
Central Europe

WESTERN GERMANY

THROUGHOUT 1953 and the first half of 1954 developments on the German political stage were overshadowed by the struggle over the European Defense Community (EDC), and by the attempts to restore sovereignty to West Germany.

Following Chancellor Konrad Adenauer's landslide victory in the national elections of September 1953, the two houses of parliament, in February-March 1954, amended the constitution of the Federal Republic of Germany so as to remove all doubts of the constitutionality of German adherence to the EDC and concomitant remilitarization. The amendments were promptly approved by the Allied High Commission. The Federal Republic, through the signature of President Theodor Heuss (March 30, 1954), then completed ratification of the Paris Treaty setting up the EDC, which Chancellor Adenauer had signed almost two years before. Under Adenauer's single-minded leadership, the West German government predicated its plans and policies on the belief that the other five EDC signatories—France, Italy, and the Benelux countries—would ratify as well. When the French National Assembly refused its assent in August 1954, consternation reigned. Efforts were undertaken to find another solution which would first restore to Western Germany "full and undiminished" sovereignty and, with the active help of the United States and Great Britain, would allow the plans for the rearmament of West Germany to proceed. The German leaders no longer considered the Bonn conventions of 1952, which never entered into force due to the failure of EDC, to be adequate.

Friendship between the United States and West Germany, much in evidence during the year, was highlighted by gestures of good will on both sides. The two countries agreed that their 1923 Treaty of Friendship and Commerce, lapsed in consequence of the war, would be reinstated as soon as formalities could be completed.

Relations with East and West

Western Germany's relations with most of the western nations continued to improve. Thus, the Benelux countries and Italy backed Germany rather than France at the Brussels EDC Conference of August 1954. German amity with Greece and Turkey was underlined by Chancellor Adenauer's state visit to both countries in March 1954, and by the return visit of Field Marshal Alexander Papagos, the Greek premier, in July. In France, how-

ever, misgivings about the calculated risk of drawing Germany into a Western military alliance would not be stilled. Not only did the aversion of many Frenchmen to German remilitarization and to the EDC prove to be a factor of great moment, but the Saar problem, and to some extent also the question of the Moselle river canalization, continued to bedevil Franco-German relations.

The Federal government, which had no diplomatic relations with the Soviet bloc, rejected the concepts of neutralization and of a "third force" advanced by some individual politicians and ineffectual political groups. Although the Big Four Conference in January and February of 1954 took place in Berlin, Germany was not a participant. The German public closely watched the proceedings in the vain hope that they might lead to the reunification of Germany. The barriers separating Western from Eastern Germany were, however, lowered slightly in the course of the year.

German-Arab Relations

The Arab League, maintaining its opposition to the reparations treaty which the Federal Republic had concluded with Israel and the Conference on Jewish Material Claims Against Germany, on September 10, 1952, persisted in threatening a boycott of German goods.

In January 1954, the Arab League Economic Council again postponed action on a proposal to begin an Arab boycott of Western Germany because of the reparations pact. But in July 1954 it resolved that it could not tolerate future reparations deliveries of a nature likely to increase Israel's industrial and military potential. Also in July 1954, Syria delivered a note to Bonn drawing attention to a number of reparations shipments which, Syria contended, could be used for equipping an armament industry.

While Israel refrained from seeking to counteract Nazi propaganda directly, its quasi-diplomatic Purchasing Mission in Germany did issue a German condensation of the Israel government's White Book on Arab refugees and a brochure giving the background facts on Arab boycott threats.¹ The deputy director of the mission, Chaim Yahil—then in Berlin as official Israeli observer at the Big Four Conference—held a press conference in February 1954 to refute the inflammatory anti-reparations propaganda of Jamal el Farra, Syria's minister in Bonn.

Practical considerations of commercial advantage as well as traditional Arab respect and friendship for Germany combined to prevent the Arab nations from carrying out their boycott threats. The rumored blacklists of German firms supplying reparations goods did not materialize. On the contrary, trade between Western Germany and Arab countries continued to expand, while diplomatic ties were strengthened. Iraq appointed its first minister to the Federal Republic, Saifullah Khandan. Yemen for the first time accredited a permanent diplomatic representative in Germany, Sayed Hasan Ibrahim. Prince Abdullah Feisal, Saudi Arabia's minister of health, visited Germany and was cordially received, as was Sheikh Abdullah Sulei-

¹ The White Paper appeared in January 1954, the brochure early in 1953.

man, Saudi Arabia's finance minister, a month later. Western Germany and Yemen ratified a treaty of friendship and commerce, thus making it possible for a German firm to begin to explore and exploit the Arab kingdom's natural resources. In Hamburg, the world's largest oil tanker was launched by Duchess Ann-Marie von Bismarck and given the name *King Saud I*; the 47,000-ton vessel flew the Saudi Arabian flag. At a dinner party celebrating the launching, West German Vice Chancellor Franz Bluecher pointed out that, from 1949 to 1953, German imports from the Arab countries had more than quadrupled, with exports trebling in three years.

Many of the former Nazi military experts employed by Egypt did not have their contracts renewed, but other Arab states, like Saudi Arabia, were reported dickering for their services. At a farewell party in Cairo given by a group of these experts, both the German *chargé d'affaires* and the Grand Mufti of Jerusalem attended. Kamel Mrowa, the Grand Mufti's propaganda chief during the latter's stay in Nazi Germany from 1941 to 1944 (now a newspaper publisher in Lebanon), visited Germany at the invitation and under the sponsorship of the Federal government in March 1954.

Economic Situation

Western Germany was extraordinarily prosperous during the period under review (July 1, 1953, through June 30, 1954), despite below-average crop yields and strikes in Hamburg and Bavaria.

Some statistical data will illustrate the extent of German recovery. Thus, on June 30, 1954, the gold and foreign exchange reserves of the German central bank had reached \$2,300,000,000. A year earlier, the figure had been \$1,450,000,000, and in June 1952, \$800,000,000. Gold reserves alone, just about at zero in June 1951, climbed to \$100,000,000 during the second half of 1952, to \$200,000,000 in June 1953, and on June 30, 1954, stood at \$420,000,000. The Deutsche Mark was regarded as one of the world's hardest currencies.

Credit for this development was due to American aid, as well as to the German production and sales drive which had increased German exports eightfold since 1948.

This was very different from the first postwar years when the index of industrial production, taking 1936 as 100, did not reach 63 until 1948. By 1950 it had risen to 113; by 1952 to 145; by June 1953, to 159, and twelve months later to 177. In spite of the unceasing influx of refugees from the East Zone, the number unemployed in Western Germany dropped from an average of 1,600,000 in 1950 to 1,250,000 in 1953. On August 31, 1954, a postwar low of 880,000 was reported. That figure did not, however, include the 164,000 who were out of work in West Berlin. There, owing to the city's island position behind the Iron Curtain, the economic picture was considerably less rosy.

While old-age pensioners, public-welfare recipients, and certain other groups were badly off, the workers as a whole also shared in the fruits of prosperity. In 1952 the weekly gross earnings of industrial workers were

DM 74; in 1953 they reached DM 78, and in 1954 the wage curve crossed the DM 80 line. Taking price changes into account, adjusted real weekly earnings of industrial workers (1938 = 100) moved steadily upward from 64 in mid-1948, to 115 at the end of 1952, and 119 in early 1954. Another indicator of the general living standard was personal expenditure on goods and services *per capita* of the population. Calculated on the basis of 1936 prices, this mounted from 91 in 1950 to 112 in 1953.

Domestic Affairs

After Chancellor Konrad Adenauer's notable triumph at the polls in September 1953 (*see AMERICAN JEWISH YEAR BOOK*, 1954 [Vol. 55], p. 237-38), he united in a coalition government his own Christian Democratic Union (CDU), its Bavarian sister party the Christian Social Union (CSU), the Free Democratic Party (FDP), the German Party (Deutsche Partei-DP), and the refugee party (Block der Heimatvertriebenen und Entrechteten-BHE). This coalition represented a constitution-changing two-thirds majority in Parliament. During the year under review (July 1, 1953, through June 30, 1954) the chancellor, as chief executive, foreign minister, and national chairman of the CDU, was able to exercise a free hand in setting the course of the state and of his party, which held half the seats in the Bundestag. In addition, state governments sympathetic to Adenauer's policies assumed the reins in another two of the Federal Republic's constituent states, as well as in West Berlin.

The new cabinet was made up of nineteen ministers, more than Germany had ever known before. Their political beliefs ran the gamut from old-line liberal republicanism to romantic Guelph particularist monarchism. Those Germans who had suffered grievously at the hands of Nazism, and who had been considered Germany's sole "international moral asset" some years before, were not represented to any great extent.

Four of the new cabinet ministers had been members of the Nazi Party. One minister had also volunteered for the General SS, Himmler's black-shirted élite guard, and reached a noncommissioned rank in it. Another minister, Waldemar Kraft of the BHE, attained the rank of captain in the General SS, and during World War II had been in charge of a Nazi organization that looted foodstuffs from German-occupied Poland. After the German collapse, the generally lenient British authorities had adjudged Kraft so dangerous a Nazi that they had interned him for more than two years. In 1952, Kraft conferred in secret with Werner Naumann, the deputy of Joseph Goebbels who was arrested by the British in 1953 for subversive pro-Hitlerite activities (*see AMERICAN JEWISH YEAR BOOK*, 1954 [Vol. 55], p. 238-43). In 1953 Kraft was appointed minister for special tasks, i.e., without portfolio, in the Bonn cabinet. In 1954, during the temporary absence on vacation of the regular incumbent, he was named acting minister of the interior, heading all West Germany's internal security forces.

The most dynamic of the new Bonn ministers was Theodor Oberlander, also of the BHE, appointed minister for refugee and expellee affairs in 1953.

In 1954 his jurisdiction was extended to encompass evacuees and wounded war veterans. As soon as Hitler came to power, Oberlaender had joined the Nazi Party and the Storm Troops, in whose ranks he became a captain. In 1936, the Nazi minister of education in Prussia made him director of the Institute for East European Questions. In 1939, Oberlaender was chosen top national leader (*Reichsfuehrer*) of the Nazi "League for a German Eastern Europe."

On specifically Jewish questions, the record of all but a few of the government's new top executives was unknown. There was no doubt that some had formerly been on good terms with individual Jews. Yet it was considered disquieting that, when the Israel reparations agreement came up in the Bundestag on March 18, 1953 (see AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 251), five of the present members of the cabinet deliberately and ostentatiously abstained from voting, disavowing Chancellor Adenauer in the process.²

On July 20, 1954, West Germany's domestic self-assurance was disturbed by an episode widely described as the most sensational event since the inception of the Federal Republic. Otto John, who as head of the West German Office for the Protection of the Constitution had been in charge of political counter-intelligence, crossed the border to East Berlin and went over to the Communist regime of the Soviet Zone. In public statements, he gave as his reason the influx of unreconstructed Nazis and Hitler generals into West German key positions.

NAZIS IN GOVERNMENT

John's allegations were denied vigorously by Chancellor Adenauer, by prominent members of his coalition, and by a large section of the German press. A different view was expressed by newspapers noted for democratic militancy. No matter how reprehensible John's action, they argued, it was true that public life was being infiltrated by those who had once served the Nazi regime with dedicated zeal and now gave little evidence of having undergone a genuine change of heart.

During the year under review, this process could be observed at all levels, in the national government as well as in the cabinets of the Federal Republic's constituent states, in municipal and county administrations, in parliamentary chambers and in the diplomatic service, in industry and on the stage. Karl Frank, Nazi Lord Mayor of Ludwigsburg to the very end of the Hitler regime, was installed as minister of finance in Baden-Wuerttemberg. Erich Mix, Nazi Lord Mayor of Wiesbaden at the time that city's beautiful synagogue went up in flames, who had been sentenced as a "Nazi activist" by a denazification court, was again elected Lord Mayor of that city, without a single negative vote being registered in the city council. Wilhelm Schepmann, former national chief of staff and general of the SA Storm Troops, was almost unanimously appointed a teacher at the local school by the town council of Gifhorn. Wilhelm Tegethoff, a Nazi Party member who had

² The five cabinet members were: Fritz Schaeffer (CSU), Victor-Emanuel Preusker (FDP), Franz-Josef Wuermeling (CDU), Heinrich Hellwege (DP), and Franz-Josef Strauss (CSU).

served as deputy police president of Hanover during the last three years of the war, was named police chief of the German capital of Bonn itself.

The Nazi Lord Mayor of the leather city of Offenbach, Helmut Schranz, was elected to the Bundestag on the ticket of the Deutsche Partei. In city council elections at the international spa of Baden-Baden, Kurt Buerckle—who had been not only the municipality's Nazi mayor, but also county leader of the Nazi Party—gained the second highest number of votes polled by any candidate; rather than associate with him, the top candidate of the Social Democrats, K. P. Schulz, resigned his newly won city council seat.

The March 1954 appointment of Peter Pfeiffer, a former Nazi Party member, as permanent West German observer at the United Nations was withdrawn after strong protests by Jewish organizations in the United States, but Wilhelm Melchers remained at his post as the Federal Republic's first minister to Iraq. A Nazi Party member who served as German consul at Haifa in 1938-39, at the time of the Arab disturbances which had Germany's sympathetic support, Melchers was in charge of the Near East desk in the political department of the Nazi Foreign Office throughout the war, from 1939 to 1945. It was during his incumbency that Rashid Ali el-Gailani had staged his pro-German *coup d'état* in Iraq, placing the Allied position in grave jeopardy. Melchers received and processed the protest of the Grand Mufti of Jerusalem, with whom he was in close touch, against a proposal to permit a few hundred Jewish youngsters from the Balkans to depart for Palestine.

In July 1954, Friedrich Middelhaue was sworn in at Duesseldorf as deputy minister president and minister of economics in North Rhine Westphalia, the wealthiest and most populous of West Germany's constituent states. Middelhaue had as state chairman of the Free Democratic Party staffed its organization with Nazi zealots and former professional Nazi Party functionaries. For years, his close aide in party organizational work had been Wolfgang Diewerge, a rabid and vicious Jew-baiter. Diewerge had played a particularly infamous part as an anti-Semitic propagandist and pamphleteer in connection with the Cairo Jewish community's 1934 test case against Nazi agitation, as well as in the trials following the shootings of Switzerland's Nazi leader Wilhelm Gustloff by David Frankfurter and of German Counselor of Embassy Ernst vom Rath by Hershel Grynszpan in Paris in 1938. Diewerge, in recent years entrusted by Middelhaue with the political indoctrination of North Rhine Westphalia's Free Democrats, formerly held the rank of SS Colonel. Middelhaue's own paper on occasion carried anti-Semitic attacks, making him the first leader of a major postwar political party in Germany to exploit anti-Semitism for political ends. When challenged by the German Trade Union Federation in 1950, Middelhaue had not only refused to retract or apologize, but instead had posed some caustic counter-questions replete with further anti-Semitic innuendo.

The moral rehabilitation of outstanding Nazis, even of those identified in the public mind with Jew-baiting, found striking expression when Federal President Theodor Heuss bestowed the Federal Grand Cross of Merit upon actor Werner Krauss on the occasion of the latter's seventieth birthday.

Krauss, vice president of the Nazi theatrical organization six months after Hitler's advent to power and the first to receive an honorific title from the hands of Hermann Goering, had played no less than five different Jewish roles in the major anti-Semitic film produced under the sponsorship of Nazi propaganda minister Joseph Goebbels, *Jud Suess*. When Krauss ventured back to Berlin for the first time after the war, at the end of 1950, freedom-loving German students and workers joined with the Jewish community in a wave of bitter and at times bloody street protests, which in the end drove Krauss out of the city for more than three years. Leading German democrats registered emphatic opposition to public appearances by Krauss. Yet in June 1954 one of West Germany's highest decorations was ceremoniously conferred on him by West Berlin's cultural and education chief.

Neo-Nazism

Organized and avowedly neo-Nazi political groups continued at a low ebb during the year under review. Their meetings and conventions, newspapers and pamphlets, mergers, schisms, recriminations, and squabbles left little impact upon the public mind.

A greater potential danger was seen by observers in veterans organizations like the Stahlhelm, and especially in the HIAG league of former members of the Military SS, which issued a slick-paper monthly and boasted of 325 local chapters. Other Nazi-minded organizations that sprang up throughout West Germany during the period under review included the associations of former internees (Bundesverband des ehemaligen Internierten) and the associations for the interests of denazification sufferers (Bundesverband der Entnazifizierungsgeschädigten und Nachkriegsentsetzten); they formed federations at state as well as national levels. The internees' group united those whom the Allied Military Government had held in internment camps because they were considered security threats, due to the high offices they occupied, or to the exceptionally fervent Nazi fanaticism they exhibited. The denazification sufferers had, in addition, gathered together many of those who were subjected to denazification penalties in the immediate postwar era. During 1954 both bodies began to demand moral and financial indemnification for the time spent in the internment camps and to urge that all denazification court convictions be expunged from the record. Rallies attended by many thousands of Nazi die-hards were held at the sites of former internment camps in the summer of 1954.

In January 1954 the European Liaison Service arranged a conclave of international Fascist leaders at Loerrach, a German town near the Swiss border. In June 1954 the same group hired Luebeck's largest convention hall for a major international neo-Fascist congress; however, the meeting was banned by the state government of Schleswig-Holstein, which yielded to protests by trade unions and other German democratic forces.

After angry union members threatened street demonstrations in the city of Kassel, the Lord Mayor reversed himself and prohibited the Germany-wide reunion, scheduled for June 19-20, 1954, of veterans of the Hitler

Youth élite-guard SS Division. The Hitler Youth SS veterans assembled on schedule at Hofgeismar, a few miles away.

In West Berlin, which, unlike Western Germany, still required that political parties be licensed, the city government turned down an application by Berlin's foremost Jew-baiter, Erwin Schönborn, to legalize his splinter German Freedom Party. Schönborn thereupon brought suit before the Administrative Court and announced he would organize local chapters and state federations in Western Germany. In September 1953, eleven Berliners were given sentences ranging from fines to a nine-month prison term for having carried on the activities of the anti-Semitic League of Young Germans, a "Nordic-Germanic" group, even after its prohibition.

In the only reported prosecution of an attempt to revive the outlawed neo-Nazi Socialist Reich Party (*see* AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 238-39), seven neo-Nazi agitators in the Herford and Detmold area of Lower Saxony were given jail terms ranging from seven to ten months in September 1953.

INVESTIGATIONS AND INDICTMENTS

Two investigations and two indictments because of neo-Nazi activity were reported. One of the investigations, in Oldenburg, was directed against Wolfgang Sarg, head of the German section of the anti-Jewish Natinform Fascist international; the other investigation, in Augsburg, dealt with a group that arranged a commemorative meeting in honor of Adolf Hitler on the latter's birthday. Two chieftains of the Free Corps Germany (Freikorps Deutschland), a neo-Nazi movement disbanded by the Bonn government in February 1953, were indicted fifteen months later for conspiracy and for leading a clandestine subversive organization. In June 1954 Werner Naumann, the Joseph Goebbels deputy and successor who had been the brains of the Nazi plot to regain power in Western Germany smashed by the British Military Government in January 1953 (*see* AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 240-43), was indicted by the Federal Republic's attorney general on charges of conspiracy and of setting up a subversive organization. Indicted with him on the same charges was former Hitler Youth leader Friedrich Karl Bornemann. Both men had been at liberty since mid-1953. Due to "lack of evidence," the attorney general sought no indictment of six other top Nazis who had been arrested by British security officials and later released by German authorities.

Numerous books and pamphlets appealing to the vanity and the prejudices of a Nazi-minded audience were published, but, in contrast to earlier years, none became a best-seller. In July 1954 more than 700 Nazi authors and their disciples assembled at Lippoldsberg for the customary annual readings by literary admirers and eulogists of Hitler.

At the polls, the showing of the avowedly neo-Nazi groups was a meager one. The infiltration of "legitimate" parties by politicians still steeped in Nazi concepts continued to present a more disturbing phenomenon (*see* AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 239 and f.).

Civil Service Renazification

"The greatest scandal threatening postwar democracy in Germany is the renazification of the public administration," Berlin's Social Democratic Chairman Franz Neumann declared in May 1954. At the July 1954 national convention of the Social Democratic Party, a delegate earned the most vigorous applause of any speaker in the plenary debate by branding the legislation for restoring the rights of former civil servants "a law for the renazification of the administration" (see AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 243-44). Efforts were even made to put on the government payroll those few Gestapo torturers and leading Nazis still barred from civil service rights. In July 1954 the unconditional repeal of the provision banning them was called for by the BHE refugee party, which declared that Gestapo men and top Nazis were entitled either to positions commensurate with their experience or else to full pay. Concerted attacks from many quarters were directed against a February 1954 ruling of the Federal Constitutional Court that the tenure and pension rights of career soldiers had been interrupted by the German collapse and capitulation of 1945.

Many of the civil service reforms introduced after the war by the Allies, or at their behest, were abrogated by a government-sponsored civil service law that passed the Bundestag in June 1953.

Denazification

Denazification, one of the primary objectives of the Allies in the early days of the postwar occupation, had been intended to eliminate Nazis and Nazi influence from public life. As an effective program, denazification had soon ground to a halt. In many states, however, token denazification machinery had been left in operation for the handling of exceptionally grave or complicated cases; for downgrading or quashing earlier convictions; for the routine, almost automatic, granting of denazification clearance to returning prisoners of war and war criminals, as well as to Nazis who had previously lived under false names; and for the posthumous "denazification" of deceased top Nazis in cases where it was necessary to settle their estates. However, although little use was made of it, the very existence of the machinery had had a deterrent effect upon the lunatic fringe of bitter-end Hitlerites and avowed Jew-baiters.

During the year under review, this residual denazification machinery was dismantled or in the process of final dismantling. In Baden-Wurttemberg, the last Denazification Court of Appeal was closed on November 1, 1953, following the earlier disbanding of lower-level denazification courts. Instead, a special Pardons Board was set up to recommend clemency for those whose Nazi record could not be downgraded earlier to a lesser denazification classification. In Hesse, where only eight cases were still pending, the government approved a bill completely terminating denazification. The Bavarian

legislature adopted a similar measure,³ after listening to testimony that a provision of the 1946 Denazification Law, mandatorily prescribing the establishment of a central registry of denazification verdicts, had been deliberately and systematically flouted ever since. In consequence, it was now difficult to ascertain how a given individual had been classified in his denazification trial.

The general tenor of the few denazification verdicts still handed down may be gathered from the September 1953 ruling of the Munich denazification court. For the second time, it gave a clean bill of political health to executed Nazi General Alfred Jodl, who had been sentenced to death by the International Military Tribunal at Nuremberg for crimes against humanity and crimes against peace. His family had appealed against the reversal of an earlier acquittal, after having instituted the original proceedings in order to distribute his estate.

In Berlin, an occasional attempt was made to pass sentences somewhat more in accord with the intent of the law. Berlin's former Nazi Lord Mayor, Julius Lippert, was sentenced to a small fine.⁴ Werner Schulze-Wechsungen, the SS colonel who had been a notorious commandant of the Oranienburg concentration camp, received a heavier fine,⁵ but escaped paying it by simply moving back to Western Germany, where it could not be collected and whence he could not be "extradited."

War Crimes and Nazi Trials

The Western Allies, after reprieving thousands of convicted war criminals, still held some 500 of them in Germany at the beginning of the period under review. Yielding to insistent German pressure, three mixed clemency boards had been constituted (*see* AMERICAN JEWISH YEAR BOOK, [Vol. 55], p. 245-46), to recommend the termination or further reduction of sentences, many of which had already been decreased repeatedly. Between October 1953 and May 1954 the number of war criminals in the United States war-crimes prison at Landsberg dropped from 292 to 179. In the British war-crimes jail at Werl the number of inmates dwindled from 82 to 67, and in the French prison of Wittlich from 75 to 52. It was the policy of these boards not to reveal the names of the prisoners set free, but it was believed that all Wehrmacht general officers, and all but one or two of the SS generals, had been released by the fall of 1954. Those still held were largely concentration camp personnel sentenced for acts of ruthless savagery, and some killers of Allied prisoners.

Nonetheless, German sympathy for the prisoners was so widespread and pervasive that, in the present political situation, Allied and German authorities alike found it hard to escape its impact. The prevailing atmosphere was reflected in the sentencing of a number of imposters, who had swindled other Germans out of money and valuables by falsely pretending to be released or escaped war criminals. Kurt Meyer, the former commanding gen-

³ August 1954.

⁴ August 1953.

⁵ August 1954.

eral of the Hitler Youth SS Division, was received as a popular hero when he left a war-crimes jail in September 1954.

When a group of Dutch SS volunteers, convicted as war criminals by a Dutch court, escaped from jail and fled across the German border, the Federal Republic refused to extradite them. Among them was W. A. Polak, who had been serving a life term to atone for four murders. Polak had never before applied for Germany citizenship, but now, to ensure that he could never be returned to Holland, he wanted to be considered a German national. The West German Supreme Court ruled that Polak had indeed acquired German citizenship by virtue of an omnibus Fuehrer Decree of 1943. The court held that the decree may have run counter to a number of constitutional provisions, but that Hitler needed no sanction other than his own to make his decree effective, since he was simultaneously legislator, holder of the supreme executive power, and highest judicial authority. However, the court continued, the 1943 Fuehrer Decree made it possible to confer German citizenship upon foreign SS volunteers only when they measured up to the racial standards of the Nuremberg Laws of 1935. Hence, the Supreme Court referred the case back to the Superior Court in Celle, instructing it to determine whether Polak was to be considered "of German stock" within the meaning of the Hitler decree.

German courts continued to try Nazi war criminals for the deportation of Jews from German cities and acts of brutality in concentration camps. The number of such trials decreased noticeably in 1954, however.

One life term and two six-year sentences were imposed by a Bremen court⁶ upon three Germans who had maintained a regime of blood and terror at Gollechau, a subcamp of the Auschwitz extermination camp, where they had tortured, beat to death, and killed uncounted Jews used for slave labor in the concentration camp quarry. In Wuerzburg, the SS subleader of another satellite camp of Auschwitz, Gross-Rosen, was sent to the penitentiary for twelve years on a murder conviction;⁷ the psychological pressure under which German witnesses labored in such public court proceedings was highlighted when a former Gross-Rosen inmate took the witness stand and refused to be sworn for fear of Nazi reprisals. A Kassel jury court gave SS man Heinrich Emde eight years in jail⁸ for shooting twenty-one Jews in the stables of Buchenwald concentration camp and slaughtering numerous others. Because SS Colonel Hans Himpe had ordered blackshirts under his command to kill four respected Jewish residents of Hirschberg in Silesia in 1934, a West Berlin court pronounced a sentence of ten years' imprisonment in February 1954.

In a large number of cases, there seemed to be little relationship between the crime and its punishment. Although Cologne's former Gestapo chief, SS Brigadier Emanuel Schaefer, was found guilty of responsibility for the deportation of 13,000 Jews to the death camps of Eastern Europe, he was, in effect, let off with three months' imprisonment.⁹ The head of the Jewish sec-

⁶ November 1953.

⁷ January 1954.

⁸ October 1953.

⁹ July 1954.

tion of the Frankfurt Gestapo, Albert Friedrich, convicted of extorting testimony and of carrying out deportations that were illegal even by Nazi criteria, had just eight months added to a previous jail sentence. At Bocholt in the Ruhr, a German judge imposed a nine-month prison term¹⁰ on Hans Schmitt, convicted of having played a leading role in the pogroms of November 1938, then immediately remitted it. One year in jail was the verdict handed down by a court in Schweinfurt in the case of a former Nazi Party economic official,¹¹ currently an employee of the West German central state bank, who had blackmailed scores of Jews into transferring their businesses or real estate to hand-picked Nazi "purchasers," and into making "donations," which ran into the millions, to local Nazi funds; one co-defendant¹² was let off with six months, the other¹³ was acquitted altogether. After acknowledging that two former Gestapo officials had maltreated prisoners, the Cologne District Court ignored the prosecution's demand for penitentiary terms and set them free.

When arbitrary, brutal killings in concentration camps came to trial, the tendency was to hold the defendants accountable only for "*complicity* in murder" or as "accessories to manslaughter." Thus, five years at hard labor for "complicity in more than a hundred murders" committed at the Volanov forced labor camp, near Radom in Poland, was the penalty pronounced upon two German supervisors¹⁴ by a Stuttgart court. For trampling to death numerous patients while he was in charge of a dispensary ward at the Gross-Rosen concentration camp, a German construction foreman was given a year in jail. Prison sentences of four and three years for having been "accessories to manslaughter" were imposed by the Darmstadt Court of Assizes on a captain and sergeant of a German infantry company found guilty of massacring the entire Jewish population of a village near Smolensk, most of them women and children. The trial was remarkable because another officer, from the same battalion as the company commander in the dock, testified that he had suffered nothing worse than a tongue-lashing when he refused to carry out an order to shoot all Jews in the village. For permitting this testimony, which demolished the usual defense argument in such cases, and presumably also for taking judicial cognizance of the intimidation of witnesses (a fact rarely brought into the open before, although prevalent in most similar trials), the presiding judge was threatened with assassination.

In March 1954 twenty policemen, who had committed numberless arbitrary killings while guarding the martyred Warsaw ghetto in the summer of 1942, were acquitted by a Dortmund jury court, in disregard of the full confessions made by several of the policemen in the course of the pre-trial investigation. The judge ruled that the defendants, "in view of their educational level," were not conscious of the illegality of their acts.

Gerhard Peters was not yet behind bars, even though he had been sentenced seven times for selling the Auschwitz concentration camp huge quan-

¹⁰ October 1953.

¹¹ Johannes Vogel, December 1953.

¹² Philipp Ulrich.

¹³ Fritz Kuhn.

¹⁴ Wilhelm Rube and Wilhelm Bergmann.

tities of Cyclone B, a potassium cyanide compound of his own manufacture which he knew was to be used to asphyxiate upward of 450,000 people. In his latest trial (August 1953), the prosecution asked for a fifteen-year penitentiary term; the Wiesbaden Court of Assizes gave him six years. However, instead of serving his sentence, Peters continued to be employed by a successor corporation of IG Farben as an executive in the field of industrial chemistry. Prominent Germans had signed clemency petitions for him.

Anti-Semitism

Overt expressions of anti-Jewish prejudice were infrequent. Nonetheless, there was much evidence of latent anti-Semitism simmering below the surface in Western Germany, at times to boil over in scarcely disguised fashion. Thus, at the Berlin rally of the BHE refugee party in July 1954, Lower Saxony's minister of economics and transport, Hermann Ahrens, insinuated that Nazis were needed in key jobs so as to exclude "racially alien elements" from German political life. The speaker, who had joined the Nazi Party as early as 1931, had served as mayor of the first Nazi-created town,¹⁵ as a Nazi State Commissioner, and as a professional Nazi propaganda orator, before becoming BHE floor leader in the postwar democratic legislature of Lower Saxony.

Two other incidents involving persons in public life occurred at Leonberg, in Northern Wuerttemberg, where the county director was fined for uttering calumnies about a Jewish engineer personally unknown to him, and at Gandersheim, where the election chairman of the German Party, Willi Reupke, distributed a poster imputing Jewish descent to Social Democratic Party national chairman Erich Ollenhauer. After Ollenhauer submitted an affidavit from his aged father attesting to the absence of any admixture of Jewish blood in the paternal and maternal branches of the family, Reupke was sentenced for persistent political libel. Reupke apologized, explaining he was now convinced that Ollenhauer was indeed not a Jew. The Social Democratic chairman withdrew his libel suit, and the court placed Reupke on probation.

In cases where anti-Semitic assaults or the use of scurrilous language came to trial, penalties were generally mild. In Frankfurt a former SS captain sought out a waiter who had admitted to police that anti-Semitic songs had been chanted at a Nazi get-together, and pummeled him with a heavy wooden cudgel. The court found the SS officer¹⁶ guilty of malicious assault and battery, as well as of causing dangerous bodily injuries; it imposed a two-month jail sentence, then suspended it and put the SS officer on probation on condition that he pay a \$50 fine.

For disseminating viciously Jew-baiting literature, a Duesseldorf teacher was fined \$70.¹⁷ Two Russian emigré leaders¹⁸ of the rabidly anti-Semitic RONDD (a successor organization to the notorious secret pogrom league of

¹⁵ Watenstedt-Salzgitter.

¹⁶ Arthur Harder, May 1954.

¹⁷ Johann Strunk, July 1954.

¹⁸ Eugene Arciuk and Vsevilod Mositchkin.

Tsarist Russia, the Black Hundreds), were given somewhat larger fines by a Munich court. In connection with this case, Zachariah Schuster, the European director of the American Jewish Committee, held a press conference in Bonn,¹⁹ at which he exposed a dozen anti-Jewish and anti-democratic groups of refugees from Eastern Europe that were active in Western Germany, whence they were spreading their Nazi-like ideas not only among their fellow-emigrés, but also among Germans and in the United States. Composed of people who were pro-Nazi in their native lands and collaborated closely with Hitler during the war, these groups were not representative of the great mass of refugees but, thanks to their single-minded zeal and discipline, had gained influence far beyond their numerical strength.

Nearly twenty cemetery desecrations were reported during the year. The actual number was probably larger, because visitors were rare in the hundreds of small towns where no Jews remained. Even when profanations were discovered, they often did not become known beyond the confines of the locality concerned. Thus, the chairman of the Jewish community at Mainz found in the course of an inspection tour of burial grounds in his area that no word had reached him about tombstones having been overthrown and smashed at Appenheim, Bodenheim, Dromersheim, Ebersheim, Essenheim, Gau-Odernheim, Gensingen, Heidenheim, and Soergenloch. The press listed other desecrations in the cities of Duesseldorf, Frankfurt, and Heidelberg, as well as in Ansbach (for the third time since the war); at Aslar near Limburg; in Bad Cannstatt; at Breisach in Baden; at Drove near Aachen; at Hemmerde in Westphalia; at Heusenstamm outside Frankfurt; at Montabaur in the Westerwald mountains; at Schwartz-Rheindorf near Bonn; in Tauberbischofsheim; and at Niederhochstadt, in Rhineland-Palatinate, where the perpetrators overturned twenty-five gravestones on November 9, 1953, the fifteenth anniversary of the Nazi pogroms and synagogue burnings.

Patent anti-Semitic overtones also characterized a vigorous anti-*shechitah* campaign, launched in November 1953 by the German Animal Protection League. Interested elements availed themselves of this opportunity to insist that the anti-*shechitah* law of 1933 be enforced. Thus, a butchers' trade organ published²⁰ at great length a number of unbridled attacks on Jewish ritual slaughter, complete with inflammatory pictures. These articles, in turn, were quoted copiously by Germany's largest news magazine.²¹ Concerted and organized demands for the outlawing of kosher slaughtering poured in on the Bonn ministry of food and agriculture. Experts from the ministry asserted to the chairman of the German Conference of Rabbis that Hitler's anti-*shechitah* law was not discriminatory, but rather constituted a measure for the prevention of cruelty to animals. It had therefore not been rescinded by the postwar annulment of all Nazi legislation and still remained on the books. If it was not being applied at present, that was owing to the presence of the occupation powers and to an ordinance introduced by Military Government.

¹⁹ June 1954.

²⁰ *Deutsche Fleischer-Post*, January and February 1954.

²¹ *Der Spiegel*.

Efforts to obtain assurances that Germany would safeguard the right of religious Jews to practice ritual slaughter, after regaining sovereignty, met with no success. German government departments were unwilling to acknowledge that, in the words of the United States Military Government directive repealing Hitler's prohibition of *shechitah* and dated December 4, 1945, "the circumstances of its enactment indicate that the law of April 21, 1933, concerning the slaughter of animals, was enacted as a result of racial and religious prejudice rather than humanitarianism."

Jewish Population

Slightly more than 15,000 Jews were registered in the Jewish congregations (*Gemeinden*) in West Germany and West Berlin, according to a comprehensive census conducted under semiofficial auspices in early 1954. To that number must be added the 1,750 inhabitants of Föhrenwald, the last Jewish DP camp on German soil, and the approximately 2,400 people enrolled with the *Gemeinden* in Eastern Berlin and Eastern Germany. Finally, there were those residents of Jewish descent who avoided identification with the organized Jewish community, even though affiliation was in theory mandatory under German law for anyone considering himself a Jew by religion. Estimates of the size of this last group ranged from 5,000 to 25,000, in part depending upon varying definitions of who should be counted as a Jew and what constituted residence in Germany; under both headings the ratio of borderline cases was very high. Jews were thus about 0.5 per cent of the total population in Western and 0.01 per cent in Eastern Germany. A majority were of German birth. The number of former Displaced Persons (DP's) was somewhat less than 10,000.

It was estimated that more than half the total Jewish population was past fifty. Teen-agers were a rarity and no more than 2,500 could be found in the twenty to thirty age group, while those who had passed their sixtieth birthday exceeded 7,000. On the other hand, the incidence of births had been high in the postwar era, notably among concentration camp survivors from Eastern Europe. The number of children below school age was close to 1,000, while almost as many attended school in the first three grades.

EMIGRATION

Emigration in the year under review reached 1,250, but 500 of these were "illegal returnees" from Israel who used Germany as a transit country on their way to destinations in the Western hemisphere, chiefly South America. Of the "legal" residents, generally former DP's, 350 emigrated to the United States, 200 to South America, and 50 to Canada. Emigration to Israel was less than 100.

By agreement between the Swedish government and the American Joint Distribution Committee (JDC), twenty-six tubercular Jewish DP's, and thirty-six of their dependents, for the most part from Föhrenwald DP camp and from the Gauting tuberculosis sanatorium, were brought to Sweden in October 1953.

DISPLACED PERSONS CAMPS

On August 1, 1954, the figure of "old-timers" in Föhrenwald, the one remaining Jewish DP camp on German soil, dropped below 1,300 for the first time. To this must be added 400 "illegal returnees" from Israel. This total of 1,700 included nearly 500 children.

In February 1954, some 200 residents of Föhrenwald were repelled by German police when they attempted to occupy the Munich building housing the German head offices of the Joint Distribution Committee. Observers attributed the incident to the general malaise prevalent after many years spent in camps rather than to the announced grievances. Later, an agreement was reached barring further demonstrations in German cities.

To make it easier for Föhrenwald inhabitants to leave the camp and start a new life elsewhere, the JDC in April 1954 set aside nearly \$500,000 of the funds allotted it by the Conference on Jewish Material Claims Against Germany (CJMCAG). The cost of passage to countries of settlement was to be paid and a cash grant made for expenses incidental to leaving Europe. In South America and in Israel, needy newcomers from Föhrenwald would be aided over the initial period of adjustment. The German authorities had pledged \$700,000 to speed the emptying of the camp. About half of this was for lump sum cash grants to be paid in the country of immigration. The other half was to provide housing in German cities for those who elected to stay in Germany and to become integrated into the German economy. The JDC had undertaken to furnish the apartments.

Prospects of admission to favored countries of immigration were rather slim for most of the "legal residents" of Föhrenwald, the hard-core residue of the 250,000 Jewish DP's who had passed through German camps in the postwar period. In a census conducted by the Bavarian government in May 1954, 8.5 per cent said they expected to emigrate in 1954, while 31 per cent requested permanent integration into the German economy. Another 55 per cent agreed to temporary transfer to German cities, but hoped later to be able to emigrate to countries of their choice, generally the United States or Canada.

The German authorities had signified their intention of closing Föhrenwald by early 1955, but emigration and preparations for resettlement within Germany were proceeding so slowly that this deadline might not be met.

RETURNEES

In mid-1953, the Bavarian government began to take action against former Jewish DP's who were trickling back to Germany from Israel without visas or residence permits (*see AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 237-38*). Following the August 1953 sitdown strike of returnees driven to desperation by the wholesale imposition of jail sentences for "illegal entry" and by the threat of deportation, an understanding was reached that the approximately 700 "registered illegal returnees" would neither be deported nor forcibly transferred for six months, a period of grace which was later extended. New infiltrates, it was announced, would be jailed and deported.

Additional "returnees" nonetheless arrived in late 1953 and early 1954. Finding access to Föhrenwald barred, they slept and lived on the floor of the Orthodox DP synagogue in Munich. In a raid there, German police arrested sixty-seven returnees, who were given brief jail terms by summary courts. Thanks to the Hebrew Sheltering and Immigrant Aid Society (HIAS), most of these synagogue squatters were enabled to emigrate to South America. From the spring of 1954 on, the influx of returnees subsided. The problem was no longer acute at the end of the period under review (July 1954).

Religious Life

Some ten rabbis officiated in Germany. Emil Lichtigfeld succeeded Zvi H. Levy as chief rabbi of Hesse, while Fritz Bloch replaced S. J. Neufeld as chief rabbi of Wuerttemberg.

Germany's two largest synagogues, one in East and the other in West Berlin, were rededicated after repairs for the 1953 High Holy Days. The magnificent temple on Pestalozzistrasse, in West Berlin's Charlottenburg district, had been burned by the Nazis in 1938. Temporarily repaired in the postwar era, it was now completely renovated. In 1954 the only synagogue in the Palatinate, where scores of communities once flourished, was dedicated at Neustadt on the Weinstrasse.

Communal Organization and Activity

The Zentralrat der Juden in Deutschland, representative body of the Jews in Germany, increased the membership of its directorate from 5 to 6 at its 1953 plenary meeting in Bremen, by co-opting the president of the Bavarian Association of Jewish Communities, which had previously kept aloof.

A "Joint Committee of the State Associations of Jewish Communities in Southern Germany" was constituted, at a meeting in Munich in December 1953, by delegates from the state associations of Bavaria, Hesse, and Wuerttemberg. The new committee had its seat in Stuttgart.

In May 1954 the Hanover Jewish DP Committee merged with the Jewish community (*Gemeinde*) of Hanover. Wherever Jewish DP's from Eastern Europe had found themselves in German towns and cities rather than in camps after their liberation by Allied troops, they had formed Jewish DP committees distinct from the Jewish communities (*Gemeinden*), generally established by German Jews and by those Jews from Eastern Europe already willing to adjust themselves to the German economy at that time. After the mass emigration from Germany in 1948-49, the DP committees had gradually dissolved, and their remaining members joined the communities. It was only in Hanover that, due to special local circumstances, the "Jewish Committee" continued in existence. In July 1954, Jews of German and Eastern European origin formed a unified congregation in Augsburg, the last German city that had been split by an organizational schism between the two groups.

Zionist Activities

In July 1954, three and a half years after all Zionist activities in Germany were closed down by order of the central Zionist bodies, leaders of the settled Jewish communities in Germany assembled in Duesseldorf to re-establish a Zionist organization for Germany. Keynote speaker was Chaim Yahil, deputy chairman of the Israel Purchasing Mission in Germany, who had been director of the Jewish Agency and later Israel Consul in Munich until 1949. Now that the continued existence of a Jewish community in Germany was a fact that could not be blinked, it had been resolved at the highest level that it should have the same rights and duties as Jewish collectivities elsewhere. *Shekalim* would be sold and delegates from Germany would participate in the next Zionist congress as full-fledged delegates.

Social Services

Almost 4,000 indigent Jews, more than one in five of the registered population, depended upon regular monthly grants from Jewish organizations. Another 2,500, it was estimated, were in receipt of occasional grants-in-aid.

The Zentralwohlfahrtstelle der Juden in Deutschland (ZWS), the central welfare agency of the Jews in Germany, with headquarters in Hamburg, assumed increasing importance, especially after it was allotted \$450,000 for 1954 by the CJMCAG. It formulated an integrated social welfare and relief program, prepared to take over direct relief work in German cities from the JDC, and opened branch offices in Berlin, Munich, and Frankfurt.

The JDC transferred its German head office from Munich to Frankfurt, so as to assure closer liaison and cooperation with the ZWS (which intended moving there from Hamburg) and with German Jewish communal groups. Shortly after the war, Jewish organizations operating in Germany chose Munich for their headquarters because of its proximity to the major DP camps. The JDC move to Frankfurt, and a similar move by the Jewish Agency, recognized that the communities in West and North Germany, predominantly German Jewish in composition and leadership, now loomed much larger in the picture.

Three revolving loan funds were established for Jewish small businessmen, artisans, and professional people, in order to enable them to become or remain self-supporting in Germany. The bulk of the necessary capital was to be made available by the JDC and by the ZWS out of grants from the CJMCAG. Jewish communities in Germany would also contribute smaller amounts to the capital stock, as would individual businessmen.

The continued operation of Berlin's Jewish hospital, with its 400 beds and its staff of 250, was assured thanks to financial help from the Berlin city government. Only a minority of the patients were, however, Jewish.

Cultural Life

At the October 1953 meeting of the Zentralrat a committee was appointed to map out a cultural program for German Jewry. The first post-war conference in Germany to discuss ways and means of invigorating Jewish schooling and cultural pursuits took place at Bad Nauheim in May 1954.

There were cultural events of Jewish significance during the period under review, but the initiative generally emanated from non-Jewish quarters.

The world premiere of the late Arnold Schoenberg's opera *Moses and Aron* was presented in Hamburg in March 1954 by the Symphony Orchestra of the Northwest German Radio network and relayed by radio stations throughout Europe. Some months earlier, two works of Schoenberg derived from Jewish religious motives, his *Thrice a Thousand Years* and *De Profundis*, had their world premiere in a Hebrew-language choral concert performed in Cologne by the Symphony Orchestra of the Northwest German Radio.

The first major exhibition in more than a quarter century of oils, water-colors, and crayons by Max Liebermann, the Jewish past master of German impressionism, was shown in a number of cities. Darmstadt staged the first exhibition in Germany of the works of Ossip Zadkine, the Russian-born painter and Cubist sculptor who lived in Paris.

The Jews' Dance House at Rothenburg on the Tauber river, one of Germany's most picturesque examples of medieval architecture, was restored in August 1953. No Jews lived in the town, but in the twelfth and thirteenth centuries a substantial community flourished there. In the future the building was to be protected as a national monument.

Martin Buber, professor emeritus of the Hebrew University and once holder of the chair for comparative religion at Frankfurt University, was awarded the 1953 Peace Prize of the German book trade in the Frankfurt edifice which served as meeting place for the short-lived revolutionary parliament of 1848 and was now a shrine of German democracy. His acceptance lecture was broadcast by all German radio stations. At the annual book fair, twenty-two German-language works of Buber's were exhibited in a place of honor (September 1953).

A high point in the year's cultural activities was the celebration held in the great Duesseldorf parliamentary chamber of the North Rhine-Westphalia state legislature to mark the 750th anniversary of the death of Maimonides. A distinguished assembly headed by President Heuss, the minister president of North Rhine-Westphalia, with three of his cabinet colleagues, and the national chairman of the opposition Social Democratic Party, Erich Ollenhauer, listened to a memorial address by Rabbi Leo Baeck (July 1954).

Publications

Four travel books on Israel were published in Western Germany during the year under review. Two of these were translations—Stephen Spender's

Learning Laughter, the perceptive account of his survey of Youth Aliyah, and John Roy Carlson's *Cairo To Damascus*, describing his impressions on both sides of the Arab-Israel war. A report somewhat similar in scope to Carlson's was given in Wolfgang Cordan's *Israel and the Arabs*. Erich Lueth, initiator and head of the German "Peace With Israel" movement, told of his 1953 visit in *Journey to the Promised Land*, brought out by the Society for Christian-Jewish Cooperation in Hamburg.

A number of handbooks and legal commentaries on indemnification legislation sought to guide Nazi victims through the maze of regulations and procedures. For the layman, the standard work in the field was *The Federal Indemnification Law* by H. G. van Dam, secretary general of the ZWS, a 318-page volume which appeared under the imprint of the *Allgemeine Wochenzeitung* (Duesseldorf). H. Pagener compiled a legal reference work in another sphere with his *Citizenship and Nationality Laws of Israel*, issued by the Research Department for International Law at the University of Hamburg.

Two outstanding autobiographies of Jewish authors were *Is This How One Makes History? Balance Sheet of a Life*, by M. J. Bonn, former president of the Colleges of Commerce in Munich and Berlin, member of the 1919 German peace delegation in Versailles, economic advisor to the German government between the wars, a guest professor in the United States during 1939-45; and *We Are Such Stuff As Dreams Are Made Of—Account Rendered of a Life*, by the distinguished theatrical and film director Ludwig Berger, a member of the Bamberger family that was at one time prominent in German public life. Further autobiographical chronicles were *Here I Stand—The Story of My Life*, by controversial novelist and newspaperman Hans Habe, and a German translation of Victor Gollancz's *My Dear Timothy*.

The catalogue of publisher Lambert Schneider in Heidelberg listed two new philosophical works by Martin Buber (*The Problem of Man and Writings on the Dialogue Principle*). Max Brod's *Franz Kafka* was brought out by S. Fischer, Brod's novel *Der Meister*, by C. Bertelsmann. Other books by Jewish authors, but not concerned with subjects of special Jewish interest, were put on the market by a considerable number of publishers.

Brochures meriting special attention were *Five Addresses in Connection with the Award to Martin Buber of the Peace Prize of the German Book Trade*; Georg Salzberger's *Brotherhood as a Religious Postulate*; Siegmund Weltlinger's *Have You Forgotten Already?*; and Walter A. Berendsohn's *Reconstruction in Israel*. Published as supplements to the government-sponsored weekly *Das Parlament* were two valuable pamphlets, one of them tracing the course of the pogroms that shook Germany in November 1938, while the other reported in an objective manner on the evidence available about the number of Nazism's Jewish victims.

Intergroup Activities and German-Israel Relations

German governmental leaders, most notably President Theodor Heuss and Chancellor Konrad Adenauer, took pains to encourage better relations with

the Jewish community in Germany and elsewhere, and to foster more normal intercourse between the Federal Republic of Germany and the Jewish state.

The Chancellor and the president continued the practice of sending Rosh ha-Shanah messages of good will, the latter going out of his way to welcome a statement of Nahum Goldmann that the gates for an understanding between Germans and Jews had now been opened. Once again, in February 1954, President Heuss served as patron of Brotherhood Week and in other ways showed his continuing sympathetic and well-informed interest in Jewish affairs.

Invitations to the Maimonides anniversary commemoration in Duesseldorf were issued jointly by the Delitzsch Institute of Jewish Studies, a Protestant theological institution, the Zentralrat, and the Israel Purchasing Mission. Thus the quasi-diplomatic mission for the first time associated itself with a German body in sponsoring an official event. The mission also began to inform German public opinion on the facts of Israel life. A monthly German-language bulletin containing information about Israel was published. A showing of Israel photographs and stamps, the first exhibition on contemporary Israel to be seen in Germany, was held in Hamburg, Duesseldorf, and Berlin under the co-sponsorship of the Israel Purchasing Mission.

Five non-Jewish German friends of Israel visited the Jewish state. Professor Franz Boehm, former head of the German delegation to the reparations negotiations with Israel at the Hague and now a Bundestag deputy of the Christian Democratic Union, came as a guest of the official Israel Reparations Corporation; he called on David Ben Gurion and was twice received by Prime Minister Moshe Sharett. Hamburg music critic Hans Joachim, who attended the Festival of Modern Music at Haifa as a delegate from the German Society for Contemporary Music, was the first German to take part in an international congress within Israel. The first German national sent on an official mission by the Bonn government was a woman doctor, Laura Schaefer; she examined Israelis claiming compensation from Germany because they had been injured or incapacitated in the pseudo-scientific experiments which Nazi doctors carried out in concentration camps. One of the warmest friends of the Jewish people, the Rev. Hermann Maas, supervising Protestant clergyman in the Heidelberg area and a dedicated Zionist for half a century, repeated his earlier postwar pilgrimage to Israel, thus being the first German to receive a second visa. And Rolf Vogel, a free-lance Catholic newspaperman, toured the country and was the first German to be received in the foreign ministry at Jerusalem. All five visitors to Israel delivered enthusiastic lectures about their impressions to German audiences.

Seventeen cases of textbooks and scientific works were donated to the Hebrew University by German publishers (July 1954). The German Trade Union Federation sponsored performances of Lessing's classic religious tolerance drama, *Nathan the Wise*, in Ruhr factory towns.

New German chapters of the Society for Christian-Jewish Cooperation were formed in Bonn, where President Heuss attended the charter meeting, and in Dortmund; an independent society, with similar aims, was constituted in the Saar territory (June and July 1954).

Reparations

In the year under review, the reparations pact of March 1953 went into full effect for the first time. Cooperation between the Israel Purchasing Mission and the German governmental apparatus proceeded in a businesslike atmosphere with regard to such matters as the working out of purchasing schedules, the placement and approval of orders, the payment of invoices, and shipment of goods. By and large, industry cooperated in submitting offers and filling orders; only a few firms, apprehensive about their heavy stake in the Arab market, declared that they would not furnish goods to Israel. Delivery schedules were generally met.

In accordance with the terms of the agreement, Germany made available \$95,000,000 for the period ending March 31, 1954. Disappointment was caused by the decision of Bonn Finance Minister Fritz Schaeffer to restrict payments during the following twelve-month period to \$60,000,000. In the reparations negotiations, \$74,000,000 had been envisaged as Germany's normal annual allocation. The figure of \$60,000,000 had been laid down as a last resort in case Germany found itself in economic straits. Germany's action in taking advantage of this escape clause contrasted markedly with its extraordinary economic boom.

The Purchasing Mission, which enjoyed quasi-diplomatic status, had an Israel staff of some forty, with Felix Shinnar at its head; Chaim Yahil served as his deputy until the spring of 1954. Headquarters were moved to downtown Cologne in October 1953. Branches of the mission were opened in West Berlin, Hamburg, and Bremen.

In July 1954 Israel and the Federal Republic of Germany named Prof. Georges Sauser-Hall, of Switzerland, as chief arbitrator in case any serious disputes arose in connection with the carrying out of the reparations agreement. Prof. Sauser-Hall presided over a three-man arbitration commission, in which Lord Nathan of Churt represented Israel and Hans-Juergen Schlochauer represented Germany. So far, neither party had asked for the commission to meet.

Restitution

Reasonably satisfactory progress was made with regard to the return of identifiable property, such as houses, real estate, business enterprises, art objects, and furniture, to its rightful owners.

Under the Allied restitution laws, 473,000 claims had been filed by Jews and other Nazi victims. Of that number, 71 per cent had been disposed of by mid-1954. In the three zones of Western Germany, 81 per cent had been settled; in West Berlin, where restitution legislation became effective at a later date, only 45 per cent.

There were 138,000 cases still pending. Somewhat more than one-third (51,000) had been submitted by individuals, almost two-thirds (86,000) by the successor organizations for heirless property, the Jewish Restitution Successor

Organization (JRSO), the Jewish Trust Corporation (JTC), and the French branch of the JTC. Half of the "successor organization" claims dealt with assets located in West Berlin. It was hoped that most of the claims would be resolved through a bulk settlement with the West Berlin government, which would pay a relatively small lump sum and itself seek to collect from the present holders of the property. Similar settlements had been concluded in the four states of the United States Zone (*see* AMERICAN JEWISH YEAR BOOK, 1953 [Vol. 54], p. 472-73).

The over-all value of restituted property was unknown. In the United States Zone and in West Berlin, where substantially more than two-thirds of the property subject to restitution was located, the claimants' own valuation was \$272,000,000. Real estate and mortgages accounted for almost half (48 per cent) of that amount, business enterprises for 9 per cent, stocks and bonds for the same proportion.

Of the \$272,000,000 in restituted property, the largest share—39 per cent—went to United States nationals or residents; Germany followed with 16.5 per cent, the United Kingdom with 10.6 per cent and Israel with 5 per cent.

The processing, settling, adjudicating and revising of restitution cases was in German hands both at the lowest level, that of the Restitution Agencies, and at the two higher judicial echelons. Only at the very top, in the courts of final appeal, were Allied judges still to be found. The Court of Restitution Appeals in Nuremberg, which exercised jurisdiction over the United States Zone, was composed of United States justices, but German as well as French judges sat on the bench of the Cour Supérieure pour les Restitutions at Rastatt. In August 1954 the all-British Board of Review at Herford was supplanted by a Supreme Restitution Court for the British Zone, made up of German as well as British judges. When the Supreme Restitution Court for Berlin opened in November 1953, it was a mixed tribunal headed by a Swedish jurist, Anders-Torsten Salen, and consisting of three Allied and three German judges. The first United States member, Charles H. Owsley, was replaced by Frederic R. Sanborn in August 1954. Thus, only one of the four restitution tribunals of final resort was still made up of Allied judges exclusively. During the negotiations preceding the formulation of the draft contractual agreements between the Western Allies and the Federal Republic, the competent Jewish organizations had protested strongly against the inclusion of German judges.

The vexatious intra-Jewish dispute on the distribution of restituted Jewish communal and endowment property seemed to be approaching an amicable solution. In April 1954, representatives of the re-established small communities in Germany, on the one hand, and of the "successor organizations," on the other, jointly recommended to their parent bodies an understanding providing for an equal division both of existing communal property and of indemnification claims based on the Nazi destruction of such property. Settlements concluded earlier, especially between the JRSO and communities of the United States Zone, were to retain their validity. At its plenary meeting of July 1954, the ZWS approved the agreement in principle. A suit by the newly constituted Augsburg congregation against the JRSO, was decided in

favor of the latter by the United States Court of Restitution Appeals, after Augsburg had won its case in the lower German courts; at stake was \$200,000 worth of real estate of the pre-Hitler Augsburg community.

Indemnification

Far less satisfactory than the reparations situation and the status of restitution of identifiable Jewish property was the progress of indemnification for individual victims of Nazism. At issue was financial compensation for such things as damage to life and limb, false imprisonment, and confiscation and destruction of property which no longer existed. The high hopes which had been pinned upon the Federal Law for the Indemnification of Nazi Victims (*see* AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 52-53) were disappointed. More than a year after it had been adopted by parliament, it remained a dead letter, although prospects were that it would begin to be applied at the end of 1954. Of the several implementation regulations indispensable to its application, the first one—dealing with pensions for widows and immediate dependents of Nazi victims whose death had been indisputably and directly due to persecution—had not been placed before parliament as of July 1954.

Many groups adopted resolutions calling for speedy promulgation of implementation regulations, for specific improvements in the text of the law, and for its better administration. Notable among these groups were the societies for Christian-Jewish cooperation, the organizations of Nazi victims, and a two-day conference of Jewish jurists held at Bad Homburg in January 1954. Mounting indignation at governmental procrastination was voiced repeatedly on the floor of the Bundestag, especially by Social Democratic spokesmen. "The situation is turning to the worse in a manner which must be described as almost catastrophic," the Bavarian Council of Freedom and Justice noted at its annual conference in June 1954.

In the 1954-55 Federal budget, only \$16,000,000 was earmarked for individual victims of Nazism, a considerable proportion of whom were non-Jews. Additional amounts were made available by the various states, but no figures had been compiled that covered all of Germany for the period under review. There was no doubt, however, that in the four states of the United States Zone and in West Berlin, the Federal law had brought about a slow-down rather than a speed-up of indemnification payments during the first year of its existence.

In the United States zone and in Berlin, where the vast majority of Jewish claims were concentrated and where indemnification was in a considerably more advanced stage than in the British and French zones, the total of payments made in the course of nine postwar years was \$62,000,000 as of June 30, 1954. Qualified observers estimated that between one-third and one-half of this sum went to non-Jewish victims of Nazism, generally for deprivation of liberty. Compensation for this category of claims, i.e., for illegal detention in jails and concentration camps, accounted for almost

half of the payments made to date. Less than 29 per cent of all payments went to Nazi victims residing outside of Germany.

Prior to the enactment of the Federal law, 476,000 claims had been filed in the United States zone and in West Berlin under state indemnification legislation. Counting partial and unenforceable decisions as well as those resulting only in advance payments, the proportion of claims settled in such a manner that the Nazi victim was able to benefit was less than 19 per cent on June 30, 1954. A somewhat larger number had been withdrawn or turned down, but the great majority was pending without having been adjudicated. In West Berlin alone, the applications of 90,000 Nazi victims outside of Germany, and of 52,000 within the country, were still waiting for action.

OTHER ASPECTS OF INDEMNIFICATION

One development running counter to the general trend of bureaucratic obstructionism in the indemnification sphere was the handling of pensions for former German rabbis and communal officials, which proceeded smoothly. In the well-organized Jewish life that flourished in Germany prior to Hitler's advent, these servants of the Jewish community had been assured of a pension upon reaching retirement age. At the height of the Nazi cataclysm, the German state had abolished all Jewish congregations and taken over their assets. With this in mind, Western Germany undertook to advance pension payments for former German rabbis and other congregational or communal officials. To pre-screen applications, the CJMCAG set up an Advisory Committee in Bonn. During the period under review, more than half of the approximately 2,000 applications were examined and processed by this committee and by the German authorities.

At the invitation of the secretary general of the United Nations, the German government had agreed to compensate victims of the medical experiments staged by Nazi doctors. Due to the nature of these experiments, only some 750 victims had survived and were able to file claims. A lump-sum compensation averaging about \$1,000 had been paid in the cases where medical findings of German government physicians corroborated the existence of permanent injuries. The sum total of \$600,000 had been made available for the years 1951 to 1955, when the program was expected to be concluded.

The suit against the I. G. Farben chemical trust for back pay and damages, brought in an American court in Germany on behalf of former slave laborer Rudolf Wachsmann while he was serving with the American armed forces in Germany (*see* AMERICAN JEWISH YEAR BOOK, 1954 [Vol. 55], p. 253-54) was settled out of court for a small fraction of the sum demanded. After January 1, 1954, it was no longer possible to bring such suits before American courts in Germany. The test case of Norbert Wollheim, which would set a precedent for about 2,000 other former I. G. Farben slave laborers from the Buna-Monowitz subsidiary of Auschwitz concentration camp, was moving through German court channels. The I. G. Farben ap-

peal against the lower court award was expected to be heard in January 1955.

Much evidence to support indemnification claims was supplied by the International Tracing Service archives at Arolsen, where some 10,000,000 documents pertaining to concentration camps and to postwar DP's were stored. Fears were widely expressed about the consequences that might ensue if this irreplaceable collection bearing witness to Jewish martyrdom should pass into German hands. Normally, they would then come under the jurisdiction of the Federal Refugee Ministry headed by Theodor Oberlaender (*see* p. 357 above). At the end of the period under review, the three-power Allied High Commission still retained title to the archives, but plans were under way for the creation of an international body to assume nominal supervision, while Germans retained actual operating control. It was due mainly to French opposition that these plans had not yet been put into effect.

The United Restitution Office (URO), a non-profit agency devoted to the pressing of individual Jewish restitution and indemnification claims before German government bureaus and in German courts, moved its German headquarters to Frankfurt in March 1954, and considerably expanded its network of branch offices inside and outside Germany. Its budget was now defrayed by the CJMCAG. The URO, which was incorporated in London, helped Jewish beneficiaries take advantage of indemnification legislation whenever they were unable to afford the fees of private attorneys. Benjamin B. Ferencz, the director general of JRSO, was also named director of operations for the enlarged URO organization, with Kurt May as his deputy.

OTTO KUESTER AFFAIR

Widespread uneasiness about the "cold sabotage" of indemnification by bureaucratic means received pointed corroboration when Otto Kuester, Commissioner for Indemnification Questions in the State of Baden-Wuerttemberg, and generally considered the last high-ranking German indemnification official ready to fight for an indemnification program based on moral principles, was first given dismissal notice (June 1954) and then summarily fired (August 1954).

Strong protests were voiced by the ZWS, by various persecutee organizations and by prominent personalities, but they availed nothing. "This is not an affair that concerns only Baden-Wuerttemberg," Prof. Franz Boehm, a member of the Bundestag and in 1952 chief of the German delegation to the reparations negotiations with the CJMCAG, exclaimed in a radio address, "but a matter of first-rank significance for all of Germany. It is intolerable that things should end this way. It is not lip service that counts but deeds, and in the case at hand the deed is Kuester's ouster. . . . His removal has dealt [a heavy blow] to indemnification in all its aspects." Marcel Schulte, editor-in-chief of Frankfurt's *Neue Presse*, commented in a lead editorial that "sometimes one is tempted to believe that every last vestige of human and political decency has vanished." And the Catholic monthly magazine *Wort und Wahrheit* put its finger on the underlying reason for the wave

of animosity that, in the end, had engulfed Otto Kuester: "The circumstances which surround the removal of this foremost expert on indemnification matters are ugly indeed. He was not a convenient man to have around. . . . Not only the man himself and his position were inconvenient, but also the subject matter to which he devoted himself. Indemnification reminds us of the dark guilt of the past. Here something stares us in the face, something we would gladly be rid of."

The Baden-Wuerttemberg government, taken aback by the intensity of the indignation aroused in these high-minded sectors of public opinion, dropped its plan to put a subordinate official in charge of indemnification. Instead, it appointed a retired elderly Jewish judge, Victor Perlen.

TRANSFER OF COMPENSATION PAYMENTS

During the course of the year under review, restrictions were relaxed progressively on the transfer of restitution and indemnification payments to countries others than Germany, a development of special benefit to Jews who had formerly been residents of Germany and to surviving Nazi victims who had emigrated after the war. In December 1953, the West German Central Bank authorized the total transfer to original owners residing abroad of "blocked mark" accounts below \$2,400. From January 1954 on, it became possible to transfer monthly restitution and indemnification payments not exceeding \$119 at the official rate of exchange to all non-German countries. Later, the transfer limit of pensions to the seventeen countries affiliated with the Organization for European Economic Cooperation was raised to \$190. At the end of the period under review, the abolition of the entire institution of "blocked marks" was in prospect.

Genocide Convention

Following an invitation extended by the United Nations some years before to all states that were not members of the organization, the Bonn government in December 1953 approved the draft of a bill incorporating into the German penal code the provisions of the United Nations Genocide Convention of 1948 which had been adopted by the international body so as to proscribe any possible repetition of Hitler Germany's anti-Jewish extermination policy.

In January 1954 the Bundestag granted unanimous consent to a first reading of this draft bill, then referred it back to committee. The BHE refugee party had objected to some statements made by Prof. Carlo Schmid, who was speaking for all other parties in the house. Professor Schmid's utterances might be interpreted, the BHE contended, as acknowledging the guilt of the German people, something they did not believe in.

Several changes in the draft text of the bill were then suggested by Prof. Raphael Lemkin, of New York, the "father" of the genocide convention, as well as of the concept behind it. These modifications, which brought the German legislation more closely in line with the language of the conven-

tion, were accepted by the Bundestag legal committee. The new wording was more precise in its delimitation of the very crime of genocide, shutting off several loopholes that were contained in the loosely drawn original text.

On July 8, 1954, the Bundestag gave its unanimous assent to the second and third reading, thus outlawing the crime originated by Germany. The honor of making the sponsoring address devolved upon Jakob Altmaier, a Jewish deputy of the Social Democratic Party. The parties of Chancellor Adenauer's governmental coalition did not take the floor, because the BHE refugee party had threatened that, if they did so, it would feel constrained to voice its qualms about the bill.

The genocide law was promulgated in August 1954. The following month it was also approved by the parliament of the Berlin city state, which in the constitutional sense was not part of Western Germany.

In September 1953, the Federal Republic further ratified the 1951 United Nations Convention on Refugees, which extended fairly comprehensive legal, employment, and social welfare protection to political refugees, irrespective of nationality. The convention also assured a degree of legal equality within Germany to those Germans now living abroad who had lost their nationality without acquiring the citizenship of another country. Most of the stateless persons in that category were Jews who had fled Germany during the Nazi regime.

Aftermath of the Auerbach Case

Philipp Auerbach, foremost leader of the Jewish community in postwar Germany until early 1951, had taken his own life the following year, the night after a German court had found him guilty on a number of counts dealing mainly with alleged maladministration in the discharge of his office as chief of the Bavarian Restitution and Indemnification Agency (*see AMERICAN JEWISH YEAR BOOK*, 1953 [Vol. 54], p. 316-17). Auerbach left a note charging deliberately false testimony by building contractor Karl Diekow, the only prosecution witness who had unequivocally accused him of corrupt practices.

Diekow's testimony was employed as one of the principal props in the summation of the two prosecutors, both of whom had been members of the Nazi Party, as well as in the guilty verdict rendered by the court, all three of whose judges had been quite prominent in the Nazi Party and its affiliates. A few days after Auerbach's suicide, Diekow was, in a different case entirely, convicted of perjury and given a one-year jail term. When Diekow had appeared on the witness stand in the Auerbach trial, neither the court nor the press and public had been informed that a perjury indictment was pending against him. Diekow's perjury conviction alone would probably have furnished sufficient grounds for setting aside Auerbach's sentence, if only he had remained alive a fortnight longer.

In May 1954 the Munich Superior Court confirmed Diekow's perjury conviction, but put him on probation, a most unusual act of leniency in such a case. Diekow thereupon waived his right of appeal to the Supreme Court

and accepted the sentence. The verdict against him, and the curious circumstances surrounding it, were passed over in silence by the German press, which had lavished an unprecedented amount of space on the charges against Auerbach.

In September 1953 a tombstone was unveiled to mark the grave of honor in the Munich Jewish cemetery where Auerbach had been laid to rest the year before in the presence of thousands of mourners. The criminal charges and defamatory accusations against him were repudiated by implication in the final report of the Bavarian legislature's Auerbach Investigating Committee, which found no neglect or dereliction of duty on the part of those officials and cabinet members whose functions had included, for more than four years, supervision of the State Agency for Restitution and Indemnification headed by Auerbach.

Personalia

The last Jew among the 115 cabinet ministers in the Bonn Federal Republic, in Berlin, and in West Germany's nine constituent states, was eliminated when Paul Hertz, together with his Social Democratic colleagues, left the government of the West Berlin city state; he now held the subcabinet post of plenipotentiary for credits. On the other hand, Rudolf Katz, vice president of the Supreme Constitutional Court in Karlsruhe, served as acting president from January to March 1954—one of the highest positions ever occupied by a Jew in Germany. The three Jewish deputies of the first Bundestag (Jakob Altmaier, Peter Blachstein, and Jeanette Wolff, all Social Democrats) won reelection in September 1953.

In the academic community, Prof. Ernst E. Hirsch was installed as rector of Berlin's Free University in December 1953, and re-elected for a second one-year term in July 1954. Siegfried Aufhaeuser, a former Social Democratic member of the Reichstag, was reelected to the chairmanship of the Berlin Clerical Employees Union for a three-year term. West Germany's Federal Grand Cross of Merit was awarded to Moritz Goldschmidt, president of the Cologne Community and representative of the British Zone in the directorate of the ZWS; to Hermann Schuelein, in recognition of the aid he extended to German emigrants and soccer players in the postwar era; and to Dean Hermann Maas, superintendent of the Protestant church in the Heidelberg region, and one of the most warm-hearted friends of the Jewish people in Germany. The Cross of Merit was conferred upon Otto Nachmann, chairman of the centuries-old Supreme Council of Israelites in Baden, on the occasion of his sixtieth birthday, and upon Ernst Guggenheimer, the Jewish government architect who built the new synagogue at Stuttgart.

For outstanding achievements in the cultural sphere, the city of Frankfurt in November 1953 awarded the Goethe Plaque, highest honor it could present, to Prof. Max Horkheimer at the conclusion of his two-year term as rector of Frankfurt University. The noted social scientist was in 1954 also named to the chair of sociology at the University of Chicago.

To mark the Paul Ehrlich centennial (*see above*), the West German Post

Office issued a special 10-pfennig stamp, in an edition of ten million showing the profiles of Ehrlich and his non-Jewish friend Emil von Behring, born one day apart in 1854. Behring's Jewish widow was persecuted by the Nazis. High point of the ceremonies honoring Ehrlich and Behring was the presentation of the 1954 Paul Ehrlich Prize for Medical Research to Prof. Ernst Boris Chain, the co-discoverer of penicillin and Nobel laureate who had been born in Berlin of Russian-Jewish parents and was active in Jewish affairs. On the same occasion, the 1954 Behring Prize was awarded to Prof. Michael Heidelberger, New York-born biochemist and leading specialist in the field of immuno-chemistry.

The city of Nuremberg gave a cultural prize to Jewish novelist Hermann Kesten, a native son who had become an American citizen.

OBITUARIES

Alfred Auerbach (80), for many years a well-known German actor and head of a dramatic arts school, died in his native Stuttgart, to which he had returned in 1951. Moritz Goldschmidt, president of the Cologne community, which he was instrumental in rebuilding after World War II, and representative of the British Zone in the directorate of the ZWS, passed away in his fifty-seventh year. Other deaths included Bruno Blau (74), noted scholar in the field of Jewish demography and population statistics; Laszlo Fodor (57), prominent pre-Hitler newspaper cartoonist; Lisa Salinge (82), head nurse of the Jewish Hospital in Berlin for half a century; Adolf Nussbaum (61), vice president of the Hanover community; Siegbert Vollmann, president of the Bochum community; and Theo Simon (61), president of the Duisburg community.

AUSTRIA

DURING THE YEAR under review (July 1, 1953, through June 30, 1954), the question of a *Staatsvertrag* (state treaty) to establish Austria's independence and secure the withdrawal of all four armies of occupation, United States, British, French, and Soviet, continued to dominate the political scene. It was a live issue up to the breakdown of the Berlin Conference in February 1954; after that event, all parties were forced to recognize that the Soviet Union would never release her grip on Austria except as part of a far wider settlement with the West. Nevertheless, the Austrian government neglected no opportunity to press for a settlement of Austria's claims to the implementation of the Moscow Declaration of 1943 (for the re-establishment of Austria as a sovereign, independent state).

Hopes that the Russians would concur in the fulfillment of the Moscow Declaration of 1943 had been first aroused by the lifting of controls on the demarcation line between Soviet and Western occupation zones in June 1953, and by other minor alleviations, which were part of the Malenkov New Look in Soviet policy. On July 31 hopes were further raised by two

Russian notes, one renouncing further claims for occupation costs, the other stating that if the Austrian government would withdraw its support of the short treaty (put forward as a tactical gesture by the West), the Soviet government would be ready to resume negotiations on the full-length draft treaty. This the Austrians did shortly afterwards. On August 11, 1953, the Russians at last agreed to the abolition of postal, telegraph, and telephone censorship; in the Western zones these had been abolished several years before. The Austrian Socialists repeatedly attacked the Austrian Chancellor, Julius Raab, for what they considered his over-effusive expressions of gratitude to the Russians for these long-overdue modifications of their regime. On August 29, 1953, the Soviet Union justified such suspicions of its good faith by refusing the invitation of the Western powers to resume negotiations on the Austrian treaty in London on September 1, 1953. Early in September, Britain informed Austria of its intention to reduce its token occupation forces in Austria to one battalion. The reduction was promptly carried out.

Over a month before the Four Power Conference in Berlin in February 1954, to which Austria was invited and which optimists believed might bring a solution of the Austrian question, Communist charges of new Anschluss plans and warlike aspirations showed that the Soviets were bent on establishing an alibi. Insofar as there was any basis for the Communist campaign, this was furnished by the Verband der Unabhängigen (VDU—Union of Independents) and other neo-Nazi groups.

All Austrian hopes were dashed when, at Berlin, Vyacheslav M. Molotov proposed that a treaty should be signed but that the occupation should continue. The only effect of this would have been to abolish such protection from Soviet annexationist designs as the control agreement for Austria provided, and by getting the Western allies out of Vienna, to leave the capital isolated in the heart of the Soviet zone.

Austrian Foreign Minister Leopold Figl, head of the Austrian delegation to the Berlin Conference, decisively rejected these proposals on February 16, 1954. After the breakdown of the Berlin Conference, the Soviets reinforced their troops in Austria. Their policy within Austria stiffened noticeably. On May 17, 1954, the Soviet High Commissioner sharply warned Austria, in a session of the Allied High Commission, against tolerating "anti-Soviet activities." His statements included threats to the ministry of the interior that it would be held responsible for such toleration.

*Restitution and Compensation **

Discussions between the Executive Committee for Jewish Claims on Austria and the Austrian government, which began in June 1953, failed to bring about a satisfactory solution of the indemnification question. At the opening of the general meeting of the World Jewish Congress at Geneva on August 4, 1953, President Nahum Goldmann spoke with an optimism which at that

* This section has been prepared in collaboration with the staff of the American Jewish Committee.

time still seemed warranted. He reported negotiations in progress with the Austrian government for the drafting of laws to ensure full compensation for individual victims of Nazi persecution. There was the further problem of heirless Jewish property to be handed over by the Austrian government for the relief and rehabilitation of Austrian-Jewish victims. Goldmann spoke of "the readiness of the Austrian government to assure equality of treatment to persons living outside Austria who had lost Austrian citizenship." Goldmann paid tribute to the good will of Chancellor Julius Raab, Vice Chancellor Adolf Schaerf, and other members of the Austrian government, and added that other questions would be dealt with when negotiations were resumed in September 1954. While deploring Austrian suggestions that because it had been declared a liberated country, Austria was not obligated to satisfy indemnity claims, Goldmann expressed the hope that Austrian political leaders would see that the satisfaction of these claims would be no less in Austria's own interests than in those of the Jewish victims of the Nazi regime. Emil Maurer, president of the Austrian Jewish community, defended the Socialist members of the Austrian cabinet against "tendentious accounts of the restitution negotiations in various newspapers, including some Israel newspapers." He also expressed his conviction that the negotiations would have a positive result.

OPENING NEGOTIATIONS

The negotiations opened on June 17, 1953. Chancellor Raab, in the presence of Vice Chancellor Adolf Schaerf, Foreign Minister Karl Gruber, and Finance Minister Reinhard Kamitz, received a delegation of the Executive Committee for Jewish Claims. The members of this delegation were Nahum Goldmann (chairman of the Executive Committee), Jacob Blaustein, Israel Goldstein, Adolph Held, and Barnett Janner. The delegation made it clear that any agreement must provide both individual indemnification for losses other than expropriated identifiable properties, and a sum in payment for heirless and unclaimed property of 60,000 exterminated Austrian Jews.

While stressing "the difficult financial and political situation of Austria," the chancellor nevertheless pledged "an effort . . . to find a solution to the *total problem*," and expressly declared that "*both problems* which Goldmann had outlined will be the object of the negotiations." He suggested that actual negotiations start without delay and asked that the Jewish claims be outlined in writing. One of the papers submitted to the Austrians, indicating the huge total of material losses suffered by Austrian Jewry, was immediately rejected by the finance minister as not germane to the negotiations.

JEWISH CLAIMS

The Jewish delegation asked indemnity payments to individual victims for loss of life of breadwinners, damage to health, deprivation of liberty, loss of income for professionals and businessmen, and loss of furnishings, savings, and other valuables not restitutable under existing law. On a more modest scale this followed the lines of the Luxembourg agreement with Western

Germany. The delegation also asked the extension to Nazi victims living abroad of benefits under the existing indemnity laws of Austria, from which this great majority of the victims remained excluded. In addition, it asked for housing facilities for Jewish refugees returning to Austria and compensation to the local Jewish communities for destroyed synagogues. The delegation also sought a global sum for Jewish heirless and unclaimed property.

AUSTRIAN POSITION

Throughout the discussions the Austrian representatives maintained that Austria, as a victim of German aggression, was in no way obligated to make amends; that Jewish claims should be made against Germany, not Austria; that, in the Austrian view, the purpose of the discussions was merely to hear the Jewish demands but not to engage in formal negotiations and binding agreements with spokesmen for private interests; and that the Austrian cabinet could not make commitments involving legislation, which was the prerogative of parliament. Austrian officials also asserted that much of the securities and bank accounts of victims without heirs remained in the hands of the Third Reich. This argument disregarded the huge quantities of looted property that remained with the Austrian population itself, and the rapid Aryanization of Jewish properties and enterprises through arbitrary individual acts by Austrians, long before the Third Reich officially decided to liquidate the economic position of Jewry.

By coincidence, during the June 1953 stay of the Jewish delegation in Vienna, the most sensational news in the local press was a series of front-page reports on the recent activities of a former Austrian Nazi just arrested for smuggling and selling abroad millions of dollars worth of classic paintings looted under Nazism from Jewish art collectors who had been exterminated together with their families.

During the discussions an article in the official organ of the Austrian Chamber of Industry, an organization headed by Chancellor Julius Raab himself, demanded that even the existing elementary restitution laws of Austria be drastically amended to eliminate the "gross injustices" they inflicted on the Aryanizers of Jewish property. Thus while the Austrians negotiated on the *expansion* of the system of amends, a publication close to the chancellor called for the *weakening* of existing statutes.

SUSPENSION OF NEGOTIATIONS

After nearly four weeks it became clear that Austria was not ready to make any binding offer. Instead, the Austrian government suggested that the negotiations be temporarily suspended, for the purpose of continuing technical and statistical explorations in Austria, in preparation for future negotiations between experts of the two sides. The explorations were to deal with the statistics of heirless property as well as a survey of existing indemnification laws; for at the close of the discussions the Austrian government finally made the single concession of indicating a readiness in principle for the elimination of discrimination against Nazi victims living outside of Austria in regard

to indemnification. While it was agreed that this position would be made public in a joint statement to the press, there were Austrian attempts to prevent even this indication of a continuing relationship. Under pressure from the Jewish delegation, the Austrian government finally, on July 27, 1953, issued a unilateral statement which recognized the principle of nondiscrimination, indicated that technical contacts would continue, and announced that the negotiations would be resumed around the middle of September 1953 to discuss *all demands* raised by the Jewish delegation, including both major categories of claims. Just before the Jewish delegation's arrival in Vienna, the Austrian parliament amended the Austrian indemnification law to extend indemnities for loss of liberty and for dismissal from public office to victims living outside of Austria.

Before the issuance of this *communiqué*, Nahum Goldmann obtained an oral statement from Chancellor Raab that in future negotiations not only the narrow category of traceable assets but also the broader aspects of heirless property would be taken into account, and that on this basis the possibility would be considered of placing at the disposal of the Executive Committee for Jewish Claims "an additional amount" for the rehabilitation of Jewish victims of Nazism in Austria.

INTERIM PERIOD

The middle of September 1953 passed without word from Austria about the resumption of discussions. Goldmann therefore visited the chancellor in Vienna again.

Goldmann had hoped to reach an agreement in principle with the chancellor on the matter of heirless property, leaving details to be negotiated by the technical expert. The unexpected absence of Finance Minister Reinhard Kamitz, whose return from the United States had been delayed, rendered these hopes abortive. But the chancellor again expressed his conviction that agreement would be reached on this issue. On September 30, 1953, another discussion was held between Vice Chancellor Schaerf (in the absence of Chancellor Raab) and Finance Minister Kamitz, for the Austrian government, and Moses W. Beckelmann, head of the Executive Committee's negotiating delegation. On this occasion, a definite hardening was noticeable in the government's attitude. Kamitz said that the government would embody the principle of nondiscrimination on the grounds of residence abroad, or loss of Austrian nationality, in a legal enactment. No agreement was reached, however, on the question of heirless property, which Kamitz declined to discuss, although Beckelmann scaled down the proposed demands to 300,000,000 schillings, representing the token value of \$12,000,000. Kamitz suggested that the experts on both sides should resume detailed negotiations on this unclear basis. Beckelmann urged that an agreement should first be reached in principle. Kamitz then declared that the Austrian government was not prepared to deal with the heirless property problem, nor would it envisage any payment which would include non-traceable property. While the delegations might get together to discuss other subjects, the heirless property issue must be indefinitely deferred, at least until the final date for filing individual resti-

tution claims, which the Austrian government could postpone at will. This unexpected Austrian reversal rendered the resumption of negotiations impossible.

This seemed all the more regrettable in that almost simultaneously (at a cabinet council on October 6, 1953) a draft bill was reintroduced providing for the restitution of properties and emoluments to convicted Nazis, and their rehabilitation to pension rights, both of which were forfeited by decision of the People's Courts.

Early in October 1953, Goldmann telegraphed Raab asking for a frank statement from the government on the subject of heirless property, in accordance with the views expressed by the chancellor in September. This telegram was left unanswered for several weeks. A meeting of the Executive Committee was therefore summoned in Paris for November 12, 1953. Decisions were taken as to the new line to be pursued in view of the Austrian government's change of attitude. Chancellor Raab had answered Goldmann's telegram on November 13, after a delay of six weeks. In his reply the chancellor refused to discuss the heirless property problem until six months after the signing of an Austrian state treaty with the Allies, the same basic treaty which the Soviet Union manifestly could not be expected to sign for a long time to come, if ever. The Jewish claims were sharply criticized. The letter concluded with a formal indication that new proposals for the resumption of negotiations were expected from the Jewish side.

On December 1, 1953, the chancellor gave a reply to a parliamentary interpellation (dating back to June 17, 1953) by the VDU deputy, Herbert A. Kraus, asking how the situation stood concerning heirless property. Emphasizing that his reply was given "in agreement with the ministry of finance," Raab suggested that the Austrians had never intended the negotiations with the Executive Committee to achieve any concrete result. Raab concluded by inviting the Schutzverband—a body representing the interests of former Nazis who had had to make restitution—"to make known its wishes to the government."

The following day, December 2, 1953, Kamitz gave an eleven-page written reply to a Socialist interpellation concerning the negotiations. This placed all responsibility for all losses and sufferings of Jews in Austria on the German government, and declined to admit any liability on the part of the Austrian state—despite the fact that 600,000 Austrians had been regular members of the Nazi Party. Two weeks later, on December 17, 1953, Raab was handed a note from the Executive Committee, signed by Goldmann, dealing with the chancellor's letter of November 13 and the two replies of the chancellor and finance minister to the parliamentary interpellations. The note concluded by expressing the Executive Committee's willingness to resume negotiations, provided these were to deal not only with individual claims but also with the matter of a payment in respect of heirless Jewish property. The following day, December 18, Goldmann sharply criticized the behavior of the Austrian government at a press conference in London, declaring that there was no legal justification whatever for the Austrian government's thesis that the problem of heirless property could be solved only six months after the conclusion of a

state treaty. The Austrian government was pursuing its policy of restoring property and positions to former Nazis, and apparently did not share the general view that measures of justice towards the victims of the Nazis should take precedence over any measures to benefit former Nazis. The Jewish press in Austria proceeded to set forth charges detailing the responsibility of individual Austrians, not merely Germans, for the long series of outrages committed in Hitler's name against Austrian Jews.

SECOND PHASE OF NEGOTIATIONS

On December 30, 1953, Deputy Undersecretary of State Robert M. Murphy assured a delegation of the Executive Committee headed by Jacob Blaustein that the United States government regarded as unfounded the Austrian claim that the pending issue of the draft state treaty justified the delay of a settlement on heirless property. Murphy also stated that the desire of the United States government for Austrian cooperation with regard to the settlement of the Jewish claims would again be made clear to the Austrian authorities. At the same time, a number of American public figures, including leaders of the Senate, publicly expressed their concern over Austria's failure to render justice to this important moral issue. Thus Senator Alexander Wiley, chairman of the Senate Foreign Affairs Committee, on March 8, 1954, declared that "it is my earnest hope and faith that Austria will, in line with the principles of existing legislation, do justice, and will not seek to enrich itself at the expense of the victims of Nazism." Senator Herbert H. Lehman stated his pleasure over the fact that the Eisenhower administration was "faithfully following the example of its predecessors" in supporting the settlement of these claims by Austria. In January 1954, on the occasion of the Berlin Conference of Foreign Ministers, whose agenda included the proposal for the restoration of Austria's full independence through the signing of the state treaty, the Executive Committee for Jewish Claims addressed a letter to the foreign ministers of the three Western great powers, urging that the occasion of the Berlin Conference be used to remind the Austrian representatives of their country's obligation to the victims of Nazism.

In the meantime, Foreign Minister Karl Gruber resigned from that position and was appointed Austrian ambassador to Washington. In that capacity, Gruber seems to have displayed personal interest in an early settlement of the dispute. In March 1954 Finance Minister Kamitz informally approached the Executive Committee with the proposal that in order to make the resumption of the negotiations possible, he would be willing to recommend to his government that an advance payment of 50,000,000 schillings (about \$2,000,000) on heirless property, and a "hardship fund" of 100,000,000 schillings (about \$4,000,000) be offered as a basis for negotiations. This offer amounted to only half of the drastically reduced last compromise proposal of the Executive Committee; but the chancellor himself could indicate only his individual approval of this barely adequate proposal of Kamitz's, making it clear that officially the offer could not be submitted until opposition against it within the cabinet was overcome. All that actually resulted from the hypothetical Kamitz offer was the unacceptable March 5 offer of an advance pay-

ment of 30,000,000 schillings on heirless property, as an "inducement" for the Executive Committee to reopen the negotiations.

Following the Executive Committee's rejection of this offer, Ambassador Gruber with the approval of the chancellor proposed that the Committee again send a representative to Vienna to explore informally and confidentially with top cabinet officers the possibilities of improving upon the tentative offer of Finance Minister Kamitz, and thus to find a way for reopening formal and detailed discussions. For this mission, the Executive Committee delegated Seymour J. Rubin, economic and legal consultant in Washington for the American Jewish Committee. Rubin had repeated discussions with the chancellor, Vice Chancellor Schaerf, the new Foreign Minister Leopold Figl and, mostly, with Kamitz.

Notwithstanding Gruber's assurances, Rubin at first received no new offer of any kind, but only the proposal that the experts get together to compare notes on their respective heirless property estimates, i.e., that formal contact between the delegations be reestablished in the absence of any Austrian offer. Rubin protested against this violation of the terms upon which he had been asked to come to Vienna and on April 8, 1954, submitted a proposal of his own to the cabinet. Subject to approval by the Executive Committee, he recommended (as a preliminary settlement chargeable against a later agreed and final evaluation of the total complex of heirless property), an advance payment by Austria to the Executive Committee of 75,000,000 schillings and an additional credit of the same amount. The latter might be paid partly in Austrian products to reduce the foreign exchange burden.

The Austrian leaders accepted Rubin's memorandum for study and asked the author to return to Vienna on April 26, to hear the cabinet's response.

On his return to Austria, Rubin was given two letters addressed to the Executive Committee. In one of them Raab gave up, at long last, the untenable argument that the discussion and settlement of the heirless property problem could take place only after the signature of the state treaty with Austria. The chancellor explained that the failure of the Berlin Conference "has shown that this period (of the signing of the state treaty) has been moved to a nebulous distance." On this ground, he fixed June 30, 1954, as the last date for the submission of new restitution claims by individuals, making it possible to discuss with the Claims Committee a settlement for "property unclaimed until then." With regard to the advance payment, however, the letter repeated the unacceptable offer of 30,000,000 schillings, with an additional payment on the basis of the final evaluation of heirless and unclaimed property. In principle, the letter at last recognized the right of the Executive Committee to receive all heirless property left by Jews in Austria.

The second letter, signed by Kamitz, repeated the acceptance of this principle and stated that Austria "would not be narrow-minded" with regard to payments to be made for the alleviation of indigent Nazi victims' needs. It refrained from mentioning any advance payment on heirless property, but emphasized that Austria now was again prepared to negotiate on both major issues. Kamitz proposed June 1, 1954, as the opening date of the negotiations, and expressed the view that "the conclusion of discussions on all questions,

including the final report on the evaluation of heirless property, will not require more than a month."

The Executive Committee replied that the offer contained in these letters was unacceptable as a basis for negotiations. But in the interest of individual claimants, and encouraged by Kamitz's indication of a more liberal Austrian attitude, the committee at the same time informed Raab that it was nevertheless prepared to sit down again for formal negotiations, in the expectation that they would also lead to agreement on a global payment for heirless property "more commensurate with realistic estimates" than the chancellor's latest token offer.

As a result, the second series of formal negotiations started in Vienna on June 1. They soon turned out to be another disappointment and failure, this time in relation to *both* major categories of claims, heirless property and individual indemnification alike.

The Jewish delegation endeavored to give priority to the latter problem, of vital direct interest to tens of thousands of Nazi victims. It soon became evident, however, that the Austrian government had decided to give such a narrow interpretation to the principle of nondiscrimination against Nazi victims living outside of Austria as to render the equitable satisfaction of most major claims impossible. All in all, the Austrian government agreed to the application of this principle only in respect to the payment of pensions to the small group of former state officials (but not to officials and employees of other public bodies) and to the grant of some benefits under the social insurance law.

In more important respects, in 1954 the Austrian government repudiated its own promises made in the course of the 1953 negotiations. Thus it had originally promised compensation to all Jewish victims of Nazism for household furnishings looted from their homes, but now it declared that it would make such payments only to refugees who returned to Austria for permanent residence. The Austrians executed another about-face on the question of assets which, they claimed, were not in Austria but had been transferred to Germany. At first, the Austrian delegation conceded that this question might be taken up at a later stage, in connection with the ultimate settlement of Austria's and Germany's mutual financial claims arising out of the Anschluss of Austria and its aftermath. Later, however, they reverted to an entirely negative position, holding that Article 38 of the draft state treaty prevented Austria from presenting such claims against Germany. On this legalistic ground, based on a treaty draft which might or might not enter into force, the Austrians rejected any responsibility for non-restitutable assets (consisting of the entire huge complex of property other than real estate and similar identifiable assets), even for those properties which never had been transferred to Germany but had directly enriched the population of Austria. Even the Austrian offer of compensation for the losses of Jewish communities in Austria (particularly for the destruction of synagogues) fell far short of both the damage and the present needs of the communities.

At the same time, the Austrian proposal on heirless and unclaimed prop-

erty remained on the unacceptable level of 30,000,000 schillings indicated by Chancellor Raab.

After five weeks of such gradual whittling down of the position reached in principle in the June 1953 negotiations, the Austrian government decided to summarize its position in an official memorandum transmitted to the Jewish negotiators. The latter then decided to call for a meeting with the chancellor, the vice chancellor, and the key ministers, in a last attempt to break the deadlock brought about by this official confirmation of unacceptable conditions of settlement. Realizing that the proposals as drafted would lead to an immediate formal break in the negotiations, the Austrian government suddenly withdrew its memorandum.

Instead, on July 6, 1954, Chancellor Raab sent another letter to the Executive Committee which once again reaffirmed (with certain restrictions) the principle of nondiscrimination, and promised to restudy all Jewish claims. The chancellor also stated that this time Parliament itself would be consulted on the entire issue, as soon as the fall elections for the state parliaments were over. On the basis of these consultations, a new offer would be presented to the Executive Committee.

JEWISH POSITION

In a resolution adopted on July 11, 1954, the Executive Committee publicly stated its views on the chancellor's letter as follows:

An agreement . . . must be based on the definitive acceptance by the Austrian government of the following provisions which have been known to the Austrian government for over a year:

- (a) Elimination of all legislative and administrative Austrian postwar measures discriminating, in law or fact, against former Austrian citizens or residents, now living abroad or having acquired another nationality.
- (b) Adequate compensation for furniture and household furnishings lost due to Nazi persecution.
- (c) Payment of compensation for economic losses which are not indemnifiable under existing Austrian restitution legislation.
- (d) Appropriations for the rebuilding and reequipping of necessary synagogues and other Jewish communal buildings and institutions; provision of housing for Jewish victims of Nazism requiring homes in Austria.
- (e) Adequate compensation for heirless or unclaimed Jewish property, both traceable and non-traceable, and payment of an advance thereon.

The resolution added that the chancellor's letter was too vague to provide a basis for even a provisional conclusion of the negotiations, but expressed the Executive Committee's readiness to consider the new definite proposals promised by the chancellor for the fall of 1954, provided they met the minimum demands as summarized above.

At the same time, Nahum Goldmann wrote the chancellor that Jewish opinion the world over was aroused by the delaying tactics of the Austrian government, and members of the Executive Committee felt that "the renewed delay on the part of your Government should be regarded as a breaking off of these talks."

RESTITUTION FOR NAZIS

On June 2, 1954, the Austrian parliament passed a bill providing for the restoration to former Nazis of property and other rights confiscated from them in favor of the Austrian state by decision of the early postwar People's Courts. Some 26,000 Nazis had been charged before these courts with war crimes of all sorts. In some 12,000 of these cases, the accused had been found guilty and, in addition to being sentenced to various penalties, had had their property, pensions, etc., confiscated. In 30 to 40 per cent of these cases, crimes against Jews and property looted from them had been involved.

REACTION BY OCCUPATION POWERS

On August 13, 1954, Austria was publicly rebuked before world opinion by the Allied Council for Austria, on one of the very rare occasions where the Western powers and the Soviet Union were able to take unanimous action. Parliament had passed two laws in favor of former Nazis, the one alluded to above, and a companion measure providing for the payment to former Nazi officials of pensions which they had forfeited under the Nazi Prohibition Law of 1947. The reasons which had united the four occupying powers on this issue were clearly given, in the spirit of American protest against earlier similar pro-Nazi measures in Austria, by the British High Commissioner, Sir Geoffrey Wallinger.

"Before certain victims of Nazi oppression law have had their wrongs righted," Sir Geoffrey said, "we are asked to approve two laws, designed to relieve former Nazis who took part in that oppression, from the legal penalties imposed on them by Austrian legislation." The British government refused to approve this legislation, because "the solemn pledge given by the Allied Council to the people of Austria in its first meeting on September 11, 1945, to eliminate the after-effects of Nazi misrule, has not yet been fulfilled." Britain, Sir Geoffrey added, would be prepared to consider such laws as had been submitted that day for approval, only after full justice had been done to the victims of the Nazis. Charles W. Yost, the American representative, concurred, as did the French and the Russian High Commissioners.

Jewish Population

The number of Austrian Jews in Austria was little changed during 1953-54, but the number of non-Austrian Jews, mainly Displaced Persons (DP's), was considerably reduced by increased emigration (*see* Table 1).

The very high proportion of old people and the small number of children remained constant and seemed likely to reduce the Jewish community by 10 per cent in twenty-five years (*see* Table 2).

There were some 150 Jewish students in Austria: most of them at the University of Vienna, others in Innsbruck and Graz. Many came from abroad—e.g., from the United States, Britain, and Israel—owing to the lower cost of Austrian education, especially in medicine.

TABLE 1

JEWISH POPULATION CHANGES, AUSTRIA,
JANUARY 1, 1954—JUNE 1, 1954

<i>Nationality</i>	<i>January 1, 1954</i>	<i>June 1, 1954</i>	<i>Decrease</i>
Austrian.....	7,713	7,661	52
Non-Austrian.....	1,286	1,090	196
TOTAL.....	8,999	8,751	248

TABLE 2

AGE DISTRIBUTION, JEWISH COMMUNITY OF AUSTRIA,
DECEMBER, 1953

<i>Age</i>	<i>Austrian</i>	<i>Non-Austrian</i>
Under 5.....	100	83
6- 8.....	192	88
9-11.....	95	23
12-17.....	168	51
18-24.....	238	26
25-44.....	1,612	533
45-60.....	2,926	309
60-.....	2,382	173
TOTAL.....	7,713	1,286

DISPLACED PERSONS AND MIGRATION

The Jewish Displaced Persons (DP) camps continued to be administered by the Austrian government, with supplementary assistance from the American Joint Distribution Committee (JDC). A number of inmates came under the United States President's Escapee Program (PEP) for refugees from behind the Iron Curtain who had arrived in the camps after 1948. Despite the decrease in the resettlement potential of the Jewish DP's, the JDC had intensified its resettlement program.

The majority of the DP's in Austria had registered for one emigration scheme or another, most of them for emigration to the United States. The number of DP's decreased greatly by emigration, the camp population being cut by 50 per cent during the period under review. Toward the end of July 1954, it proved possible to liquidate the camp at Hallein, almost the worst in Austria. Under the auspices of the PEP and the JDC, fresh accommodation was found for its inmates at Glasenbach. DP's still had the utmost difficulty in securing Austrian citizenship, to which they were theoretically entitled; it was also extremely hard to get labor permits.

Out of 526 persons who emigrated under JDC auspices during the period under review, only 80 were Austrians. This indicated that the great majority of the Jews in Austria intended remaining in that country.

In an effort to resettle some of the "hard core" of unwanted emigrants, a few more arrested tuberculosis cases were accepted, and Sweden indicated

her willingness to take a few more active tuberculosis cases, in repetition of the program of the previous year. There was very little influx of fugitives from behind the Iron Curtain, since very few Jews or other persons were able to escape. Only a very few aged and dying Jews were allowed to get out legally. During the period under review well under 100 Jewish refugees escaped to Austria from the east.

Social Services

Funds from the Conference for Jewish Material Claims Against Germany were made available through the JDC for the installation of an elevator in the home for old people, provision of summer vacations for all Jewish children, an increase in welfare expenditure, and some assistance for the Jewish school. A total of 2,650 persons received help of one sort or another through the JDC.

In June 1954, the welfare section of the Jewish community serviced a total of 663 persons, of whom 571 were Austrians and 62 non-Austrians, with an expenditure of 88,204 Austrian schillings (\$22,933); the medical department provided assistance to 231 persons. In the same month, the JDC assisted 43 university students, with the expenditure of 30,967 (\$8,051) Austrian schillings; in the Vienna area, the JDC's welfare program assisted a total of 1,378 persons, providing 6,145 days of care and 6,120 meals; 671 persons received cash assistance directly from JDC during June 1954.

TABLE 3

JEWISH POPULATION IN COMMUNITIES AND CAMPS IN AUSTRIA, JUNE 30, 1954

<i>Area</i>	<i>June 30, 1954</i>
Vienna	
Community	9,112
Camp Rothschild	137
U.S. Zone	
Community	460
Camp	335
{ Asten 196	
{ Hallein ^a 40	
{ Glasenbach 99	
British Zone	
Community	201
French Zone	
Community	155
TOTAL COMMUNITIES	9,928
TOTAL CAMPS	472 ^b
GRAND TOTAL	10,400

^a This group moved into private quarters near Salzburg in July 1954.

^b Approximately 100 persons who formerly lived in camps moved into communities in Vienna and Salzburg. Nevertheless, the sharp cut in the number of DP's living in camps was brought about by the efforts of the JDC Emigration Department.

Jewish Education and Religious Life

There was one synagogue in Vienna, in the Seitenstaettengasse. The rabbi was Akiba Eisenberg. The other synagogues destroyed by the Nazis had not been rebuilt. In addition there were two *Bethäuser* (Houses of Prayer) in Vienna, one belonging to the (Orthodox Zionist) Mizrachi, the other to the (Orthodox) Agudath Israel. There were several prayer meeting houses in the provincial capitals, as well.

In Vienna some 300 children educated at various Austrian schools received supplementary religious teaching at six instructional centers. Important festivals were celebrated in the Grosser Musikvereinsaal, as the synagogue was too small.

The all-day Jewish school, with some seventy pupils, was re-established on a firm financial basis by the JDC in the famous building of the B'nai B'rith. There was a summer kindergarten, which was attended by fifty children.

Special ceremonies marked the fifteenth anniversary of the *Reichskristallnacht* (November 9-10, 1938). This was the night when all but one of the synagogues in Austria were burned down by the Nazis. On that occasion over 10,000 Austrian Jews were rounded up and sent to Dachau. Mourning ceremonies were held on November 8, 1953, outside the destroyed and desecrated Ceremonial Hall of the Jewish section of Vienna's Central Cemetery. Jewish periodicals published full details of the horrors of those days and commented that the remnants of Austrian Jewry were still fighting for proper reparations. Accounts were published of the restoration work carried out by the Vienna community in Jewish cemeteries, not only in Vienna, but throughout Lower Austria and the Burgenland, to repair the deliberate havoc wrought by the Nazis.

Zionism and Relations with Israel

All Israel parties were represented in the Vienna community, but only as very small nuclei. Thus, there were two Zionist youth movements, with a combined membership of 150, the (Labor Socialist) Gordoniah and the left-wing Hashomer Hatzair. There were no *hachsharah* agricultural training farms. Great interest was taken in Israel affairs, and there was a considerable sale of Hebrew books and newspapers.

The Austrian press showed little interest in spot news from Israel but great interest in the Israel way of life; many features were published dealing with it. Most newspapers had regular correspondents in Israel. Arab influences were always at work and were slightly on the increase. They were supported by a section of the business community which hoped that, if a settlement of the restitution demands were refused, they could secure the business which the Arab states threatened to withdraw from Germany on account of its settlement of Jewish claims. Normal diplomatic relations between Israel and Austria had not yet been established, owing to Israel's

reluctance to accept the Austrian thesis that Nazism had been thrust upon the population by the German invaders, and by Austria's failure to settle the reparation issue.

Anti-Jewish Activity

There was a considerable increase in neo-Nazi activities and in minor indications of anti-Semitism during the period under review—as well as some cases of public condemnation of such tendencies. On July 18, 1953, for example, the prominent Catholic publication *Offenes Wort* published a letter from a reader—who described himself as “neither Jew nor Nazi, but a Catholic Christian”—which strongly supported the demand that “the property of Jews who lost their lives under Hitler and left no heirs should not fall to the state but, by a special law, should be allotted to Jewry.” Unfortunately, the public expression of such sentiments was extremely rare. The *Salzburger Nachrichten* (Independent) frequently opened its columns to anti-Semitic writers and neo-Nazis of the VDU Party, who throughout the year were active under their leader, Herbert A. Kraus, in blocking progress on Jewish restitution claims. Salzburg was the scene of many neo-Nazi, pan-German, and anti-Semitic gatherings.

On some occasions the *Salzburger Nachrichten* wrote in praise of such notorious Fascists and anti-Semites as the Rumanian Iron Guard (which, under Horia Sima, has its headquarters in Salzburg), and the Slovak Fascist leader Ferdinand Durcansky. On March 21, 1953, the *Freiheitliche Sammlung* group headed by the neo-Nazi parliamentary deputy Fritz Stueber held a congress in Salzburg which struck a strongly Fascist and anti-Semitic note. Stueber made a typically anti-Semitic speech in parliament on April 7, 1953, attacking the provisions of the new social insurance bill, which provided for the payment of benefits and pensions to Austrian emigrés living abroad. Declaring that the emigrés had “escaped much suffering,” Stueber proceeded to a full-dress attack on Jewish restitution claims. The bill was passed by the votes of all parties except those of the VDU and Stueber.

The new law was attacked by *Merk's Wien*, the electoral organ of the Catholic Volkspartei, the party of Chancellor Raab, which referred to “emigrés living abroad most of whom have huge incomes” who considered that they “should not be refused payment of pensions by Austria on the ground that they have a right to it.”

A leaflet aiming at increasing church attendance was distributed during March by the St. Joseph's Parish authorities in Vienna. The leaflet warned against indifference to the Catholic religion in these terms: “The tragic fate of Jewry, with its sin against the blood of Christ—this tragic fate which we have seen again exemplified among us—should be sufficient warning.” Such neo-Nazi organs as the *Neue Front* and *Signal* greeted with enthusiasm the news of the nomination of the former Nazi-appointed burgomaster of Vienna, Hermann Neubacher, to a post in Abyssinia. Neubacher, who was sentenced in Yugoslavia as a war criminal, had played a leading part in plundering the Jews.

Neo-Nazi and anti-Semitic circles gave a warm welcome to Field Marshall Albert Kesselring, German Nazi first convicted as a war criminal but later pardoned, when he visited Austria in March 1954, allegedly for reasons of health. When Kesselring's presence became known in the press, there were many protests from various quarters. The ministry of the interior, learning that Kesselring's program included an address to the former inmates of the Wolfsberg postwar internment camp for Nazis, informed him that his further presence in Austria was undesirable. Kesselring arrogantly ignored this, and continued his tour of many places in the American and British zones, where he held reunions with former soldiers in Hitler's army. Oscar Helmer, Socialist minister of the interior, accused Kesselring of abusing the laws of international hospitality, and said that he had caused nothing but difficulties for Austria and delighted her enemies. But, Helmer said, there were no legal grounds for expelling him. Having completed his program, Kesselring left a week later.

In April 1954 Otto Seits, deputy commander of the Jewish forced labor camp at Donnerskirchen, was acquitted because of insufficient evidence on a charge of murdering two Jewish inmates. The charge had been originally brought against him in October 1945, but only now came up for hearing. (It was common practice in Austria for defending counsel in such cases to try to delay hearings until all witnesses had dispersed.) In December 1953, however, a Linz court passed a sentence of ten years' rigorous imprisonment on a police inspector, Johann Kirchmayer, for shooting a Jewish concentration camp prisoner during the notorious "death march" of Jews from Hungary via Mauthausen to Ebensee. In April 1954, a similar sentence was passed on Heinrich Trnko for ill-treating numerous Jews and murdering one during the Engerau Death March in 1945. Here, again, most of the original witnesses could not be found after nine years, but it proved possible to convict Trnko on his own earlier confession.

Unfavorable notice was attracted by the inclusion by the municipality of Braunau-on-the-Inn of a photograph of the house where Adolf Hitler was born, as one of the "sights of Braunau." In May 1954 the Jewish community sent a letter of protest to the Austrian Broadcasting Center against a proposal of Catholic Action to allow only one Jewish religious broadcast per annum, instead of one broadcast on every Jewish religious festival, as had been provided by the American authorities (who in 1953 handed back their stations to Austrian control).

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