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# Central Europe

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## WEST GERMANY

THE PERIOD under review (July 1, 1954, through June 30, 1955) opened under the shadow of the rebuff administered by the French National Assembly and the Brussels Conference (*see* AMERICAN JEWISH YEAR BOOK, [Vol. 55], p. 354), to the European Defense Community (EDC), upon which the government of Chancellor Konrad Adenauer had for years predicated its plans and policies. Throughout 1954 the Federal Republic of Germany was still subject to the 1949 occupation statute. In theory, supreme power remained with the Allied High Commission.

### *Sovereignty of West Germany*

The unsuccessful Brussels Conference was followed, however, by the London Nine-Power Conference that met from September 28 to October 3, 1954, and resulted in the announcement by France, Great Britain, and the United States of their resolve to bring the occupation regime in Germany to an end.

Conferences from October 19 through 23, 1954, led to the Paris Accords between the three Western Allies and West Germany. These provided for the termination of the occupation regime, the future relations among the signatories, the status of North Atlantic Treaty Organization (NATO) troops stationed in Germany, the Federal Republic's financial defense contribution, and the status of West Berlin. (Berlin was not part of the Federal Republic and the Allies retained a degree of "occupation" authority there, although pledged to exercise it as little as possible.)

France and West Germany concluded certain bilateral agreements. A Saar Statute subject to ratification by the Saar's voters gave that territory a "European" status under the "West European Union" and a commissioner appointed by it. The two powers also agreed on increased economic and cultural cooperation.

Meanwhile, the five signatories of the 1948 Brussels Pact also met in Paris, together with Canada and the United States, to accept Italy and the West German Federal Republic as additional signatories. They struck from the pact's preamble the statement that they had banded together "to take all measures deemed necessary in case of a resumption of German aggressive policy," and added a provision for the inclusion of a rearmed Germany in the projected West European Union.

At the same time, the fourteen signatories of NATO also assembled in Paris to invite the German Federal Republic to join the North Atlantic Pact with full membership rights, whereas under EDC these rights would have been somewhat curtailed.

These various agreements made West Germany to all intents and purposes sovereign. The Allied High Commission and the Military Security Board were dissolved in short order. The Federal Republic assumed certain obligations in the Paris Accords, including some in respect to indemnification and restitution to Nazi victims, and pledged itself not to produce atomic, biological, or certain chemical weapons. From a constitutional point of view, however, these were voluntary undertakings. They were largely identical with the 1952 "contractual agreements," which had never entered into force, but some sections were modified to give West Germany more leeway, for instance with respect to decartelization.

The three Western powers gave up the right, which Bonn had still recognized in 1952, to declare a "state of emergency" if "the liberal democratic basic order" should be subverted, the Federal Republic or Berlin be attacked, a serious disturbance of public order should occur, or if there should be a grave threat of any of these events occurring.

In February 1955, the Bundestag approved the Paris Accords, the adherence to the Brussels Pact and to NATO by a majority of more than two-thirds. The following month they were signed by Federal President Theodor Heuss in spite of Social Democratic protests. After ratification by Great Britain, France, and the United States, the Paris Accords entered into effect on May 5, 1955.

On that date the Allied High Commission dissolved itself and abolished the Occupation Statute. On May 11 the Federal Republic joined the NATO Council as a full-fledged member.

### *Rearmament of West Germany*

No West German soldiers were yet under arms in the fall of 1955, but the first German officers were at Supreme Headquarters, Allied Powers, Europe (SHAPE) headquarters in Paris, and a Volunteers Bill was adopted by the Bonn parliament in July 1955. This bill created a legal framework for recruiting up to 6,000 volunteer officers, noncommissioned officers, and enlisted men as initial cadres to serve in defense ministry planning positions and in NATO headquarters. Defense Minister Theodor Blank stated in June 1955 that the future army would consist of twelve divisions totaling 370,000 men. The air force was to comprise 70,000 airmen and 1,326 first-line airplanes. The bulk of the manpower would be provided by conscription. Draftees would undergo eighteen months of service on reaching the age of twenty. Conscientious objectors would be exempted.

A civilian personnel board, with a number of Nazi victims and other reliable democrats among its thirty-eight members, had to approve the appointments of officers from colonel up. Other efforts, too, were being made to keep the armed forces subordinate to civilian control and to assure "citizen soldiers" their human dignity and civic rights.

### *German-Arab Relations*

Arab boycott threats because of German reparations deliveries to Israel were somewhat muted during 1954-55. Indeed, German exports to the Arab states increased by one-half from 1952 to 1954.

*The Bulletin*, official mouthpiece of the Federal Republic, began to appear in an Arabic edition in 1955. There were other indications that the Bonn government was following Arab affairs with close interest. In September 1955 it issued an official statement deploring the clashes between Egypt and Israel in the Gaza area.

In October 1954 Bonn State Secretary Georg Ripken visited Saudi Arabia and secured the release of four German businessmen and technicians who had been held incommunicado for several months in the backwash of a palace intrigue.

In 1955 a full-time Arab propaganda agency was set up in Frankfurt under a former press attaché of the Egyptian consulate there, K. D. Galal. It issued an expensive German language news service on Arab affairs, *Misr Press*. Interspersed with authentic news reports from the Arab countries, particularly on economic affairs and public works bids of interest to German industry, it carried such items as that the S.S. *Olga*, a German freighter, had been placed on the Egyptian blacklist for having entered "several Israel harbors," with the obvious intent of intimidating other German ship owners.

### *Economic Situation*

The West German economy continued to expand and flourish. In 1954 the gross national product increased more than 7 per cent over 1953. It had already increased 16 per cent in 1950, 14 per cent in 1951 and 6 per cent in 1952.

The index of industrial production, taking 1936 as 100, jumped from 113 in 1950 and 157 in 1953 to 176 in 1954; by mid-1955, it stood at more than double the 1949 index of 90.

The value of exports from the Federal Republic and West Berlin grew from \$4,400,000,000 in 1953 to \$5,200,000,000 in 1954, an increase of 19 per cent by value and 24 per cent by volume. Imports rose even more sharply, but still totaled only \$4,600,000,000 in 1954, making for a very favorable trade balance. Taking 1950 as 100, the export index had reached 264, the import index 170. In 1949, imports exceeded exports by \$1,100,000,000 and in 1950 by \$723,000,000. In 1953, the export surplus had been \$612,000,000; in 1954 it rose to \$663,000,000.

The Deutsche Mark had become a strong currency. The gold reserves of West Germany, which were nonexistent on June 30, 1951, reached \$209,000,000 two years later, and were \$758,000,000 on June 30, 1955. Dollar reserves jumped from \$326,000,000 in 1951 and \$849,000,000 in 1953 to more than \$1,300,000,000 in 1955. From the end of 1953 to the end of 1954, the combined gold and dollar reserves were boosted from \$1,166,000,000 to \$2,000,000,000. Other foreign-currency reserves, of which there were none in 1951, now totaled \$650,000,000.

Individual savings increased from \$1,450,000,000 in 1953 to \$1,700,000,000 in 1954. The 1954 Federal budget showed a \$333,000,000 surplus.

In September 1955 the number of unemployed in West Germany dropped below half a million, the lowest level since the 1948 currency reform and about half the figure of early 1954. In West Berlin, however, the situation of the city, surrounded by the Soviet Zone, resulted in an unemployment rate of 18.6 per cent at the end of 1954. Average hourly gross earnings were about DM 1.70 (\$.43) and average weekly gross earnings DM 80 (\$19.05) in West Germany.

West Germany's boom had reached the point where the economy was feeling the "dislocation of prosperity," and where economists warned against "overheating" it. The German central bank raised the discount rate and minimum reserve requirements in August 1955, so as to prevent the current expansion from getting out of hand. Finance Minister Fritz Schaeffer, who had for years advocated the diversion of funds into industrial investment, now stated that "industry and business invest too much" and pondered measures to counter the trend. Minister of Economics Ludwig Erhard proposed to reduce import restrictions, so as to permit cheaper foreign goods to force prices down.

West Germany's favorable foreign exchange position also benefited restitution and indemnification claimants and Jews whose funds had been "frozen" in Germany. In September 1954 Germany abolished the twenty-three-year-old institution of the blocked mark. Blocked accounts could now be transferred to countries outside the dollar area, with which West Germany maintained transfer arrangements, regardless of the amount involved, without special permission. For residents of the dollar area, mainly the United States and Canada, direct transfer was still restricted to pension payments, etc., or to certain prescribed amounts per month. However, blocked accounts, or capital assets accruing in the future, could either be turned into a "liberalized capital account" or into a "Deutsche Mark account with limited convertibility." These could be used for investment in Germany, or could be sold to a non-German resident outside the dollar area, and in that roundabout way transferred to the dollar area.

The transfer of compensation and restitution payments was also liberalized (*see* p. 392). Furthermore, practically all financial restrictions on Germans traveling abroad were lifted in the course of 1955.

### *Domestic Politics*

In July 1955, Theodor Heuss, a proven friend of the Jewish people, was reelected to the Presidency of West Germany by an overwhelming majority of the Federal Assembly, an *ad hoc* body composed of the members of the Bundestag and an equal number of delegates from the parliaments of West Germany's constituent states.

Several state elections held during the year brought no fundamental change in the political pattern. In the Lower Saxony elections of April 1955, the neo-Nazi German Reich Party polled 3.8 per cent of the total vote, compared to 2.2 per cent in 1951. It won 127,000 votes and six parliamentary seats, as

against two seats in the outgoing Landtag. The very right-wing German Party inherited many of the supporters of the dissolved Socialist Reich Party, and increased its share of the vote to 12.4 per cent and its representation to twenty seats. The Free Democratic Party, infiltrated in Lower Saxony by former Hitler Youth leaders and similar elements, obtained 7.9 per cent of the vote and 12 of the 161 Landtag seats. This showing, while disquieting enough, was less alarming than the results of the last state elections in 1951, when the unregenerately Nazi Socialist Reich Party had captured 11 per cent of the vote.

No Jews were elected to the Lower Saxony parliament. In the Hesse Landtag election, a Jewish Social Democrat, Max Lippmann, won a seat from an incumbent Free Democrat by several thousand votes. In Rhineland-Palatinate another Jewish Social Democrat, Maxim Kuraner, was elected to the Landtag. In West Berlin, Paul Hertz, who at the request of the late Ernst Reuter gave up his American citizenship and returned to Berlin to take the finance portfolio in the municipal administration, was elected to the city parliament on the Social Democratic ticket. In the West Berlin City Government formed in December 1954, he was restored to his former post as senator, i.e., minister, for credits. An energetic young advocate of adequate indemnification for Nazi victims, Joachim Lipschitz, was appointed senator of the interior.

In Lower Saxony Walter Auerbach, the only Jew among the more than 100 cabinet ministers and state secretaries in West Germany, was removed as state secretary in the ministry of social welfare when a right-wing coalition displaced the previous Socialist-dominated cabinet. A veteran trade union official and an authority on social work as well as social insurance, he was a brother of the late Philipp Auerbach.<sup>1</sup> Walter Auerbach was succeeded by H. Deetjen who, during the Nazi era, had been in charge of "blood and soil" propaganda in the Nazi farm organization.

#### REACTION TO NAZI ATROCITIES

Memories of Nazi atrocities receded more and more into a past of which most Germans did not wish to be reminded. Many felt that German postwar suffering had "evened the balance." The Federal minister for refugees and expellees, Prof. Theodor Oberlaender (formerly a Storm Troop captain), told a mass meeting in the city of Kassel (November 1954), that "the expulsion of the German minorities from Eastern Europe counterbalances all German war crimes, so that we are now all square morally."

An almost symbolic controversy broke out in July 1955, when the governmental administrator of Dachau county, Heinrich Junker—who was also a Landtag deputy of the Christian Social Union—urged that the crematorium of the Dachau concentration camp be closed to the public "so as to forestall pernicious propaganda." The camp museum had been shut down in 1953, and in 1954 the "hangman's fir tree," on whose branches many inmates had been publicly hanged, was cut down, the official explanation being that it had been infested by bark-beetles. The Junker proposal was, however, flatly rejected by Bavarian Minister President Wilhelm Hoegner, Bavarian Finance Minister

<sup>1</sup> See AMERICAN JEWISH YEAR BOOK, 1953 [Vol. 54], p. 316-17; 1955 [Vol. 56], p. 381.

Friedrich Zietsch, and his State Secretary Josef Panholzer. But a few weeks later Bavaria's deputy minister president and minister of agriculture, Bavarian Party leader Josef Baumgartner, told a Dachau meeting that "the crematorium must go!"

One of the two scriptwriters commissioned by the Arca Film Company to prepare the screen play for a film biography of Walther Rathenau, the German foreign minister whom reactionary assassins had shot to death on a Berlin street in 1922, was Ernst von Salomon, an accomplice in Rathenau's murder.

#### MINORITY RIGHTS

Federal Minister of the Interior Gerhard Schroeder told the Bundestag in October 1954 that allegations about the unconstitutionality of "religious snooping" were unwarranted "because 97 per cent of the population in the Federal Republic are affiliated with either the Roman Catholic or the Lutheran church." Although the minister of the interior was the constitution's designated guardian, it apparently did not occur to Schroeder that constitutional safeguards were intended for religious minorities also.

Early in 1955 the Social Democratic Party, supported by a number of individual deputies from other political groups, was planning to institute suit in West Germany's Supreme Constitutional Court for an interpretation of Article 36 of the Rhineland-Palatinate state constitution, which made teaching appointments in the public elementary schools conditional upon membership in one of the Christian denominations. When questioned on this subject, Rhineland-Palatinate Minister of Education Albert Finck, a Christian Democrat, declared that Jewish parochial schools could be established, and that a way might then be found to employ Jewish teachers in such schools. This statement must be viewed in the light of the fact that there were but 494 Jews in the entire state of Rhineland-Palatinate. The number of Jewish children of school age, scattered over a dozen cities, was estimated at 30.

The rights of minorities came to the fore as a public issue in connection with the Danish minority in Schleswig-Holstein. In August 1954 the West German Constitutional Court rejected a suit introduced by the South Schleswig Voters Association, the political organization of the Danish minority, for an interpretation of the clause of the state electoral law allotting Landtag seats only to parties which polled more than 5 per cent of the total vote. This excluded the Danish minority from parliamentary representation as such, since the South Schleswig Voters Association attracted only 3.5 per cent of the total vote. Danish circles, as well as the Social Democratic Party of Germany, considered that the electoral law violated minority rights. In October 1954 the Danish Foreign Minister voiced a protest at a meeting of the NATO Council. Thereupon, negotiations between the West German and Danish governments were undertaken. They ended, in March 1955, with an exchange of declarations between Federal Chancellor Adenauer and Danish Foreign Minister Hans Christian Svane Hansen, assuring the German minority in Denmark and the Danish minority in Germany of full civic, cultural, and political rights. Under strong Bonn pressure, Schleswig-Holstein then modified its electoral law so that the Danish minority could send deputies to the Landtag, provided it

polled sufficient votes in any one constituency. The new arrangement would only become operative in the fall of 1958, however. The State Government rejected a Social Democratic proposal that meanwhile two Danish-minority delegates be admitted to the Landtag without voting rights.

#### NAZIS IN GOVERNMENT

Chancellor Adenauer declared emphatically in August 1954 that resurgent Nazism did not exist in Germany; at the same time he pledged that it would not be allowed to revive in the future. The few fanatical Hitlerites left were keeping their peace, he averred, and any attempt of theirs to form dangerous organizations would not be tolerated. The German people, concluded the chancellor, wanted no part of radicalism, either of the left or the right.

But the year saw the appointment or reappointment of a number of officials with outstanding Nazi records. Hans Adolf Asbach, an important cog in the wartime Nazi terror and murder regime in the Ukraine, and before that a time Nazi functionary, was reappointed minister of social affairs, labor, and expellees in the cabinet of Schleswig-Holstein. Renamed as Lower Saxony minister of economics, and transport was Hermann Ahrens, former Nazi state commissioner of the entire Watenstedt-Salzgitter area in 1942 (*see AMERICAN JEWISH YEAR BOOK*, 1955, [Vol. 56], p. 366). In June 1955 an aroused public opinion forced the resignation of Leonhard Schlueter as minister of education in Lower Saxony. A former neo-Nazi leader, Schlueter had been appointed minister of education in Lower Saxony in May 1955 by the new state premier Heinrich Hellwege, until recently a member of the Adenauer cabinet. Various ministers in Bonn and in the West German state capitals had been card-carrying members of the Nazi Party and officers of its affiliated organizations during the Hitler epoch, but this was the first time that a neo-Nazi leader of the post-war era had risen to a cabinet post. From 1947 on, Schlueter had been an agitator on the extreme right. British Military Government had barred him from politics in 1949. Nonetheless, he became co-founder and chairman of the German Rightist Party, predecessor of the Socialist Reich Party that was outlawed in October 1952 for seeking to revive Nazism. When the German Rightist Party failed to attract the large following he had hoped for, Schlueter in 1951 switched his affiliation to the Free Democratic Party which, throughout Lower Saxony, had been infiltrated by Nazi elements.

The publishing house he opened<sup>2</sup> brought out works by such authors as Hitler's vice chancellor Franz von Papen, and the former Nazi Minister President of Brunswick, Dietrich Klagges, who was serving a sentence of fifteen years at hard labor imposed by a German court for the extraordinary brutality with which he had caused the torture of political opponents and Jews. A pamphlet by the Gestapo leader Rudolf Diels that Schlueter printed was assailed in the Bundestag<sup>3</sup> by Heinrich von Brentano, now foreign minister, as one of the vilest and most impudent screeds to have appeared in print since the Nazi collapse.

Schlueter's appointment as minister of education gave rise to a storm of

<sup>2</sup> The Göttinger Verlaganstalt für Wissenschaft und Politik.

<sup>3</sup> In the fall of 1954.

indignation, especially in the institutions of higher learning that would have fallen under his jurisdiction. The rector and the senators of Goettingen University, the rector of the Brunswick Institute of Technology, and the rectors of the teachers' seminaries at Brunswick and at Goettingen, resigned in protest. The students at Goettingen University, and to a lesser extent at the Brunswick Institute of Technology, went out on strike. The Zentralrat der Juden in Deutschland asked its affiliated Lower Saxony State Association of Jewish Communities to refrain from cooperating with Schlueter in all matters affecting Jewish life. Many newspapers, as well as public institutions and personalities, added their protests. As a result in June 1955 Schlueter was forced to relinquish his post.

There were no grounds for initiating disciplinary proceedings against German Ambassador Werner von Barga, the Bonn government in December 1954 informed the Bundestag, which more than two years earlier had insisted that the diplomat be suspended for instigating the deportation of East European Jews from wartime Belgium, and for later lying about it under oath. Early in the war, von Barga had been a representative of the Nazi foreign office on the staff of the German military commander in Belgium. He had urged that all Jews originating in East Europe be immediately deported to the gas chambers of Poland, but that those who had been citizens of Belgium for generations be spared for the time being, so as not to cause unrest among the Belgian population. This plea had now been interpreted, by the West German attorney general for civil service disciplinary matters, as "a serious effort to prevent, delay, and restrict the deportations." As for von Barga's untruthfulness under oath while a witness in the Nuremberg war crimes trials, the attorney general by implication shrugged it aside as permissible self-defense.

The Yugoslav government early in 1955 refused to accept Heinz Truetzschler von Falkenstein as ambassador to Belgrade because of his Nazi past. In 1951 a conservative Bundestag investigating committee had recommended that von Falkenstein be neither promoted nor employed in other countries.

There were a few gratifying cases of senior officials being removed from office for exhibitions of anti-Semitism or because of their Nazi record. In October 1954 the West Berlin parliament adopted a motion of no confidence in Deputy Mayor Walter Conrad, head of the municipal health department and a leader of the right wing of the Free Democratic Party. The motion, which meant Conrad's ouster and led to his resignation in November 1954, was prompted by his action in rejecting a Jewish druggist's application for a business license, in handing the license to a Nazi druggist instead, and then in lying to the City Parliament about details of the affair. Conrad's behavior reflected his hostility to indemnification for Nazi victims, while the parliamentary vote was an expression of widespread uneasiness about the persistent "cold sabotage," by bureaucratic means, of such indemnification. Many of the Jewish druggist's customers and neighbors signed a petition on his behalf. He was eventually given his license.

In December 1954 Heinz Diestelmann was summarily dismissed as one of the five department heads of the Bonn Federal press and information office, after he had in the presence of witnesses made anti-Jewish statements to a young Jewish newspaperman.

Eberhard Taubert resigned as deputy chairman of a government-supported Bonn propaganda organization<sup>4</sup> in August 1955, after violent Jew-baiting articles he had written during the Nazi regime were again brought to public attention, and after it was revealed that he had been not only a high official in Josef Goebbels' propaganda ministry, but also a lay judge of the notorious Nazi People's Court.

### *Neo-Nazism*

Nazi ideas and Nazi leaders were active in many spheres of public life, but generally under "legitimate" sponsorship. Organized and avowed neo-Nazi activity was on the whole not successful, although it was carried on by scores of political groupings and movements. A great part of their energies was absorbed by internecine squabbles and recriminations.

In October 1954 the Bonn government quietly dropped its suit instituted prior to the 1953 Bundestag elections to have the German Reich Party (DRP) declared unconstitutional because of its Nazi affinities and sympathies. Immediately after the suit had been abandoned, DRP cabled greetings to the international neo-Nazi conclave staged near Brussels by the European Liaison Office of the fascist international.

In December 1954 the West German Supreme Court refused to initiate judicial proceedings against Werner Naumann and his co-defendants, whom the British occupation authorities had arrested and charged with conspiring to infiltrate legitimate political parties—the Free Democratic Party, the German Party, and the BHE Refugee Party—with a view to the eventual overthrow of the Bonn government (*see* AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 240-43). The German Supreme Court held that, although Naumann and the others had advocated Nazi ideas, "it could not be established with certainty whether and to what extent their efforts had been crowned with success." In September 1955 Naumann was informed by the North Rhine Westphalian minister of the interior, Franz Myers, that the 1953 denazification ban on his political activities had been rescinded.

Some time earlier, one of Naumann's co-defendants—Gustav Adolf Scheel, during the Hitler era supreme Nazi leader of all university students and professors—was awarded compensation for the time he had spent in German pre-trial custody.

In a few cases, neo-Nazi activists of the lunatic fringe were convicted. In September 1954 a Hamburg court imposed jail terms of four and two months, respectively, on two bitter-end fanatics, Hermann Lamp and Eberhard Hawranke, who had formed and led a rabidly neo-Nazi movement, *Freikorps Deutschland*, which the Bonn government had outlawed in 1953. In eighteen months this movement had attracted a membership which the court put at 200 in the seaport cities of northern Germany. A year later, in September 1955, a Wilhelmshaven court of appeals sentenced Karl von Roemer and four other neo-Nazis to prison terms totaling thirty-two months for having revived the banned Socialist Reich Party. The sentences were suspended and the defendants put on probation for two years. In December 1954, a Cologne court

<sup>4</sup> The Volksbund für Frieden und Freiheit.

sent 23-year-old Peter Wegener to prison for five months because he had set up a subversive organization. Wegener styled himself *Reichsfuehrer* of the neo-Nazi German Reich Youth Movement, an anti-Semitic body with more than 400 dues-paying members in various local chapters. They wore uniforms modeled after those of the Hitler Youth and, in their training sessions, studied maxims culled from the pronouncements of Hitler and Goebbels.

One of the most active neo-Nazi publicists, Karl-Heinz Heubaum of Munich, was sentenced to six months in jail<sup>5</sup> for "libeling members of the Federal government in a manner prejudicial to the existence of the state." Heubaum, a rabid anti-Semite and principal disseminator in postwar Germany of the *Protocols of the Elders of Zion*, appealed the verdict. The Jew-baiting agitator who served in the first Bundestag under the name of Franz Richter and later was exposed as Saxony's No. 2 Nazi functionary Fritz Roessler, was sent to prison<sup>6</sup> for six weeks for publicly insulting Chancellor Adenauer. (The five-month sentence he had received for this offense two years before was reduced on appeal.)

Maj. Gen. Otto Ernst Remer, one of the neo-Nazi leaders most in the public eye until he escaped from Germany in early 1953 so as to avoid a jail term, returned from Egypt in the fall of 1954. His three-month sentence fell under an amnesty enacted in the meantime.

A West Berlin anti-Semite, Erwin Schoenborn, was given five months in jail by a local court (February 1955) for defaming the dead. He had described as "traitors and bums" the anti-Nazi Germans whom Hitler had executed after the abortive attempt on his life in July 1944. Schoenborn also lost out in his October 1954 appeal before the West Berlin Administrative Court against a decision of the city government refusing a political license to his German Freedom Party, a neo-Nazi and anti-Semitic splinter group.

In August 1955 the Social Democratic government of Hesse refused to grant permission for a Wiesbaden meeting of one of the most active branches of the organized fascist international, the anti-Semitic European Social Movement (ESM). It was understood that one of the principal ESM leaders, Sweden's Per Engdahl, personally called on the Hesse state chancery, but without success.

In July 1954, some 3,000 Nazi diehards whom the Western Allies had held in internment camps for varying periods, gathered at Fallingbommel near Hanover to demand compensation for the time they had spent in Allied custody. The following month more than 2,000 militant Nazis from Hesse attended a similar rally near Kassel. In June 1955, 600 gathered at the site of a former internment camp at Gadeland in Schleswig-Holstein. These rallies, and others like them, were organized by various nationwide associations of "former internees" and "for the interests of denazification sufferers." In August 1955, these formerly rival associations merged into a "united front" to press their demand that they be paid \$2 for each day they had been held in internment camps after the war. The new movement, the United League of Former Internees, named Willy Schumacher chairman. He was a Bonn attorney who was to concentrate on lobbying for the "indemnification demands" of the group. The principal organ of the league was a biweekly Bad Woerishofen paper,

<sup>5</sup> In February 1955.

<sup>6</sup> In April 1955.

*Die Anklage*, which was openly anti-Semitic and sought to show that "the stories that have been spread about the concentration camps are tendentious fairy tales." *Die Anklage* was published by Robert Kremer, of Bad Woerishofen, and edited by Ludwig K. Strieder, of Hamburg.

During the summers of 1954 and 1955 hundreds of Nazi authors and their disciples assembled at Lippoldsberg, on the Weser river, for readings by such literary admirers of Hitler as Hans Grimm, Gerhard Schumann, and Will Vesper. The gatherings were arranged by Grimm, a parliamentary candidate of the DRP, who during the year completed his new book on *The Historical Personality of Hitler*.

During 1954 Karl Wahl, former Nazi gauleiter of Swabia, published his 475-page autobiography *Here Beats A German Heart*.

*Experiences and Observations of a German War Criminal* was the subtitle of a book of memoirs by Julius Lippert, Nazi lord mayor of Berlin from 1933 to 1940, and a leading figure in Berlin Jew-baiting circles since the early Twenties. A Belgian court had sentenced him to eight years at hard labor for war crimes he had committed as an official in the German administration of occupied Belgium.

Albert Derichsweiler, *Reichsstudentenführer* during the Hitler regime, became a Free Democratic deputy in the Hesse parliament in January 1955. In protest, the honorary chairman of that party in Frankfurt, Wilhelm Schwarzhaup, resigned from the party.

## Denazification

In almost all of Germany, denazification was at an end. In Hesse, the last denazification court was closed at the end of 1954. Only in North Rhine Westphalia, Hamburg, and West Berlin did the authorities still have the right to open proceedings against "principal offenders" under Category I of the old denazification law, but only West Berlin exercised this right during 1954-55. In West Berlin, where denazification was scheduled to end on December 31, 1955, Senator of the Interior Joachim Lipschitz had introduced an amendment that would give him the right to continue proceedings against some of the biggest Nazis, whose delaying tactics had prevented the rendering of a verdict. Unless the amendment was passed, the very substantial estates of the top Nazis concerned could not be declared forfeited. The West Berlin denazification court imposed an \$8,200 fine<sup>7</sup> on Dr. Genzken, chief medical officer of a Storm Troop brigade and a former lieutenant general in the SS, who had conducted pseudo-medical experiments on concentration camp inmates; it imposed a \$5,000 fine on Helmut Stellrecht, one-time deputy to Nazi Party philosopher and education chief Alfred Rosenberg. It also levied a \$14,300 fine<sup>8</sup> on one of the most vicious and skillful of the Nazi Jew-baiters, Gunter d'Alquen, who had joined the Nazis in 1925 and risen to the editorship of the SS weekly *Das Schwarze Korps*. It was characteristic of the atmosphere in which such residual trials took place that d'Alquen did not bother to appear and that the Berlin Denazification Court had no way of collecting the fine in Bremen, where

<sup>7</sup> In August 1955.

<sup>8</sup> In July 1955.

d'Alquen lived. In direct violation of a court order, d'Alquen's Berlin bank had earlier transferred his account and securities to Bremen, out of reach of the Berlin court.

In Bavaria, where millions in fines imposed by the denazification courts had never been paid and were still outstanding, the total amount collected in the second quarter of 1955 was \$5,470. The Chief Denazification Court in Munich, the last one remaining in Bavaria,<sup>9</sup> acquitted SS General Georg Loerner, who had been responsible for the allocation of food and clothing to all German concentration camps. The Nuremberg War Crimes Tribunal had sentenced Loerner to death in 1947 for crimes against humanity. Two years later, the sentence was commuted to life imprisonment, and in 1951 it was reduced to fifteen years at hard labor. In 1954 Loerner was released on parole from the United States war crimes jail at Landsberg.

### *War Crimes and Nazi Trials*

By July 1955 most of the war criminals convicted by Allied military courts had been released. Of several thousand held in 1950 and approximately 500 still jailed in 1953, about 80 remained by August 1955: 40 in the American war-crimes fortress at Landsberg, 19 in the British prison at Werl, and 18 in the French penitentiary at Wittlich. A special board consisting of three German judges and three Allied representatives—Edwin A. Plitt of the United States, Sir Edward Jackson of Great Britain, and Gustave Larogue of France—was formed to review these cases once again. Under the Paris Accords, the Allies were bound by the decisions of the board, which was invested with more power than the mixed German-Allied Clemency Boards that had been set up separately by the United States, Great Britain, and France in 1953.

Two of the major war criminals sentenced by the International Military Tribunal were released, while five remained under quadripartite control in the Spandau war-crimes prison. In addition, about seventy-five convicted Nazi war criminals were imprisoned in France, some forty in Holland, and about ten in other Western countries.

German sympathy for these prisoners continued to be widespread. When Konstantin von Neurath, minister of foreign affairs and later "Protector" of Bohemia under Hitler, was released from Spandau jail in November 1954 out of consideration for his advanced age and poor health, even German President Theodor Heuss was prevailed upon to congratulate him because the "martyrdom of those years" was over. Joseph Cardinal Frings of Cologne addressed letters to President Eisenhower, French Pres. René Coty, and Queen Juliana of the Netherlands (June 1955), petitioning for the speedy release of German soldiers convicted of war crimes and still held in Allied jails. Similar efforts were undertaken by high Protestant church dignitaries.

A categorical demand for restoration of the freedom of the city of Kiel to Nazi Grand Admiral Erich Raeder, who was in Spandau prison serving a sentence for war crimes imposed by the International Military Tribunal, was sent (May 1955) to the chairman of the dominant Citizen Bloc in the Kiel City Council by the minister of justice of Schleswig-Holstein and state chairman of

<sup>9</sup> In the winter of 1954.

the Free Democratic Party, Bernhard Leverenz. Citizen Bloc chairman Schubert acceded: he was himself a former Nazi admiral.

German courts continued to protect the Dutch war criminals who had escaped from jail in the Netherlands and fled across the German border (*see AMERICAN JEWISH YEAR BOOK*, 1955 [Vol. 56], p. 364). The Superior Court in Celle handed down a number of judgments along these lines, even going so far as to apply the racial criteria of the infamous "Nuremberg laws" to determine whether one of the Dutch war criminals, Willem Albertus Polak, had any "alien blood admixture." This would make him ineligible for German citizenship under the terms of a 1943 Hitler decree (*see AMERICAN JEWISH YEAR BOOK*, 1955 [Vol. 56], p. 364). The German authorities ruled that Hubertus Bikker, who had escaped while serving a life term at hard labor imposed by a court of his native Netherlands, was entitled to the benefits provided for German soldiers now returning from prisoner-of-war camps.

Trials for participation in the November 1938 pogroms, for responsibility in the deportation of the German Jews to the death camps, and for concentration camp brutalities, generally resulted in mild prison terms or acquittals.

The only life sentence pronounced during the period under review was that imposed in Munich (January 1955) on SS Maj. Egon Zill, deputy commandant of the notorious Dachau concentration camp, because of an assortment of crimes including inciting, aiding, and abetting murder, assault resulting in death, and torturing prisoners.

The "beast of Buchenwald" was set free in March 1955 although he had never been tried. District Attorney Maier of Bayreuth ordered the release from pre-trial custody of Martin Sommer, after German physicians pronounced him "wholly unfit to stand trial." For many years in charge of the Buchenwald guardhouse, Sommer had beaten to death hundreds of sick prisoners.

For having been an accessory to the murder of five Jewish inmates of the Bischadka labor camp in Poland, Nazi guard Jakob Emrich was sentenced to four years and six months at hard labor by the Mayence Court of Assizes in April 1955.

August Kolb, former subcommandant of Sachsenhausen concentration camp, who had been charged with 180 deliberate killings, was convicted by a Nuremberg court of having been "an accessory to murder and manslaughter in eleven cases." He was given four years and three months at hard labor, with one year and ten months to be deducted because of pre-trial custody, in October 1954.

Kurt Scharnak, a German professional criminal who rose to the rank of kapo, or trusty, in the Austrian concentration camp of Gusen, was sent to prison for thirty-nine months in July 1955 by the Regensburg jury court, which found him guilty of manslaughter and assorted brutalities. He had been indicted for two murders and for inflicting serious bodily injury in many cases.

Seven months' imprisonment, which he would not have to serve if he remained on good behavior for three years, was the sentence deemed adequate by a Luebeck court (December 1954) in the case of Willy Kersten, an SS officer who had commanded 4,000 prisoners in the Lieberose subcamp of Sachsenhausen concentration camp. Although witnesses testified to Kersten's responsibility for a number of killings, the court found him guilty only of "aggravated assault."

A court at Weiden in the Upper Palatinate acquitted (November 1954) Werner Eichler, an SS guard at the Flossenbuerg concentration camp. The judge found him guilty of shooting to death at least one inmate, but held that he had acted "in self-defense."

Storm Troop Lieut. Helmut Hoter was given four and one-half years at hard labor by a Duesseldorf court, with two years of pre-trial custody to be deducted, for one of the first killings of Jews perpetrated after the Nazis' advent to power. In May 1933 Hoter and his group of Storm Troops had kidnapped Dr. Meyer, a Jewish dentist from the Ruhr city of Wuppertal, and beaten him to death.

In September 1955, a Berlin appellate court reduced from ten to six years the sentence of SS Col. Hans Himpe, who had ordered blackshirts under his command to kill four Jewish residents of Hirschberg in Silesia in July 1934.

Three cases deriving from the November 1938 pogroms came to trial. Paul Schoppan and Heinrich Steinmetz, two Nazi leaders from Usingen near Frankfurt who had maltreated the Jewish population during the pogroms, were ruled guilty of "aggravated breach of the peace" by a Frankfurt court in October 1954, and sentenced to jail terms of ten and fifteen months respectively. Prison sentences ranging from one to two years were pronounced by a German court at Kassel in December 1954 against Walter Biedermann and three other SS men who organized and spearheaded the pogrom in the small North Hesse town of Kirchhain, near Marburg.

Ewald Muehleneisen, one of the key figures in the pogrom in the Ruhr city of Bocholt, was acquitted a second time (August 1955) by the Court of Assizes in the Ruhr city of Essen. The court declared, as it had in 1951, that there was "lack of sufficient proof" to connect the then county chief of the Nazi Lawyers' League with the synagogue burning and apartment sackings of November 1938. The German Supreme Court, holding that the case should not have been dismissed for insufficient evidence, had referred the case back for retrial on appeal by the prosecution.

At Dortmund in July 1954, Wilhelm Schepmann, the former chief of staff of the Storm Troops, who now represented the BHE Refugee Party in the town parliament and county council of Gifhorn in Lower Saxony, was acquitted of the charge of having employed "illegal coercion" during his 1933 tenure of office as police chief of Dortmund.

On appeal by the defendants, who had been convicted in a previous trial, the Darmstadt Court of Assizes (October 1954) acquitted two Gestapo "specialists for Jewish questions," after finding that they "grossly violated the law and are guilty of murder or manslaughter in thousands of cases." Waldemar Eissfeld and Heinrich Lorenz were nonetheless acquitted because, in the words of the court, "they lacked a sense of illegality" in perpetrating their crimes, and because there was no "absolute proof" of their having known the fate in store for the Jews they deported from Thuringia. Eissfeld was also found guilty of beating up Jews who had been ordered to report to his office; he was not lacking in a sense of illegality in these cases, the judge conceded, but he dismissed these charges as falling under the statute of limitations. Prof. Friedrich Grimm, the defense attorney, held it was unfair to single out a few individuals for

prosecution, since "thousands of policemen, thousands of local government employees . . . were equally guilty."

In October 1954 the Munich Court of Assizes set free Munich's former Gestapo chief, Oswald Schaefer, together with his aide, Richard Lebkuechner, although both admitted taking part in the killing of slave laborers from East Europe in dozens of instances during the war years.

#### PETERS CASE

Of the technicians of large-scale extermination, only one appeared before the bar of justice. He was Gerhard Peters, a German insecticide expert and chemical manufacturer, who had sold his special brand of potassium cyanide to the Auschwitz death camp in full knowledge of the fact that it would be used to asphyxiate hundreds of thousands of human beings.<sup>10</sup>

When the Frankfurt Court of Assizes sentenced Peters to five years in 1949 for having "contributed to manslaughter," the leniency of the verdict caused an outcry among German democrats. On appeal, the Superior Court ruled the crime to be murder rather than manslaughter. In 1950 the Frankfurt Court of Assizes accordingly found Peters guilty of the more serious charge—but pronounced the identical sentence. The German Supreme Court then ruled that the verdict was too mild to be admissible. Nonetheless a Wiesbaden court demonstratively gave Peters a sentence of only four and one-half years, which was again overruled by the Superior Court. Having no choice under the letter of the law, the Wiesbaden Court of Assizes in August 1953 thereupon imposed a penalty of six years' imprisonment; the prosecution had demanded fifteen years.

That verdict was final and, in the regular course of events, no further appeal would have been possible. Yet the Frankfurt District Attorney was induced to go along with Peters' petition to have the trial reopened, because of "freshly discovered evidence." Subsequent to a final verdict, such petitions were usually granted only in the most exceptional of cases, and then almost never with the concurrence of the district attorney.

The case came to trial in May 1955. The judge specially assigned to it was Werner Hummerich, who had first come to public notice in 1953 because of his severity in the case where persons connected with the former Jewish Bank in Frankfurt were convicted for having violated German foreign currency regulations.

The charge against Peters was that he had been "an accessory to murder in 300,000 cases." His main line of defense was the claim that Kurt Gerstein, who had been in charge of potassium cyanide procurement for the SS, might conceivably have sidetracked the Cyclone B shipments forwarded to Auschwitz by Peters. Three of Germany's leading clergymen did testify that Gerstein, who had committed suicide in a French jail in 1945, was a complex personality sick at heart about the gruesome carnage in which he was taking part, and that he had perhaps managed to dispose of a few Cyclone B shipments. This was a far cry from the defense contention that Gerstein had interrupted *all* the shipments. Yet, on the basis of that theory, contradicted by the fact of the

<sup>10</sup> See *Harvest of Hate*, by Léon Poliakov, N. Y., 1954, pp. 307-08.

continued gassings, the court acquitted Peters, although six different German courts had earlier found him guilty.

It was impossible to believe, Judge Hummerich stated in his summing-up, that Peters really believed the Auschwitz mass executions to be legal. Yet no "conclusive proof" existed that Cyclone B was actually put to use in the Auschwitz gas chambers. Nor could Peters be found guilty of being an accessory to *attempted* killings. A conviction on that count would indeed have been possible at the time the crime was committed, or even during Peters' six earlier trials. The German penal code had been changed in August 1953, however, and since that time "participation in attempted but unsuccessful killings" was no longer punishable.

Gerhard Peters returned as a free man to his position as management executive of a chemical plant near Cologne. The Zentralrat der Juden in Deutschland in May 1955 protested "with indignation" against the acquittal and demanded, in the name of the families of those murdered by poison gas in Auschwitz, that the district attorney file an appeal.

This the district attorney refused to do. But, amazingly, Peters himself filed an appeal against the verdict of acquittal. The court had not only acquitted him, but had specifically exempted him from having to bear the heavy cost of the trial. It had not, however, ordered the state to reimburse Peters for the fees charged by his attorneys or to compensate him for the time he had spent in pre-trial custody many years before. It was with regard to these two points that Peters sought a modification of the verdict in June 1955!

### *Anti-Semitism*

Organized anti-Semitism did not come to the fore as an important issue in West Germany during 1954-55, but a number of incidents showed that, beneath the surface, anti-Jewish feelings had remained alive in many circles. The executive secretaries of the twenty West German chapters of the Societies for Christian-Jewish Cooperation sounded a warning in November 1954. They noted "with deep concern the increasing frequency of nationalistic incidents and of the scandal of anti-Semitism. . . . Jew-baiting publications are growing in number. We must take serious exception to some decisions handed down in court trials against originators and disseminators of anti-Semitic agitation." When this resolution was transmitted to Chancellor Adenauer, an official of his office replied that the chancellor "sharply condemns anti-Semitic tendencies and will take all constitutional and political steps within his power to combat nationalist and anti-Jewish aberrations."

In a widely publicized incident during the 1954 election campaign to the West Berlin city parliament, a fracas with anti-Semitic overtones developed in the huge "Sportpalast" meeting hall, which was inextricably identified in the public mind with the mass rallies of Nazi Propaganda Minister Goebbels and was for that reason shunned by the other political parties. The right-wing German Party, a member of the Adenauer governmental coalition, nonetheless in November 1954 deliberately assembled its adherents in this particular hall to listen to Bonn Minister of Transport Hans-Christoph Seebohm. At the end of the meeting and to the accompaniment of Jew-baiting invective, Ger-

man Party hooligans assaulted some university students. West Berlin's Lord Mayor Walther Schreiber and the Berlin City Council reacted by posting on the streets of Berlin a hard-hitting declaration that referred to the incidents at the election rally "with indignation," and described them as reminiscent in every respect of Nazi radicalism prior to 1933. "We cannot tolerate," said the declaration, "that the Sportpalast should once again be the starting point on the road to catastrophe."

Somewhat similar statements were issued by a number of other personalities in Berlin public life, among them Heinz Galinski, the president of the Berlin Jewish community. Yet it was only Galinski whose statement Minister Seebohm singled out for a virulent counter-blast in a cable imputing to Galinski "lies and slander." A controversy ensued, during which Karl Marx, the editor-publisher of Germany's major Jewish newspaper, distributed thousands of copies of an open letter to Chancellor Adenauer, but Minister Seebohm stubbornly refused to retract or apologize. The World Jewish Congress noted that these occurrences "discouraged hopes for a future Germany that would be really tolerant and democratic." The American Jewish Committee expressed "deep shock."

Efforts continued to belittle the number of Jewish victims of Nazism through sleight-of-hand juggling of figures. Notorious in this respect were *Die Anklage*, a biweekly published in Bad Woerishofen, and *Die Europaeische Nationale*, a monthly issued in Wiesbaden. Both arrived at the conclusion that "only" some hundreds of thousands of Jews had been killed—365,000, according to *Die Europaeische Nationale*. It was even alleged that "the world Jewish population was 15,600,000 in 1939 and 18,700,000 in 1948," the implication being that the Jews had actually flourished and multiplied during World War II.

Anti-Semitism as an organized movement was limited to the lunatic fringe, however, notably to the followers of cultist Mathilde Ludendorff and of dissident Nazi leader Otto Strasser, who had been one of the pioneer organizers of the early Nazi Party.

Mrs. Ludendorff, widow of the German Army's chief of staff in World War I, had founded a neo-pagan pseudo-religion that was violently anti-Jewish. In July 1954 a West Berlin court acquitted one of her fanatical disciples, attorney and notary Wilhelm Prothmann, who had published an anti-Jewish pamphlet, *Judaism and Anti-Semitism*. The prosecutor had demanded a nine-month sentence because Prothmann was spreading "Nazi ideas." The judge conceded in his findings that the pamphlet was "indubitably anti-Semitic," but observed that "Nazi ideas" involved *more* than anti-Semitism, and concluded that there was no evidence of Prothmann advocating any Nazi ideas other than anti-Semitism. Strasser, for his part, was attacked by German papers in March 1955 for employing anti-Semitic propaganda in his efforts to organize a political party. He had returned from Canada to West Germany in March 1955 after the West German Supreme Administrative Court had ordered the Bonn authorities to issue him a German passport, which they had earlier refused to do.

Isolated instances of anti-Semitism occasionally came to public attention. When the chairman of the tiny Jewish congregation at Rueckingen in Hesse drew the attention of the township administration to the dirtiness of the road outside the local Jewish cemetery, he received in reply an insulting letter signed

by Mayor Lamm, a former member of the Nazi Party. For months the mayor refused to apologize. Eventually, when Joseph Klibansky, the legal adviser to the Association of Jewish Communities in Hesse, threatened to bring suit for insult, the mayor did issue a half-hearted retraction, in February 1955.

A West Berlin high school teacher, who refused to admit Jewish students to his class, was separated from his post (May 1955), but was granted 75 per cent of his salary for eighteen months "in view of his honorable wartime service."

A number of anti-Semitic incidents had court sequels. An apology by two local Christian Democratic leaders in a small Hesse village (December 1954) ended a libel and slander suit brought against them by Jakob Altmaier, a Social Democrat and one of West Germany's three Jewish Bundestag deputies, after they had injected a gratuitous "Jewish issue" into the 1953 Bundestag election campaign. In September 1954 German mechanic Arno Schneider was sentenced to jail for six months by a Frankfurt court for "public insult," because he had raised an anti-Semitic clamor in front of Frankfurt's main railroad station. In Darmstadt, also in September 1954, businessman Walter Klein was given a five-month sentence for insult, threatening behavior, and inflicting bodily injury on a Jewish displaced person. A Frankfurt jury court in December 1954 sentenced a local innkeeper to five months in prison, but put him on probation pending good behavior, on charges of anti-Jewish abuse.

A West Berlin court in May 1955 gave a suspended two-month sentence to Otto Schulz, a German landlord found guilty of having voiced threats of physical harm as well as anti-Semitic insults against a Jewish family. Another Berlin court in July 1955 ordered a German woman tenant to vacate her apartment, a long-term rental agreement notwithstanding. In view of anti-Semitic remarks she had made, her Jewish landlord could not be expected to continue the rental relationship, the judge ruled.

In November 1954 the Munich district court rejected the appeals pressed by both prosecution and defense against the fines leveled by a Munich court on Eugene Arciuk and Vsevolod Mositchkin, two Russian emigré leaders of the rabidly anti-Semitic RONDD, a successor organization to the notorious secret pogrom league of Tsarist Russia, the Black Hundreds (see AMERICAN JEWISH YEAR BOOK, 1955 [Vol. 56], p. 366-67). Under a unique Bavarian law, they had been convicted of having incited racial hatred in their magazine *Nabat*.

On the other hand, *Koelnische Rundschau*, a paper which was close to Chancellor Adenauer, in July 1954 inveighed against the retelling of ancient ritual murder legends.

#### CEMETERY DESECRATIONS

There was a decline in the number of cemetery desecrations reported during 1954-55. In part this was perhaps attributable to admonitions by community relations specialists that publicity given to such desecrations tended to attract imitators. Desecration incidents took place in November 1954 in the centuries-old Jewish cemetery in the woods near Hoehr-Grenzhausen, in the vicinity of Coblenz; in the cemetery at Lisberg, near Bamberg in Bavaria; and in March 1955, in Constance, where a memorial plaque was stolen from the site of the destroyed synagogue.

## *Jewish Population*

In August 1955, the population of the Federal Republic of Germany passed the 50,000,000 mark [West Berlin, with its 2,200,000 inhabitants, was not included in this figure). German law required that all persons considering themselves as Jews be members of the Jewish congregations (*Gemeinden*), but in fact only about 16,000 were so registered. Estimates of the number of Jews who resided in Germany, but shunned identification with the organized Jewish community, ranged from 5,000 to 25,000. Thus, Jews constituted about 0.05 per cent of the total population of West Germany and West Berlin.

## EMIGRATION

Emigration from Germany did not exceed 600 during 1954-55, and was thus at a postwar low. Not quite half of those who left came from Foehrenwald, the last Jewish displaced persons (DP) camp on German soil, the rest from West German cities or from West Berlin. The emigration from the cities was about counterbalanced by the trickle of returnees, consisting mostly of former German Jews but also including some postwar DPs who had been unable to adjust in countries of emigration.

The goal of the greatest number of Jewish emigrants from Germany—350—was the United States, but statistics showed only 50 Foehrenwald residents among them. Of the 350 emigrants, no more than 40 benefited from the Refugee Relief Act, while the vast majority obtained visas as regular quota immigrants. It was expected that the act would be applied more liberally in 1956.

South America was the destination of 125 emigrants, with Argentina and Uruguay accounting for some 50 each, most of them from Foehrenwald; emigration to Brazil, which had accepted a relatively large number of "illegal returnees" to Germany from Israel during 1953-54, dropped almost to zero. New immigrants to Israel from Germany totaled about 100. Almost half were resettled under a scheme worked out in late 1954 by the Jewish Agency and the American Joint Distribution Committee (JDC), by which "hard-core" residents of Foehrenwald were enabled to secure housing facilities in Israel even before leaving Germany, with the aid of emigration grants furnished by the JDC and the German government. Australia made immigration visas available to fifty Foehrenwalders and to twenty-five Jews from the rest of Germany, Canada to fifteen from each group.

Twelve men, ten women, and fifteen children from Foehrenwald camp were resettled in Norway (August 1955). The humanitarian initiative of the Norwegian government in inviting these harassed "hard-core" DPs was all the more generous because at least one member of most of the family groups had been rejected by the immigration authorities of other countries due to physical handicaps. The thirty-seven were entitled to call upon Norway's social and medical facilities from the start, and would later be able to acquire Norwegian citizenship. The JDC, which initiated the project, contributed a substantial amount toward the cost of the former camp inmates' integration.

West Germany began to pay out some \$60,000 in emigration grants to those "legal residents" of Foehrenwald who had left for other countries after October 1953. These grants were made so as to speed the emptying of Foehrenwald.

#### DISPLACED PERSONS CAMPS

Plans to close down Foehrenwald, and to resettle its remaining "hard-core" residents in German cities, were not carried out during 1954-55. But the end of Foehrenwald was imminent and its inhabitants were gradually coming to accept its inevitability. A Catholic housing group was already negotiating to purchase the 300 buildings in the camp, which was located twenty miles south of Munich.

The number of "old-timers" registered in Foehrenwald dropped to 1,042 on September 1, 1955, compared to 1,300 a year earlier. There were also 230 "illegal returnees" from Israel in the camp, a diminution by almost half from the summer of 1954. Since emigration under the United States Refugee Relief Act was picking up slightly, it was believed that the total population of Foehrenwald, "legals" and "illegals," would be reduced to 1,100, or possibly 1,000, by early 1956.

#### *Religious Life*

A small new synagogue was dedicated in the city of Kassel, in northern Hesse (November 1954). The local community, together with more than a score of now extinct communities in the area, such as Eschwege and Wildungen, had just over 100 members; twenty years before, the Jewish population had exceeded 3,000 in the city of Kassel alone.

The Jews of three Ruhr cities—Recklinghausen, Herne, and Bochum—who numbered less than 100 altogether, opened a new synagogue seating 60 worshippers in Recklinghausen (July 1955). The small synagogues in Bonn, Nuremberg, and in the West Berlin Jewish Old-Age Home were renovated and rededicated. Foundation stones were laid for new synagogues in Offenbach and in Dortmund.

A permanent United States Army Jewish chapel, the second of its kind in Germany, was opened in Munich by Chaplain (Maj.) Oscar M. Lifshutz.

Memorials to the victims of Nazism were dedicated in the Jewish cemeteries of Mannheim, Hechingen, and Laupheim, all in southwest Germany.

Within and outside a new office building of the German customs administration in the Hesse city of Fulda, where a large and pious Jewish community formerly flourished, two memorials to the ancient Jewish cemetery were dedicated in June 1955. The building rose on the site where the cemetery had been located until the Nazis exhumed the dead and leveled the area. After the war, the plot of land became the property of the Jewish Restitution Successor Organization (JRSO), in consequence of restitution proceedings. The JRSO, in turn, sold it to the customs administration, with the written stipulation that—in accordance with Jewish religious law—no building should be put up on that part of the cemetery where the graves had formerly been situated. Nevertheless, the customs administration reared

its buildings precisely where it had undertaken not to do so. Jewish groups, which had at first insisted that the building be torn down, eventually declared themselves satisfied with the consecration of a room with a memorial tablet in the basement of the building and of a monument in the park outside.

### *Communal Organization and Activity*

To commemorate the re-emergence of a Jewish community in Germany in 1945, the Zentralrat der Juden in Deutschland sponsored a celebration (May 1955) in the West Berlin Pestalozzistrasse Temple, the largest in Germany.

In the spring of 1955 the tenth anniversary of the liberation of the concentration camps was observed. A stirring ceremony marked the anniversary of the day when Allied troops reached the first major camp, Bergen-Belsen, where they encountered 13,000 unburied corpses and 55,000 survivors, most of them Jews.

The Zentralrat der Juden in Deutschland became affiliated with the World Jewish Congress in 1954, and delegated one of its representatives to the WJC World Executive. In June 1955 three Zentralrat delegates participated in the London deliberations of the Consultative Conference of Jewish Organizations.

The Zentralwohlfahrtsstelle der Juden in Deutschland—ZWS, German Jewry's central welfare agency, played an increasingly important role in Jewish life. Set up in 1952 to coordinate the welfare work of the various communities, the ZWS began to operate on a functional basis in 1954, when the Conference on Jewish Material Claims Against Germany (CJMCAG) approved a \$405,000 ZWS social work budget. The 1955 ZWS budget increased 25 per cent, to \$500,000. In June 1955 the ZWS moved its head office from Hamburg to Frankfurt, in order better to coordinate its relief and reconstruction activities with that of the JDC, which itself shifted its headquarters from Munich to Frankfurt in 1955.

In line with JDC practice and CJMCAG directives, the ZWS normally paid recurring relief grants only to persons who were receiving welfare assistance from the German authorities. Special assistance was, however, extended in emergencies. Old-age homes and kindergartens were subsidized. The ZWS made grants for occasional training or retraining, and contributed part of the starting capital to the four Jewish small loan funds. It also concerned itself with the professional training of Jewish social workers and with improving the standards of Jewish social work.

The Zentral Verein Juedischer Jugend (ZVJJ), with its seat in West Berlin, was formed in January 1955 as a coordinating organization of all youth groups in Germany. Other organizations established were the Association for Torah-True Judaism (October 1954), a provisional Yad Veshem [Memorial] Committee (May 1955), and an Organization for Rehabilitation Through Training (ORT) Committee for Germany (June 1955). The Association of Jewish Students in Germany was represented at the world congress of Jewish student organizations held at Jerusalem in August 1955.

Maurice Weinberger, president of the Association of Jewish Communities in Bavaria and one of the six members of the Zentralrat directorate, in April 1955 resigned from all offices in a letter sent from Los Angeles. He had disappeared secretly several months earlier. Heinz Meier, of Munich, was elected to succeed him.

The Munich community continued to be torn by violent and acrimonious disputes. In December 1954 "Chief Rabbi" Aron Ohrenstein was again sentenced to a year in jail and fined by a Munich court for having perpetrated fraud in certifying indemnification claims for nonexistent applicants. In April 1955 Ohrenstein was acquitted, after a court trial in which he had been charged with participation in the smuggling and black market sale of gift-food packages under cover of a fictitious welfare organization. According to an announcement by the Munich Jewish community, Ohrenstein ceased to hold rabbinical office on March 31, 1955. Ohrenstein himself refused to recognize this termination of his employment contract.

At the May 1955 elections to the executive board of the West Berlin Jewish community, which were fought with considerable heat, the Liberal Bloc captured eighteen of the twenty-six seats. Its top candidates were the community's incumbent president, Heinz Galinski, and Jeanette Wolff, the dynamic Social Democratic deputy in the Bonn Bundestag. Runner-up with five seats was the Independent Jewish Union headed by Fritz Croner. The National Jewish List, composed largely of religious and East European groups, obtained three seats. More than 3,000 ballots were cast, which meant that 75 per cent of all eligible voters went to the polls.

In July 1955 the fewer than hundred Jews remaining in the Ruhr cities of Duisburg and Muelheim, heretofore organized in two separate communities, resolved to abandon the long-standing independence of their congregations and to establish a single community, with its seat in Muelheim. A similar merger was agreed upon by the communities of Recklinghausen, Herne, and Bochum.

The West Berlin Administrative Court confirmed in an important decision (December 1954) that all residents who listed themselves as Jews were automatically members of the Jewish community (*Gemeinde*) and could be compelled to pay the "church tax" collected by it.

### *Zionist Activities*

In August 1954 a chapter of the Zionist Organization for Germany was organized in West Berlin at a meeting attended by Sam Segal, director for Europe and North Africa of the Keren Hayesod (Palestine Foundation Fund). West German chapters of the Zionist Organization were set up at Frankfurt and at Cologne (December 1954), for Stuttgart and the Wuerttemberg region (February 1955), in Munich (March 1955), in Hanover and in Hamburg (May 1955) and in Regensburg (July 1955). It was only in July 1954 (see AMERICAN JEWISH YEAR BOOK, 1955 [Vol. 56], p. 371), three and a half years after all Zionist activities in Germany were closed down by order of the central Zionist bodies, that the establishment of a Zionist Organization for Germany had been authorized.

For the first time, a United Israel Campaign of the Keren Hayesod was launched (March 1955), in the presence of Felix E. Shinnar, head of the Israel Purchasing Mission in Germany. In August 1954 Rabbi Zvi Azarya of Cologne was named honorary chairman of the Jewish National Fund for Germany.

### *Intergroup Activities*

Expressions of goodwill towards the Jewish community were repeatedly voiced by official German quarters, notably by Federal President Heuss and by Chancellor Adenauer. The chancellor told an interviewer in September 1954 that he would welcome a complete normalization of relations between West Germany and Israel and was gratified at all efforts to make the German people more familiar with the Jewish state. In October 1954, during his visit to the United States, Adenauer met with the leaders of major American Jewish organizations and other notables at a New York reception given in his honor, and there reiterated his conviction that it was his country's moral obligation to redress the wrongs committed under Nazism. President Heuss, who took an active personal interest in all efforts to improve Christian-Jewish relations, agreed to become "life patron" of the German Societies for Christian-Jewish Cooperation and of their coordinating council in Frankfurt. In September 1955 he paid an official visit to the Berlin Jewish Community, inspecting the Jewish Hospital and the Old-Age Home. "When the Jews of Germany went into exile," he told the annual Congress of Sociology held at Heidelberg in October 1954, "the sense of cultural responsibility, in good measure, left with them."

A considerable number of meetings, broadcasts, theatrical, and musical performances high lighted the annual celebration of Brotherhood Week in March. In August 1954 a German national section of World Brotherhood was established with the aim of fostering good human relations, irrespective of race, creed, or nationality. Prof. Ferdinand Friedensburg, parliamentary delegate of the Christian Democratic Union and former Deputy Lord Mayor of Berlin, was named chairman. Its first executive secretary, Herman Ebeling—a German-born New Yorker who had represented World Brotherhood in Germany for a number of years—returned to the United States in December 1954 and was succeeded by Count Thilo Werthern. The German Societies for Christian-Jewish Cooperation were, however, keeping aloof from World Brotherhood, believing that the struggle against anti-Semitism was in itself so pressing a task in Germany that their energies should not be diverted to more ambitious projects.

In May 1955 the German societies joined in setting up a liaison center for the European Societies for Christian-Jewish Cooperation at Saarbrücken, in the Saar territory.

In December 1954 the West German postal system issued a special 40-pfennig postage stamp with the picture of Bertha Pappenheim, the Jewish social worker who in 1904 had founded the Jewish Women's League of Germany. In August 1954 a ten-page special issue devoted solely to Israel was brought out by *Das Parlament*, an official weekly published by the West

German government to acquaint politically interested Germans with parliamentary problems and current issues. In July 1955 *Das Parlament* distributed, as a special fourteen-page supplement, a study by H. G. Adler, of London, of the role of Terezin (Theresienstadt) in the Nazis' "final solution of the Jewish question."

In April 1955 a resident of Israel was for the first time granted a decoration by the Federal Republic. The Cross of Merit was given to Frieda Kroltzik, of Ramat Hadar, a Christian woman who had worked for thirty-one years in a Hamburg Jewish household. After the children of the family emigrated during the Hitler regime, she took care of the invalid mother of the family until the latter was deported to a death camp. After the war, a granddaughter of the family brought Miss Kroltzik to Israel. In June 1955, another Cross of Merit was awarded to Erna Soelzer, a German housekeeper who during the Nazi era had refused to forsake the Berlin Jewish family for whom she had worked for thirty-one years.

In May 1955 Prof. Franz Böhm, Christian Democratic member of the Bundestag and head of the 1952 German delegation to the reparations negotiations with Israel at The Hague, was awarded the Stephen Wise Medal of the American Jewish Congress for his efforts to combat anti-Semitism. Professor Böhm, a Protestant, gave the Frankfurt Jewish community the \$1,000 prize which went with the medal.

In its annual Ruhr Festival (July 1954), the German Trade Union Federation featured Lessing's *Nathan der Weise*—with the Jewish actor Ernst Deutsch in the role of Nathan.

In the summer of 1955 a German group was set up to seek the release from New York's Creedmoor sanatorium and the return to Germany of Hungarian-born Paul Abraham, once a well-known German operetta composer and songwriter. As a Jew, Abraham had had to leave Germany after 1933 and, under the stress of fleeing from country to country, his mind had given way. Abraham had been committed to Creedmoor in 1945. Since he had only a United States visitor's visa, the threat of deportation proceedings hung over him. When it became known that Abraham would be released from Creedmoor if the Federal Republic agreed to accept him, and provided his financial support was assured, a committee to aid Abraham was established, mainly composed of personalities from the stage and the field of light music. Benefits were held by the Dortmund and Duisburg theaters. The Hesse Radio featured a musical show, *We Greet Paul Abraham*, with the proceeds and all fees going to the Paul Abraham Fund.

The seventh annual study group on Church and Judaism, sponsored by the German Protestant Church and arranged by Prof. Karl Heinrich Rengstorff, held a four-day meeting at Hildesheim in March 1955 to discuss "Our Fellow Man From the Christian and Jewish Point of View." The German Lutheran Academy at Hofgeismar, an institution that presented problems of the day to an elite audience of laymen, held a two-day symposium (June 1955) on "Modern Judaism as Seen by Jews."

A memorial tablet was dedicated at the house in Nonnenweier, in Baden, where the Jewish organizer of the German Socialist youth movement, Ludwig Frank, had been born in 1874. Representatives of the Social Democratic

Party and of West German President Heuss, who had been a personal friend of Frank's, spoke at the dedication. In Worms, restoration of the ancient Jewish cemetery was completed.

A Relief Committee for Victims of National Socialism Abroad was founded in Bonn, primarily to raise funds for a residential and old-age home for a group of Jewish and non-Jewish refugees in Paris. Prominent political figures were members of the committee founded in January 1955.

Veit Harlan's twenty-five-year-old son, Thomas Christoph Harlan, wrote a play on the Warsaw ghetto uprising, *Bluma from Warsaw*. He explained that his play was designed, not to evoke sympathy for Jewish suffering, but to show "that the Jews are beautiful, as the Greeks were beautiful in the mental image of the nineteenth century." Thomas Harlan's play was also significant as an act of revulsion against the attitude of his father, an unreconstructed Nazi film producer.

### *Relations with Israel*

Relations between West Germany and Israel moved toward greater normalization during 1954-55. Reparations deliveries proceeded smoothly, and trade relations outside of reparations channels were initiated. During 1954-55 West Germany imported \$2,800,000 worth of oranges and grapefruit, as well as \$1,100,000 worth of peanuts from Israel. In April 1955 the S.S. *Arcturus* was the first German ship not carrying reparations goods to dock in Israel. She took 45,000 cases of citrus fruit for Germany.

Earlier in the year, German ships carrying reparations goods began to call at Israel ports. By the summer of 1955 they were permitted to fly the West German ensign while in Haifa harbor. The crews were permitted to disembark and to tour Israel. No untoward incidents occurred.

In April 1955 Israel authorized Israel commercial and technical agents to represent German manufacturers and exporters in caring for complex machinery and optical instruments furnished under the reparations pact. Such "service agents" might not, however, play any part in the purchase of reparations goods. Contracts between the German and Israel business partners had to be submitted for approval to the Shilumim Corporation, the Israel government agency handling reparations.

The Israel Purchasing Mission in Germany now had a staff of close to fifty Israelis, for the most part technicians and buyers. Because no diplomatic relations between Germany and Israel existed as yet, a consular section handled the issuance of visas, entered German-built boats into the Israel Shipping Register, and represented the interests of the numerous Israel citizens who were residents of or visitors to Germany.

Consular relations became more urgent after the Federal Republic became sovereign, although in May 1955 Great Britain indicated its willingness to represent German interests in Israel for the time being.

The first exhibition on contemporary Israel to be seen in Germany, which had earlier been shown in Hamburg, Duesseldorf, and Berlin under the sponsorship of the Israel Purchasing Mission, was displayed in Frankfurt. The mission also published a travelogue, *A Journey To Israel*, by Prof. Franz

Böhm, Christian Democratic member of the Bundestag, who had visited the Jewish state at the invitation of the Israel government.

German visitors to Israel during the year included Erich Lueth, initiator and head of the German Peace With Israel movement; Otto-Heinrich Greve, chairman of the Bundestag Committee on Indemnification Matters; and Ludwig Rosenberg, head of the foreign department of the German Trade Union Federation. The largest single group of Germans admitted by Israel to date was a five-man delegation to the Jerusalem conference of the International Social Security Association. The German travelers, who were guarded constantly, had high praise for the network of medical facilities maintained by the Kupat Cholim, as well as for the veterans' rehabilitation centers and hospitals.

#### REPARATIONS

West Germany continued to live up to the terms of the Luxembourg reparations pact, but did not completely fulfil the expectations that had been entertained by the Israel negotiators.

In its 1955-56 budget, the Federal Republic for the second time appropriated not the \$73,800,000 stipulated as Germany's normal obligation, but the \$59,500,000 envisaged as the rock-bottom minimum in an escape clause that had been included in the reparations treaty so as to give Germany some leeway in the event of economic crisis. Germany also refused to make available, out of its surplus with the European Payments Union, a substantial advance on its future reparations obligations. There was satisfactory cooperation between the Israel Purchasing Mission and German government and industry in handling reparations deliveries.

Purchases totaling \$225,000,000 had been effected under the reparations program from its beginning in 1953 to the fall of 1955. Of that amount, Germany made available \$70,000,000 in foreign currency, mainly for the payment of petroleum products delivered to Israel from the British Commonwealth. Orders placed with German manufacturers exceeded \$155,000,000. Goods valued at slightly more than that figure had actually arrived in Israel by mid-1955.

The schedule of reparations goods and services agreed upon for the 1955-56 fiscal year showed few major changes from the pattern set the previous year. Approximately one-third of the funds made available were from Germany's sterling balances, to pay for petroleum products from countries of the sterling bloc. The remainder was split evenly between long-range investment goods and semi-manufactured or consumer goods. In July 1955 West Germany agreed to greater flexibility in the ordering of reparations goods. Orders for Israel's investment program, composed of Category II Goods, might now be placed even where the total of such orders was greater than the maximum prescribed for that category in the schedule adopted before the beginning of the fiscal year. The excess amount would then be deducted from Category I Goods, i.e., ferrous and non-ferrous metals, or from the products of other industries.

During the latter part of the year, under a 1954 agreement between Bonn

and the Israel Purchasing Mission, about half of all reparations goods were shipped in German vessels. German merchant marine circles in Hamburg created the Continent-Israel Line for the express purpose of transporting reparations goods from West Germany to Haifa, while circumventing the Arab boycott of shipping lines whose vessels touched at Israel ports. The new carrier operated solely as a charter line.

## RESTITUTION

Only a "hard core" of 90,000 restitution cases was still unsettled. Of the 490,000 claims filed by Jews and other Nazi victims under Allied restitution legislation, more than 400,000 had been concluded, either positively or negatively, on June 30, 1955. In the United States Zone, 83.7 per cent of the cases had been completed; in the British Zone, 88 per cent, and in the French Zone, 96 per cent. In West Berlin—where restitution legislation became effective at a later date—only 91,500 out of 134,000 cases, or 68 per cent, had been concluded.

Of these Berlin claims, nearly half were filed by the successor organizations for heirless property, the Jewish Restitution Successor Organization (JRSO) and the Jewish Trust Corporation (JTC). Both had reached a tentative agreement with the West Berlin city government for the latter to take over these claims in exchange for a "small bulk settlement." The vast majority of the remaining West Berlin cases, filed by individuals, concerned restitution demands against the former German Reich. In all West Germany only 4,000 such cases awaited adjudication. A total of 8,500 cases remained where Jews were suing private West Berlin "Aryanizers" for return of their property. These 12,500 cases were the real "hard core" of the restitution program.

No statistical breakdown covering all West Germany was available, but in the American Zone more than 46 per cent of individuals' restitution claims were rejected by the German courts or withdrawn. In West Berlin a breakdown of the 91,300 "final dispositions" reached by June 30, 1955, was even more striking. There were compromise agreements between the parties in 6,400 cases. Another 3,250 cases were referred to West Germany for lack of jurisdiction. This left nearly 82,000 restitution cases that were classified as having been "completed" by the restitution courts. Actually, however, almost 50,000 cases were withdrawn by the claimants after they had been advised that no chance existed of their being granted; 25,600 were rejected outright by the courts; thus the number of decisions handed down by the courts in favor of restitution claimants was no more than 6,400.

Moreover, many of these court decisions in favor of restitution claimants—6,500 in West Germany and West Berlin—involved judgments against the former German Reich. In only a handful of these cases were the claimants able to collect, because six years after the establishment of the Federal Republic, and three years after it had undertaken to enact a law covering such claims, that law was still "in preparation."

Restored property in the American Zone and West Berlin, where more than two-thirds of the property subject to restitution was located, was estimated by the claimants at \$290,000,000. Of that amount, \$20,000,000 went to

the successor organizations and \$270,000,000 to individuals. Real estate and mortgages accounted for almost half, stocks and bonds for 10 per cent, business enterprises for 9 per cent, and cash compensation in lieu of physical restitution for 30 per cent.

Of the \$270,000,000 in property restored to individuals, 42 per cent went to United States residents; residents of Germany received 18 per cent, of the United Kingdom 11 per cent, and of Israel 5.4 per cent.

Under the Paris Accords, the Allied restitution tribunals for the French, British, and American zones were supplanted by a single Supreme Restitution Court consisting of three divisions, one for each zone. Each division consisted of five justices, two appointed by the Allied power concerned and two by the German Federal government; the presiding judge was a "neutral" national appointed by agreement between Bonn and the Allied power concerned.

In December 1954 the British, French, and American commandants in Berlin issued a decree enabling former Jewish residents of West Berlin or West Germany to seek restitution of stocks and bonds, jewelry, and precious metals confiscated by the Nazis in places of business, including the municipal pawnshop, located in what was now East Berlin. Most banks maintained their safety deposit vaults in the old city, now part of the Soviet sector.

The London Council for the Protection of the Rights and Interests of Jews from Germany, which had withdrawn from JRSO in early 1954, rejoined it in November 1954, after receiving assurances that it would receive a portion of the funds recovered by JRSO from heirless and communal assets in Germany.

JRSO concluded almost all its activities in the American Zone, but still carried on negotiations in Bonn as well as a restitution program in West Berlin. In that city, the municipal government tentatively agreed to pay \$3,000,000 to the two successor organizations as part of a "bulk settlement." Industrial products would be shipped to Israel, and their value paid the two organizations by the Israel government. In addition, the Berlin Jewish community was to receive \$239,000 in cash.

In the suit brought by the present day Augsburg Jewish community against JRSO with respect to the property of the pre-Hitler congregation in that city, the American judge of the Court of Restitution Appeals in the United States Zone upheld JRSO. In so doing he reversed the findings of three German bodies that had held that the present Augsburg community was identical with the former congregation and therefore entitled to its assets. The court sustained the JRSO position that the old community had in fact and in law been dissolved in 1941, and that its assets were therefore "heirless" property. In March 1955 an amicable settlement was then reached allotting the Augsburg community ample funds to finance a fuller community life for the next ten years or more.

In July 1955 the reestablished *kehillah* of Fuerth, last of the Jewish communities in Germany to do so, signed an agreement with JRSO about the distribution of the property of the pre-Hitler Fuerth community. While JRSO had thus arrived at settlements with all the individual communities in the United States Zone, as well as with the four German states in the

United States Zone, wrangling continued over a general agreement between the successor organizations and the central organizations of the reestablished Jewish communities. A draft agreement, reached in June 1955 between Jerome J. Jacobson, chief American Joint Distribution Committee (JDC) counsel in Europe, and H. G. van Dam, secretary general of the Zentralrat der Juden in Deutschland, had not yet been ratified by the organizations in September 1955. The agreement provided for the setting up of two trust funds, each to be administered by eight trustees. To defray future communal relief and welfare needs, these trust funds would receive from the successor organizations substantial lump-sum payments and a share of expected indemnification payments for Nazi destruction of Jewish communal property.

In February 1955 the West Berlin city government approved a \$2,500,000 payment for the Berlin synagogues wrecked during the 1938 November pogroms. From this amount a \$200,000 advance made to the postwar Jewish community was deducted. The community received \$700,000, while \$1,600,000 went to JRSO and the Jewish Trust Corporation.

#### OPPOSITION TO RESTITUTION

The central organization of those German "Aryanizers" who were compelled to return Jewish property acquired during the Nazi regime decided to change its name, to establish an office in Bonn, and to go "underground" with its magazine. Henceforth, it intended to concentrate on parliamentary lobbying, mainly to obtain from the Federal treasury compensation for those who had taken over Jewish property "in good faith." Resolutions calling for cancellation of present restitution legislation were adopted by the legal committee, by the committee on petitions, and by the constitutional committee of the Bavarian parliament. The legal committee resolution (September 1954) demanded the re-opening of cases already closed through return to the Jewish owner of the house, real estate, or business involved. It described as "contrary to public policy and morals" the provision that property taken from the Jewish owner under Nazi pressure had to be returned, regardless of the "good faith" of the present holder, provided the Jewish restitution claimant paid back the price he had himself received.

#### *Indemnification*

In the Paris Accords West Germany undertook to continue the indemnification program for Nazi victims. Substantial improvement was achieved during 1954-55 with regard to the indemnification of individual victims of Nazism, but bureaucratic "cold sabotage" was still so prevalent and the rate of progress was so slow as to give rise to an unending stream of complaints.

The West German budget for 1955-56 listed \$38,000,000 in indemnification payments for individual victims of Nazism, and \$2,900,000 in pension payments to rabbis and officials of former Jewish communities in Germany, as well as \$48,000 for the victims of Nazi medical experiments. But, although \$15,700,000 had been appropriated and authorized for indemnification purposes in the 1954-55 budget, the Bonn treasury actually spent only \$5,700,-

000. Nonetheless, the Bundestag in June 1955 rejected a Social Democratic motion to increase the allocation for indemnification purposes from \$38,000,000 to \$60,000,000. Of the 335 Bundestag deputies belonging to the parties of the government coalition, only 18 voted for the motion.

Until payments under the Federal Indemnification Law began at the end of 1954, the entire indemnification burden had fallen on Germany's individual states. Total disbursements by both the states and the Federal treasury, under all indemnification categories, amounted to about \$300,000,000 in the postwar period. Of this sum, almost \$80,000,000 was paid out for illegal incarceration in jails and concentration camps, about \$75,000,000 to those Nazi victims whose health had been impaired or ruined in consequence of Nazi persecution, more than \$20,000,000 for damage to professional or economic advancement, slightly less to dependents of those killed by the Nazis, and some \$17,000,000 for damage to property. The rest was accounted for by advances, hardship payments, etc. A substantial part of these payments went to German non-Jewish victims of Nazism.

In early 1955 three basic regulations implementing the Federal Indemnification Law were enacted. They dealt with pension payments to the widows and immediate dependents of Nazi victims, with compensation for those crippled or injured by Nazi maltreatment, and with indemnification for pre-Hitler residents of West Germany whose professional career had been cut short, or whose business had been ruined, due to Nazi discriminatory measures. In March 1955 payment was authorized for certain claims of Nazi victims more than sixty years old, indigent, or so sick that their earning power was reduced by at least one-half. In July 1955 full payment was authorized for all indemnification claims based on illegal imprisonment, on injury to health, and on the death of the family breadwinner, in the case of widows and orphans. The deadline for applications under the Federal Indemnification Law was twice extended, the second time until September 30, 1956.

An amendment to the 1953 Federal Indemnification Law, designed to correct some of that law's inadequacies and inequities, mainly with respect to Jews from East Germany and to certain financial limitations, had not yet been introduced in the Bundestag by September 1955, although its speedy introduction had been pledged as early as 1953. It was hoped, however, that the amendment would be put into effect by early 1956.

In January 1955 the Bundestag named a seventeen-man standing committee on indemnification matters. The chairman was Otto-Heinrich Greve of the Social Democratic Party, the deputy chairman Prof. Franz Böhm of the Christian Democratic Union. The Social Democratic members of the committee included Jeanette Wolff of Berlin, one of the most active Jewish communal workers in Germany.

In November 1954 the Bundestag passed a Social Democratic motion making indemnification payments to individual Nazi victims exempt from income tax. This tax exemption, which did not apply to pension payments and had nothing to do with the restitution of identifiable property, was passed over the opposition of the ministry of finance.

Berlin Jews were to be regarded, for indemnification purposes, as having been deprived of their liberty during the period they were compelled by the

Nazi regime to display the yellow Star of David on their outer clothing, under a February 1955 ruling by Joachim Lipschitz, the head of the city government's department of the interior. This ruling entitled wearers of the Nazi-imposed emblem to the same compensation paid to persons the Nazis imprisoned illegally in jails or concentration camps—a little more than one dollar a day.

Jews shut up in the Shanghai ghetto by the Japanese during the last two years of World War II were entitled to compensation from the German treasury for illegal detention, if otherwise eligible under German indemnification legislation, the Frankfurt Superior Court held in April 1955. Appellate Judge Hans-Krafft Kosterlitz, who presided over the indemnification senate of the Superior Court, found that Japanese discrimination measures were taken at German instigation. In consequence, he ruled, the provisions of the Federal Indemnification Law applied to the Shanghai ghetto just as they did to any German concentration or internment camp.

#### PROTESTS AT INDEMNIFICATION DELAY

The slow pace of the indemnification program was widely criticized. President Heuss, in his 1955 Rosh ha-Shanah message, expressed the hope that "what is necessary and indicated can proceed, and will proceed, more speedily than heretofore." In February 1955 a strong resolution calling for speedier indemnification, particularly to aged and sick victims of Nazism, was adopted at the annual meeting of the Council of the Evangelical Church, which united the major Protestant denominations in West and East Germany. The biannual Congress of the German Trade Union Federation in October 1954 also condemned delays in indemnification.

In his annual report in May 1955 the United Nations High Commissioner for Refugees, G. J. van Heuven Goedhart, called some provisions of the law unsatisfactory.

Prof. Hans Reif, a leader of the liberal wing of the Berlin Free Democratic Party, told the Bundestag in December 1954 that "the present state of affairs in the sphere of indemnification for individual Nazi victims can no longer be tolerated by a democratic state." In February 1955 deputies of the Christian Democratic Union and of the Social Democratic Party joined in similar attacks. Only the existence of a "putrid climate of creeping anti-Semitism" could serve as an explanation for the "shameful and humiliating procrastination" in the carrying out of the indemnification program, Social Democratic deputy Adolf Arndt exclaimed in the Bundestag in October 1954.

#### OTHER ASPECTS OF INDEMNIFICATION

The Frankfurt Superior Court in March 1955 indefinitely postponed its decision on the appeal of the I.G. Farben chemical empire against the verdict of a lower court awarding back pay and damages to Jewish leader Norbert Wollheim for work performed and injuries suffered while he was a slave laborer in the I.G. Farben synthetic rubber plant at Buna-Monowitz (*see* AMERICAN JEWISH YEAR BOOK, 1955 [Vol. 56], p. 253). The suit was of great

significance because its final adjudication had been accepted by the I.G. Farben trust as binding for some 2,200 similar claims.

To obtain the \$12,000,000 set aside, in the 1952 Luxembourg agreement between the Bonn government and the Conference on Jewish Material Claims Against Germany (CJMCAG), for Christian persecutees of Jewish stock, a number of groupings representing Christians who had been discriminated against and persecuted by the Nazi regime because of their Jewish or part-Jewish descent formed the Relief Agency for Victims of the Nuremberg Laws Who Are Not of the Jewish Faith. Executive secretaries were Berlin's Provost Heinrich Grüber for the Protestants, and Freiburg's Gertrud Luckner for the Catholics. The other two Protestant representatives were Pastor Majer-Leonhard of Stuttgart and government counsellor Curt Radlauer of West Berlin. On the Catholic side, the second delegate was Monsignor Hans Fuessel, of Bonn.

#### AROLSEN ARCHIVES

An agreement transferring the huge concentration camp archives at Arolsen to the custody of the International Red Cross (IRC) was signed in Bonn in June 1955 by nine countries, including Israel and West Germany. The vast collection of documents (*see* AMERICAN JEWISH YEAR BOOK, 1955 [Vol. 56], p. 379) was to be administered by the IRC through an international committee composed of the highest representatives in Germany of the nine signatories. Administrative costs, which ran to \$350,000 a year, were to be assumed by West Germany until 1960. No later than 1959 the international committee would decide on the future fate of the archives.

#### *Human Rights Conventions*

The Federal Republic of Germany in March 1955 made the UN Genocide Convention (*see* AMERICAN JEWISH YEAR BOOK, 1955 [Vol. 56], p. 380-81) effective within West Germany and West Berlin. The provisions of the convention had been incorporated into the German penal code as Article 220a.

In June 1955 the Bundestag approved West Germany's adhesion to the Convention of the Declaration of Death of Missing Persons, adopted by the UN in 1950. This convention provided for the issuance of declarations of death for persons whose last residence was in Europe, Asia, or Africa, and who had disappeared in the war years in consequence, *inter alia*, of racial and religious persecution. Such declarations issued in any of the signatory states would be recognized by all other signatories.

West Germany joined five other European nations in accepting the right of individual petition to the European Commission of Human Rights set up by the Council of Europe. For the first time in the postwar era, a permanent international body had thus been created to hear complaints about the violation of basic human rights and freedoms not only from governments, but also from individuals, groups of individuals, and nongovernmental organizations.

A former national of Germany who emigrated to another country due to

Nazi persecution might resume his German citizenship, regardless of his present residence and of whether he had been naturalized elsewhere, under a clause introduced at Social Democratic initiative into the new Nationality Act adopted in December 1954.

### *Cultural Life*

Martin Buber, professor emeritus of the Hebrew University in Jerusalem and once holder of the Chair for Comparative Religion at Frankfurt University, lectured in Duesseldorf on "Prophecy, Apocalyptic, and the Historical Hour" (November 1954), and later the same month delivered the opening address at the annual session of the Bavarian Academy of Fine Arts in Munich, speaking on "Man and His Artefacts."

Other visitors from Israel who lectured to German audiences on cultural topics were M. Y. Ben Gavriel and Max Brod. Numerous radio programs of Jewish significance were broadcast by all the radio stations in Germany.

The opera *David*, with text by Armand Lunel and music by Darius Milhaud, had a German premiere at Hamburg in March 1955, with conductor Hans Schmidt-Isserstedt leading the Northwest German Radio Symphony Orchestra, augmented by the studio choirs of the Hamburg and Cologne radio stations.

In November 1954 the Palatinate Art Galleries at Kaiserslautern held the first postwar exhibition of canvases by Rudolf Levy, a German painter born of Orthodox Jewish parents at Stettin in 1875. In 1943 he was sent to the gas chambers of Auschwitz.

A motion picture released in the spring of 1955 derived, in strongly modified form, from the Finaly case (see AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 183-87). Called *I Know What I Live For* in the German and *Sacrifice* in the English version, it was written and produced in Munich by Ernst Neubach, a Jewish film veteran from Vienna who was now a French citizen.

The only cultural event of note to take place under Jewish auspices was a December 1954 meeting arranged by the Frankfurt community to commemorate the twenty-fifth anniversary of the death of Franz Rosenzweig, the religious thinker and Bible translator. The principal speaker was Chief Rabbi Robert Raphael Geis of Baden. President Heuss sent a telegram praising Rosenzweig, whom he had known personally, as one who had in an exemplary manner demonstrated human forthrightness in the face of the greatest adversity.

### PUBLICATIONS

A considerable number of books by Jewish authors, but without special Jewish significance, appeared during 1954-55. The Israeli poet S. Shalom's Galilee diary (*Galiläisches Tagebuch*) was published in Anna Nussbaum's German translation by the Drei Bruecken publishing house in Heidelberg. Rabbi Leo Baeck's *Dieses Volk* was brought out by the Europäische Verlagsanstalt in Frankfurt. Sholom Asch's new novel, *Passage in the Night*, appeared in a German translation.

No less than 431 anti-Jewish laws, decrees, and ordinances of the Nazi regime were listed in a book edited by the late Bruno Blau and put out, with the aid of the United Restitution Organization (URO), by the Duesseldorf publishing house of the major Jewish weekly in Germany, *Allgemeine Wochenzeitung*. The same publisher issued a pamphlet edition of *Gebete* by Bertha Pappenheim (see p. 388). It also published *Die Flucht*, by Hugo Marx.

In Heidelberg Lambert Schneider published a new edition of Franz Rosenzweig's principal work, *Der Stern der Erlösung*, which had been out of print for many years. In Cologne Jakob Hegner began to put out a new edition of the Bible translation by Martin Buber and Franz Rosenzweig. In Berlin a new edition was published of Ruth Hoffmann's *Meine Freunde aus Davids Geschlecht*, a touching memorial by a German Christian woman to her Jewish husband killed in Auschwitz and to her many Jewish friends in the Silesia and Berlin of another day. There were new printings of Anne Frank's *Diary* and of Albrecht Goes's *Das Brandopfer*.

The most striking novel of Jewish interest during 1954-55 was Manes Sperber's *Die Verlorene Bucht* published by Kiepenheuer and Witsch in Cologne. It described how a group of Jewish partisan fighters were attacked by Polish partisans during the war.

Guido Kisch's scientific study of the legal and social history of the Jews in Germany during the Middle Ages (*Forschungen zur Rechts-und Sozialgeschichte der Juden in Deutschland während des Mittelalters*) was published by Kohlhammer in Stuttgart. The Carl Heymanns publishing house in Cologne issued a study on the international status of Jerusalem by Guenther Weiss of the Max Planck Institute for International Law in Heidelberg.

A biography of Edith Stein, a Jewish-born Carmelite nun and distinguished philosopher who perished in the Auschwitz gas chambers, had its seventh printing in the Nuremberg Roman Catholic publishing house of Glock and Lutz, which also brought out a shorter version of the same biography, *Ein Lebensbild*. Both books had been written by a fellow nun of the Carmelite Order, Sister Maria Baptista. Another biography of Edith Stein, published by the Josef Knecht Roman Catholic publishing house in Frankfurt, was *Leben unter dem Kreuz—Eine Studie über Edith Stein*, by Hilda Graef.

The Frankfurt Jewish community's new *Bulletin* joined the *Allgemeine Wochenzeitung* in Duesseldorf, the *Münchener Jüdische Nachrichten* in Munich, and the Yiddish-language *Neue Jüdische Zeitung*, also in Munich, in April 1955.

### Personalia

The Nobel Prize in physics was awarded in November 1954 to Prof. Max Born, in recognition of his fundamental research into quantum mechanics. A pioneer of atomic theory, Born returned from England (where he was a naturalized British subject) to Germany in early 1954 and settled at Bad Pyrmont. He had held the chair of theoretical physics at Goettingen university from 1921 on, but was ousted by the Nazis as soon as they came to power in 1933.

In July 1955 Prof. Moritz Julius Bonn, now of London, was honored by

Munich University on the sixtieth anniversary of his Ph.D. degree. Professor Bonn, a noted author and economist, had been an adviser to the German government and rector of Berlin's Commercial College prior to Hitler's advent.

Lise Meitner, the Jewish atomic physicist, was awarded the first Otto Hahn prize by the Society of German Chemists in September 1955.

In March 1955 the German envoy in London presented Alfred Wiener, a former Jewish communal official in Germany, with the Grand Cross of the Order of Merit for building up the library in London named after him, a comprehensive collection of books on the history of the Nazi movement and on topics of contemporary Jewish interest.

Within Germany, the Grand Cross was conferred upon Siegfried Seelig, the only Jewish industrialist in the Ruhr, chairman of the board of several raw-material purchasing companies belonging to the United Steel Works, and during the Korean crisis West German commissioner for scrap procurement. On his sixtieth birthday, Seelig was also made honorary president of the German Scrap Metal Federation.

The Federal Cross of Merit was given to Willi Fackenheim, honorary inspector of the Hanover Animal Protection League; Prof. Kurt Levinstein, retired West Berlin high school principal; theatrical producer and stage director Arthur Hellmer; Duesseldorf retailer Gustav Baum, and meat wholesaler Adolf Hamburger, president of the Nuremburg Jewish community. Mayence University awarded an honorary Ph.D. to retired local government official Michel Oppenheim on his seventieth birthday.

#### NECROLOGY

Hermann Schreiber, seventy-two, a resident of London who had been rabbi of Potsdam before the war, died on the eve of Rosh Ha-Shanah 1954. In January 1955 Baruch Hermanowicz, co-founder and editor of the first Yiddish paper issued in postwar Germany and later an official in the Israel government, died at the age of forty-five. In August 1955 Moshe Keren, chief editorial writer for *Haaretz* and former first secretary of the Israel Embassy in London, also suffered a fatal heart attack while visiting Germany. Other deaths of the year included Ernst Borchardt, president of the Jewish National Fund in Germany from its reestablishment after the war until 1954 and a prominent Berlin community figure; and Max Schwerdt, Regensburg industrialist and vice president of the Association of Jewish Communities in Bavaria. In September 1954, Eugen Schiffer, who had served as Reich minister of finance in 1918-19, as Reich minister of justice in 1919-20, and as head of the Central Administration of Justice in East Germany from 1946 to 1948, died at the age of ninety-four. For a time Schiffer had served as Vice Chancellor of the Weimar republic. He was of Jewish birth, but not a member of the Jewish community.

## AUSTRIA

THE MOST important event in the postwar history of Austria was the signing of the State Treaty for the Reestablishment of an Independent and Democratic Austria<sup>1</sup> on May 15, 1955. By this treaty, France, the United Kingdom, the United States, and the Soviet Union, who had occupied Austria since the end of World War II, agreed to recognize the sovereignty of the Austrian state and to support its application for admission to the United Nations (UN).

The signing was the last stage of laborious and time-consuming efforts on the part of the Western powers to redeem the promise of the Moscow Declaration of November 1, 1943, to reestablish a free and independent Austria. For almost eight years the Soviet Union had blocked these efforts; on February 8, 1955, however, Soviet Foreign Minister Vyacheslav Molotov, in the framework of a détente developed after the death of Stalin, announced that an Austrian treaty could be signed. On March 24, 1955, Molotov invited the Austrian chancellor, Julius Raab, to Moscow for discussions. The Austro-Soviet negotiations led to a joint memorandum of the two parties (April 15, 1955); one month later the state treaty was signed in Vienna by the occupation powers and Austria; on July 27, 1955, after the treaty came into force, the activities of the Allied Control Council in the Austrian capital ceased.

The full text of the state treaty was published in the *Department of State Bulletin* of June 6, 1955. Only the main provisions can be indicated here. Article 4 prohibited the Anschluss; Article 6 guaranteed human rights and freedom and declared unlawful any discrimination on grounds of race, sex, language, or religion. Article 9 placed Austria under obligation to destroy Nazi activities. Article 18 referred to the repatriation of Austrian prisoners of war. Under Article 22 Austria was to pay to the Soviet Union \$150,000,000 in goods over a period of six years for the return of German assets other than oil and the shipping properties; one million tons of crude oil annually for a period of ten years for the return of the oil properties; and \$2,000,000 for the return of the Danube Shipping Company properties in East Austria. Article 26 provided for restoration of properties and for compensation to victims of the Nazis. Finally, in the above-mentioned Soviet-Austro memorandum of April 15, 1955, which was incorporated in the treaty by a special reference (Article 22, Paragraph 13), Austria undertook not to join any military alliance and to become neutral.

It is difficult to predict the economic and political impact of the state treaty. Since 1953 Austria had enjoyed an economic prosperity comparable to the favorable situation in West Germany. In June 1955 the index of industrial production stood at 251 and that of employment (excluding agriculture) at 114, as against 100 in 1948 (*Monthly Bulletin of Statistics*, Statistical Office of the UN, November 1955). The United States had played an important part in this development. From 1945 through the end of September 1954 it had contributed to Austria, by means of various grants, about \$1,000,000,000.

<sup>1</sup>A state treaty and not a peace treaty since the Austrian Republic, established in 1945, did not exist when the war broke out in 1939.

(*Foreign Grants and Credits by the U. S. Government*, United States Department of Commerce, September 1954.) Moreover, the United States Army, which paid the occupation costs, had spent substantial amounts in Austria and employed local personnel in large numbers. It remained to be seen how the Austrian trade balance would be affected by deliveries of \$25,000,000 of goods a year to the Soviet Union. The transfer of enterprises administered until recently by the Russians, a part of which had to be restored to their rightful Jewish owners from whom they were confiscated by the Nazis, entailed many problems. Austria would have to go through a relatively long period of adjustment to the conditions created by the treaty. Politically, everything depended on how Austria intended to maintain the status of neutrality imposed upon it by the Soviet Union.

## Refugees

Probably the largest part of the refugees who came under the mandate of the United Nations High Commission for Refugees (UNHC) and required international assistance in one form or another resided in Austria. Estimates of their number ranged from 150,000, including 117,000 Ethnic German *Volksdeutsche* (*The Economist*, London, August 14, 1954), to 180,000, including 145,000 *Volksdeutsche* (*New York Herald Tribune*, July 30, 1955). Legally, after the signing of the treaty, these refugees became the sole responsibility of the Austrian government, which was a signatory of the United Nations Convention Relating to the Status of Refugees (in force since April 22, 1954). The only outside agency concerned with the protection of refugees was the office of the UNHC. In this connection it is pertinent to point out that Paragraph 16 of the draft of the state treaty, providing for so-called voluntary repatriation of refugees and entitling the Austrian government to drop refugees refusing repatriation from welfare assistance rolls, was deleted from the final text of the treaty as a result of pressure by the Western powers. The rumors that Chancellor Raab had made a secret agreement with the Soviet government to send refugees from Eastern Europe back to their native countries during his visit to Moscow had been emphatically denied by Austrian authorities. Nevertheless cases of deportation were reported by various newspapers. According to a story published in *The New York Times* (December 1, 1955), on September 12, 1955, the Austrian minister of the interior delegated authority over the refugees to provincial officials, who sent back several dozen Yugoslav "economic refugees." On September 30 the ministerial order was rescinded, and the ministry informed the United States embassy in Vienna that in the future no refugee would be deported without a review of his case by the minister of the interior.

Apparently infiltration of refugees from Hungary into Austria, which had previously been negligible, increased after the Soviet Union withdrew its troops from Austria. There was a small infiltration from Yugoslavia of "Cominform refugees" after the visit to Belgrade of the Soviet leaders (*The New York Times*, July 14, 1955).

The privileged group among the refugees in Austria were the *Volksdeutsche*. Since 1952 they had not been required to obtain work permits, and

enjoyed the same social security benefits as Austrian nationals. On June 2, 1954, the Bundestag (Austrian parliament) passed an act enabling German-speaking stateless persons and German-speaking persons of uncertain nationality to acquire Austrian nationality by means of a simple declaration of loyalty (*Bundesgesetz betreffend den Erwerb der Staatsbürgerschaft durch Volksdeutsche—Bundesgesetzblatt für die Republik Österreich #33, August 5, 1954, pp. 777-79*). This act granted Austrian nationality to applicants who had taken up residence in Austria between January 1, 1944, and December 31, 1949, and had remained there until January 1, 1950, or later. The declaration of loyalty had to be made by the end of 1955 (*Industry and Labor, Geneva, November 15, 1954*). Although the act in no way referred to "racial" Germans, its practical application appeared to limit the group of beneficiaries to those who were *Volksdeutsche* in the ethnic sense. The Vienna Jewish periodical *Neue Welt* (#55/56, December 1954) complained that Jewish refugees from Eastern Europe whose native tongue was German experienced much more difficulty than did ethnic Germans when they applied for naturalization under the act of June 2, 1954. After intervention by the office of the UNHC, Austrian authorities promised to give the status of *Volksdeutsche* to all refugees who had entered Austria before January 1, 1952 (*Christian Science Monitor, October 15, 1954*). Under Article 6 of the state treaty they are bound to keep this promise.

### *Jewish Population*

According to the report of the Vienna office of the American Joint Distribution Committee (JDC), some 11,000 Jews were living in Austria as of June 1955. In addition to about 500 persons not affiliated with the Jewish community, there were approximately 10,400 Gemeinde members and refugees distributed as indicated in Table 1.

TABLE 1  
JEWISH POPULATION OF AUSTRIA,  
IN GEMEINDEN AND REFUGEE CAMPS,  
JUNE 1955

<i>Location</i>	<i>Number</i>
Vienna . . . . .	9,181
Salzburg . . . . .	480
Graz . . . . .	215
Innsbruck . . . . .	165
Camps . . . . .	376
TOTAL . . . . .	10,417

The age structure and the breakdown by sex of Austrian Jewry may be seen from the data on the membership of the Vienna *Kultusgemeinde*, which accounted for 83 per cent of the Jewish population. According to the *Iskult Presse Nachrichten* (January 18, 1955), 9,123 persons were registered with the community as of December 31, 1954, 4,829 males and 4,294 females. Table 2 indicates the age distribution of the members of the Vienna *Kultusgemeinde*.

TABLE 2

AGE DISTRIBUTION OF MEMBERS OF VIENNA  
KULTUSGEMEINDE, DECEMBER 31, 1954

<i>Age</i>	<i>Number</i>	<i>Per Cent</i>
Up to 5.....	248	2.7
6 to 10.....	341	3.7
11 to 14.....	147	1.6
15 to 18.....	143	1.6
19 to 24.....	257	2.8
25 to 40.....	1,513	16.6
41 to 59.....	3,752	41.1
60 and over.....	2,722	29.9
TOTAL.....	9,123	100.0

The membership of the community in Vienna had remained at about the same level since 1947. There had been, however, a substantial increase in membership in the years 1949 and 1950, mainly as a result of repatriation and the arrival of refugees from Eastern Europe in Vienna.

TABLE 3

MOVEMENT OF MEMBERSHIP OF THE  
VIENNA KULTUSGEMEINDE

<i>Year</i>	<i>Number of persons</i>
Spring 1947.....	9,400
Early 1948.....	8,500
March 31, 1949.....	10,717
March 31, 1950.....	12,450
December 31, 1951.....	9,882
December 31, 1952.....	9,509
December 31, 1953.....	9,060
December 31, 1954.....	9,123
June 30, 1955.....	9,181

It would be informative to compare these data with figures on new members registered with the community during the respective periods. Unfortunately, complete yearly figures were not available to the author for the years 1949 and 1950, and no figures at all were available for the years before 1949.

TABLE 4

NEW MEMBERS OF THE  
VIENNA KULTUSGEMEINDE

<i>Year</i>	<i>Number of persons</i>
Jan. 1-Apr. 30, 1949.....	2,037
July 1, 1949-Mar. 31, 1950.....	3,248
1951.....	873
1952.....	850
1953.....	449
1954.....	795
Jan. 1-June 30, 1955.....	376
TOTAL.....	8,628

Thus, at least 8,628 persons joined the Viennese Jewish community between January 1, 1949, and June 30, 1955. Of this number 4,500, or over 50 per cent, were repatriates and refugees from Eastern Europe, and 1,100, or nearly 13 per cent, repatriates from Israel. Since the community probably numbered about 10,700 members at the beginning of 1947 and almost 9,200 in June 1955, it is apparent that the turnover in membership during the intervening eight years had been large; it was supposedly due to emigration and a high death rate among the membership. While 177 children were born between January 1, 1951, and June 30, 1955, 272 members died during 1954 and the first six months of 1955.

### CAMP POPULATION

The Jewish camp population decreased from 3,395 as of December 31, 1950, to 376 in June 1955. It was becoming increasingly difficult to resettle the remnants of the formerly numerous Displaced Person (DP) population. The 376 refugees still in camps were accommodated in the following installations: in Asten, near Linz; Glasenbach, near Salzburg; and in the Rothschild Hospital, Vienna. The residents of the latter were living in the former Eye Clinic and the Nurses' Home. Their removal by the Austrian authorities from the main building caused some commotion when, in March 1954, one family had to be forced by police to vacate their premises. As a result, in November 1954 three persons were tried on charges of forcibly resisting Austrian police; two received short prison terms and one was acquitted (Jewish Telegraphic Agency, November 19, 1954).

### Communal Organization

In July 1955 an agreement was reached between the Austrian government and the Jewish Committee for Claims Against Austria.<sup>2</sup> Because of pending negotiations on Jewish reparations claims, the elections of the Vienna *Kultusgemeinde* Board of Directors, which in accordance with the bylaws were to be held in February 1955, were postponed to November 27, 1955. Sixty-seven and three-tenths per cent of those eligible to vote took part in the elections, and five groups out of the seven competing won seats on the Board of Directors (*Iskult Presse Nachrichten*, November 28, 1955). The victorious groups were: the *Liste der Werktätigen Juden* (Socialist), with thirteen seats, as compared to twelve in 1952; the *Nazional Jüdische Wahlgemeinschaft* (Zionist), with five seats, compared to six in 1952; the *Jüdische Demokratische Liste Einigkeit* (Communist), with three seats, compared to five in 1952; the *Jüdische Interessengemeinschaft*, with two seats (it did not exist in 1952); and the *Block der Religiösen Juden*, with one seat, as in 1952.

The new Board of Directors had a Socialist majority. In the outgoing board the leadership had been in the hands of a Socialist-Zionist coalition under the chairmanship of Emil Maurer, a Socialist of long standing. The coalition had had its ups and downs but in general had provided a stable basis for the community's activities. The relation between the Vienna *Kultus-*

<sup>2</sup> See p. 407.

*gemeinde* and the religious grouping took a different turn. Agudath Israel, Poale Aguda and Mizrachi, not satisfied with the way the official community had met their religious needs, decided early in 1955 to establish a separate Orthodox community, to be known as Kehal Israel; Kehal Israel had already applied to the authorities for an official status. In Graz, too, a new Board of Directors was elected in January 1955, with Fritz Strassmann chairman.

### *Social Welfare*

The Vienna *Kultusgemeinde* assisted an average of 650 persons a month. It maintained a home for the aged and a Jewish hospital (caring for 200 persons). More than 28 per cent of the 1955 budget of the Vienna community was covered by funds of the JDC and the Conference on Jewish Material Claims Against Germany (CJMCAG), which were being used especially for increased assistance to summer camps (250 children) and educational activities. Vienna had a Hebrew school and a kindergarten (with an enrollment in both of from 80 to 90 pupils) and three small Talmud Torahs (50 students) subventioned by JDC. Moreover, about 200 children, pupils of the Vienna elementary schools, attended weekly religious classes conducted by teachers provided by the *Kultusgemeinde* and paid by the Municipal Council. The *Kultusgemeinde* had conceived a project to set up a full-time Talmud Torah with CJMCAG funds. Realization of this project was slated for the end of 1955. The Jewish communities in Graz and Salzburg received their funds from the same sources as the Vienna *Kultusgemeinde*, but of course on a much smaller scale; they conducted welfare and religious activities among their membership.

The JDC had a direct program for refugees in camps and communities (about 660 persons a month), granted stipends to 25 academic students, maintained a kitchen in Vienna which provided meals for 170 to 180 persons a month, and financed a credit cooperative. Since its inception in 1949 through June 30, 1955, the credit cooperative had granted 579 loans amounting to approximately \$250,000. The activities of United HIAS Service which moved 195 persons from Austria between January 1 and September 30, 1955, and of the Organization for Rehabilitation Through Training (ORT) with 865 trainees in 1954, also deserve mention.

### *Intergroup Relations*

There were no overt manifestations of anti-Semitism in Austria during 1954-55. Only small groups, mainly of those who in the past had benefited from the Nazi rule, supported activities of the partisans of the collapsed Hitler regime. These, however, did not acquire any political significance. Also, some periodicals, such as the weeklies *Wiener Samstag* and *Wiener Montag*, or *Die Wegwarte*, the organ of the *Volksdeutsche* from the Sudeten in Czechoslovakia, were criticized by the Jewish press for venting anti-Jewish feelings.

The Jewish community had been annoyed by the increasing indifference of the general public and government officials to the terrible experience of the Anschluss period. Chancellor Raab tried to circumvent the decision of

the Allied Control Council in vetoing legislation in behalf of former Nazis (*The New York Times*, December 9, 1954); the Austrian government, after the liquidation of the Council, decided to submit to Parliament two bills providing for benefits to former Nazi officials which had been vetoed under the Allied occupation regime (*The Day-Journal*, New York, October 6, 1955). The question of furniture confiscated from the Nazis in 1945 and distributed among their victims was brought to the fore in the City Council of Vienna (*Iskult Presse Nachrichten*, June 30, 1955). On the other hand, a new Christian-Jewish organization, *Action Against Anti-Semitism*, had been established in Vienna (*Die Stimme*, #95, August-September 1955), and the Catholic church had prohibited performances in Tyrol of the so-called *Anderl Spiele* which referred to an alleged ritual murder in the Middle Ages (*ibid.*, #91, January 1955).

BORIS SAPIR

### *Indemnification*<sup>3</sup>

In July 1954 the second phase of the negotiations between the Austrian government and the Executive Committee for Jewish Material Claims on Austria (ECJMCA) had ended on a note of even greater disappointment than had the first discussions held the year before (*see AMERICAN JEWISH YEAR BOOK*, 1955 [Vol. 56], p. 384 and f). Nevertheless, the ECJMCA agreed to consider the new definite proposals to restudy all Jewish claims for indemnification and compensation to former Austrian Jewish citizens or residents which Chancellor Julius Raab promised to submit in the fall of 1954. In spite of this official undertaking on the part of the Austrian government, November 1954 went by without the receipt of any offer from Austria. In mid-November, the ECJMCA learned informally that some kind of a proposal had been worked out by Minister of Finance Reinhard Kamitz for the Austrian cabinet, which the cabinet had rejected. Later it turned out that the terms of this proposal would have failed to meet the minimum demands which had been known to the Austrians for eighteen months. It soon became evident that no project or proposal of any kind was to be submitted to the Austrian parliament, whose advance approval had been the chancellor's condition for reopening discussions. To justify this breach of agreement, reference was made to the fall elections for Austria's provincial assemblies—though these elections had no bearing whatever on the status and functions of the Federal parliament.

These facts led to the definite impression that, in violation of its official commitments, the government of Austria was determined to disregard its moral obligations toward the victims of Nazi persecution and spoliation. Yet, on November 19, 1954, Karl Gruber, the ambassador of Austria to the United States, reassured Seymour J. Rubin, counsel on foreign affairs of the American Jewish Committee in Washington, that a new proposal would shortly be forthcoming from Vienna. Despite these assurances, and the fact that the Landtag elections were over, the Austrian government failed to act.

<sup>3</sup> The material in this section was prepared by the staff of the foreign affairs department of the American Jewish Committee.

At this time it became known that Chancellor Raab was about to arrive in the United States for an official visit between November 21 and December 10, 1954, without bringing along with him the promised new offer on whose basis discussions of the claims of tens of thousands of indigent victims of Nazism were to have been resumed. Conversely, shortly before his departure for the United States, Chancellor Raab assured an election rally in Austria that he would introduce administrative measures to grant the same substantial benefits to large numbers of convicted Nazis which the Allied Control Council had, by unanimous veto, prevented the Austrian government from granting.

Consequently, the ECJMCA authorized its chairman, Nahum Goldmann, to issue, on November 19, 1954, a statement to the effect that the failure of Austria to produce the promised new proposal which would meet minimum requirements rendered all expectations for continued negotiations hopeless. On the same day, a delegation of the ECJMCA, consisting of Jacob Blaustein, Frank Goldman, Nahum Goldmann, Israel Goldstein, and Adolph Held, accompanied by Seymour Rubin and Saul Kagan, secretary of the committee, called upon Undersecretary of State Robert Murphy in Washington to acquaint the United States government with the facts and implications of the situation. In line with the traditional policies of the United States, the undersecretary assured the delegation of the state department's continued full support to the cause of the victims of Nazism. As a result, on January 3, 1955, the White House, through Rep. Jacob Javits (Rep., N. Y.), informed both the American Jewish Committee and the ECJMCA that Secretary of State John Foster Dulles had raised the question of Austrian indemnification and compensation with the Austrian chancellor during his call at the state department on November 22, 1954, and that it had been mutually agreed that a prompt and just settlement of these claims should be sought. The state department was hopeful that there would be a renewal of active negotiations between the Austrian government and the Jewish representatives at an early date.

On November 22, 1954, the American Federation of Jews from Austria and the American Federation of Jews from Central Europe held a joint decennial memorial service for the victims of Nazism in New York. These organizations expressed the bitter indignation of refugee circles over Austria's apparently unyielding new position. The general and Jewish press in the United States and in Europe joined in the condemnation of Austria's attitude. As a result of these official American representations and the public reactions, Chancellor Raab on November 30, in an interview he held with press correspondents covering the United Nations, finally made a new promise to submit the Austrian government's long-delayed offer to the ECJMCA within two weeks after his return to Vienna.

The chancellor's new promise was (naturally) received with considerable skepticism. By that time, it had become known that there was a serious rift on the issue of indemnification between the two Austrian coalition parties: the Catholic People's Party headed by Chancellor Raab, and the Social Democratic Party (SDP). SDP was demanding that persons persecuted by the anti-Socialist former premiers Engelbert Dollfuss and Kurt von Schuschnigg

regimes be granted the same benefits as the Nazi victims under any indemnity agreement or legislation to be concluded by Austria. The Socialists were reported to have refused to accept any agreement which failed to satisfy this unexpected and rather incongruous special plea; the People's Party on the other hand, could not accept the implications of this indirect equation of Dollfuss and von Schuschnigg with Hitler.

Whatever the reasons, it was almost thirteen weeks, rather than the two weeks that the chancellor had set, before a new communication from Austria reached the ECJMCA in New York. On March 23, 1955, the ECJMCA finally received, dated March 17, the following communication from Chancellor Raab:

The Austrian cabinet has decided on March 15, 1955, to invite for the period May 5-11, 1955, a delegation of two or three representatives of your organization for a discussion concerning the demands for compensation for those who were persecuted by National Socialism for reasons of race. Pursuant to this cabinet decision, I have the pleasure to extend this invitation.

The chief feature of this invitation was its failure to make any new offer as a basis for the resumption of negotiations, despite the chancellor's official and public promise.

Nevertheless, the ECJMCA again concluded that it would be inadvisable to reject an official invitation to further discussions, in view of the needs of thousands of aged and indigent victims of Nazi persecution, who could hope for no alleviation of their plight from any source other than Austria. On the other hand, the ECJMCA took the position that there could be no actual negotiations with Austria unless and until the Austrian cabinet presented a new, acceptable preliminary proposal.

Accordingly, the ECJMCA advised Vienna that it was prepared to delegate a very small group of its representatives in Vienna to receive and examine such proposals as Austria was prepared to make as a preliminary step. The negotiating team was instructed to report these proposals back to the ECJMCA to determine whether they met the minimum requirements which would justify the resumption of concrete negotiations.

The small delegation of ECJMCA representatives arrived in Vienna on May 9, 1955, with Nehemiah Robinson of the World Jewish Congress as chairman and Seymour J. Rubin of the American Jewish Committee as special counsel. Next day, they received a written offer from the Austrian government which was restricted to: (a) the promise of the establishment of an heirless property collecting agency, without any advance payment to the ECJMCA—although Austria had already conceded such a payment on several earlier occasions; (b) certain improvements in favor of persecutees living outside of Austria in respect to social insurance and to benefits under the Austrian Victims' Welfare Law; (c) a payment of 3,500,000 schillings (\$140,000) to the Jewish communities in Austria for the purpose of rebuilding destroyed synagogues; and (d) the establishment of a hardship fund for needy victims outside of Austria who derived no benefits from the existing Victims' Welfare legislation in Austria. This fund was to be limited to the amount of 100,000,000 schillings (about \$4,000,000).

After long-distance consultation with the committee in New York, the

Jewish delegation expressed its disappointment with regard to this proposal. At the same time, it declared that the only basis for any minimally satisfactory offer would be the adoption, by the Austrian government, of a definite commitment to expend about 600,000,000 schillings (rather than the 100,000,000 offered) for payments to needy individual persecutees living outside of Austria over a period of seven to ten years. This actual expenditure would be appropriated over and above the benefits accruing to individuals under the improvements offered by Austria as social insurance and Victims' Welfare benefits. On May 12 the Jewish suggestion was further discussed with the competent cabinet members, including Chancellor Raab, who promised to take up the matter at the next cabinet meeting, scheduled for May 17. In actual fact, the cabinet meeting was delayed for another week.

Basic to the understanding reached with Austria in July 1955 was a commitment by the Austrian government to set up a fund of 550,000,000 schillings (about \$21,000,000), to be administered by a board on which the Austrian government and the Austrian victims of Nazism were to be represented. Payments were to be spread over a period of ten years, and to be made to persons who had suffered losses as a result of Nazi persecution in Austria and who now resided outside of Austria. Relatively simple and equitable rules for eligibility and for priorities as to payment were provided, with priority considerations to be given to the aged, the sick and indigent.

The exact details of this Austrian commitment were, at the time of this writing (October 1955), not open for publication, for the reason that the agreement and the appropriations it involved were still subject to the approval of the Austrian parliament. It had been estimated, however, that some 15,000 families, most of them in the United States, England, and Israel, would receive some compensation from this fund. These benefits would be necessarily more modest than those deriving from the claims settlement with West Germany.

The Austrian government also undertook, at the same time, to provide for the collection of heirless and unclaimed properties of Nazi victims, for the ultimate use of their proceeds for compensation to surviving victims of Nazism. It was anticipated that this category of funds would be used for the relief of persecutees living in Austria. The ECJMCA's related demand that an advance payment on heirless property be made by Austria at once, could not, however, be achieved, since the pertinent provisions of the new state treaty with Austria contained no basis for such action.

The understanding provided, in addition, that Austria was to assist the Austrian Jewish community in such matters as rebuilding synagogues, cemeteries, etc.

During the course of the negotiations, the Austrian government also agreed to extend pensions and social insurance payments to persecutees living outside of Austria; these improvements, as well as the indemnity benefits granted them by earlier Austrian legislative measures stipulated by the ECJMCA, would accrue to persecutees over and above the assistance they might obtain from the new fund of 550,000,000 schillings.