
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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the children of the perpetrators. One observes the same phenomena in the debate over the size, content and shape of the proposed German memorial to the Holocaust in Berlin, and in the genuine reluctance of Germany, especially under the leadership of Chancellor Kohl and his generation, to build a museum to the Holocaust in Berlin. Indeed, the German memorials are, if anything, underfunded, and it is their state of disrepair that mirrors second-generation Germans' concern with the Holocaust.

Thus, no matter what one's view on Goldhagen's work, the debate generated by his book has been important in Germany—important and welcome. It should not be treated in isolation from the controversial and excellent exhibition on the *Wehrmacht* and its role in the genocide, nor from the less vocal debate triggered by *Nasty Girl*, occasioned by Anna Rosmus' discovery of the hidden history of her town.

It's About Justice And Truth

Different events have given birth to renewed national self-examination. Switzerland and France come to mind, but so too Austria, and also Poland where the bishops have set aside a Sunday in January for a nation-wide discussion of Judaism within the Roman Catholic Church. The public debate in Europe has been generational and is of considerable significance—grandchildren often remember what their parents chose to forget.

I admire the daring and the diligence of the World Jewish Congress, which made charges against Switzerland that seemed at the time overblown and exaggerated but have been vindicated by recent events. Fine research and an intuitive sense of what the Swiss had done were combined with the honor of Edgar Bronfman and the courage of him and his colleagues. The D'Amato hearings, the Eizenstat report, and the findings of the Swiss government itself have substantiated the World Jewish Congress' initial charges. Credit must also be given to the Swiss for their ineptitude at crisis management, which compounded their trouble and made their accusers seem like a model of responsibility, propriety and understatement.

Still, the considerable achievements of the World Jewish Congress and its allies are not without their problems unless the Jewish community engages in a serious discussion as to the distribution of these funds and creates a mechanism for resolving the disputes against competing claimants.

Some survivors are worried that the focus on the financial crimes will obscure, and overwhelm, the much larger crime of genocide. Would that all that was lost during the Holocaust was money. Of course, something much more significant was lost. Human lives are of

infinite value, and all the emphasis on the looting of Jewish property cannot be allowed to dilute the focus on the crime of genocide.

Thus, it is imperative that the looting be seen as a companion to the genocide. The Germans and their Allies and collaborators sought to murder the Jews, to eradicate all memory of the crime, and to profit from the proceeds. The true magnitude of their crime becomes ever more apparent as detail after detail of the financial looting becomes public. The circle of complicity grows wider and wider. We now know it encompassed national banks. We will soon learn the degree to which it enveloped the art world, including some of the world's preeminent museums, the most prominent of the art galleries, and the most distinguished of the art historians.

Antisemites may claim that Jews are interested only in money and that all the emphasis on Holocaust education is merely for the sake of fiscal gain. Therefore, we must emphasize the issues of justice and truth. We must speak of the magnitude of the crime and of those whose achievements are tainted because of their participation. The killers did not act alone. Neutrality was not neutral and the bystanders were not always bystanders, especially when it came to money.

The distribution of the funds that will be returned to the Jewish community and to the heirs of survivors pits valid Jewish interests against valid Jewish interests, justice against justice, right against right, truth against truth, values against values.

What Are The Choices?

Permit me to explain the questions that must be asked and the reasoning behind them. Should all survivors share equally—the rich and the poor, American, Israeli and European? Survivors claim that the Nazi made a *selektion* among survivors; we should not. Having suffered alike, they should all be treated equally.

Should a means test be imposed upon recipients of these funds so that the truly needy will be helped? After all, no matter how great limited funds are available, their distribution can make a real difference in the life of some survivors and no tangible difference in the life of other survivors. Let those who are needy come and partake. Why share and share alike?

Should Israeli and American survivors share in these funds, or should they be dedicated to Eastern European Jews who currently live in conditions of poverty and penury and for whom even small sums can make a real difference in the quality of their lives, and in their very ability to survive? American and Israeli survivors have had the opportunity to participate in previous programs;

such a chance was denied many European survivors who lived under communism.

Should American and Israeli institutions benefit from these funds or should they be devoted to European Jewish institutions which are less able to sustain themselves? For American and Israeli institutions, these funds are a blessing. For some European institutions, they are a necessity.

If there are to be institutional beneficiaries, should they go to the cause of Holocaust remembrance and memorialization, or toward the purpose of Jewish education? Should they aid the survivors directly or be put at the disposal of the larger Jewish community to be decided by a process of establishing communal priorities? These funds are from the Holocaust. Should they not be spent to memorialize the victims or, alternatively, to preserve the values that were an integral part of the victims' lives?

This Must Not Divide Us

Each claimant can offer persuasive arguments as to why his position should prevail. Each has *bona fide*, value-laden arguments. Each has truths to bring to her side. Each can marshal political pressures within Jewish institutional life. A mechanism must be established that can allow for the appropriate resolution of conflicting legitimate demands lest the war of the Jews—the battle for tangible resources—overshadow the larger achievements of the cause.

While we can unambivalently welcome the re-examination of national myths that is currently taking place, the battle for the return of Jewish assets, communal and individual, may be a mixed blessing unless we address serious issues and establish an appropriate mechanism to adjudicate legitimate claims. †

A proposal for the distribution of re-claimed european jewish assets

Gilbert N. Kahn

Fifty years after the greatest human atrocity ever committed, Jews throughout the world stand to become the beneficiaries of funds and resources which were stolen, confiscated, or removed from them by their murderers or their accomplices. The Nazi gold, the Swiss Bank accounts, the French art disclosures, the British Treasury

trusts, the Italian insurance indemnities, and even the Palestine bank accounts, among others, represent only part of what are assumed to be hundreds of millions of dollars worth of Jewish assets and accounts that disappeared, beginning in 1933. In addition, Jewish property claims—private and communal—now sit ready to be reclaimed. Finally, compensation and/or restitution for suffering, etc., may be forthcoming as well.

Claims Conference

Despite a history of working with restitution claims against Germany, the Jewish community is unprepared to handle the monumental task about to be thrust upon it. Given the times and the unprecedented, Herculean task they faced, the Conference on Jewish Material Claims Against Germany (Claims Conference) created a reasonably effective operation for processing the enormous number of German-Jewish claims. Yet, whatever good experiences the Claims Conference had in dealing with issues of restitution, today's challenge is significantly greater in size, scope, and urgency.

Setting Policy

Probably the most painful question that must be asked is whether indeed all survivors are and ought to be treated equally in terms of their rights to assets. The case could be made, in 1997, that one can seriously question whether all survivors should automatically be the recipients of funds and assets—especially of communal assets—even when they can make a legitimate, legal, claim. This question is even more appropriate when it is posed concerning the rights of heirs. Specifically, how should heirs be treated, up to what degree, and what are their ethical rights of inheritance?

With declining philanthropic resources and a dramatic decline in governmental funds throughout the world for the indigent, hungry, elderly, infirm and needy, it could be argued that Jews ought to be giving priority in the dispersal of whatever windfall they obtain, to the care of needy Jews; first and foremost to needy survivors.

It could also be argued that Jewish education represents the only true possible hope of preventing young Jews from totally assimilating and giving Hitler a post-Holocaust victory. Therefore, any resources that the Jewish community obtains should be designated—immediately—to create and establish an entire array of Jewish educational institutions.

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