the "double victims," who suffered under the Nazis, then under the communist regimes. But we do no honor to the majority of survivors in the West by portraying them collectively as *miscaynim*, hapless unfortunates, and ignoring their noble accomplishments in the last half-century.

And for those who are needy, what have we done? Despite two years of political maneuvering, virtually no survivor has seen any tangible benefit. The communal leadership had repeatedly reproached the Swiss, and by extension, the other European states, because the survivors need help. That has the effect of turning survivors into pawns, in which urgent aid is predicated on the Europeans doing the "right" thing.

Have We Done Enough?

Obligations spring from different sources. We play on European guilt and its genocide to remind it of its debts. But what of our own?

For the Jewish community, the survivors have been the substance and the shadow. One of the most depressing aspects of the last two years has been to see the agitated revival of Jewish awareness of impoverished survivors, to watch the community haul them to Congress to blink for the cameras and tell their sad stories—always pointing the finger at Europe, never at the United States—and then do virtually nothing else to help them. We've witnessed an outpouring of publicity, and self-aggrandizing organizational fund-raising campaigns, but not a ripple of material communal support for survivors.

"You shall not stand idly by your neighbor's blood," our tradition tells us (Leviticus 19:16). Where our neighbor's welfare is endangered, we must not remain indifferent. Yet our communal record in the last two years shows that we have been deaf to ample warnings and blind to our phenomenal publicity.

Even before the frenzy over dormant Swiss accounts, Eizenstat challenged the Jewish community to aid survivors while efforts to recover Jewish property in Central and Eastern Europe—the other major restitution matter—proceeded at its sluggish pace.

Restitution "may take time, time that the survivors do not have," Eizenstat said in January 1996 at a World Jewish Congress assembly in Jerusalem. "In the interim,

I would encourage international Jewish organizations to take a moral decision to use their own financial resources...to ensure that survivors can live out the balance of their lives in dignity."

We can speak eloquently of survivors' dignity, even as we ignore our tradition's commandment that it is our task to ensure it. Our tradition insists that our responsibility to help the needy prevails independently of others. We are not absolved while we wait for European and Allied offers of "justice." "Do not stand idly by." ✦

Questions of values, questions of truth

Michael Berenbaum

If one were to judge from the headlines of recent months, the story of the Holocaust is about apologies and money. It seems that before the last of the survivors leaves the earth, some amends will be made. And the subject of the Holocaust, the absoluteness of its evil, is forcing a confrontation with the national myths that comforted previous generations and obscured their true complicity. The "neutrality" of the Swiss is being re-examined, so too, the complicity of the French, the antisemitism of the Church, and the pervasiveness of German participation.

One cannot overestimate the importance of the apologies that have been forthcoming. The third generation is asking questions that their parents were too polite to ask of the perpetrators. And the Pope seems intent on taking definitive and irreversible steps to combat Christian theological antisemitism before his papacy comes to an end.

German Memories

In Germany, the debate triggered by Daniel Jonah Goldhagen's *Hitler's Willing Executioners* has pitted the third generation of Germans—Goldhagen's peers—against their parents and grandparents. That generation has not bought the line advanced by Chancellor Kohl, namely that the SS was dishonorable, but that the stain need not taint the German army nor the German people, who seemingly were Hitler's victims as well. One looks at the interpretation of the Holocaust offered in Bonn's Museum to History of the *Bundesrepublik* and sees the timidity of

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