

GERMAN REPARATIONS AND THE JEWISH WORLD

A History of the Claims Conference

SECOND EDITION

Ronald W. Zweig



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**A HISTORY OF THE
CLAIMS CONFERENCE**

Second Edition

RONALD W. ZWEIG

 **Routledge**
Taylor & Francis Group
LONDON AND NEW YORK

First published in 1987 by
FRANK CASS PUBLISHERS

This edition published 2013 by Routledge
2 Park Square, Milton Park, Abingdon, Oxon, OX14 4RN
711 Third Avenue, New York, NY 10017

Routledge is an imprint of the Taylor & Francis Group, an informa business

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British Library Cataloguing in Publication Data

Zweig, Ronald W.

German reparations and the Jewish world: a history of the
Claims Conference. – 2nd ed.

1. Restitution and indemnification claims (1993) – History
2. Holocaust, Jewish (1939–1945) – Reparations – History
3. Jewish property – Europe – History

I. Title

940.5' 31422

ISBN 0-7146-5152 4

Library of Congress Cataloging-in-Publication Data

Zweig, Ronald W.

German reparations and the Jewish world: a history of the claims conference /
Ronald Zweig. –2nd ed.

p. cm.

Includes bibliographical references (p.) and index.

ISBN 0-7146-5152-4 (cloth)

1. Conference on Jewish Material Claims Against Germany. 2. Jews–Politics
and government–1948–3. Restitution and indemnification claims (1933–)–Germany
(West)
4. Holocaust, Jewish (1939–1945) – Reparations. I. Title.

DS140 .Z84 2001

940.53'18–dc21

00-069391

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Preface

THIS BOOK was originally published as part of a series of researches undertaken at the Institute of Contemporary Jewry, The Hebrew University, Jerusalem, on the general theme of German reparations. My own research into the Claims Conference was preceded by the research of Nana Sagi into the events leading up to, and the course of, the negotiations with Germany in 1952. These books were researched and published during the late 1980s, years before the subject attracted any general interest. The renewal of Jewish claims in the late 1990s against Swiss banks, insurance companies, the Austrian government and German industry have revived interest in the history of restitution, indemnification and reparations. This book was an early attempt to examine what was done with the monies received from a previous round of German reparations. It looks at the impact of German reparations on the rehabilitation of Jewish life, Jewish communities and Jewish cultural activities during the generation that followed the Holocaust. The years between 1945 and 1967 were dramatic ones in Jewish history, and there were unprecedented claims on Jewish philanthropy. While Jewish communities outside the communist world benefited from the general postwar prosperity, the ability of voluntary organizations to mobilize the public budgets needed to meet the challenges of rehabilitating and resettling Holocaust survivors and of rebuilding communities in Europe, as well as the needs of mass immigration into Israel, was limited. German reparations and restitution funds played a huge role in meeting these needs.

The research was initiated by the officers of the Claims Conference themselves, who, even before the Conference completed its major allocations programs in 1964, provided for the writing of a history of its

achievements. The commitment to ensure that a history of the reparations process would be written accorded with the Conference's general ethos of public accountability. Each year the Conference published a detailed and exhaustive account of its work. As these annual reports itemize most of the specific programs which the Conference supported, I have chosen not to duplicate that record by annotating a list of the Conference's achievements (it would be a long list), but rather to evaluate the impact of the Conference allocations program on the reconstruction of the Jewish world, in particular European Jewish communities. The Conference did not function in a vacuum, and it was not the sole body allocating reparations funds for the Jewish public good. Accordingly, I also set as my task an analysis of the inter-linking relationships between the various major Jewish organizations active in the work of rehabilitation and reconstruction, as expressed in the forums of the Conference.

The work presented here is not an official history, neither is it a listing of the Conference's achievements. Such a work has still to be written. This book, instead, is a study of the impact of the Conference and of the reparations process at the broadest possible level, and I make no apologies for failing to provide the panegyric that the Conference hoped to receive when it opened its archives.

The papers of the Conference on Jewish Material Claims Against Germany were deposited in the Central Archives for the History of the Jewish People, in Jerusalem in 1978, shortly before I undertook to write this history. The papers are a particularly valuable source of information on the Jewish world in the years after 1950, and, when their integration into the Central Archives is completed, they will doubtless become a major resource for any historian interested in understanding Jewish life in the postwar period. I am indebted to the officers of the Archives, the late Dr Daniel Cohen and Mr Arieh Segal, for permitting me to work on the documents although they are still being processed. I am also grateful for Mr Segal's insights into the complex world of Jewish organizational relationships which he shared with me during many conversations on the subject of my research. In preparing the second edition I have incurred debts of gratitude to Mrs Hadassah Assouline, the current director of the Archives.

My constant demands for access to more and more files did not make the work of cataloguing any easier. Nevertheless, most of my requests

were met. In the course of my research I saw some files before they were formally catalogued by the Archives, and before they were given unique file numbers. In all such cases I have identified the files by the original title created by the offices of the Claims Conference in New York. I owe a special debt of gratitude to Jacob Zabach, a member of the staff of the Central Archives who, through the years, patiently transported cartons of files between the distant storerooms and the reading room of the Archives.

I owe similar debts of gratitude to the staffs of all other archives I consulted in this research. The staff of the National Archives in Washington DC and College Park, Maryland helped me find large amounts of material relating to reparations, restitution and American refugee policy. Some of the material was used in this book. As I have focused so closely on the role of the Conference in the world of Jewish organizations, it was necessary to consult both organizational archives and the papers of various prominent Jewish public figures. I would like to acknowledge the assistance of the officers of the archives of the American Jewish Committee (then housed in the Jacob Blaustein Library of the Institute of Human Relations, New York); the archives of the American Jewish Joint Distribution Committee in New York and Jerusalem; the Central Zionist Archives, Jerusalem; and the Archives of Australian Judaica, Sydney. Mrs Vera Prausnitz and Dr Mordechai Paldiel, respectively previous and current heads of the Department of Righteous Gentiles, Yad Vashem, Jerusalem, helped me piece together the story of one of the more interesting programs which the Claims Conference is still supporting. I am grateful to the late Rabbi Dr Israel Goldstein, who allowed me access to his extensive and important personal archives. I am also grateful to those individuals who participated in the events described here, and who agreed to be interviewed about them. A full list of those to whom I am indebted on this score is given in the bibliography. Mr Stanley Pearlman, CPA, was a particularly valuable research assistant. His training as a chartered accountant was indispensable, and I am grateful for his assistance.

Dr Menahem Kaufman, Executive Secretary of the Institute of Contemporary Jewry, helped sustain this project by his friendly encouragement during the years of research, which I always appreciated.

My main debt of thanks is to Professor Yehuda Bauer, who, as editor of the series on German reparations, read the manuscript as it evolved

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and saved me from a number of embarrassing mistakes. I am particularly grateful for his unequivocal support for my decision that nothing was too sensitive or too controversial to record. Nevertheless, at the request of some of the organizations that had given me access to their confidential archives, I did withhold certain information relating to the relief in transit program from the first edition. This program is no longer sensitive and it is now possible to tell the full story of how almost half of the Conference budget was used. A special research fellowship at the Center for Advanced Holocaust Studies in the United States Holocaust Memorial Museum in Washington DC, followed by a fellowship at the Center for Advanced Studies at Yad Vashem in Jerusalem, allowed me the time to revise and expand the original edition. I am grateful to both these institutions.

Despite my many debts of gratitude, I am reasonably certain that the errors in this work are my own. I was conscious throughout the writing that the subjects of my study were, in many cases, communal leaders who had voluntarily devoted much of their time to the rehabilitation of Jewish survivors of the Holocaust. As for the salaried officials mentioned here, the 'civil service' of the Jewish world, they were held in the highest esteem by the leadership they served. I hope that in my account and the conclusion no injustice was done to any of the personalities concerned, both those who are mentioned and those who are not.

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List of Abbreviations

AIVG	Aide aux Israélites Victimes de la Guerre
AJC	American Jewish Committee
AJJD/JDC	American Jewish Joint Distribution Committee (the 'Joint')
CC	Conference on Jewish Material Claims Against Germany (the Claims Conference)
CDJC	Centre de Documentation Juive Contemporaine
CRIF	Le Conseil Représentatif des Organisations Juives de France
CZA	Central Zionist Archives
DP	Displaced Person
ECAJ	Executive Council of Australian Jewry
FRG	Federal Republic of Germany
FSJU	Fonds Social Juif Unifié
HIAS	Hebrew Immigrant Aid Society
IRO	International Refugee Organization
ITS	International Tracing Service
JLC	Jewish Labor Committee
JRSO	Jewish Restitution Successor Organization
JTC	Jewish Trust Corporation
OMGUS	Office of the Military Government, US Zone, Germany
ORT	Obshchestvo Rasprostraneniya Truda Sredi Yevreyev
OSE	Oeuvre de Secour aux Enfants
UHS	United HIAS Service
UJA	United Jewish Appeal

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UNRRA	United Nations Relief and Rehabilitation Administration
URO	United Restitution Organization
VSJF	Verband Schweizerischer Jüdischer Flüchtlingshilfen
WJC	World Jewish Congress
WZO	World Zionist Organization
YIVO	Yidisher Visenshaftlikher Institut

Introduction

THE FINDINGS of this research remain as valid today as they did when they were first published in 1987. Nevertheless, the publication of a new edition is an opportunity to reconsider the history of German reparations, restitution and indemnification from new perspectives. The level of interest in a the subject that was once considered fatally boring is now high, and significant negotiations have recently taken place across Europe on the remaining issues related to Jewish assets. Why was so much left undone during the first phase of negotiations (1945–52)? And why have these questions come to the fore once again?

There are many answers to these questions. During the first stages of the evolution of restitution, reparations and indemnification policies, the material needs of the survivors were pressing. Between 1945 and 1949, the number of Jewish displaced persons (DPs) dislocated by war and by the Sovietization of Eastern Europe reached almost 250,000. The DPs received basic sustenance aid from the United Nations Relief and Rehabilitation Administration (UNRRA)/International Refugee Organization (IRO) and the Allied occupation armies. Additional support was provided by the Joint Distribution Committee and the Jewish Agency. The financial burden was considerable and – unlike other postwar problems – growing, not declining. All sides looked to heirless Jewish private and communal property as a possible source of funds for the maintenance of the DPs and their eventual resettlement and rehabilitation.

Furthermore, the injustices done to the Jews of Europe were a very fresh memory. The fairness of the demands of Jews to regain their own assets was self-evident. In Germany, justice was ultimately enforced by

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the American occupation authorities, and Washington imposed its own restitution legislation when the German *Land* governments were unable to come up with satisfactory legislation of their own.

Similar legislation was delayed in the British zone of occupation in Germany because of the government's preoccupation with the Palestine question in 1946–48. However, the American military authorities in Europe had no patience for British concern that the restitution of Jewish assets would provide budgets for the purchase of weapons for the *Hagana*, the flight of Jews from Eastern Europe to occupied Germany, and the traffic in illegal immigrants to Palestine. These were not American problems, and the US authorities pressed ahead relentlessly with the drafting of restitution legislation.

There were no precedents for many of the legal and political issues created by the war. The concept of heirless personal and communal assets is not new to the law. Normally, heirless property reverts to the state, for the benefit of the entire community. However, Germany was responsible for the disappearance of the legal owners and therefore could not be allowed to benefit from the property that was left behind. There was a wide consensus that heirless property would be used for the benefit of the surviving Jews whether they were in Germany or not. The situation was unprecedented and legally complex. The zonal division of Germany and the inability of the Allies to formulate common policies meant that four separate bodies of law and administrative practice evolved to handle the restitution of real property. The Americans were the most determined in advancing this legislation. They were also the first to adopt the concept of a 'restitution successor organization' that would acquire heirless Jewish assets and use them on behalf of the survivors.

By the time restitution successor organizations were operating, there was a tangible weariness among the leading Jewish organizations. How such an organization was to be constituted in the three Western zones of occupation, and how it would use the assets that were restituted, were issues that took almost five years to resolve. Years of lobbying, drafting of possible legislation and debate came first.

In addition to the question of heirless assets, the international community has awarded the Jewish world a small share in the division of German external assets, and all of the non-monetary gold that was uncovered in Germany (and later also in Austria) after the war (the Five

Power Agreement of 1946 – discussed more fully in Chapter 1). However, these issues, too, took years of difficult negotiations and debate before any practical benefits emerged. And they were very meager. Four years after the end of the war the total amount of money resulting from the international community’s decision to award to Holocaust survivors non-monetary gold, a small share of German external assets and all heirless bank accounts in neutral countries (mainly Switzerland) was \$15 million. Although the final total came to just over \$25 million, it took years of effort by the organizations until anything was made available for the benefit of the survivors. In comparison to Jewish philanthropy, which raised much greater sums every year for the benefit of the survivors, the Five Power Agreement had very disappointing results.

Switzerland was the largest obstacle to a rapid settlement of the promises of the Five Power Agreement. As a neutral country, Switzerland claimed that it was not responsible for the tragedy that befell European Jewry, and that it was entitled to consider its own, very real economic interests when deciding the fate of German external assets in Swiss territory. After years of futile negotiations between the Swiss and the Allied governments, Jewish organizations gave up hope of ever receiving all the funds due to them. In June 1950 the organizations handed over responsibility for dealing with Switzerland to the foreign office of the newly created State of Israel.¹ While Israel was willing to adopt the role of the protector of diaspora Jewish interests, in the years that followed it became apparent that Israel had other priorities in its bilateral relations with Switzerland. Israel’s trade, diplomacy, and security interests came first.

During 1951 the Federal Republic of Germany established cautious contacts with the Jewish organizations to investigate the possibility of direct negotiations for a global reparations settlement with the Jewish world and indemnification payments to individual Holocaust survivors. The prospect of direct negotiations with Germany was an explosive issue in Jewish public life. But the organizations that had been dealing with restitution, reparations and indemnification issues since 1945 recognized that this was the only way to achieve a significant settlement of Jewish material claims. All other avenues had been pursued with disappointing results, and offered no prospect of any serious satisfaction of Jewish rights. These negotiations reached a successful conclusion in

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the autumn of 1952, and the Wassenaar agreement became the basis of the subsequent German legislation of compensation payments to individuals. These payments made up the largest item of the DM 115 billion which Germany has since transferred to the Jewish world. Although it took years for this legislative program to be fully enacted, the payments to the Jewish organizations (the subject of this book) and to Israel began almost immediately. Not surprisingly, the other outstanding Holocaust-era assets issues, that had absorbed years of negotiating effort, suddenly became less important and were set aside.

Other developments also brought about this change in priorities. By 1950 most of the survivors and the uprooted had found new homes in Israel, America or elsewhere. The DP crisis was over. The establishment of Israel in 1948, and the issues that the new state had to confront, now replaced Holocaust-related problems at the top of the Jewish agenda. As the material needs of the survivors became less apparent the sense of urgency over the issue diminished. Once the DP camps were finally closed – most by 1949, but the last one closed in 1956 – the ‘survivors’ were no longer in focus. A multitude of Holocaust survivor groups formed to represent their interests, but they were too small and localized to challenge the representative status of the established Jewish organizations.

The debate on Holocaust-era assets for most of the period between 1950 and 1990 focused entirely on issues related to the indemnification program of the Federal Republic of Germany. As this program matured and broadened its scope, and as the Jewish world (including many survivors, but not all) shared in the general prosperity of the post-war period, there was increasingly less public support for material, assets-based claims.

In the early 1990s the outstanding assets issues once again came to the fore. The immediate catalyst was a series of investigations by an Israeli journalist, Itamar Levin. In articles that began appearing in 1995, Levin focused attention on the issue of heirless bank accounts that had laid dormant since the war. Many of these accounts were the property of Holocaust victims. The issue has been largely ignored by the organizations for all the reasons discussed above, and because of a general unwillingness to be party to individual, private restitution claims. The Jewish organizations only wanted to be active in issues of heirless assets that would benefit the Jewish world as a whole. Levin

refocused attention on the Swiss banks – an issue that had effectively been abandoned by the organizations in 1950–51.

The banks of Zurich and Geneva are an easy target. Unlike the dispersed communal assets of Polish Jewry, or the ‘vanished’ assets of Hungarian Jewry, the imposing banks of Switzerland, with the imagery of underground vaults of gold, can be seen and photographed. With the growing globalization of the international economy, Swiss institutions are serious players in American financial markets. Like every other large commercial interest in the world, they are dependent on access to American resources. As a result, they are sensitive to the legal and political realities of the United States. While the Allies occupied Germany, Washington was able to enforce its will in its zone of occupation – a fact that made possible the restitution of real property in Germany. The new global economy has effectively brought Europe to America, and once again Washington is able to dictate the course of events.

Levin’s articles in the Israeli press also reached American newspapers and evoked an immediate response. Almost 40 years of resentment at the dishonesty and insensitive behavior of the Swiss banks toward survivors or heirs who had a claim to deposits lying dormant since the Holocaust, but had lost the documentation and identifying codes that would have compelled the banks to return the money, drove the public campaign against the leading banks. The initial response of the banks was arrogant, evasive and replete with vague hints of an anti-Semitic response in Europe if the Jewish organizations did not moderate their attacks. This was exactly the sort of response that individual claimants had confronted since the end of the war. It served to reinforce the negative image of the banks, and the public campaign intensified.

Very quickly the controversy regarding the banks broadened to include new claims against the banks and the Swiss state. Two generations of scholarship on the economic aspects of the Second World War have strongly reinforced our understanding of the economic motives of Nazi racial policy. Swiss neutrality and the role of the Swiss banks as international clearing houses for the traffic in gold ensured that Switzerland played an important role in the utilization of victims’ assets by the German war machine. The banks suddenly became the focus of an additional set of accusations that cast a very negative light on Swiss neutrality and integrity.

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The public debate, and widespread sympathy for the claims against Switzerland and its banks, encouraged the formulation of other outstanding claims. Insurance companies were confronted with accusations that they had made huge profits from the unredeemed policies of Holocaust victims. Insurance was a standard means of saving in the early part of the twentieth century, and the Nazi regime was well aware that the insurance companies held assets of their Jewish victims being murdered. Arrangements were made between the Nazi government and the insurance companies operating in Germany, and in the countries occupied by Germany, for the utilization of these assets. The insurance companies, like many other sectors of the German economy during the war, became collaborators with and beneficiaries of the Final Solution. Negotiations for the payment of compensation for unredeemed insurance policies continue.

The fall of the communist bloc made it possible to press demands for the restitution of Jewish communal property in each of the countries of Eastern Europe. The fate of Jewish communal property in countries (like Poland) occupied by the Nazis, and where the loss and destruction caused by war were not confined to the Jewish community alone, is particularly problematic. Can the Polish state be asked to compensate for heirless properties that accrued to it as the result of policies for which it was not responsible? Can the vastly depleted surviving Jewish community in Poland (some 6,000 today) be considered the legitimate heirs of a community of 3,300,000 before the war? What rights do Polish Jewish refugees now living elsewhere have on communal property in Poland? By what right do non-Polish Jewish organizations, confident and experienced in their dealings, intervene in the internal Polish relations between the government and the weak local Jewish community? These questions continue to be raised as the Polish government moves toward a settlement of the issue of community property.

The situation in Hungary is entirely different. Hungary was an ally of Nazi Germany, and collaborated in the deportation for extermination or slave labor of over half a million of the 800,000 Hungarian Jews. Furthermore, the Hungarian state itself confiscated the assets of Hungarian Jews in a process that began even before the outbreak of war (the anti-Jewish law of 1938). Officials of the Hungarian regime of Admiral Horthy and of the successor fascist regime of Ferenc Szálasi were directly and consciously (that is, as the result of specific policy)

involved in the despoliation of the Jewish community. The transportable part of these assets (gold, jewelry and other valuables) have vanished. As the current government denies all knowledge of the fate of these assets, and as part of them were for a short period under the control of the US Army in Austria immediately after the war, it was briefly suggested that perhaps the United States should be held responsible for compensating the surviving Hungarian Jews for the disappearance of all their transferable assets. This suggestion, which was soon withdrawn, is indicative of the increasingly insistent demand that the Jewish material *status quo ante* be restored. Almost 200,000 Jews survived the war, and the Hungarian Jewish community of today is demographically one of the most significant in Europe. The community has its own representative bodies, and is vocal in its resentment of the intervention of the international Jewish organizations.

The current preoccupation of the Jewish world with Holocaust-era assets contrasts sharply with prevailing attitudes when this book was first published. A number of explanations for this phenomenon are tentatively offered here. As already noted, the globalization of the world economy ensures that all significant bodies – banks, companies and states – are vulnerable to American non-governmental pressures. Even though the State Department and the Clinton administration have adopted the Holocaust-era assets question, the initiative for action on the restoration of assets has become the prerogative of private lawyers and voluntary organizations. Unlike the situation in occupied Europe after 1945, official government policy is no longer the driving force. There are now multiple initiatives, which are sometimes only loosely coordinated.

The widespread public interest in the Holocaust, and in the assets issue, ensured the full involvement of the Clinton administration. This has given legitimacy, prestige and diplomatic backing to many of the claims being raised. The administration has also taken serious steps toward opening official archives that remained closed since the Second World War. The Nazi War Crimes Disclosure Act, 1998 and the active role of the National Archives and Records Administration in the United States to implement the Act, will have a significant long-term effect on all Holocaust research. It will also allow the ghosts of the past concerning assets issues to be finally laid to rest. It is very possible that the last assets case to be considered will be the United States own self-

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examination of whether any Holocaust-era assets remain in American hands.

The anticipated release in the United States of up to 10 million new Second World War documents is the highlight of what has in fact been an ongoing international process of archival releases and new research since the 1970s. The current initiatives on restitution and indemnification are also fueled by knowledge and new evidence that simply was not available during the first phase of dealing with the issues in the 1940s and 1950s.

The contemporary public debate on assets questions is conducted in a tone that is far more strident and self-assured than during the first phase. Jewish communities around the world are more self-confident and secure than ever before. Jewish leaders, especially those in America, are unconcerned about any possible anti-Jewish backlash. European Jewish community leaders are less sanguine, but are generally unable to impose their caution on the American organizations at the forefront of the assets battle.

It is ironic that the most prominent of these organizations today is the World Jewish Congress. The Congress was only one of the four or five (it varied) organizations that cooperated in the formulation of restitution and reparations policy. In the 1945–52 period the Congress employed one of the greatest experts on the complex legal and political aspects of reparations and restitution (Nehemiah Robinson), and little was done without Robinson having a chance to comment or advise. However, in the postwar years the Congress became an organization without an electorate and without a defined mission. It was increasingly marginalized in the Jewish world, especially as it had been excluded from the allocations side of the process. The standing which the World Jewish Congress enjoyed during the period 1950–70 derived in large part from the prominence of its chairman, Nahum Goldmann. But Goldmann was a leader of the Jewish Agency as well for much of this period, and independently important in the Jewish world. In 1981 Edgar Bronfman was elected chairman of the World Jewish Congress. His great personal wealth enabled the Congress to resume its activities with added commitment. The Congress was able to mobilize international support for the cause of Soviet Jewry. But with the end of communist control and the break-up of the Soviet Union, Jews were able to emigrate freely, and the cause of Soviet Jewry was no longer so

important. By the mid-1990s the Congress was once again an organization in search of a task. Levin's attention to the Swiss bank issue provided a suitable challenge. At the same time, however, the Jewish Agency and, to a degree, the Joint Distribution Committee – the dominant organizations in the first phase of the assets issue – had become far less prominent in Jewish public life.

The final explanation for the renewed interest in the fate of Jewish assets is related to the growing focus on the Holocaust in American public discourse. All aspects of the fate of European Jewry under the Nazis are considered significant. Even the technical details of insurance policies or dormant bank accounts are interesting because they are related to the Holocaust. But increasingly the Holocaust is being reified – seen as a separate and unique experience divorced from its genuine historical setting of war and destruction. In moral terms, and in terms of human experience, the Holocaust is indeed unique. But it cannot be divorced from the events that allowed it to happen. The first round of assets negotiations took place in the shadow of the the Second World War. The reality of war, and the massive destruction it caused throughout Europe (and also the Pacific, although that is not relevant here), were not only fresh memories: they were also very visible. All of Europe suffered, and although the Holocaust was a singular experience in history, the Jews were not the only victims of the war. It would be unrealistic to expect that the material *status quo ante* be restored entirely. This was more apparent in 1945–52 than it is today. There was then more readiness to compromise and, because of the DP problem, greater urgency to conclude negotiations and receive restitution. It is entirely appropriate that Swiss banks or international insurance companies should not benefit from the assets of the victims. But it is easier to address these problems in the context of European prosperity in the year 2000 than it was to pursue these assets during the years of postwar reconstruction.

The achievements of the Jewish organizations and leadership in the 1945–52 negotiations have proven, in retrospect, to be much greater than anticipated. Germany honored its commitments and frequently extended them, so that increasing numbers of survivors would benefit. It is doubtful that the current wave of assets negotiations will lead to settlements that will provide more than a small fraction of what has already been paid out following the 1945–52 agreements. It is also

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doubtful whether there is sufficient unity of opinion in the Jewish world of 2000 to allocate the funds in a manner that will prove to be as effective as the Claims Conference programs described in the pages that follow. During the life of the Claims Conference, its allocations program was a strong factor in the encouragement of unity and cohesion throughout the Diaspora, and between the Diaspora and Israel. It is impossible to forecast what impact a renewed influx of restitution and reparations funds will have on the contemporary Jewish world in today's dramatically different circumstances.

Throughout its history, the Claims Conference has been the subject of criticism from groups who felt that their special claims had not received adequate attention. However, the post-1990 revival of the restitution and reparations debate has attracted a different kind of critical attention altogether. Critics such as Norman Finkelstein² have tapped a vein of resentment by attacking not only the current claims and the management of restitution funds, but also by reinterpreting the past and presenting a distorted image of the restitution, reparations and indemnification process as it evolved since the war. By combining the resentment of those that felt they had not received a large enough share of the reparations payments with the resentment of those that were forced to surrender 'aryanised' Jewish property, and given the widespread resentment against the Jewish world for its inconvenient memories of the past, Finkelstein's study was guaranteed a broad audience. The critics' task was made easier by the regrettable policy of the Jewish organizations to close their records to research, resulting in an almost total absence of serious scholarship on the subject of restitution, reparations and the rehabilitation of the Jewish world. In such a situation, the most outrageous misrepresentations have been accepted as fact. These records have now been opened once again to historians, and we can look forward to a more serious debate of the past.

NOTES

1 F. R. Bienenfeld to S. Adler-Rudel, 29 June 1950, CZA, A140, file 57.

2 Norman G. Finkelstein, *The Holocaust Industry: Reflections on the Exploitation of Jewish Suffering*, Verson, London and New York, 2000.

1 • Restitution and Reparations

ON 10 SEPTEMBER 1952, the Federal Republic of Germany signed agreements with the Government of Israel and the Conference on Jewish Material Claims Against Germany for the payment of reparations to Israel and to the Jewish people. It was the first international commitment undertaken by the newly constituted Republic. The negotiations were held in Wassenaar, Holland, during 1952. When they were completed, and the formal agreements signed in Luxembourg, a phase in Jewish life in Europe after the Second World War came to an end. The reparations from Germany which were paid as a result of the Wassenaar negotiations had an immense impact on Jewish life. Reparations, restitution and indemnification together transferred vast amounts of money to individual Jews, to the State of Israel and to Jewish communities throughout the world. The impact of the reparations agreements on Jewish communal life is the subject of this book.

The spoliation and material destruction caused by the Nazis was one of many issues confronted during the war when the Allies planned the liberation of Europe. As early as January 1943, the United States, the USSR and Great Britain, together with 15 Allied governments, issued the Inter-Allied Declaration Against Acts of Dispossession Committed in Territories Under Enemy Occupation or Control. The Declaration was the first statement of the Allies' intention to ensure that plundered assets be restituted to their rightful owners.

The problems presented by the restitution of Jewish assets were particularly acute. Jews had been victims of Nazi persecution and material depredations since 1933, longer than any other group.

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Furthermore, the murder of such a large proportion of European Jewry meant that many Jewish assets had no surviving heirs.

Even before Allied victory was assured, the Jewish Agency for Palestine, the World Jewish Congress, the American Jewish Committee and other non-governmental organizations began formulating policies on the fate of Holocaust-era assets, at the same time as they dealt with issues of rescue and relief for the Jews under Nazi control.¹ In November 1944, the World Jewish Congress convened a War Emergency Conference attended by the major Jewish organizations. The Conference called for the restitution of individual assets, the payment of compensatory indemnification and collective reparations to the Jewish people. The deliberations were supported by a detailed study of the extent of Nazi spoliation and looting of Jewish assets (estimated at \$8 billion, excluding occupied Soviet territory), and by concrete proposals on how these assets could be restored.²

When American, British, French and Soviet forces occupied Germany, restitution became a practical possibility. Of all the Allies, the policy of the USA was the most committed to the full restitution of Jewish assets. In a basic policy directive to the Commander in Chief of the United States Occupation Forces, General Eisenhower received instructions to impound 'property which has been the subject of transfer under duress or wrongful acts of confiscation, disposition or spoliation, whether pursuant to legislation or by procedure purporting to follow forms of law or otherwise' and to 'institute measures for prompt restitution' of such property.³ However, it quickly became apparent that this was a legally complex and politically sensitive task. The occupation authorities had other priorities. Only in 1947 was legislation enacted making possible the serious restitution of Jewish property in Germany.

In addition to demanding the return of assets to their rightful owners, Jewish groups called for reparations from Germany. Reparations are punitive and compensatory payments, usually made by one state to another. The demand for reparations for Jewish losses during the war was unprecedented. In these immediate postwar years the Jews had no sovereign state of their own to press the claim for reparations. Nevertheless, when the major powers debated how they could obtain reparations from Germany, there was much sympathy for the Jewish claim.

On this issue, as well, the Jewish organizations had significant

American backing. The United States ambassador to the Allied Commission on Reparations, Edwin W. Pauley, argued that while the interests of private persons whose property was despoiled by Germany were protected by their respective governments, most of the 'persecutees' (the name used in official circles for survivors of the Holocaust) were in fact stateless. They had been stripped of their citizenship at the same time as their assets had been seized by the Third Reich. Now, as stateless refugees, they had no channels through which they could seek recompense. Pauley had discussed this problem with President Truman immediately after the cessation of hostilities in May 1945. Truman proposed that he raise it with the British and Russian authorities in the course of the general inter-Allied negotiations on reparations.⁴

When the Allies met in Potsdam in July 1945, there were sharp disagreements on the reparations question, and Pauley did not table any formal proposal on restitution for stateless victims of Nazism. However, he did discuss the question with his British and French counterparts, and reported that they were sympathetic. The United States believed that unless reparations were paid to the Jewish victims of Nazism, the burden of looking after the survivors would fall on American and British taxpayers. They would have to pay the bill for taking care of them and for their eventual resettlement. Indeed, they were already doing so through contributions to the United Nations Relief and Rehabilitation Administration (UNRRA), the Red Cross, Army welfare programs and private philanthropy. In line with the thinking of the World Jewish Congress, Ambassador Pauley advocated the establishment of an 'International Board of Trustees' to represent the interests of the stateless, and to receive reparations on their behalf. Pauley proposed that the United States, Britain and the USSR set aside a fixed percentage of the overall reparations from Germany for this international board.⁵

The legal problems created by the statelessness of the refugees, and by their unwillingness to resume German or Austrian citizenship, were complex. Similarly, enforcing a policy of restituting real assets in the areas under Allied control would be seriously disruptive for the Military Governments. However, the prospect of reparations — an independent, non-American source of funding for the displaced persons operations of UNRRA — was certainly attractive. For all these reasons,

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the State Department endorsed Pauley's suggestion that the Jews be awarded a percentage of the overall reparations as a form of global restitution.

When the Inter-Allied Conference on Reparations met in Paris at the end of 1945, the American delegation pursued the question of reparations to the Jews. The Conference had convened to conclude an agreed policy on the entire question of reparations from Germany. Among the many other issues discussed, the United States delegate, James W. Angell, proposed that

a share of perhaps two percent of the total pool of resources available for reparations should be set aside for the relief of . . . the displaced victims of Nazism . . . Relief distributed from the fund so established should be made available primarily on the basis of need and of opportunities for rehabilitation rather than on that of size of loss. The administering agency should have broad discretion to use the fund in whatever ways it judges will most effectively promote the relief and rehabilitation of persons or groups in the eligible classes.⁶

Although the other governments participating in the Conference did not agree to allocate a percentage share of the reparations to them, it was recognized that the Jewish survivors had a serious claim against Germany for material compensation and for restitution. Article 8 of the Final Act of the Paris Conference on Reparations enunciated an alternative policy which was acceptable to all the Allied governments. Instead of a percentage, the Allies agreed to pay a sum of \$25,000,000, derived from German assets in neutral countries (Switzerland, Sweden, Spain and Portugal), and all non-monetary gold found in Germany, estimated at a value of \$5,000,000. These funds were for the benefit of stateless and other non-repatriable victims of Nazism, most of whom were Jews.⁷

In June 1946 a second international conference, the Five Power Conference on Reparations for Non-Repatriable Victims of Nazism, discussed the details of the payment of these sums and their administration. The Five Power Conference appointed the American Jewish Joint Distribution Committee (the 'Joint' or 'JDC') and the Jewish Agency for Palestine as the major 'operating agencies' which were to

spend the reparations, under the supervision of the Intergovernmental Committee for Refugees, for the benefit of the survivors of the Holocaust.⁸

At the same time as the Allied reparations policy was unfolding, the American military government in Germany made serious progress towards implementing the restitution of real assets. Ironically, it was spurred in its legislation by the actions of the Soviet authorities in their zone of occupation. Under Russian tutelage, the *Land* government of Thuringia debated a *Wiedergutmachungsgesetz* as early as September 1945. This local legislation was enacted in October, making the Russian zone the first to promulgate restitution legislation.⁹ During 1946, the American authorities in Germany pressured the *Land* governments in its zone to adopt appropriate legislation. Ultimately, however, they recognized that reasonable German legislation was not likely to be forthcoming. In October 1946 the Office of the Military Government put forward its own draft legislation for restitution of assets within Germany. The draft went through many revisions as the differing interests of the military government, the State Department, the major American Jewish organizations and Jewish groups in Germany debated its final form.¹⁰ In November 1947, Military Government Law No. 59: the Restitution of Identifiable Property, was promulgated. Under its provisions, any surviving owners of property in Germany or potential heirs to property were authorized to submit claims.

The American authorities accepted the idea that assets for which there were no surviving heirs could be restituted to 'international Jewish organizations'.¹¹ In June 1948, the Jewish Restitution Successor Organization (JRSO) was authorized to take action to recover any unclaimed and presumably heirless property.¹² All the major Jewish organizations active on the reparations and restitution issues were represented in JRSO.¹³ However, both because of their predominant position among all the other Jewish welfare organizations and as a result of the unique standing the Jewish Agency and the Joint had acquired in the Five Power Agreement, they were eventually appointed as the main operating agencies of JRSO as well.¹⁴ A parallel law providing for a successor organization in the British zone of Germany was promulgated by the British authorities in May 1949, and in March 1952 the French authorities appointed a successor organization in their zone too.¹⁵

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These three successor organizations were able to achieve a significant degree of restitution of identifiable heirless Jewish assets. Surviving Jews in Germany could press their own claims for the return of property in the German courts. But Military Law No. 59 and the German legislation at the *Land* level fell far short of providing full restitution for all Jews who had suffered material losses at the hands of the Nazis throughout occupied Europe. There was no provision for the return of Jewish assets which could not be specifically identified in a court of law. Given the extent and nature of the depredation of assets during the Holocaust, it was inevitable that the vast bulk of Jewish material losses could never be established to the satisfaction of a German court. There was no provision for compensation for assets outside of Germany, and there were many other weaknesses in the existing, almost ad hoc, legislation that had evolved.

The sums made available by Article 8 of the Final Act on Reparations and the subsequent Five Power Agreement established important precedents. However, they were insignificant in face of the real size of Jewish losses. They did not cover the costs of Jewish organizations that had been helping the refugees from Germany (and later from Austria and elsewhere) since 1933. Even more pressing, they were insignificant when compared with the continuing expenditures of Jewish welfare agencies that were aiding the survivors in the immediate postwar years.

A number of Jewish organizations kept the reparations question on the agenda of their relations with the Allied governments. The American Jewish Conference, the American Jewish Committee, the World Jewish Congress, the Jewish Agency, and the JDC brought pressure on the governments concerned to ensure that Germany be compelled to pay full and fair recompense to the Jewish world for the material losses it had suffered. Following Israel's independence in 1948, Israel joined these groups in pressing the Jewish claims. By this time, the Allies were not prepared to press the full extent of Jewish claims against the emerging German Federal Republic on behalf of the Jews. Britain, France and the United States were moving quickly to restore full sovereignty to the Federal Republic. Up to this point, progress on restitution and reparations questions was the result of Allied pressure. Those representing the Jewish claims did so in Washington, London and Paris. Now, however, the question was posed starkly – would Israel, or any other body representing a significant number of Jews,

ever be able to negotiate full reparations directly with a German government?

For years Jewish organizations had grappled with the dilemma: how could Jews negotiate with Germans so soon after the crematoria and the gas chambers of Hitler's Third Reich? What recompense was possible for the murder of six million people and the destruction of communities hundreds of years old? How was it possible to estimate the value of individual and communal Jewish material assets, which the Germans had plundered between 1933 and 1945? These agonizing questions lay behind all public debate within the Jewish world concerning reparations in the years after the liberation of Europe.

The question of reparations had to be confronted. Those who had survived the Holocaust were entitled to the restitution of assets taken from them. They were also entitled to indemnification for the loss of liberty, health, economic opportunities and the other unquantifiable damages resulting from the destruction of their everyday lives.

A number of factors made direct negotiations possible. The first was the pressing need to aid the victims of Nazism. This included both those who had fled Europe after 1933 and those who remained and had survived the war. Both groups were now in need of welfare assistance and the long-term means to re-establish themselves following the nightmare of the Final Solution. Jewish voluntary organizations had spent huge sums since 1933. They had helped resettle hundreds of thousands of Jewish refugees throughout the world. Whenever possible, they had channeled money or supplies to Jewish communities in Nazi-occupied countries even during the war. Following 1945 these same organizations played a major role in the massive task of caring for the survivors of the extermination and slave labor camps, for those Jews who emerged from hiding or returned from the partisan war against the Nazis, and for the almost 170,000 Jews who had been behind Russian lines during the war and now fled the anti-Semitic outbursts in Eastern Europe to fill the Displaced Persons camps of American-, British- and French-occupied Central Europe. However, the resources of these organizations were limited and could only cover the most immediate requirements of welfare aid, transport to countries of resettlement and elementary assistance in resettlement. The funds for long-term rehabilitation programs and for the capital projects necessary for the reconstruction of destroyed Jewish community life were well beyond the

means of the voluntary organizations. Furthermore, at the end of the 1940s American Jewish philanthropy was showing signs of exhaustion.

Since 1933, the Jewish community in Palestine, and later Israel, had absorbed 500,000 refugees. Israel had won independence and the battle for free Jewish immigration against British restrictions in 1948. At the same time, major reforms were introduced into American immigration laws. It now appeared that a permanent answer to the European Jewish refugee problem was in sight. However, with independence came new and competing demands on the resources of the new state, together with a huge increase in the numbers of Jewish refugees, this time from the Arab world. By the early 1950s Israel was not capable of continuing the massive task of resettlement and rehabilitation unaided. Nevertheless, it was necessary somehow to meet the needs of the refugees. In 1951, the exhaustion of the Mandatory sterling balances remaining after the end of British rule made Israel's financial position even more critical.¹⁶ Some form of reparations from Germany became vitally necessary.

Furthermore, it became clear that if Jewry's claims were not pressed against Germany, the German people would have enriched themselves by the very success of the Nazi extermination program. The amounts of money involved were huge. (Later and more accurate calculations than those made immediately after the war estimated Jewish material losses alone at \$14 billion.¹⁷) The successor organizations could not possibly hope to restore all heirless Jewish assets, and many plundered assets would inevitably accrue to the German state. If the Jewish world refused to negotiate with them directly, the Germans would continue to benefit from Nazi crimes.

The final consideration – and it proved decisive – was the willingness of the new Federal Republic to recognize the moral responsibility of all Germany for the crimes of the Third Reich, and its desire to make whatever amends were possible. In November 1949, two months after becoming the first chancellor of the Federal Republic, Konrad Adenauer indicated clearly in an interview that the new German government was determined to 'do good the wrong done to the Jews ... This reparation we regard as our duty'.¹⁸ This first sign of a willingness to pay reparations, together with Adenauer's constant reference to reparations as a moral obligation incumbent on his country, made it possible for the Jewish world as a whole, and the government of Israel

in particular, to take up the question and present concrete claims to Germany.

Various forms of the Jewish claims were debated by the Israeli government and by leading Jewish organizations in Britain, America and Germany. At the same time, private contacts were held with the Federal Republic to test Germany's sincerity. It was necessary to establish the order of magnitude of claims which could be negotiated, and to create the appropriate public context for official dealings between Germany and the Jewish world.¹⁹

In September 1950, the Israeli government convened a meeting between the Jewish Agency, the American Jewish Joint Distribution Committee and its own representatives in order to formulate the Jewish claims and the means of presenting them. Until Israel's independence, the Jewish Agency was the body legally constituted under the terms of the British Mandate in Palestine to represent the interests of the Jewish community there. In the period leading up to the creation of the state it had become effectively a Jewish government-in-embryo.²⁰ Following independence, the newly-formed Israeli government relegated to the Agency responsibility for immigrant absorption, land settlement and the channeling of Jewish support for the state. The Jewish Agency thus continued to exist separately from other governmental institutions but charged with tasks which elsewhere were normally the responsibility of governments. As the Agency was the body most closely concerned with the survivors of Nazism who had come to Israel (and continued to be so in the period under discussion), it was vitally interested in reparations from Germany.

The American Jewish Joint Distribution Committee was founded in 1914 in order to provide philanthropic aid from the Jews of America to co-religionists in distress throughout the world. Through the years the Joint had grown to become the largest single Jewish philanthropic organization, dispensing a huge budget and employing a worldwide network of welfare officers and representatives. During the Second World War almost all of the Joint's expenditure (\$79,000,000 for 1939–45) had been devoted to relief and rescue schemes in Europe, while in the period 1945–52 the Joint spent a further \$342,000,000 on the feeding, clothing and rehabilitation of 250,000 Jewish displaced persons in Europe.²¹ The Joint was the largest single non-governmental relief agency (Jewish and non-Jewish) operating in Europe during the critical

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years after the end of the war. The resources that it could mobilize for the Jewish displaced persons were often larger and frequently more effective than those provided by UNRRA.²²

Financed by American Jewish philanthropy, the scale of the Joint's operations in this period was astounding. In 1947 alone, at the height of its operations in Europe, the Joint spent \$75,000,000 on relief, welfare and resettlement, running 78 large warehouses in Europe and America, 326 children's and orphans' homes and schools, 53 homes for the aged, and 380 hospitals, sanatoria and clinics, as well as maintaining a fleet of 565 vehicles and a network of service stations and garages.²³

In their September 1950 deliberations on the reparations claim, the parties resolved to continue separate contacts with Germany and to present two separate claims for reparations: a governmental one from Israel and a non-governmental one on behalf of the Jewish organizations, although there was to be full coordination between the two.²⁴ Israel presented its claims in a series of diplomatic Notes addressed to the four occupying powers, Britain, America, France and the Soviet Union, during 1951. The most important of these Notes was presented on 12 March 1951 and set out Israel's *locus standi* in presenting claims against Germany on behalf of the Jewish people:

Israel is the only State, which can speak on behalf of the Jewish people – the people, membership of which was the cause of the death of the six million. Israel has been built up for the specific purpose of providing a refuge for all persecuted and homeless Jews . . . The recognition by the United Nations of the right of the Jewish people to the reestablishment of its commonwealth was seen as an act of reparation for the wrongs endured by them throughout history, culminating in the Nazi campaign of extermination. Having thus arisen, Israel has made itself responsible for the absorption and rehabilitation of the survivors of that catastrophe. For all these reasons, the State of Israel regards itself as entitled to claim reparations from Germany by way of indemnity to the Jewish people.²⁵

Following this statement of the right of Israel to make a claim against Germany, the Note discussed two approaches to calculating the size of the claim. One approach was based on the heirless Jewish assets, which had been taken by the Nazis. The other was the 'expenditure incurred

and anticipated' for the resettlement of the Jewish immigrants from the countries formerly under Nazi control. As there were 500,000 such immigrants and the costs of transport, maintenance and resettlement were calculated at \$3,000 per person, the Israeli Note concluded with a claim of \$1.5 billion. The nature and size of the reparations claim of the Jewish organizations was not finalized until almost a year later, in early 1952.

The pre-negotiations contacts with the Germans were initiated and directed by Dr Nahum Goldmann, co-chairman of the Jewish Agency and president of the World Jewish Congress. They culminated in September 1951, when Chancellor Adenauer made a formal statement to the Bundestag of Germany's willingness to meet the material claims against it. Having concluded that failure to deal satisfactorily with the claims of the Jews and Israel would cause an overwhelmingly adverse reaction in the international community (which Germany was keen to rejoin),²⁶ the German government agreed to a public statement of responsibility to which the Jewish organizations and Israel could respond positively:

... unspeakable crimes have been committed in the name of the German people, calling for moral and material indemnity, both with regard to the individual harm done to Jews and to the Jewish property for which no legitimate individual claimants still exist ... The Federal Government are prepared, jointly with representatives of Jewry and the State of Israel, which has admitted so many homeless Jewish fugitives to bring about a solution of the material indemnity problem, thus easing the way to the spiritual settlement of infinite suffering.²⁷

By referring to a settlement of the 'material indemnity problem ... easing the way to the spiritual settlement', Adenauer made clear that in any future negotiations with Israel and world Jewry Germany would not attempt to assuage moral guilt with cash payments. Nevertheless, the settlement of the material claims was a precondition for any reconciliation between Germans and Jews. The negotiations were for the repayment of a material debt. Progress towards a 'spiritual settlement' between the two peoples would derive not from the amount paid in reparations but from the fact of the reparations themselves. This was a point of considerable consequence in the Jewish world. The

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Chancellor's acknowledgement that the purpose of the negotiations was limited helped overcome the opposition of those in the Jewish world who rejected the very concept of dealing with the Germans.

Adenauer stated in his speech to the Bundestag that while Germany would enter into negotiations it could not undertake an open-ended commitment. The problem of resettling German expellees from Eastern Europe, the needs of domestic reconstruction after the war, and the concurrent negotiations with Germany's pre-war creditors in 1951–52, meant that Germany was not in a position to meet all of the claims against her. Although eventually the parties did reach an agreement, the discrepancy between what Israel and world Jewry demanded and what Germany was prepared to pay proved a major obstacle and ensured that the negotiations would be long, detailed and difficult.

The final point of significance in Adenauer's speech was his demand that the negotiations take place between the Federal Republic, on the one hand, and 'jointly with representatives of Jewry and the State of Israel' on the other. The demand was reasonable. Israel had borne most of the burden of resettling the victims of Nazism, and her need for assistance in continuing this task was extremely great. Nevertheless, she had not borne the entire burden. Voluntary organizations supported by the American and British Jewish communities had spent vast sums in resettling those refugees who did not want to settle in Mandatory Palestine. These organizations were still, in the early 1950s, spending large sums each year toward solving remaining refugee problems.

There was no dissent from Germany's wish to negotiate with representatives of world Jewry, but it did create a major practical problem for the interested parties. By its very nature, the Jewish world consists of autonomous geographical communities, ideological groups and charitable organizations. None could claim to represent 'Jewry'. No roof organization of the component parts of the Jewish world existed, and, given the factious nature of Jewish communal life, it was seriously doubtful whether it was possible to create an organization with enough cohesiveness to conduct controversial and demanding negotiations. If such an organization was formed, and if the negotiations were concluded successfully, it would receive part of the reparations that Germany would eventually pay. It would then face the task of obtaining a consensus of its constituent organizations in deciding how to distribute these funds.

Such an organization, operating with the harmony required by the challenges it faced, was unprecedented in Jewish history. The possibility in 1951 of creating such a body was hardly auspicious. These were the circumstances in which the Conference on Jewish Material Claims Against Germany was established.

NOTES

- 1 See Siegfried Moses, *Die jüdischen Nachskriegforderungen* (Tel Aviv, 1944). Moses called for Jewish collective as well as individual claims against Germany. Also in 1944 the Jewish Agency put forward its defense of the Jewish right to reparations, accompanied by the slogan: 'The Claim for Reparation is the Jewish People's Claim. The Jewish Agency is the Competent Representative of the Jewish People.' See F. Gillis and H. Knopf, *The Reparation Claim of the Jewish People* (Tel Aviv, 1944). The American Jewish Committee sponsored the publication of Siegfried Goldschmidt, *Legal Claims against Germany: Compensation for Losses Resulting from Anti-Racial Measures* (New York: Dryden Press, 1945).
- 2 World Jewish Congress, War Emergency Conference, Summary of Proceedings, Atlantic City, 26–30 November 1944; and Nehemiah Robinson, *Indemnification and Reparations* (New York: Institute of Jewish Affairs of the American Jewish Congress and World Jewish Congress, 1944).
- 3 National Archives, Washington DC (hereafter NA), RG 260, OMGUS, CAD, POW and DP Branch, Box 158, 'Military Government of Germany, Directive to the Commander in Chief of the United States Forces of Occupation', JCS 1067/6, Paragraph 48e, 26 April 1945.
- 4 NA, RG 59, 740.00119 Control (Germany) /9-1245, Pauley memorandum to the Secretary of State, 29 August 1945.
- 5 Ibid., and F. D. Roosevelt Library, Isador Lubin Papers Box 109, Stateless Persons, Memorandum 'Reparations and Restitution for Stateless Persons'.
- 6 NA, RG 59,740.00119 EW/11-2045, 'Note on Allocating a Share of German Reparation For Displaced Victims of Nazi Germany', presented to the British and French Governments on 13 November 1945.
- 7 NA, RG 59,740.00119 EW/2-1346, Final Report on the Paris Conference on Reparations, 9 November to 21 December 1945.
- 8 The Five Power Conference elaborated on Article 8. The \$25,000,000 was to come from German external assets deposited mainly in Switzerland, Sweden, Spain and Portugal. Yugoslav opposition to any of the money benefiting anti-Titoist displaced persons resulted in 90 per cent of the funds being set aside solely for Jews. These neutral governments were also called upon to make available the heirless funds (essentially bank deposits) whose owners had fallen victim to the Nazis and were to be allocated between Jews and non-Jews on a 95–5 per cent division. Finally, the Allies were called upon to make available all the non-monetary gold found in Germany, to be divided on a 90–10 per cent basis (Dr Eli Ginzberg, *Final Report on the Five Power Conference*, 15 June 1946, NA RG 165, Box 833 Entry 476 – 'General Claims Law').
- 9 The *New York Times* carried a report on the Thuringian legislation on 11 July 1946 and the State Department asked its representative with the Military Government in Berlin, Ambassador Robert Murphy, to report on it in detail (NA, RG

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- 59.740.00119 EW/8-1946, Acheson to Murphy, No. 1136, 19 August 1946). As the Jewish Agency pointed out in a paper it prepared for UNRRA in Germany, 'In no other part of Germany has a law for restitution already been enacted . . .' (UN Archives, PAG.4; 3.0.11.3.0.1.6.:6 Report Regarding the Restitution and Indemnification Problem, Dr M. Nussbaum, 8 October 1946).
- 10 See correspondence relating to draft legislation on NA, RG 260, Civil Affairs Division, POW and DP Branch, Box 162.
- 11 NA, RG 59.740.00119 EW/5-646, USPOLAD Murphy to State, No. 1193, 6 May 1946.
- 12 See Saul Kagan and Ernest Weismann, *Report on the Operations of the Jewish Successor Organization, 1947–1972*, pamphlet (New York, n.d.).
- 13 Agudat Israel World Organization, American Jewish Committee, American Jewish Joint Distribution Committee, Anglo-Jewish Association, Arbeitsgemeinschaft der Süddeutschen Landesverbände Jüdischer Gemeinden, Board of Deputies of British Jews, Central British Fund for Jewish Relief and Rehabilitation, Conseil Représentatif des Juifs de France, Council of Jews from Germany, Jewish Agency for Palestine, Jewish Cultural Reconstruction Corporation and World Jewish Congress.
- 14 NA, RG 260, OMGUS, Civil Affairs Division, POW and DP Branch, Box 121, AGWAR to OMGUS No. WX-94867, 18 July 1946. Between 1947 and 1972, JRSO restituted over DM 222 million. Fifty-seven per cent was allocated to the Jewish Agency, 28 per cent to the JDC, 11 per cent to the Council of Jews from Germany and 4 per cent for religious projects in Israel (S. Kagan and E. Weismann, *Report*).
- 15 The Jewish Trust Corporation for Germany, in the former, and the Jewish Trust Corporation, French Branch.
- 16 David Horowitz, *In the Heart of Events: Israel, a Personal Perspective* (Jerusalem: Turtle-dove Publications, 1980), pp. 223–35; and Uri Bialer, 'Sterling Balances and Claims Negotiations: Britain and Israel 1947–52', *Middle East Studies* 28 (1992): 157–77.
- 17 Benjamin Ferencz to Kagan, 2 January 1952, Central Archives of the History of the Jewish People, Jerusalem, Claims Conference Files (hereafter CC) 7018.
- 18 Adenauer–Marx interview, 11 November 1949, cited in Rolf Vogel, *The German Path to Israel: A Documentation* (Chester Springs, PA: Dufour Editions, 1969), pp. 18–19.
- 19 See Nana Sagi, *German Reparations: A History of the Negotiations* (Jerusalem: The Hebrew University Magnes Press, 1980), *passim*.
- 20 For an account of the Jewish Agency's central role in the rehabilitation of the surviving remnants of European Jewry after the war, see Ch. Yahil, 'The Work of the Emissaries from Eretz Yisrael Among the Survivors of the Holocaust, 1945–1949', *Yalkut Moreshet*, Part 1 in No. 30:7–40, 1980; Part 2 in No. 31:133–76, 1981 (in Hebrew); and Irit Keynan, *Holocaust Survivors and Emissaries from Eretz Yisrael: Germany 1945–48* (in Hebrew) (Tel Aviv: Am Oved, 1996), *passim*.
- 21 Yehuda Bauer, 'American Jewish Joint Distribution Committee', in *Encyclopaedia Judaica*, Vol. 2, pp. 829–30.
- 22 Malcolm Proudfoot, *European Refugees 1939–1952* (London: Faber and Faber, 1957), p. 345, 345 n. 2.
- 23 Herbert Agar, *The Saving Remnant* (New York: Viking Press, 1960), p. 187.
- 24 Sagi, *German Reparations*, p. 48.
- 25 Israeli Ministry of Foreign Affairs, *Documents Relating to Agreement Between the Government of Israel and the Government of the Federal Republic of Germany* (Jerusalem, 1953), pp. 20–4.

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- 26 Lily G. Feldman, *The Special Relationship Between West Germany and Israel* (Boston: Allen and Unwin, 1984), p. 49. Feldman presents a convincing and extensive list of the various international and domestic pressures on the German government which facilitated Adenauer's statement (pp. 51–66).
- 27 Adenauer's speech to Bundestag, 27 September 1951, Vogel, *German Path*, pp. 32–3.

2 • *Origins of the Claims Conference*

THE STATEMENT by Chancellor Adenauer to the Bundestag on 27 September 1951 was the turning point in all the secret contacts between Germany, Israel and the Jewish organizations. It allowed public preparations to begin for the opening of official negotiations. Adenauer had obtained prior approval of his statement from the President of the Federal Republic, Theodor Heuss, and had shown the text to representatives of the leading German political parties. Terms of the statement had been agreed in advance between the Chancellor and representatives of both Israel and the Jewish organizations.¹ Germany's insistence on negotiating with representatives of world Jewry as well as with Israel came as no surprise. In fact, Israel, the Joint Distribution Committee and the Jewish Agency had already agreed among themselves that Israel's claims and those of world Jewry would have to be presented separately if they were to have any success in the negotiations.² Distinct claims presented by separate delegations were considered preferable by the Jewish side from the beginning.

Even before Adenauer's statement, the Israeli government took the initiative in bringing various Jewish organizations of the diaspora together as a step towards creating an umbrella body to represent the non-Israeli claims in the anticipated negotiations with Germany. Dr Nahum Goldmann (joint chairman of the Jewish Agency and acting president of the World Jewish Congress at the time) was asked by Israel to use the good offices of the World Zionist Organization to convene a preliminary meeting.³

Such an organization was necessary in view of Adenauer's specific statement that the German government wished to negotiate both with

the Israeli government and 'representatives of Jewry'. But that was not its only function. The meeting to which Goldmann now issued invitations was planned originally as a public demonstration of support by the Jewish world for the principle of negotiations with the Germans. The meeting, planned for the Waldorf-Astoria Hotel in New York, would also endorse the leadership of the Israeli government in such negotiations. The invitations, drafted before the Adenauer statement, explained the meeting's purpose frankly. The organizations were to convene 'for the purpose of giving public support to Israel's claim against Germany . . . and to discuss ways and means how best to organize such support in the future'.⁴ A draft agenda prepared by the Israeli Foreign Ministry specified a total of four speeches: introductory remarks by Nahum Goldmann followed by an address by Israel's ambassador to the US (Abba Eban) and two speeches by representatives of the 22 organizations invited.⁵ These were to be followed by the adoption of a declaration of the organizations, 'wholehearted support' of Israel's position.⁶ In all, the meeting was planned to take no more than one day. Goldmann's advance planning of the meeting anticipated the compliant cooperation of the diaspora organizations.⁷ It quickly became apparent how unjustified this assumption was.

Each of the 22 invited organizations attended the meeting in New York. Ostensibly, they had been selected to include as representative a list of Jewish groups as possible, both geographically and ideologically, and in fact the Claims Conference (as it later developed) did represent all shades of opinion within the Jewish world with the exception of the communists. However, the widest representation of ideologies and communities was not the only key to the invitation list. As Goldmann subsequently stated:

At first we invited the important organizations in the countries of the Western powers in order to exert pressure on these powers. We could not invite the Jews of the East [Bloc], because they are unable to come and attend the Conference. The idea was that these bodies in the Western countries should exert influence on their states and thus put pressure on Germany. We invited all the larger organizations in Europe, England, Canada and America.⁸

Having invited so many organizations it was not possible to exclude the

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representative bodies of the Jewish communities of South Africa, Australia and Argentina, and they were also invited.

The invitations to the meeting had been issued without the prior knowledge of the Joint or the American Jewish Committee. They were concerned that such a meeting might leave the task of negotiating to the Israelis while accepting a purely symbolic role for the Jewish organizations. This would not only upset the balance of inter-organizational cooperation that had evolved on the question of reparations since the end of the war, but would undermine their position in any subsequent allocation of reparations achieved.⁹

Adenauer's statement on reparations came at a time when the major Jewish organizations were in the process of accommodating to the transformation of the Jewish world caused by the creation of the state of Israel three years previously. There were three central issues in this accommodation. Since the 1930s the political interests of Jewish minorities dispersed in countries whose governments discriminated against Jews was the province of the World Jewish Congress and the American Jewish Committee (AJC). Each had its own *modus operandi*, each addressed itself to different governments and both were jealous of their domain. Israel's creation introduced an additional and more influential protector of Jewish interests, which ultimately made both the Congress and the AJC reconsider their international activities.

The division of Jewish philanthropy between the needs of Israel, the needs of disadvantaged diaspora communities and the needs of the local communities where the funds were raised was another area of potential discord. Finally, the general question of the relationship between the sovereign Jewish state and Jews who lived outside it was still being debated. In the fall of 1951, as Goldmann's invitations to a meeting in New York were issued, all these questions were very much alive.

The meeting convened at the Waldorf-Astoria Hotel, New York, on 25 October 1951. Prior to the meeting, those most actively pressing for reparations had simply assumed that the Jewish world as a whole would agree to negotiate with Germany. When the question was debated by the 22 organizations present, despite a demonstration by a group of Revisionist youth against negotiations, the organizations resolved that the time had indeed come to press the claim for reparations. However, while the organizations did give full backing to the priority of Israel's

global claim against Germany, they had no intention of being pliant bystanders in the negotiations.

Goldmann had initially planned that he himself, the Israeli ambassador to the United States (Abba Eban), and two representatives of the invited organizations would address the conference. The purpose of the meeting had been to endorse Israel's reparations claim, to accept in principle negotiations directly with the Germans, and to authorize a small group to negotiate with the latter on behalf of diaspora Jewry. In an impassioned address to the meeting, Goldmann called for a united stand, both so that the German authorities would not be able to set Jewish groups against each other during any negotiations, and so that the entire Jewish world would share the responsibility for dealing with the Germans ('let us all share the *averah* [transgression]').

Goldmann argued that the Jewish organizations should avoid formulating an itemized claim buttressed by complex legal justifications. The Jewish Restitution Successor Organization had been compelled to pursue the task of restituting heirless Jewish assets in West Germany by painstaking legal actions and Goldmann wished to avoid such a long drawn-out procedure in the case of general reparations. Instead, he proposed demanding from the Germans an overall settlement. If the sum offered was adequate, then the organizations should accept it. Goldmann pointed out to the meeting that time was working against the Jewish world. As Germany's economy recovered, and as its strategic importance for the West grew due to the Cold War, Germany's need to come to terms with the Jews declined. He felt that if the organizations waited much longer, they risked endangering reparations as a whole. Detailed, legalistic negotiations would only give the German government an opportunity for delaying a real settlement.¹⁰

It quickly became apparent to the organizers of the Waldorf-Astoria meeting that each of the groups invited intended to make a public statement from the rostrum. Nineteen organizations endorsed negotiations, and two abstained.¹¹ Only Agudat Yisrael opposed direct negotiations on the basis of Adenauer's September 1951 statement to the Bundestag. Although the Aguda supported Israel's claim for reparations through the Allied Powers, it rejected the German attempt to use reparations as a means of making 'moral and material amends'. The Aguda representative at the meeting, Rabbi Isaac Lewin, argued that moral amends were not in the gift of the current generation, or of any

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generation for a thousand years. Furthermore, Lewin doubted the honesty of Adenauer's intentions in view of the superficial manner in which the Federal Republic was pursuing denazification. Germany must be compelled to return what had been stolen, but it should be granted no measure of moral rehabilitation by reparations. Lewin reminded the delegates of the Biblical injunction, 'Ye shall not take ransom for the life of a murderer that is guilty of death' (Numbers 35:31). His policy recommendation was unambiguous: 'The Jewish people would commit moral suicide if the offer of Mr Adenauer would not be immediately rejected.'¹²

Agudat Yisrael's position was a moral stand, but it did not address the practical issues raised by Goldmann. The widespread support for negotiations at the meeting presented its organizers with the mandate they wanted, both to endorse Israel's demands and to begin contacts with Germany on behalf of the diaspora organizations. Two organizations abstained (the Synagogue Council of America, and the Executive Council of Australian Jewry), but they later endorsed the general resolution of the meeting. As Goldmann subsequently pointed out, the majority at the Waldorf-Astoria meeting was more decisive than that obtained by the Israeli government in the Knesset.¹³ Despite the position forcefully expressed by its delegate, Agudat Yisrael did not withdraw from the Conference.

Once the general resolution had been adopted, Goldmann shared his relief with the delegates: 'The Conference went much better than at certain moments I was afraid; a Jewish conference is always a risky undertaking . . . and sometimes if a Conference finishes without having done too much harm then one should say a bracha [blessing].'¹⁴ The consensus of the meeting was that negotiations of material claims could not lessen Germany's moral debt, and that only the material claims could be discussed with Germany. This view was expressed in a public statement released after the meeting:

Crimes of the nature and magnitude perpetrated by Nazi Germany against the Jews cannot be expiated by any measure of material reparations . . . [but] every elementary principle of justice and human decency requires that the German people shall, at least, restore the plundered Jewish property, indemnifying the

victims of persecution, their heirs and successors, and pay for the rehabilitation of the survivors.¹⁵

The limited intent of the meeting in agreeing to enter into negotiations with the Germans was made explicit in the name chosen by the Jewish organizations for the body created at the Waldorf-Astoria: the Conference on Jewish *Material* Claims Against Germany. The unwieldy title was soon contracted to the 'Claims Conference', the name by which it is still commonly known after almost 50 years of activity. (Although this contraction was more practical, it obscured the important distinction which the founding members wished to make – that the negotiations with Germany were limited to pragmatic material matters and did not imply any degree of reconciliation.)

After endorsing the principle of negotiations, the Conference's next task was organizational: establishing a framework for continuing the consultations between its constituent organizations and selecting experts to formulate the details of the Jewish claim in anticipation of the forthcoming negotiations with Germany. These problems were overcome without difficulty. By the time of the foundation meeting at the Waldorf-Astoria a considerable amount of expertise and experience had been acquired by a number of Jewish organizations in the general question of reparations, in the work of the successor organizations and in the rehabilitation of displaced persons. There was no shortage of suitable candidates for the Conference's Executive Committee, and one was quickly appointed.¹⁶ Goldmann was elected president of the Conference as a whole. From the beginning, the Conference faced a difficulty that was to plague it throughout its early years. To be representative of world Jewry it would have to include geographically dispersed communities. But in order that the Conference could meet the challenges of formulating claims and negotiating them with the Germans, executive authority would have to be vested in a body capable of meeting at very short notice. Members of the executive would therefore have to live within reasonable proximity of each other. An early attempt to overcome this problem was to create, beyond the Executive Committee, a Presidium of four members based in New York and able to advise the president of the Conference.¹⁷ In other words, day-to-day decision-making was left entirely to American-based organizations. Eventually, however, the representative principle over-

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rode considerations of efficiency and within six months leaders of the French and British Jewish communities were also appointed to the Presidium.¹⁸

The Claims Conference appointed Saul Kagan as Executive Secretary to handle administration, and the daily affairs of the Conference were largely in his hands. Kagan had worked with the US Military Government in Germany (OMGUS) as Chief of the Financial Investigations Department, and from 1948 to 1951 had been Director of Plans and Organization of the Jewish Restitution Successor Organization (JRSO), the largest of the successor bodies. In 1951, Kagan returned to the US as JRSO's Executive Secretary (a post which he held continuously), and from October of that year he was also appointed to the Claims Conference.

Kagan's personal background is significant not only because of his own considerable contribution to the work of the Conference, but also because it reflects a wider change which was taking place in the Jewish world. The destruction of the European Jewish communities by the Nazis resulted in the increasing dependence of the Jewish world on American Jewry, both for material aid and for personnel and general organizational assistance. This trend was reinforced by the fact that by 1946 most of the Jewish displaced persons in Europe (some 200,000) had moved to the American zones of military occupation, where only American relief organizations (and the Jewish Agency) were allowed to operate. Kagan's dual position within both JRSO and the Claims Conference, and the fact that for much of his working life Kagan's office was only a few rooms away from the office of his counterpart in the Joint (Moses Leavitt), highlights the considerable cooperation and interdependence that existed within the Jewish world as the challenges of the postwar years in the fields of relief, resettlement and rehabilitation were met. By the end of the 1940s and early 1950s the 'civil service' of the Jewish world had become closely inter-linked and largely Americanized. Not surprisingly, balancing the interests of Europe and America within the Claims Conference (both in appearance and in fact) became a problem of some sensitivity in later years.

By the time the Waldorf-Astoria meeting had dispersed, the Claims Conference was established as a going concern. It had a President and Presidium, an Executive, a Committee of Experts (New York-based) on the question of reparations and Jewish losses to the Germans, an

administrative staff, and 22 member organizations which had resolved to pursue negotiations with the Federal Republic of Germany.

The first task of the Conference staff was to collate expert opinion on the nature and size of the demands to be presented to Germany, and to initiate contacts with Germany. During the winter of 1951–52 (and right up to the start of the negotiations in Wassenaar in March 1952) opposing points of view crystallized on the claim. The organizations based in Europe and most actively engaged in the practical tasks of restitution and relief argued for as large and as detailed a claim as possible. The Committee of Experts in New York wanted a restricted, defined and realizable claim.¹⁹ The Conference considered that the best way of representing the interests of the individual victims of Nazism would be to press for improvements in the existing German legislation relating to restitution and indemnification. A detailed list of the necessary improvements was prepared.

Neither an expanded claim for the individual victims, nor the continuing work of the successor organizations in reclaiming heirless property identifiable in the Western zones of Germany or in West Berlin, nor even the large Israeli global claim (for \$1.5 billion) would restore all the plundered Jewish assets. Furthermore, none of these claims would provide enough funds to meet the continuing needs of the organizations outside of Israel which were active in relief work. Between 1933 and 1951, these organizations had spent some \$1.1 billion on the victims of Nazism, and were still obliged to find between \$20 million and \$30 million every year in order to maintain the minimum welfare services to Jewish refugees who had not yet been resettled by the time the Conference was founded.²⁰ Only a global claim, additional to that which Israel was preparing to present when the negotiations opened, would give the Claims Conference the means to aid those refugees who did not want to settle in Israel. Thus shortly after the Waldorf-Astoria meeting, the Conference experts suggested that the Claims Conference would have to present a global claim of its own, based on the heirless assets which could not be reclaimed by any other means.

Although the Joint, the Jewish Agency and the Israeli government had already decided in December 1950 that the Jewish organizations and Israel would present separate claims, it was not envisaged that the organizations would want to present their own *global* claim. Such a

claim might well clash with Israel's own global claim and limit the chances of success. Accordingly, in December 1951 Israel suggested a compromise formula which Goldmann put to the Executive Committee of the Conference. Israel agreed that if there was to be only one global claim then one-third of all funds obtained would be allocated to the various diaspora organizations. Of this 33.3 per cent, 15 per cent was to be spent outside of Israel and the balance (18.3 per cent) was to be spent in Israel by the organizations on their own welfare programs within the new state.²¹

Despite Goldmann's endorsement of this proposal, the Executive Committee resolved that the Conference would present its own global claim. However, it was generally agreed that such a claim would be subordinate to the main objective of improving individual restitution and indemnification, and to the global claim presented by Israel. This position was endorsed by the full Executive Committee, which met in Paris during February 1952. In a final statement of its demands from Germany the Conference global claim was defined in the following terms: 'The West German government should pay to the Conference a commensurate share for heirless and unclaimed Jewish assets which accrued to Germany other than those which will be reclaimed by individuals and successor organizations.'²² In effect, the Claims Conference had resolved to go its own way. While the fullest degree of cooperation was maintained at all stages between the Conference and Israel in formulating and negotiating the various claims against Germany, and later in allocating the reparations payments, by presenting their own global claim the Jewish organizations were ensuring a life for the Claims Conference after the negotiations were completed. It retained the opportunity of playing a major role in the reconstruction of the Jewish world. This global claim, as it was eventually formulated, amounted to \$500 million in 1952 values. In real terms (i.e. in today's values) this was three or four times larger than the 1998 settlement with the Swiss banks or the entire slave-labor settlement negotiated with Germany in 1999–2000.

In principle, the Israeli global claim and the global claim of the Conference were based on entirely different premises. The Israeli claim was based on the cost of resettling and rehabilitating the 500,000 victims of Nazi persecution who had settled in Israel since 1933. The claim was thus based on outlays. Nevertheless, the Israelis were

concerned that reparations based entirely on outlays would appear to be an *ex gratia* payment, so the Israeli claim also made reference to the heirless Jewish assets still in German hands as the moral basis for payments to Israel. Similarly, while the global claim of the Conference of \$500 million was based primarily on heirless assets,²³ (and represented only a small proportion of those assets) in its explanation of the global claim the Conference also referred to the past and anticipated future expenditures of the Jewish relief organizations.²⁴

This latter point was of considerable interest to the German government. In 1950 the International Refugee Organization had transferred to the German government responsibility for the care of the 125,000 'hard-core' displaced persons still in German territory.²⁵ These 125,000 people were the remnant of the gigantic postwar refugee problem and were largely persons who could not be resettled because they represented problems of health, age, family composition or occupational category. Some 46,000 to 50,000 were still in displaced persons camps.²⁶ Although only a small proportion of the total number of Displaced Persons (DPs) still in Germany were Jews,²⁷ they represented a significant proportion of those still in camps, and in general the small remaining population of Jewish DPs presented particularly difficult social welfare problems. Two years after the West German government had been charged with responsibility for these people, the Claims Conference's global claim offered a prospect that the Jewish world itself would help resolve at least part of the problem of 'hard-core' refugees.

On the Jewish side, the needs of the aid organizations were massive. It was estimated that there were up to 22,000 cases of serious mental or physical illness among the survivors of Nazism outside of Israel. Another 150,000 less serious cases would also need help.²⁸ The magnitude of the human need which faced the Jewish organizations was no less than that which might have faced the ministries of health and social welfare in a small state. The Conference's global claim would have to cover relief, rehabilitation and resettlement expenditures not for one or two years but until the problem had been resolved. Given these facts, the global claim of the Conference for \$500 million was a victory for the 'minimalists' in the new organization and was considered to be significantly less than the Conference's real needs.

The Claims Conference presented both its global claim and the claim for individual restitution and indemnification during the first

phase of the negotiations in Wassenaar. However, in accordance with the priority which the Conference itself had established for the individual claims, and following the wishes of the German delegation, the negotiations first dealt with the individual claims.

In April, a deadlock developed in the parallel Israeli–German negotiations (also being conducted at Wassenaar). The Conference delegation decided to support Israel by suspending its own talks with the Germans until Germany conceded certain basic demands of the Israeli negotiating team. When this deadlock interrupted the negotiations there had already been major progress in negotiating the individual claims. On 8 April 1952 the leaders of the German and Conference delegations were able to release a document setting out the areas of agreement, which included 21 recommendations for the improvement of legislation in the field of indemnification and seven recommendations in the field of restitution. Nevertheless, a further 19 demands relating to indemnification and five relating to restitution had not been agreed upon when negotiations were suspended.²⁹ Thus on 22 June, when the talks were resumed, the Conference delegation faced the task of negotiating both the most difficult of the individual claims and the entire \$500 million global claim.

Before the negotiations began in Wassenaar, the Executive Committee of the Claims Conference had presented the Conference delegation with a clear statement of directives, the second point of which stated that

As a general rule the satisfaction of individual claims should have priority over the aggregate claim. In other words, if the satisfaction of the most pressing individual claims will appear impossible at the same time as the assignment of an aggregate amount, concessions should be made on the latter.³⁰

Faced with such a clear-cut statement of priorities, the Conference delegation was forced to make concessions on the global claim and on the interests of the Conference itself in favor of reaching an agreement with the Germans concerning the interests of the individual victims of Nazism.

But the Conference's global claim was not only linked to the question of individual claims. During the ten-week period in which the talks were suspended, Goldmann, who had purposely refrained from

participating in the Conference delegation at Wassenaar for the first phase of the negotiations, succeeded in overcoming the deadlock between Israel and Germany in direct, secret talks with the head of the German delegation, Dr Franz Boehm (on 23 May and 10 June 1953). Goldmann managed to obtain a German commitment to a realistic offer of reparations to Israel, paid over a mutually acceptable period. At the same time, Goldmann conceded that the global claim of the Jewish organizations might be significantly reduced from \$500 million to DM 500 million.

It is not at all clear from the only existing record of the Goldmann–Boehm talks whether Goldmann radically reduced the Conference's claims as a means of convincing the Germans to make any payment at all on this claim. They had already indicated their unwillingness to do so, arguing that it overlapped with Israel's global claim.³¹ It may also have been a *quid pro quo* for the agreement with Israel. Even if the latter was the case, Goldmann was acting entirely consistently with the will of the Conference, as the organizations had resolved well in advance of the negotiations with the Germans that they would give priority to Israel's claims as the needs of the fledgling state were very much greater than their own. Whichever was the case, when the negotiations resumed at Wassenaar on 22 June the Conference resolved to pursue its reduced global claim as soon as possible.

Three days later, the leader of the Conference delegation, Moses Leavitt,³² pointed out to the Germans that although its \$500 million claim had been presented at the start of the negotiations in March, no answer had been received.³³ In fact, the Germans had shown little interest in discussing the Conference's claim. At the 25 June negotiating session they asked for details both of the justification of the Conference global claim (the plundered heirless assets which could not be restituted through the relevant legislation) and of the current needs of the Jewish organizations in the fields of relief, rehabilitation and resettlement of the victims of Nazism.³⁴ After the German and Conference delegations had argued these needs for one-and-a-half hours, Leavitt uncharacteristically lost his temper when the Germans asked for a full accounting of the expenditures of the Jewish organizations:

We are spending about two or three and maybe four times per year as much as we can hope to get from a global settlement.

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There is no point in giving you details since you are not prepared to pay that amount. However, if you are prepared to pay we would gladly give you a detailed list. You will find that it will run into thirty or forty million dollars per year. Are you prepared to pay that amount for the relief of Nazi victims?³⁵

The following day, the Conference presented two documents to the Germans. The first showed the extent of the past and present activities of Jewish voluntary organizations in aiding the victims of Nazism in the diaspora, and concluded that as late as seven years after the war Jewish aid organizations were still spending \$26–28 million each year outside of Israel.³⁶ The second document set out the moral basis for the Conference claim – the extent of the unidentifiable heirless Jewish assets in Germany which had escheated to the Federal Republic. However, so as not to impede Germany's capacity to pay individual claims or the reparations to Israel, the Conference lowered its own global claim to DM 500 million.³⁷

The German reply, which had no doubt been anticipated since the Goldmann–Boehm meeting in May, was an offer of DM 450 million (payable in goods to Israel) to be allocated by the Claims Conference. A further DM 50 million was set aside for allocation by the German government specifically for Christian converts of Jewish origins who were victims of Nazism. The Germans made clear in their reply that they did not accept the legal basis of the Conference's global claim (the unidentifiable heirless assets) and that they considered the fund to be a 'hardship fund' to be used solely for the relief and rehabilitation of victims of Nazism in the narrowest sense, not for the repayment to any Jewish organization of funds expended on these items in the past, or on cultural programs.³⁸

Furthermore, the Germans linked the fund to a final agreement on the program of legislation designed to facilitate the payment of individual indemnification. They let it be known that the DM 450 million offer had very nearly not been approved by the German cabinet, and that the Conference was close to having been turned down.³⁹ In other words, there would be little point in the Conference challenging the sum proposed.

By defining the DM 450 million as a 'hardship fund', the German delegation explained that the intention was to provide the means for

the Claims Conference to aid those who were unable to seek redress through the German courts. Thus the Conference would be able to relieve the German government of the burden of dealing with part of the 'hard-core' problem so recently passed over to it by the International Refugee Organization. The 'hardship fund' also meant that the Conference would be able to deflect (from German welfare bureaus) the demands of those who were in need because of their suffering under the Nazis, but who had neither identifiable assets which could act as the basis of restitution nor identifiable grounds for indemnification payments. The German negotiators considered the payment toward the global claim as a supplement to the legislative program for individual claimants in need.

This view of the purpose of the payment was very different from the view of the Claims Conference. The Conference's intention of providing relief, rehabilitation and resettlement possibilities for the victims of Nazism went far beyond the German understanding of a hardship fund for individual claimants who had not received any compensation, or those who might feel that they had been insufficiently compensated by the Federal Republic in their restitution and indemnification payments.⁴⁰ As Leavitt later explained:

. . . the Germans tried to maneuver in such a way that the global sum of the Conference was to be used for unsuccessful claimants for indemnification and restitution, although they denied that that was their purpose. Time and time again they tried to couch the language in such a way as to make it possible for individual claimants, whether needy or not, to have a claim on the funds. I had to fight this concept strenuously over and over again.⁴¹

Throughout the second phase of the negotiations, the Conference fought for the principle of *need* as the principle guiding allocations of funds derived from their global claim. The argument was resolved when both sides agreed that the Claims Conference would allocate the funds to victims of Nazism 'according to the urgency of their needs and [according to priorities] determined by the Conference on Material Claims Against Germany'. The Jewish organizations won the right to determine policies and priorities, while the Federal Republic only reserved the right to receive a full annual accounting of the Conference's use of the funds.⁴²

This difference of opinion with the Germans was a serious obstacle in the negotiations at Wassenaar. However, as events turned out, the differences between the Conference and the Federal Republic were more apparent than real. As the urgency of the relief needs of the Jewish refugees decreased through the 1950s, the Conference was able to take a very broad view of the proper uses of the DM 450 million, and significant funds were allocated to cultural and capital building projects. Although full details of the Conference's use of the German payments were reported to the Federal Republic annually, the first annual report (for the year 1954) reached them only in 1956, by which time they had largely lost interest in the arguments at Wassenaar over the terms 'hardship fund' and 'needs'.

By mid-August 1952 the size and purposes of the global payment to the Claims Conference had been agreed with the Germans. As the Germans had made clear that any payments would have to be in the form of goods to Israel, the Conference was obliged to reach an agreement with Israel on the conversion of the German goods into the foreign currencies which the Conference could use outside of Israel. This problem had long been foreseen. Ever since the first talks on the nature of the claim each party was to present at Wassenaar, various proposals concerning the relations between Israel and the Conference after the conclusion of the Wassenaar negotiations had been under discussion. After the Conference resolved to present its own claim (despite Goldmann's support in December 1951 for a united global claim together with Israel) an agreement was reached with Israel setting out the relationship between the two claims.⁴³ The agreement made provision for two possible outcomes if the negotiations were concluded successfully with the Germans: that separate awards would be made both to Israel and to the Claims Conference; or that the Germans would make only one award on the global claims, to Israel. In both cases the agreement foresaw a certain reallocation of funds between Israel and the Claims Conference. In the event, only one combined award was made, and the second option was relevant. Israel agreed that of the total award made by the Germans, one-third would go to the Conference and two-thirds to Israel. Of the Conference's one-third, 15 per cent of the total would be made available in foreign currencies for Conference allocation outside of Israel and 18½ per cent would be made available for relief, rehabilitation and resettlement work

inside of Israel, to be allocated by organizations selected by the Conference.⁴⁴

The fact that the Germans were only prepared to make payments in goods meant that Israel and the Claims Conference were inevitably linked. Unless the Conference was prepared to become an independent marketing agent for German exports, only a link with Israel made the global payment to the Conference possible. Israel was prepared to absorb the commodities Germany supplied, and in exchange provide the foreign currency needed by the Claims Conference.

The agreement between the Claims Conference and the Federal Republic was initialed at Wassenaar on 22 August 1952. The document consisted of two 'Protocols' as the vague legal status of the Conference prevented the Federal Republic from signing a 'treaty' with it. The first Protocol set out the agreement on individual indemnification. Protocol II awarded the Conference DM 450 million on the global claim (see Appendix 2). On the same day, an agreement was signed in New York between the Conference and the government of Israel, setting out that a sum of DM 517 million was to be made available to the Conference for expenditure outside of Israel. The discrepancy between the DM 450 million awarded in Wassenaar and the DM 517 million which Israel undertook in the New York agreement to pay the diaspora organizations meant that from the beginning an element of confusion existed concerning the actual extent of the achievement of the Conference in negotiating the global claim with Germany, in the source of payment and in the degree of accountability. Nevertheless, the Claims Conference had succeeded in achieving its two objectives during the negotiations: the commitment by Germany to make major improvements in the rights of individual victims of Nazism to restitution and indemnification, and the award of a global payment. These achievements were auspicious for the commencement of the next phase of the Conference's existence. The Conference now transformed itself from a body established to negotiate with the German government into a body responsible for monitoring the implementation of the legislative commitment set out in Protocol 1, and allocating over \$10 million every year for the benefit of the victims of Nazism.

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NOTES

- 1 Various drafts of Adenauer's declaration and related correspondence are in the Central Zionist Archives (hereafter CZA), Goldmann Papers, Z6-229.
- 2 Adler-Rudel to Kaplan, 28 February 1951, CZA, Z6-229. Shalom Adler-Rudel was the head of the Restitutions Department of the Jewish Agency; Eliezer Kaplan was the Israeli Minister of Finance.
- 3 Speech by Dr Nahum Goldmann to 9th Meeting of Zionist General Council, Addresses, Debates, Resolutions, Zionist General Council Session 7–15 May 1952, Jerusalem, 1952, p. 182.
- 4 Draft text of invitation, 2 September 1951, CZA, S35-221.
- 5 A full list of the constituent organizations of the Claims Conference, with an account of the changes in membership over the years, is given in Appendix 1.
- 6 Shinar to Goldmann, 12 September 1951; and 'Draft Declaration to be Accepted Unanimously by the Jewish Organizations Conference to be Held in October 1951 in Washington', CZA, Goldmann Papers, Z6-229.
- 7 Halprin to Goldmann, 17 October 1951, CZA, Goldmann Papers, Z6-195.
- 8 Goldmann, Addresses, Debates, Resolutions, p. 183.
- 9 Jacobson to Leavitt, 8 October 1951, JDC Archives, New York, Claims Conference General Files.
- 10 Protocol of the Waldorf-Astoria meeting, 25–26 October 1951, CC 16600.
- 11 Ibid.
- 12 Ibid.
- 13 Ibid.
- 14 Ibid.
- 15 Cited in Lucy Dawidowicz, 'The German Collective Indemnity to Israel and the Conference on Jewish Material Claims Against Germany', *American Jewish Year Book*, Vol. 54, 1953, p. 475.
- 16 In mid-1952 the following were members of the Executive Committee: Dr Leo Baeck, Dr Noah Barou, Jacob Blaustein, Jules Braunschvig, Samuel Bronfman, Dr Abraham Cohen, Sir Henry d'Avigdor Goldsmid, Frank Goldman, Dr Nahum Goldmann, Dr Israel Goldstein, Adolph Held, Moses Leavitt, Dr Isaac Lewin, Dr Irving Miller (list dated 5 June 1952, CC 6676).
- 17 The original members of the Presidium were Jacob Blaustein, Israel Goldstein, Frank Goldman and Adolph Held.
- 18 Jules Braunschvig was invited to join the Presidium in December 1951 and Barnett Janner in June 1952.
- 19 Charles Kapralik to Kagan, 29 January 1952, CC 7018.
- 20 In the course of determining the size of a possible claim, Goldmann approached the largest Jewish organizations that had over the years aided Jewish refugees from the Nazis, requesting an estimate of their past expenditures. The Council of Jewish Federations and Welfare Funds estimated that its constituent organizations alone had spent \$600–800,000,000 aiding the victims of Nazism (Goldstein Archives, File 2501(a), Council of Jewish Federations and Welfare Funds to Goldmann, 21 January 1952) and they were only one of a large number of philanthropic bodies involved in the resettlement of refugees.
- 21 Goldmann to Executive Committee, 27 December 1951, CC 6676.
- 22 'Outline of Jewish Material Claims Against Germany', 13 February 1952, CC 6676.
- 23 A detailed account of the Jewish material losses which made up the Conference's estimate of the heirless assets is given in Sagi, *German Reparations*, p. 150. See also

- memoranda on CC 7016.
- 24 Paper 21, 26 June 1952, CC 7016.
- 25 Louise W. Holborn, *The International Refugee Organization* (London: Oxford University Press, 1956), pp. 41–42.
- 26 Proudfoot, *European Refugees*, pp. 429–31.
- 27 Jacques Vernant, *The Refugee in the Post-War World* (New Haven: Yale University Press, 1953), p. 147.
- 28 Paper 21, 26 June 1952.
- 29 'Memorandum Concerning the Legislative Improvements. Document Between German and Jewish Delegations at the Hague', CC 7059.
- 30 Draft of Policy Directives to Negotiating Team, 13 March 1952, CC 6676.
- 31 Vogel, *The German Path to Israel*, 'Report on the discussion with Dr Goldmann and the members of the Israeli Delegation in Paris on May 23, 1952', pp. 49–53, and 'Record of Conversation between Dr Goldmann, Dr Shinar, and Secretary of State Hallstein, Professor Boehm, Mr Abs, and Dr Frowein of 10 June 1952', CC 16741.
- 32 Moses Leavitt was Executive Vice-Chairman of JDC until his death in 1965. He served as Treasurer of the Claims Conference, 1952–65. Together with Goldmann and Blaustein, Leavitt was a Senior Officer of the Conference.
- 33 Protocol of plenary session, 25 June 1952, CC, Master File, Working Paper 75.
- 34 Ibid.
- 35 Ibid.
- 36 'Memorandum of Past and Present Expenditures on Behalf of Victims of Nazi Action', Conference Working Paper 77, 26 June 1952, CC, Master File.
- 37 'Considerations in Support of Conference Claim', Conference Working Paper 78, 26 June 1952, CC, Master File.
- 38 Protocol of 15th plenary session, 16 July 1952, Conference Working Paper 115, CC, Master File.
- 39 Leavitt to Kagan (in New York), 16 July 1952, CC 7021.
- 40 Protocol of 17th plenary session, 8 August 1952, Conference Working Paper 158, CC, Master File.
- 41 Leavitt to Seymour Rubin, 16 August 1952, CC 7022.
- 42 CC Protocol II, Article 2, see Appendix 2.
- 43 Papers on CC 16700, and footnote message Goldmann to Kagan, on circulated letter 27 March 1952, CC 6676.
- 44 Untitled Conference Working Paper 66, 23 June 1952, CC, Master File.

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WHEN THE CONFERENCE first addressed the question of what it would do with the funds paid by the Germans, the period of greatest need of Holocaust survivors had already passed. Most Jews liberated from the concentration camps, and almost all those who came to the displaced persons camps in the years 1945–47 (after which the camps were closed to new arrivals from Eastern Europe), shared a common aim – to leave Europe.¹ Their experiences under the Nazis, and the hostile and often violent reception survivors from Eastern Europe received from their gentile neighbors when they returned to their homes after the war, resulted in a new exodus. Large-scale Jewish emigration from Europe became possible after Israel's independence and after the reform of American immigration law in 1948. The displaced persons camps in Central Europe, which had figured so largely in Jewish life since the end of the Second World War, could now be closed.²

However, the displaced persons represented only one part of the Jewish population in Europe, and other Jews saw their future differently. By late 1948, when the end of the DP problem was in sight, it became possible to look to the needs of West European Jewry, and of the 625,000 Jews in Eastern Europe outside the borders of the USSR. As the slogan 'exodus from Europe' became less relevant, the needs of those who remained in Europe moved higher on the agenda of Jewish public life. The conscious weighing of priorities between different forms and areas of Jewish communal needs received its widest public expression in the Conference on Jewish Relief and Rehabilitation sponsored by the Joint in Paris in November 1948. This Conference was

conceived as an opportunity to take stock of the events of the preceding three years. The Joint and 11 other Jewish voluntary organizations met with 250 delegates and observers of 31 recipient and donor countries for a week of deliberations. There were five major subjects on the agenda: emigration, welfare and child care, health, new areas of need, and reconstruction.³ How successful were the hundreds of large and small Jewish communities in Europe in resuming communal life? How many remained alive, and what remained intact of Jewish communal institutions and Jewish cultural assets? The state of European Jewry in the years immediately after the collapse of the Nazi regime and prior to the influx of significant public funds from the *Wiedergutmachung* program, is the subject of this chapter.⁴

By the early 1950s, with the passage of time and as a result of massive American aid to European states, much of the material damage and disruption caused by the six years of war had been made good. Across Europe economic activity approached, and in some cases even exceeded, the levels attained prior to the outbreak of war. The general loss of life had left its mark on every society, but nowhere had the level of destruction threatened the future survival of the nation or community. Nowhere, that is, except for the Jews of Europe. Their wartime losses, in total numbers, in the proportion of each community destroyed (that is, relating to the prewar and postwar populations of each community) and in view of the concentration of the losses in certain age groups, cast doubt on the ability of much of European Jewry to re-establish any meaningful sort of community life in much of Europe. Of the 21 countries occupied by the Germans during the war, the Jewish communities of Germany, Poland, Lithuania, Czechoslovakia, Latvia and Greece suffered losses of more than 80 per cent, through annihilation or flight. A further five communities lost between 50 and 80 per cent – the occupied area of the USSR, Hungary, Austria, Holland and Yugoslavia. The relative percentage of Jewish losses was almost six times greater than the losses of the Russians, almost eight times greater than the losses of the Poles, 90 times greater than the losses of the British and 525 times greater than the losses of the United States (see Table 3.1).

Some communities were devastated doubly – among the first to perish were children. The survival of a few thousand Jews after the war augured ill for the continuation of Jewish communal life when there

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were almost no children among them. What future could there be for the communities of Germany or Austria, for example, when only a few hundred Jewish children had survived the war years in communities which, before 1933, had numbered over 500,000 and 180,000 respectively? Before the war there were 3,300,000 Jews in Poland. Of the 80,000 in Poland by summer 1945, there were only 5,000 Jewish children. Much the same was true for the prewar communal leaders and public figures of Jewish life. Few of them either survived or remained in Europe to undertake the task of reconstruction. Furthermore, the Nazis had struck first and hardest in Eastern Europe, the heartland of Hebrew and Yiddish culture and Jewish orthodoxy. The communities which emerged from the war in a relatively stronger demographic position were also the most assimilated ones, who could never hope to emulate the cultural resources of prewar East European Jewish life.

It is difficult today to appreciate the extent of Jewish communal life in Eastern Europe as it existed prior to the German onslaught. The Jews there enjoyed not only religious autonomy and highly developed communal welfare systems, but a remarkable degree of educational and cultural autonomy as well. In Lithuania and Latvia more than 80 per cent of all Jewish children of school age attended Yiddish or Hebrew schools. In Poland, even excluding the religious *yeshivot* (seminaries), and the schools where Polish was the language of instruction, there were 1,275 schools where Yiddish or Hebrew was taught. In Germany, with its far more assimilated Jewish population, 25 per cent of Jewish school children studied at private Jewish schools.⁵ There were large Jewish educational networks in Romania and Hungary as well (although, as in Germany, the language of the country was the language of instruction). Throughout Europe some 378 Jewish periodical publications appeared regularly enough to merit record. Forty-three of them were daily newspapers (38 of them in Yiddish) and 171 were weeklies (the vast majority in Yiddish or Hebrew).

This world, with its authentic ethnic self-image, had vanished forever. Whatever pools of tradition and cultural vitality still survived in Eastern Europe after the war were gradually cut off from the rest of the Jewish world as the communist regimes tightened their control. By 1950, even the receipt of Jewish philanthropy was forbidden to these Jews as their links with Jewish organizations in the West, especially in

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TABLE 3.1: JEWISH LOSSES BY EMIGRATION OR ANNIHILATION IN NAZI-OCCUPIED
COUNTRIES OF EUROPE

Country	Jewish Population Sept. 1939	Number of Jews Lost (a)	% of Jews Lost	Jewish Population 1950-51 (b)
Poland	3,300,000	2,800,000	85.0	45,000
USSR (c)	2,100,000	1,500,000	71.4	2,000,000 (d)
Romania	850,000	425,000	50.0	280,000
Hungary	404,000	200,000	49.9	155,000
Czechoslovakia	315,000	260,000	82.5	17,000
France	300,000	90,000	30.0	235,000
Germany	210,000	170,000	81.0	37,000
Austria	60,000	40,000	66.6	18,000
Lithuania	150,000	135,000	90.0	—
Holland	150,000	90,000	60.0	27,000
Latvia	95,000	85,000	89.5	—
Belgium	90,000	40,000	44.4	42,000
Yugoslavia	75,000	55,000	73.3	3,500
Greece	75,000	60,000	80.0	7,000
Italy	57,000	15,000	26.3	35,000
Bulgaria	50,000	7,000	14.0	6,500
Other (f)	20,000	6,000	30.0	7,500 (e)
	8,301,000	5,978,000	72.0	2,915,500 (d)

Notes:

(a) Losses caused by extermination and emigration.

(b) Including net gain/losses due to migration.

(c) German-occupied zone.

(d) Data includes Jews in post-1945 borders of USSR.

(e) Excluding Estonia and Danzig.

(f) Denmark, Estonia, Luxembourg, Norway, Danzig.

Source: Jacob Lestschinsky, 'The Balance Sheet of Extermination', p. 10. Data for 1950-51 from *American Jewish Yearbook*, Vol. 53 (1952), p. 234.

America and Israel, were severed. Indeed, during most of the Claims Conference's allocation program, it was careful to avoid allocating any of its funds to Poland.⁶

The largest Jewish communities in Europe by 1950, after the emigration of the bulk of the displaced persons, were in Romania, Hungary, France, Belgium, Holland and Germany. The general trend of the Jewish communities in these countries, as in the smaller concentrations

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of Jews in other parts of Europe, was one of contraction. Emigration, rapidly aging populations due to the demographic consequences of the war, lack of homogeneity due to large numbers of non-settled refugees, and a continuing (although declining) dependence on American Jewish philanthropy – all these characterized European Jewry five and more years after the end of the war.

Nevertheless, much had been achieved to rehabilitate these communities. By the early 1950s, when the Claims Conference took upon itself the challenge of distributing the funds that Germany was to pay over the following 12 years, new and encouraging trends were becoming evident.

FRANCE

The Jewish community of France has fluctuated between 200,000 and 300,000 for most of this century, until the community grew to over 500,000 with the large-scale immigration of North African Jews. France's population losses in the First World War and its liberal political traditions encouraged an immigration policy that was favorable towards refugees and Jewish immigrants generally. As a result, the French Jewish community always contained a significant proportion of newcomers. In the long term, these recent arrivals balanced the community's losses caused by a high degree of assimilation, and the size of the community remained static. Some 200,000 French Jews survived the Holocaust. A further 50,000 or more Jews migrated to France in the period 1945–50, almost restoring the Jewish community to its traditional size. Only with the large-scale Jewish immigration from Morocco, Algeria, Tunisia and Egypt after 1954 was the French community able to exceed its prewar size, reaching 550,000 by the 1960s.

The presence of a large immigrant community within the prewar Jewish community had a decisive influence on the way France's Jews were affected by the Holocaust. During the 1930s, some 50,000 Jews from Germany, Austria and Czechoslovakia found refuge in France. Following the German invasion of Belgium and Holland in May 1940, a further 25,000 Jews from these countries found a brief respite in France. This refugee Jewish community, together with earlier Jewish

immigrants who had arrived in the 1920s from Poland, was the victim of the German occupiers of France and their Vichy allies.

Following the war, the surviving Jewish community gradually regained its legal rights (stripped by Vichy and the German occupation). After liberation the majority of Jewish aliens who had enlisted in the French army at the outbreak of the war received French citizenship. In December 1945, all Jewish government employees were restored to the posts from which they had been ousted under Vichy. The restitution of Jewish assets also proceeded at a reasonable pace. However, the experience of the war years was intolerable for thousands of assimilated Jews, who abandoned their vague family traditions and converted to Roman Catholicism with increasing frequency. This phenomenon had been a feature of French Jewish life before the war, but after 1945 it reached epidemic proportions. Many thousands of others changed their names or intermarried.

More than half the Jews in France lived in Paris. In no other French city did the Jewish community exceed 15,000. Despite their concentration in Paris, French Jewry had no central organization. There were many different organizations, but none that could speak on behalf of all of France's Jews. The Consistoire Central had been the officially recognized representative of the community ever since it had been created in 1808. When church and state were separated in 1905 the Consistoire ceased to be an official government body. Although it retained its role as the foremost of the Jewish community organizations, its traditional preeminence was no indication of its real strength. At the start of the German occupation only some five per cent of the capital's Jewish population were registered with the Consistoire.⁷ By the mid-1950s this percentage shrank even further (to two or three per cent). Its active membership was even smaller, with only about 800 voting in its elections and 200 attending its meetings. The Consistoire continued to operate in the war years from the area of unoccupied France, but proved incapable of meeting the challenges of the period.

In 1943, an attempt was made to establish a more representative Jewish group, *Le Conseil Représentatif des Institutions Juives de France* (CRIF), but this grouping also failed to make any real impression on the community as the various conflicting ideologies and groups within it neutralized one another.⁸ By 1950, the CRIF was practically defunct.

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In later years it revived to become the single most important body of French Jewry, representing some 27 Jewish organizations.

The Alliance Israélite Universelle resumed its educational work in 1946 at the École Normale Israélite Orientale, with a stronger Jewish component in the curriculum than before the war.⁹ The East European immigrant Jews had their own organization, the Fédération des Sociétés Juives de France, which acted as a 'third force' in French Jewish communal politics (although it was heavily dependent on the Joint for funding). Left-wing Jewish groups identified with the French Communist Party also had an organization of their own (Union des Sociétés Juives de France).

Jewish education in France was rudimentary in the early 1950s, and reflected the high degree of assimilation of the community as a whole. It was estimated that there were some 40,000 Jewish children of school age in France in 1954, half of them in Paris. Of this number, only 400 attended Jewish schools while a further 1,300 received regular religious instruction once or twice a week.

Despite the bleakness of the Jewish educational scene, during the years 1946–50 Paris became the leading Jewish cultural center in Europe. The proliferation of Jewish organizations, the several daily and weekly newspapers published in Yiddish and French and the vitality of Jewish intellectual and cultural life among the recent immigrants from Eastern Europe were all promising signs for the future.

In the two-year period following the defeat of Germany, UNRRA was responsible for the care of the millions of displaced persons across Europe. However, UNRRA did not operate in France, and the burden of supporting French Jewry, including a significant number of destitute and of orphans, fell entirely on the Joint. By 1948–49, the general contraction of its European programs forced the Joint to change direction in France. Gradually, responsibility for the community's own welfare reverted to French Jewry itself.

This step was only partially dictated by the decline of the Joint's own resources. No Jewish community in Europe could be considered to have recovered from the years of Nazi occupation until it was effectively weaned from dependence on American Jewish philanthropy. The creation of each community's own fundraising systems and the revival of the *kehilla* tradition of communal responsibility for its weakest members was considered by the professional social workers of the Joint

to be the hallmark of an effectively functioning Jewish community.¹⁰ In 1949, after considerable pressure had been brought to bear by the Joint, an agreement was reached between the major non-communist organizations of French Jewry for an annual fundraising campaign to support charitable and cultural activities, organized by the Fonds Social Juif Unifié (FSJU).

The establishment of the FSJU was a turning point in French Jewish communal life. It marked the progressive disengagement of the JDC, and led to a growing reliance on locally trained social workers and communal organizers. It also marked a shift in welfare work from hardcore cases and transients to work for the settled community, and the start of a serious communal cultural program. In spring 1953, the Fonds organized a large cultural congress in which every section of the community was represented. Less than a decade later, Guy de Rothschild, then president of the FSJU, was able to state that beyond simply consolidating the existing social agencies and their fundraising, the Fonds was becoming the central organism of the French Jewish community in all matters not strictly religious.¹¹

The FSJU ran its first communal appeal in 1950, in conjunction with Aide à Israel. The results were meager. After deducting administrative expenses and dividing the balance with Aide à Israel, the FSJU was left with some \$91,500. This was equal to only just over three per cent of the Joint's expenditure in France during 1950. It was meager, but it was nevertheless a beginning. In the following year, 1951, the FSJU tripled its fundraising (collecting 92 million francs for its welfare and communal program). The JDC drew the conclusion that French Jewry was well on the way to being able to take care of itself (especially as fundraising for Israel was three times as successful again as the FSJU's improved efforts of 1951). In that year, the Joint transferred to the FSJU the responsibility of running Joint-initiated welfare programs. The officials of the JDC withdrew, as far as possible, into the background. Nevertheless, the Joint's subvention of the FSJU's budget in 1951 was still substantial (225 million francs.)

In 1952, the overall requirement of the FSJU's program was budgeted at 345 million francs. The FSJU succeeded in raising 142 million francs, and the Joint contributed the balance of 203 million. These figures, for the three years immediately prior to the start of the Claims Conference allocation program, reflect a pattern of growing

communal activity parallel with a declining dependence on American Jewish philanthropy.¹²

The Joint's Paris office saw these developments as marking a turning point in the rehabilitation of the French Jewish community. They did not welcome an influx of reparations funds. In 1953, when the officials of the Joint debated the likely impact of the reparations payments on the general process of rehabilitating Europe's Jewish communities, the officers of the Joint who worked closest with French Jewry were afraid that the sudden influx of reparations through Claims Conference allocations would undo their efforts to make French Jewry independent.¹³

BELGIUM

Jewish communal life in Belgium was radically different from the French experience in the postwar years. Even before the war, the proportion of Jews living in Belgium who had roots in that country was very small. Only a little more than five per cent of the Belgium Jewish community enjoyed Belgian citizenship. The bulk of the Jewish population consisted of recent immigrants and refugees. As elsewhere in Europe, this population was the first target of the Final Solution in Belgium, but the Germans eventually turned against the native Belgian Jews as well.

Given the constant movement of Jews into and out of the country, the number of Jews who survived the war at the time of liberation in October 1944 is not known with any certainty, although an estimate made in early 1945 claimed that there were 18,000 Jews in Belgium – compared with 64,000 at the time of the German occupation in May 1940.¹⁴ By the beginning of 1946 there were 32,000 Jews in Belgium, or approximately 50 per cent of the prewar community. Of this group, only two per cent enjoyed Belgian citizenship. The majority of the remaining 98 per cent were Polish, German and Austrian refugees. The large number of transients in Belgium explains the high level of the Joint's activities there up to 1950. The Belgian Jewish population later stabilized, with 'local' Jews making up ten per cent of the community and foreigners the remaining 90 per cent. Eventually the Joint became less active there.

Organizationally, Belgium Jewry had little to distinguish it. It did not

suffer from the proliferation of communal bodies as in France. The reverse was true. In April 1945, a general meeting of representatives of Jewish organizations formed a central body in Brussels known as the *Conseil des Associations Juives de Belgique*, but it was dissolved after two years. The most active organizations within the community were Zionist.

The challenge of caring for, and ultimately integrating, the refugee population inevitably caused tensions among the established Jewish community. Belgium proved a classic case of a problem that faced almost all the Jewish communities in Western Europe – how to ensure that the local community had both the material means to cope with the refugee problem, and the willingness to do so. In July 1952, the *Centrale d’Oeuvres Sociales Juives* was created in order to facilitate united fundraising. To the amazement of communal workers, the organization held together without schism, no doubt because of its immediate success in raising the overall level of fundraising.¹⁵

The restricted nature of postwar Belgium Jewish life is demonstrated by the fact that, at the start of the 1950s, not a single Jewish periodical was published in the country. Before the war almost every community had a journal of its own. Of some 7,000 to 7,500 Jewish children of school age, about 1,200 were receiving instruction in three Jewish day schools (two of which were in Antwerp). Another 1,000 received supplementary Jewish education.¹⁶

HOLLAND

The circumstances of the Dutch Jewish community in the years immediately after the war were unique. The community had suffered severely under the Nazis and almost two-thirds of its members were deported. Very few of those deported survived the war. This drastic reduction in numbers (from 140,000 before the war to 27,000 in 1950) resulted in a major change in the community's standing in Dutch affairs. Dutch Jews had had a long tradition of integration (as opposed to assimilation) in the Netherlands, and the community was once a significant minority. After the war it lost its former status and influence, shrinking to a small community, less than one-half of one per cent of the total population. No longer were Jewish communities to be

found throughout Holland, as the survivors concentrated largely in Amsterdam.

The Dutch Jewish community quickly re-established its own institutions and required very little assistance from foreign Jewish philanthropy. The Jewish working class was almost totally destroyed during the war. The people who came back from the camps or from hiding were mainly middle-class professionals or wealthier Jews, and economic rehabilitation was facilitated by the demand for their skills. Textiles, diamond-cutting, fur and leather industries – all generally Jewish' trades – prospered in the immediate postwar years. The community included between 8,000 and 9,000 families, of whom 60 per cent were involved in Jewish affairs. The Jewish weekly newspaper had more than 5,000 subscribers. Forty per cent actually contributed to Jewish causes.¹⁷

Two issues emerged in the immediate postwar years, galvanizing the Jewish community into effective action. The first concerned the fate of 4,000 Jewish children given into the custody of non-Jews by their parents before the latter were deported. Those who survived the deportations were able to reclaim their children. However, the remainder were now orphans, and the Dutch authorities refused to support the Jewish community's insistence that the children be returned to a Jewish environment. The official War Orphan Board (Oorlogspleegkinderen Comite) favored leaving the children with their non-Jewish guardians. Ultimately, each individual case had to be resolved in court. The courts themselves were not always sympathetic to the Jewish community's position, and by the mid-1950s more than 1,000 Jewish war orphans remained either with non-Jewish foster parents or in non-Jewish orphanages, despite the Jewish community's stated willingness and ability to care for them.¹⁸

The second issue concerned the restitution of Jewish assets. After protracted legal proceedings against the Dutch institutions and individuals that had taken possession of Jewish personal assets during the war, this problem was largely resolved in favor of the Jewish owners who had been deprived of their property. Full restitution was not possible, but as the community was only one-sixth of its former size, the sums available were divided among a much smaller claimant population. Restitution in Holland had a substantial impact on the economic wellbeing of individual Jews and on the community's

institutions. (The Dutch Jewish community was able to move toward a final settlement of Holocaust-era assets only in 2000 – 55 years after the end of the German occupation.)

For a number of years after the war, the Dutch Jewish community grappled with the problem of a prewar Jewish leadership that had been tainted by its role during the Nazi occupation. A community ‘Council of Honor’ was established, amid much criticism, to consider the position of previous members of the Joodse Raad (Jewish Council), which had facilitated the process of deportations during the war. The chairman of the Council and another member were banned for life from holding any Jewish office. All other members were banned for a period of five years. The verdicts were not universally approved in the community, and some of the officials concerned initially refused to relinquish their positions. Nevertheless, despite the difficulties that the community faced in adjusting to the past role of communal institutions, welfare, educational and social programs were not adversely affected.

The Dutch community was the first European Jewish community capable of dispensing with the aid of the Joint. In large part this was due to the success of the central fundraising drive which generated sufficient funds for the operation of communal institutions and welfare needs. In addition, the Dutch Jews were also able to donate aid to Israel. A Jewish day school and a Jewish secondary school existed in Amsterdam, with a total enrolment of 300 pupils.

The community was also able to extend help to Jewish refugee children from Germany and Romania who arrived in Holland under the supervision of Youth Aliyah (the Jewish Agency’s organization set up to care for and bring to Israel needy Jewish youth) for extended periods. Groups of adult displaced persons also found refuge in Holland, and the Jewish community established special organizations to assist them.

GERMANY

The problems facing the remnants of German Jewry in the period following the end of the war until the early 1950s were immense, and very different from the problems of other European Jewish communities.¹⁹ The relationship between the Jewish community and the society

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in which they lived was a very difficult one. Elsewhere in Western Europe the Jews and the non-Jewish community had, to a degree, a shared experience of Nazi occupation. But in Germany their neighbors had been their enemies and the Allied armies which had defeated the German people had liberated the surviving German Jews. Furthermore, in view of their fate during the war, the Jews did not have any interest in sharing the universal challenge of national reconstruction.

The German Jewish community had experienced a longer period of disintegration under Nazi rule than any other European Jewish community. Starting with the rise of the Nazis to power in 1933, the process was already well advanced even before the outbreak of war. Many of the ablest young German Jews had managed to emigrate before the deportations to the East began. Very few (less than two per cent) chose to return to Germany after the war.²⁰ Of those who managed to avoid deportation, many were partners of mixed marriages. Of the 525,000 Jews in Germany in 1933 only 15,000 (some sources say only 12,000) remained after the war and there were very few children among them.

The postwar German Jewish community was overshadowed by the much larger number of Jews among the displaced persons who flocked to the US zone of occupation between 1945 and 1947. Most of the displaced persons were waiting for the possibility to emigrate to Israel or America, and cannot be considered part of German Jewry. However, a significant proportion of this itinerant population chose to live outside the DP camps in German towns and cities, and many of these joined the local communities (*Gemeinden*). The result was a Jewish community like that of Belgium, where the native born were greatly outnumbered by the newcomers. The attitude of these newcomers to the wider non-Jewish society was ambivalent at best, and often openly hostile.

The high proportion of itinerant Jews in Germany, the number of Jews of mixed marriages who remained unaffiliated with the official Jewish community, and the age structure of the community which ensured a death rate far higher than the birth rate, make it difficult to determine the size of the German Jewish community with any certainty. Of the total number of Jews estimated to be living in Germany (around 37,000), a reliable source estimated that in 1948 there were 24,600 Jews living in towns with functioning *Gemeinden*, although not all of them were necessarily official members of the

community.²¹ The balance of the Jews in Germany not living in DP camps lived in towns without any organized Jewish life.

Gradually, the itinerant DP element of the Jewish population in Germany dispersed, and by 1953 there were an estimated 20,000 Jews living in West Germany (including Berlin). Approximately ten per cent were residents of Camp Foehrenwald, the only remaining DP camp on German territory. One in four of the Jews living in Germany was receiving supplementary aid from the Joint when the Claims Conference began to operate.²² This was a much higher percentage than elsewhere in Europe, and the Joint's prognosis in 1953 for the revival of Jewish life in Germany was bleak:

The Jewish community as you see it today is bound to wither away. There is no fundamental ground for any kind of optimism in its continued existence . . . over fifty per cent of the people [are] over sixty years of age. The community in Germany will consist of Israeli returnees and immigrants from Iron Curtain countries.²³

It is indicative of the situation of German Jewry after the war that one of the major tasks facing the community organizations was the maintenance of 1,800 Jewish cemeteries, most of which were closed. This was a task that was well beyond the means of the surviving community. Most of the cemeteries had been destroyed or damaged during the war, while those that remained intact were continually defaced by untraced elements.

In the first years after the war the communities were entirely dependent upon the assistance of overseas Jewish welfare organizations. However, after the serious start of the restitution of heirless Jewish assets in 1948, the Jewish Restitution Successor Organization (in the US zone) and the Jewish Trust Corporation (in the British (1949) and French zones (1950)) made significant sums available to the German Jewish communities. Nevertheless, relations between the communities and the non-German Jewish bodies that managed the successor organizations were so strained that in some cases litigation was resorted to. Some of the *Gemeinden* challenged the right of the successor organizations to obtain restitution of German Jewish communal and heirless private assets and then to distribute the funds as the successor organization saw fit throughout the Jewish world. Eventually settlements were reached with all the communities (with or without litigation) and in the

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first years of its existence the JRSO allocated almost 50 per cent of the funds accruing to it to the *Gemeinden*.²⁴

In 1950, a Central Council of the Jews in Germany (Zentralrat der Juden in Deutschland) was established to act as supreme authority for all the dispersed local German Jewish *Gemeinden*. The choice of name was significant: 'Juden in Deutschland', not 'Deutsche Juden'. The latter form had once been a proud label, whereas the name chosen by the German Jews suggested that they were but sojourners in the country. This easily understandable sense of ambivalence towards post-war Germany was also shared by the leading figures in the Claims Conference, who found little enthusiasm for the task of rebuilding Jewish life there.

HUNGARY AND ROMANIA

The fate of Hungarian and Romanian Jewry under their respective pro-Axis governments during the war years is well known and need not be recounted here. Despite the massive human losses following the deportations and the depredations of local fascist regimes, large Jewish communities survived the war, and in 1945 the Romanian and Hungarian Jewish communities were the largest and third largest respectively in continental Europe outside Russia.

The deportation of Hungarian Jewry to the extermination camps in 1944 affected primarily the Jews of the disputed border provinces of Southern Slovakia, Carpatho-Ruthenia, Northern Transylvania and the Banat-Backa region of northern Yugoslavia, as well as the Jews of the rural areas of Hungary proper. More than 100,000 Jews survived in Budapest, and communal life quickly resumed there after the war.²⁵ Two factors distinguish the process of rehabilitation of the Hungarian and Romanian Jewish communities from those of Western and Central Europe: the gradual imposition of communist rule in the period 1945–50, and the impact of large-scale emigration to Palestine/Israel.

During these years, the life of Hungarian Jewry was characterized by the rapid proletarianization and destitution of the broad Jewish middle class, the growing subordination of the Jewish community to the state, and the outlawing and destruction of the Zionist movement. Within a brief period Hungarian Jewry was transformed from a significant

commercial and professional class into a marginal social element which the government intentionally discriminated against because of its 'unreliable' class loyalties.

In effect, those Jews who had survived the period of Nazi and fascist domination and had begun to rebuild their lives were once again impoverished by a different sort of Hungarian government. In such circumstances, the welfare assistance provided by the Joint was vital, and the Joint's expenditure in Hungary was regularly larger than its expenditure in any other European country, including Germany, where the Joint also cared for the Jewish population of the DP camps.

However, in 1953 the Hungarian authorities severed all links between the Hungarian Jews and Jewish communities outside Eastern Europe. The Joint was forced to close its official program in that country. In the period when the Jews of Hungary might have benefited most from the reparations payments and allocations of the Claims Conference, the Jewish world was compelled to find other ways of bringing assistance to them.

The circumstances of Romanian Jewry were different from those of their Hungarian co-religionists in detail but not in substance. This large Jewish community had survived the war with a radically depleted population, but with many of its communal organizations intact. Zionist groups were particularly active, and before Israel's independence large-scale 'illegal immigration' to Palestine (against the wishes of the British in Palestine and without official immigration certificates of entry) left from Romania's shores.

An extensive network of Jewish charitable institutions – orphanages, children's homes, old people's homes, etc. – existed, and 256 such institutions were nationalized in April 1949. Similarly, until they were taken over by the government in August 1949 there were 69 Yiddish elementary and 23 high schools with 13,000 pupils.

At the end of 1948, the Romanian authorities launched a violent political offensive against the plethora of Zionist organizations and the individuals associated with them. Next, in spring 1949 the government severed the ties between Romanian Jewry and foreign Jewish welfare societies. The offices of the Joint, ORT and OSE were closed in March 1949 and their assets transferred to the communist-dominated Federation of Jewish Religious Communities.²⁶ A degree of religious

freedom was permitted, although the authorities remained suspicious of any hint of contact with foreign Jewish communities.²⁷

This brief survey of the six most important Jewish communities has covered the period from the years of initial reconstruction to the start of the Claims Conference programs in 1953–54. Its purpose has been to provide a reference point for the evaluation of the impact of the Claims Conference's own programs up to the mid-1960s. How the Claims Conference transformed itself from an ad hoc negotiating team into a body capable of receiving and allocating the annual payments from Germany is the subject of the next chapter.

Note on Tables

Each of the three tables in this chapter presents data of diverse nature, significance and reliability. Table 3.3 presents financial data which is, on the face of it, easily quantifiable and ascertainable. The Table is based on the most reliable possible source of information – audited financial statements prepared by chartered accountants. Nevertheless, as subsequent chapters explain, there are a number of reasons to treat all organizational budgets with caution. Overlapping budgets confuse the data even when the objective is full exposure. There were also a number of reasons why accountants attempted to give an accurate overall picture without going into too many details. The sensitivity of relief-in-transit, the problematic nature of foreign currency transactions, bartering and commodity exchange deals – these, it was thought, were not matters which the general public needed to know about. Furthermore, the distance between the executive offices of Jewish organizations in New York and the organization's officers in the field left ample scope for differing interpretations of priorities in expenditure. These observations are particularly valid given the complex, unfolding political situation in Eastern Europe in the post-war period. The uncertainty that this creates is the concern of the accountant, not the historian. The tables are presented here in order to illustrate patterns of expenditure and income.

Tables 3.1 and 3.2 are problematic for entirely different reasons. They, too, are presented in order to demonstrate general trends, in this case relating to population and residence. There are no definitive sources of Jewish population statistics for the postwar period. The

degree of devastation caused by the Holocaust and by the war in general, combined with substantial population movements after the war, make meaningful statistics difficult, if not impossible to obtain. All Jewish organizations involved in relief activities in liberated Europe confronted this problem in their operations and long-term planning.

The Claims Conference had difficulties in ascertaining with accuracy the size of European Jewish communities. As late as ten years after the war many Jews refused to cooperate in a Conference-sponsored survey of the Jewish population of Europe because they remembered the uses made of such lists by the Nazis during the war.²⁸ By the mid-1950s, organized efforts to collect data on the Jewish population had been made only in Germany and Austria, and even in these countries it was only possible because of the high degree of involvement of American Jewish relief agencies in the communities.

The most significant statistic is the number of Jews who survived the war, a figure which combines those who remained in the community, those who departed before the community fell under Nazi control, and those who survived the war but left their communities after 1945.

In many communities, the population exchange was so large that the presence of a significant number of Jews meant little regarding continuity or the continued functioning of prewar communal institutions. Few sources of statistics in the late 1940s were able to accurately differentiate between genuine survivors of prewar communities and new members. The most reliable statistics include records of the number of clients of relief organizations, the memberships of Jewish societies, official tax-paying communal members (in those countries where the community was legally constituted), subscribers to Jewish newspapers and periodicals, and related sources. However, the sources frequently overlap, and they ignore specifically those Jews who decided to sever their ties with the Jewish community as a result of their recent experiences under Nazi occupation. In some countries (France in particular) this latter group was a significant proportion of the surviving Jewish population. Immediately after the war, the communities of surviving Jews were slightly inflated by non-Jews and part-Jews who assimilated into the communities in order to benefit from the rations and material aid provided by non-European Jewish philanthropic bodies.

Yet another difficulty is caused by the postwar border changes in Eastern Europe, precisely in the areas most heavily populated by

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national minorities (including Jews). The sources of Tables 3.1 and 3.2 would themselves be suitable subjects of analysis in a wider study of European Jewish demography after 1945, and not necessarily incontrovertible fact.

The data in Table 3.2 was based on revised and more refined sources than those previously available to the JDC's research offices in Paris.²⁹ In the period April 1946 to June 1948, some 112,000 Jews emigrated from Europe to countries of final resettlement, of whom 78,100 went to Israel, 17,240 to the United States (prior to the liberalization of the US immigration laws of that year), and 16,400 to other countries. During the same period, approximately 14,000 Jews resettled in various countries of Europe, mainly France, Belgium and Holland.

TABLE 3.2: JEWISH POPULATION OF CONTINENTAL EUROPE,
JULY 1948 (EXCLUDING SOVIET UNION)

Country	1939	1948		
		Displaced Persons	Resident Population	Total
Albania	200	250	50	300
Austria	60,000	16,000	8,800	24,800
– US zone	12,500	300	12,800	
– UK zone	1,000	1,000		
– Fr. zone	500	500		
– Vienna	2,000	8,500	10,500	
Belgium	80,000	5,000	41,000	46,000
Bulgaria	50,000	44,000	44,000 (a)	
Czechoslovakia	360,000	1,300	40,400	41,700
– Czech	1,300	15,400	16,700	
– Slovakia	25,000	25,000		
Denmark	7,000	5,600	5,600	
Finland	2,000	1,800	1,800	
France	300,000	12,000	210,000	222,000
Germany	240,000	110,500	16,500	127,000
– US zone	95,000	4,000	99,000	
– UK zone	9,000	4,000	13,000	
– Fr. zone	1,000	1,000		
– Berlin	5,500	8,500	14,000	
Greece	75,000	8,500	8,500	
Holland	150,000	1,200	24,800	26,000
Hungary (b)	403,000	160,000	160,000 (c)	

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Table 3.2 (cont.)

Country	1939	1948		
		Displaced Persons	Resident Population	Total
Italy	50,000	20,500	29,500	50,000
Luxembourg	3,500	500	500	
Norway	3,000	1,450	1,450	
Poland	3,250,000	90,000	90,000	
Portugal	3,500	250	3,500	3,750
Romania	850,000	375,000	375,000	
Spain	4,500	300	3,200	3,500
Sweden	7,500	6,000	9,500	15,500
Turkey	80,000	80,000	80,000	
Yugoslavia	75,000	10,500	10,500	
Total	6,054,200	197,300	1,164,600	1,361,900

Notes: (a) By 1 August 1948 the Jewish population had declined to 42,000.

(b) 1938 borders.

(c) Excludes converted Jews.

Source: American Joint Distribution Committee, European Executive Council, Budget and Research Department Report No. 53, 21 September 1948.

TABLE 3.3: JDC EXPENDITURE PRIOR TO RECEIPT OF CLAIMS CONFERENCE FUNDS

	Selected Countries 1945-53								
	(\$'000)								
	1945	1946	1947	1948	1949	1950	1951	1952	1953
France	1,998	2,831	5,906	3,583	3,278	2,695	1,235	1,177	942
Holland	281	545	464	361	43	3	—	—	—
Belgium	1,918	1,802	1,354	1,024	697	546	314	307	300
Germany	317	2,991	6,538	7,320	1,452	616	171	257	335
Romania	3,520	1,644	3,174	4,670	454	—	—	—	—
Hungary	3,837	9,500	10,898	8,464	7,671	4,146	2,755	2,108	—

Notes: (1) Figures have been rounded to nearest whole sum.

(2) The data for Germany for 1948 and 1949 include JDC expenditures in Austria.

Source: Loeb and Tropper (Auditors): Financial Statements and Expenditures, October 1914-31 December 1974, Schedules Nos. 5-22.1.

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NOTES

- 1 For a discussion of the 'ideology' of the DP camps, see Saul Gringauz, 'Jewish Destiny as the DP's See It – The Ideology of the Surviving Remnants', *Commentary*, Vol. 4, 1947, pp. 501–09; and Koppel S. Pinson, 'Jewish Life in Liberated Germany: A Study of the Jewish DPs', *Jewish Social Studies*, Vol. 9, 1947, pp. 101–26.
- 2 The first DPs who left the camps for America did so under the Truman Directive of December 1945. The Directive was an administrative act which gave DPs preference under the existing immigration quota system. Under the aegis of the Directive some 28,000 Jews entered the United States. It was succeeded by the Wiley-Revercomb Displaced Persons Bill of 1948. Contrary to the spirit of the Truman Directive, it was the intention of the legislators to restrict the immigration of Jewish displaced persons. The Bill was so worded as to specifically exclude Jewish refugees from Eastern Europe who arrived in the DPs camps between 1946 and 1947, who constituted the bulk of the refugees. However, the Displaced Persons Commission, which had been charged by President Truman with implementing the new law, found many opportunities in conjunction with the International Refugee Organization of the United Nations to circumvent the Bill's restrictions. The result was that between 1948 and 1952 (the immigration laws were revised in 1950 and 1952), a further 68,000 Jewish displaced persons reached the United States (Leonard Dinnerstein, *America and the Survivors of the Holocaust* (New York: Columbia University Press, 1982), Chapters 7–9).
- 3 H. Lehrman, 'The 'Joint' Takes a Human Inventory', *Commentary*, Vol. 7, 1949, pp. 19–27.
- 4 Information presented in this chapter is based on archival sources as indicated in the footnotes, and on the following published sources: *American Jewish Yearbook*, Vols. 49–53 (1948–52); Conference on Jewish Material Claims Against Germany, *Annual Report*, 1954 and 1955; J. Lestschinsky, *Crisis, Catastrophe and Survival* (New York, 1948); J. Lestschinsky, *The Position of the Jewish People Today* (New York, 1952); J. Lestschinsky, *The Diaspora after the War* (in Hebrew) (Jerusalem, 1958); J. Lestschinsky, 'The Balance Sheet of Extermination', *Jewish Affairs*, Vol. 1, No. 1, 1946, pp. 3–17; World Jewish Congress, *European Jewry Ten Years after the War* (New York: Institute of Jewish Affairs, 1956).
- 5 In Hamburg and Cologne approximately 50 per cent of Jewish school-age children attended private Jewish schools. See Lestschinsky, *Crisis and Survival*, pp. 64–73.
- 6 No documentation on this question could be found. However, the Conference's sensitivity on this point is clear from Kagan to Jordan, 8 December 1959, CC 14498.
- 7 According to Arnold Mandel, the Germans suspected a trick as they were unable to grasp the significance of the Consistoire's weakness, Institute of Jewish Affairs, *European Jewry*, p. 202.
- 8 *American Jewish Yearbook*, Vol. 51, 1950, p. 301.
- 9 See Michael Laskier, *The Alliance Israélite Universelle and the Jewish Communities of Morocco, 1862–1962* (New York: SUNY Press, 1983).
- 10 Memo from Laura Margolis-Jarblum to Moses Beckelman, 22 July 1953, in Country Directors Conference Annual Report, Paris, 1953, JDC Archives, New York.
- 11 I. Greilsammer, 'Jews of France. From Neutrality to Involvement', *Forum*, No. 3, 1979, p. 133.
- 12 Data on FSJU fundraising can be found in the address of Laura Margolis-Jarblum

- to the 1953 Country Directors Conference, and in the 1954 Country Report for France presented to the 1954 Country Directors Conference, CZA, S42-419.
- 13 Ibid.
 - 14 Moses Leavitt to the Civil Affairs Division, War Department, Washington, 6 June 1945, NA, RG 165, War Department Special and General Staff, Civil Affairs Division, Colonel Frost Subject Files, Box 845; the February 1945 estimate appears in Memorandum Soumis à la Commission d'Enquête by the Conseil d'Associations Juives de Belgique, cited in Daniel Dratwa, 'Genocide and Its Memories: A Preliminary Study on How Belgian Jewry Coped with the Results of the Holocaust', in Dan Michman, *Belgium and the Holocaust. Jews, Belgians, Germans* (Jerusalem: Yad Vashem, 1998), p. 523.
 - 15 Guy Mansbach address to JDC Country Directors Conference, Paris, November 1943, pp. 241–47.
 - 16 *American Jewish Yearbook*, 1945–50; Institute of Jewish Affairs, *European Jewry*, pp. 232–50.
 - 17 American Joint Distribution Committee, European Executive Council, Budget and Research Department Report No. 57, 20 October 1948.
 - 18 Joel Fishman, 'The War Orphan Controversy in the Netherlands: Major–Minor Relations', in Joseph Michman (ed.), *Dutch Jewish History* (Jerusalem, 1984), pp. 421–32.
 - 19 For a detailed study of the reconstruction of postwar Jewish communal life in Germany, see Ruth Schreiber, 'The New Organization of the Jewish Community in Germany, 1945–1952', PhD diss., Tel Aviv University, 1995.
 - 20 Soon after its establishment in September 1945, the US Military Government and the Allied Control Council abolished all Nazi laws directed against religious, racial or political groups. Further regulations restored German citizenship to the Jews. These regulations applied to Jews who had remained in Germany, and ignored the vast majority who had lost their German nationality because of emigration.
 - 21 *American Jewish Yearbook*, Vol. 51, 1950, p. 326. More precise data for the 1960s appears to confirm these figures: in 1967 there were 26,226 Jews registered in the Jewish communities of the Federal Republic, with an estimated additional 5–10,000 Jews who did not identify with the *Gemeinden*.
 - 22 Samuel Haber, 'Country Report: Germany', Appendix to AJDC Country Directors Conference, Paris, October 1954. The population statistics prepared by the Israeli Mission in Cologne are somewhat higher. See Chaim Yahil to Foreign Ministry, 11 October 1953, CZA, S42-420.
 - 23 Samuel Haber, AJDC Country Directors Conference, Minutes, Paris, October 1953, p. 159.
 - 24 JRSO, *After Five Years: Report of the Jewish Restitution Successor Organization on Restitution in the United States Zone of Germany* (Nuernberg, 1953), passim; and Ruth Schreiber, 'The New Jewish Communities in Germany after World War II and the Successor Organizations in the Western Zones', *Journal of Israeli History*, Vol. 18, nos. 2–3, Autumn 1997, pp. 167–90.
 - 25 American Jewish Joint Distribution Committee, European Executive Council, Budget and Research Department, Report No. 60, 22 November 1948. See also Rita Horvath, 'Jews in Hungary after the Holocaust: the National Relief Committee for Deportees 1945–1950', *Journal of Israeli History*, Vol. 19, No. 2 (Summer 1998).
 - 26 *American Jewish Yearbook*, Vols. 47–51, 1945–50; and JDC, Budget and Research Department Report 60.
 - 27 In accordance with their anti-Zionist campaign the Romanian authorities arrested

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the chief rabbi of Timișoara for concluding his sermon with the traditional prayer 'May the Redeemer come unto Zion'. The chief rabbi died a few days after he was released from prison.

28 See files relating to 'Survey of European Jewish Communities, 1955–1958', CC, Cultural Box X.

29 American Jewish Joint Distribution Committee, European Executive Council, Budget and Research Department Report No. 53, 21 September 1948, introductory note.

4 • Reparations and the Organizations

THE CONFERENCE on Jewish Material Claims Against Germany was, above all else, an expression of the cooperative efforts of the major Jewish organizations around the world. They cooperated in order to rehabilitate Jewish communities with funds obtained from restituted Jewish assets and reparations payments. In time, the Conference acquired an identity of its own, largely separate from the identities and prestige of the major and minor organizations which belonged to it. Nevertheless, in the critical phase following its inception at the Waldorf-Astoria Hotel in October 1951 until 1954, by which time the Conference was a smoothly functioning body which allocated the funds received from Germany according to agreed principles, the fledgling Claims Conference was characterized both by the collaboration of the major organizations which had led the battle for material reparations from Germany and the tensions among them.

The events of the previous 20 years had transformed the Jewish world. The organizations that predominated in Jewry were themselves still accommodating to these changes and to the changes in their relationships with each other. When the reparations agreements were concluded in 1952, it was clear to the major Jewish groups concerned – the Jewish Agency for Palestine, the American Jewish Joint Distribution Committee, the American Jewish Committee and the World Jewish Congress – that the manner in which reparations funds were allocated would profoundly affect not only the Jewish world but also the organizations themselves.

The debate on the allocation of reparations funds was primarily a debate on how to spend the funds for the maximum benefit of the Jewish communities that had suffered under the Nazis. But the debate

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also reflected different organizational interests and the conflicting world-views that the leading organizations represented. That this should be so for those groups that advocated specific ideologies of Jewish life (Agudat Yisrael, the Jewish Labor Committee, etc.) was expected and even welcomed. Only with hindsight, however, does it become apparent that this was equally true of the Joint, the Jewish Agency, and the American Jewish Committee. In order to understand the evolution of the Claims Conference immediately following the conclusion of the negotiations with Germany, it will be necessary to give a brief account of the relations between these bodies.

The American Jewish Committee (AJC), founded in 1906 to defend Jewish interests in the United States, had emerged as the single most influential Jewish group in America outside of the Zionist movement. It drew support from the well-established descendants of Jews who had reached America in the nineteenth century, and was dedicated to advancing the interests of American Jews *qua* Americans.¹ The AJC had actively lobbied the administration in Washington in favor of Jewish rights worldwide. In the years that followed the end of the war it was instrumental in ensuring the support of the United States government in the efforts to convince the German authorities to restitute Jewish property and enter into the reparations negotiations. The importance of the AJC in American Jewish life ensured it a role in all deliberations on the reparations question. However, its collaboration with the Israeli government and with the Jewish Agency was problematic. While most members of the AJC executive supported the Jewish state (although some were active opponents),² the Committee was united in rejecting the Zionist tenet that Jews living outside of Israel lived in an exile which should be terminated by the return of the Jewish people to its land. The AJC was committed to the belief in the viability of Jewish life in the diaspora.³ It worked hard to avoid any aspersions of dual loyalty on behalf of American Jewry.

In August 1950, the President of the AJC, Jacob Blaustein, obtained a definitive statement on the nature of Israel–diaspora relations from Israeli Prime Minister David Ben-Gurion, in which the Israeli government disavowed any claims on the political loyalties of Jews living outside its borders. Furthermore, contrary to accepted Zionist thinking and the policy of the Zionist Organization of America, Ben-Gurion undertook not to call for mass immigration (*aliyah*) from the United

States. In a public exchange of views in August 1950 (the Ben-Gurion–Blaustein Agreement), the Israeli Prime Minister declared:

Any weakening of American Jewry, any disruption of its communal life, any lowering of its sense of security, any diminution of its status, is a definite loss to Jews everywhere and to Israel in particular. . . Our success or failure depends in a large measure on our cooperation with, and on the strength of, the great Jewish community of the United States, and we, therefore, are anxious that nothing should be said or done which could in the slightest degree undermine the sense of security and stability of American Jewry.⁴

While this forthright statement conceded much to the views of the AJC and ensured its cooperation, the organization maintained a vigilant watch on Israel–diaspora relations. It reacted quickly whenever it felt that Jerusalem had exceeded the agreed bounds. So sensitive was the issue of Israeli-supported Zionist activity in the United States that throughout 1951 the AJC threatened to end all collaboration with the Jewish Agency and all support for joint fundraising unless the Agency and the World Zionist Organization agreed to conform to the spirit of the agreement of August 1950.⁵ In the course of the negotiations with Germany, and afterwards when the Claims Conference dealt with the problems of allocating the reparations funds, the AJC had frequent cause to defend the boundaries of Israel–diaspora relations.

The initiators of the Waldorf-Astoria meeting in October 1951, where the Claims Conference was born, saw the new body largely as an adjunct of Israel's strategy in the negotiations with Germany.⁶ However, the AJC had a radically different understanding of the functions of the new organization. It refused to concede priority to Israel's claims against Germany over the claims of the diaspora for reparations, at least in the months prior to the start of the negotiations.⁷

The fact that the Claims Conference emerged as an independent entity with its own program and own income was largely because of the determination of the JDC, the AJC, and Blaustein personally, to balance Israel's primacy in the Jewish world.⁸ Blaustein's position and that of the AJC was explicit from the very beginning and was consistent throughout the work of the Claims Conference. He accepted Goldmann's invitation to the Waldorf-Astoria meeting only under certain

terms: 'Notwithstanding the original invitation by the Jewish Agency, the conference will convene and be conducted under the joint and equal sponsorship of all participating organizations, employing perhaps the device of a rotating chairmanship.'⁹

The success of the negotiations at Wassenaar to obtain a separate global payment from the Federal Republic which was independent of the payment to Israel was, ironically, also of vital importance to the Jewish Agency, which was engaged in its own struggle with the Israeli government. During the days of the British Mandate, the Jewish Agency was in effect a government-in-embryo for the Jewish community on Palestine. Following Israel's independence the functions of government naturally passed to the newly created ministries, while the Agency, 'with its palatial offices and network of international connections' (as a British High Commissioner, Sir Harold MacMichael, once described it with some exaggeration and a considerable degree of resentment), remained with greatly reduced functions. The tasks of immigrant absorption and settlement on the land were left in its domain by the government, as was the task of liaison with the Jewish communities outside of Israel. In fact, this was the real reason why the Israeli government continued to tolerate the existence of the Jewish Agency. The risk of incurring the charge of 'dual loyalties' prevented Jews who were not Israeli citizens from entering into direct contact with the Israeli government. But the Agency, representing the World Zionist Organization rather than a sovereign and foreign government, was free to maintain the links with communities overseas.¹⁰

The exact legal standing of the Jewish Agency remained unclear until 1951, when an attempt was made to formalize its role by legislation. However, the first World Zionist Organization/Jewish Agency Status Law, which was passed by the Knesset in early 1951, was too vague to satisfy many Jewish groups. A second bill was prepared during 18 months of drafting and negotiations. During this period, the government periodically failed to pass on to the Jewish Agency the funds to which it was entitled.¹¹ This was no doubt the result of the critical shortage of funds available to the government. However, it was also the result of a growing willingness on the part of the Israeli government to reconsider the need for the continued existence of the Jewish Agency.

The reparations payments guaranteed the Agency a significant proportion of the total payment (18½ per cent), which ensured a degree of

budgetary independence from the government. It would be reasonable to surmise that Ben-Gurion's willingness to finally bring the second World Zionist Organization/Jewish Agency Status Law before the Knesset in November 1952, after 18 months of deliberations in Jerusalem, was not unrelated to the signing of the reparations agreements in Luxembourg in September 1952 and the related agreements between the Agency, the Claims Conference and Israel. As a result of the reparations negotiations and the parallel negotiations between the Jewish organizations which constituted the Claims Conference, the Jewish Agency had become an irreplaceable part of an intricate system of transfers and barter which made the payment of reparations from Germany possible, and it could no longer be swept aside.

The Claims Conference came into being at a fortuitous moment for the major Jewish organizations. The relations between the Jewish Agency, the World Jewish Congress, the American Jewish Committee and the Joint developed and matured in the context of the reparations process. Since 1946, when the first steps were jointly taken to ensure that as large a proportion as possible of looted Jewish assets be returned to the Jewish world, up to the collaborative effort to formulate and negotiate the claims against Germany, the reparations question had brought diverse organizations together.

The organizational and ideological factors which influenced this joint effort had a human side as well, and much of the history of the Claims Conference in its early years can only be understood in terms of the personal relations between Nahum Goldmann, co-chairman of the Jewish Agency,¹² and Jacob Blaustein, president of the AJC.¹³

Goldmann and Blaustein were very different personalities. Goldmann was a political figure, with standing and influence in the World Zionist Organization, the World Jewish Congress, and Israeli political life, as well as being co-chairman of the Agency. He had extensive contacts throughout the Jewish world and in international diplomatic circles. Both multilingual and fundamentally without any geographic roots, Goldmann was the quintessential cosmopolitan. Blaustein, on the other hand, the heir to an oil empire, possibly the richest man in America at the time, was an American businessman with a deep sense of Jewish communal responsibility.

They were both central to the workings and success of the Claims Conference. Their differences of temperament and working style

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profoundly influenced the functioning of the Conference. Blaustein worked out of his business headquarters (America House in Baltimore, Maryland) and was assisted by the staff of experts on Jewish affairs and politics in the New York offices of the American Jewish Committee. Not all of his closest advisers were sympathetic to the idea of negotiations with Germany, preferring instead to rely on the dwindling influence of the American occupation authorities in Germany to ensure at least the restitution of identifiable Jewish property.¹⁴ These same officials regularly reported to Blaustein on every appropriation of authority by Goldmann and on what they termed his 'anarchic' independence.¹⁵ The resentment which the AJC felt toward Goldmann derived from the latter's frequent failure to report on his contacts and negotiations behind the scenes on matters which closely affected the interests of the Conference.

An example of Goldmann's political manner was his secret meeting with Adenauer in December 1951 in London. Goldmann met the German chancellor to determine the seriousness of Germany's willingness to pay reparations. He did so without the authority of the Presidium set up by the Claims Conference, even though the Presidium was at that time deliberating how best to determine Germany's intentions without exposing itself to the embarrassment of premature political contacts with the Federal Republic. Furthermore, Goldmann refused to give any account of his meeting to Blaustein or the Presidium until he was forced to do so. By January 1952, Blaustein's advisers had concluded that 'as a result of Goldmann's unauthorized political activities, it has become a very risky and undesirable proposition for the AJC to stay on with the Conference'.¹⁶ (Ironically, a few weeks later Blaustein himself met with Chancellor Adenauer in London and it was the turn of other members of the Presidium to complain that Blaustein was acting without the knowledge of the authorized bodies of the Claims Conference.)¹⁷

The Presidium of major Jewish leaders had been established to guide the Claims Conference in this most sensitive phase of its existence. It was charged with overall responsibility for the direction of the negotiations. In addition to Goldmann and Blaustein, it consisted of Jules Braunschwig, Vice-President of the Alliance Israélite Universelle; Frank Goldman, President of B'nai Brith; Dr Israel Goldstein, President of the American Jewish Congress; Adolph Held, Chairman of the Jewish

Labor Committee; and Barnett Janner MP, Vice President of the Board of Deputies of British Jews.

However, Goldmann frequently neglected to keep the Presidium informed of his actions. It seems likely that at least one reason for Goldmann's pattern of conducting the affairs of the Claims Conference and the other organizations in which he was involved was his constant travels. Rather than maintain a regular correspondence and accounting of his activities, Goldmann communicated by terse telegrams in the course of his travels. As much of what he had to say was of great political sensitivity, his messages were usually a promise of a full report when the opportunity arose for a personal meeting with the recipient of his missives. Such opportunities appeared infrequently in his busy schedule of international engagements.

The contrast with Blaustein's orderly working habits and his bevy of advisers and secretaries could hardly have been greater. Their differences in working style were constantly reflected in their different approaches to what became the main task of the Claims Conference in later years – the allocation of funds. Each constituent organization had an opportunity to study the applications for grants, and the recommendations of the rapporteurs, before voting on allocations at the annual meeting of the Board of Directors of the Claims Conference. Prior to the meetings, a massive collection of papers (called the 'Black Book' after its somber binding) was distributed to all those attending. Blaustein's personal copy was closely marked and annotated, a sign that he had studied each of the requests for funds. Goldmann's copies remain unmarked, and were probably not even read. Goldmann was not interested in the details of any particular application but rather in the overall balance of allocations to all the streams within the Jewish world. On one occasion, Blaustein drew Goldmann's attention to what the former presumably saw as a dereliction of duty. Goldmann replied that while Blaustein was a retailer of Jewish interests, he himself 'dealt only in wholesale'.¹⁸

Their relationship was marked by a certain degree of personal tension. Goldmann confidentially described Blaustein as 'bursting with vanity'.¹⁹ One official of the AJC who was familiar with both men recounts that Blaustein's relations with Goldmann were influenced by his jealousy of Goldmann's abilities and prominence.²⁰ Seymour Rubin, a legal adviser to the Conference and other organizations active

in reparations, noted that 'the relationship between Nahum Goldmann and Jacob Blaustein was never the easiest relationship in the world. They are both strong-minded people with highly developed egos on both sides'.²¹

Despite their personal, ideological and practical differences, Blaustein and Goldmann did work together effectively within the Claims Conference, a fact that facilitated cooperation between the American Jewish Committee and Zionist bodies in general. That they could do so was in part the result of the influence of a third personality who was ideologically neutral and who effectively held the balance between them. As Executive Vice-Chairman of the Joint Distribution Committee, Moses Leavitt was the third member of the 'Senior Officers' of the Claims Conference Executive Committee, an inner cabinet without whose approval no major decisions could be taken.

Technically, the Joint was a welfare agency that distributed funds which other organizations had raised. Officially it had no political role and it did not claim to represent any Jewish community. Consequently it attended the Waldorf-Astoria meeting only as an observer.²² But in practice the Joint had been very involved in all facets of the postwar displaced persons problem. It was also actively involved in the restitution process through its participation in the Jewish Restitution Successor Organization, and as a recipient of reparations via the International Refugee Organization. When the Claims Conference sought a leader of its delegation to the Wassenaar negotiations it turned to Leavitt, although he only joined the Claims Conference Board as a representative of the Joint in December 1952, that is four months after the conclusion of the negotiations.²³

As the Joint was the only organization capable of utilizing the bulk of the funds that the Claims Conference was to receive for welfare and rehabilitation, it was inevitable that the JDC would come to play a central role in the work of the Claims Conference. However, it was only in 1953, after the end of the negotiations with the Germans, that the relationship between the Joint and the Conference was formally debated and decided on. Until that relationship was clarified the JDC faced the prospect of continually declining income, and from 1950 it began to wind down many of its programs in Europe. From a peak of \$72,000,000 in 1948, the Joint's annual budget declined rapidly to \$21,000,000 in 1952. Admittedly, the European displaced persons

problem had been largely solved by then, and the Joint's programs in Eastern Europe were being progressively terminated by the communist regimes concerned. But the JDC was involved in many programs of community rehabilitation in Europe which it was no longer able to finance. Furthermore, new areas of urgent need had opened up among the Jewish communities of North Africa, the Middle East and Iran, which the Joint's shrinking income made it impossible to meet.

The bulk of the Joint's income was derived from the United Jewish Appeal (UJA) annual fundraising campaigns. The Joint received 33 per cent of the first \$55 million dollars raised, and a further 12.5 per cent of funds raised over that sum. (The balance of the sums raised went to the Jewish Agency in Israel.) Funds from this source represented approximately 80 per cent of the JDC's entire budget, but they had been declining steadily. Between 1950 and 1951 they had dropped by as much as 25 per cent. Reimbursements by the International Refugee Organization of the United Nations for the Joint's migration and resettlement activities, the other major source of funds, vanished completely in 1951 as that body ceased to function. Overnight the Joint had lost a further 15 per cent of its income.²⁴ In view of its rapidly declining budget, the prospect of sharing in the reparations payments to the Claims Conference became increasingly important to the JDC.

Each of the principal organizations behind the Claims Conference – the Jewish Agency, the American Jewish Committee, the World Jewish Congress and the Joint Distribution Committee – and the Senior Officers of the Conference that stood at the head of these organizations – Goldmann, Blaustein and Leavitt – had their own expectations of the negotiations with the Germans and their own interests to protect. The ideological conflict between Israel and the Jewish Agency on the one hand, and the American Jewish Committee on the other, was the issue with the greatest potential for confrontation. While the negotiations at Wassenaar were underway, these organizations succeeded in overcoming their differences and in fact used them to create a complex financial arrangement that facilitated the work of the Claims Conference while at the same time meeting the interests of each of them. It is to this arrangement and the talks which led up to it that this account now turns.

In the months that followed the Waldorf-Astoria meeting, the Claims Conference faced the task of formulating its claim against Germany

and coordinating its position with that of Israel. The decision to subordinate the global claim of the Conference to Israel's global claim was a significant concession on the part of the American Jewish Committee, given their original demand for parity between the Israeli and the non-Israeli claims (see Chapter 2). It is doubtful whether the AJC would have obtained sufficient support from the other member organizations of the Claims Conference to insist on parity. Nevertheless, its willingness to abandon parity was due to the offer of the Israeli government to re-allocate to the Claims Conference part of the funds it hoped to receive from Germany. The first hint of such an arrangement came in December. Goldmann informed the Conference that should the Germans agree to pay only one global settlement (to Israel), then the Israeli government would allocate one-third of the funds to the organizations for their own activities within Israel, less a small amount (five per cent) for use elsewhere.²⁵

When the Presidium of the Conference met with an Israeli delegation in Paris in February 1952, the issue was raised again. The Israelis substantially improved their contingency offer in the event of only one global settlement being paid. Negotiations continued on the issue during March in London. Adolph Held, a member of the Presidium and a leading figure in the Jewish Labor Committee of America, argued that the two-thirds/one-third division should be retained for the sake of the prestige of the Claims Conference, even if only a smaller part of the Conference's one-third would be available for the Conference's own allocations outside Israel. (The balance of the Conference's portion would be spent in Israel.) However, it was now agreed that the proportion of the funds effectively made available to the Conference would be increased from the original offer of five to 15 per cent.²⁶ There are few records of these talks. But in a March 1952 report to Blaustein and Frank Goldman (president of the B'nai Brith), Blaustein's close ally on the question of Israel–diaspora relations, Leavitt explained that the division reflected the existing division of UJA funds between Israel and the JDC (taking into account the proportion of those funds which the JDC itself spent in Israel) and the division of JRSO funds between the JDC and the Jewish Agency.²⁷

As the Claims Conference had resolved to present its own global claim, there was no reason before the negotiations with Germany to press for any further clarification of the agreement in principle to link

payments from Germany and reallocate them between the diaspora and Israel. The principle had been agreed upon but the details and implications of the agreement remained vague.

When the talks in Wassenaar broke down, the negotiating effort shifted to Goldmann's direct contacts with Adenauer and German officials in Bonn. In the course of his talks in May and June 1952, Goldmann succeeded in breaking the deadlock over the Israel-Federal Republic talks. But at the same time, as we have seen, he was forced to make major concessions on the global claim of the Claims Conference, agreeing to reduce it from \$500 million to DM 450 million, which was less than one-quarter of the original amount.²⁸ Goldmann had achieved a considerable negotiating success for Israeli interests, but at the apparent expense of the interests of the diaspora organizations.

In the course of the negotiations it had become clear that the Germans gave the lowest priority to the Conference's global claim. Prior to Goldmann's intervention with the Germans, Leavitt had warned the Presidium that he expected the Germans would make a 'most unsatisfactory offer', and the Presidium debated whether it might have to settle only for the legislative program relating to individual reparations and indemnification, and abandon the Conference's global claim altogether.²⁹ Thus when Goldmann reported that the Germans had agreed to a much reduced claim for the Conference, Blaustein raised no objections.³⁰ Any doubts as to whether the interests of the diaspora organizations had been sacrificed in order that the Germans would agree to pay Israel's much larger claim were no doubt assuaged by the knowledge that Israel and the Conference had agreed to combine the settlements reached by each and to reallocate the sums according to the prearranged formula.

The discrepancy between the sum to be paid to Israel (DM 3 billion) and the sum to be paid to the Claims Conference was so large that the February-March 1952 agreement with Israel on the division of the total reparations payments was now clearly in the Conference's favor. The agreed 15 per cent of the total was DM 67 million larger than the sum the Germans finally agreed to pay the Conference.

The Jewish Agency attempted to have the sum revised down to 12 per cent.³¹ Goldmann defended the original agreement, and tried to convince the Jewish Agency's office in Jerusalem to abide by it by pointing out that the Claims Conference funds would largely be spent by the

Joint, whose share in the UJA allocation could then be reduced accordingly, thus increasing the sums left for Israel. As he pointed out to his Jewish Agency co-chairman, Berl Locker, 'we would practically receive the money back from the UJA'.³² The Joint was alert to this danger but was able to ward it off by the threat of suspending its Malben program, which would not only have caused much hardship in Israel but would also have upset the arrangement which enabled the Conference–Israel relationship to function.³³ One year later, the Agency attempted to revive discussion of a possible reduction of the Joint's share of UJA funds – but once again to no avail.³⁴

The AJC was now in the paradoxical situation of jointly presiding over substantial funds which were to come primarily from Germany but also in part from Israel. Furthermore, the original proposal of formally allocating the Claims Conference one-third of the sums which Israel was to receive still stood. Even though the bulk of this money was to be spent in Israel and the Conference's effective share 15 per cent, the question of how the balance of (18½ per cent) was to be spent on Israeli programs, and under whose aegis, was still unresolved. Formally at least, the AJC was now a partner in the distribution of extensive funds within Israel.

Germany insisted that it was unable to pay the reparations in cash. Instead, the funds would be paid as purchasing credits for an Israeli purchasing office in Germany. Goods obtained with these credits were then to be sold in Israel, and Israel would reimburse the Claims Conference with its share of the reparations, plus the difference between that share and 15 per cent of the total sum paid to Israel.³⁵ In July and August, as the negotiations with Germany continued at Wassenaar, the Claims Conference and the Israeli government began a parallel set of negotiations to formalize the procedures of this transaction.

These negotiations proved unexpectedly difficult. At times they caused a lot of bitterness between the treasurer of the Jewish Agency, Giora Josephthal, and Blaustein. In the end, an agreement was signed between the Claims Conference and the government of Israel setting out the terms of Israel's obligations to the Conference, the timing of the payments and the rates of exchange at which the payments would be calculated. An additional agreement was signed between the Joint and the Jewish Agency, on the one hand, and the Claims Conference on the

other, whereby the former organizations undertook to guarantee Israel's payment to the Conference up to one-third of the sum owing should Israel default. The agreements were signed in New York at the same time that the agreements with Germany were signed in Luxembourg.³⁶

The question of how Israel was to find the necessary foreign currency to discharge its debts to the Conference was solved by an arrangement with the JDC. The Joint operated an extensive welfare service in Israel (Malben), for which it annually budgeted \$6–7,000,000. Under the terms of an understanding between the Joint, the Conference and the Israeli government, the Joint provided the Conference with the dollars it would otherwise have sent to Israel, and the Israeli Treasury provided the Joint with the equivalent amount in Israeli currency for its Malben expenses.³⁷ The Joint thus had a central role in the relations between the Claims Conference and Israel. But at the conclusion of the negotiations in Wassenaar no decisions had been taken concerning the Joint's role in using the funds which the Conference was to obtain.

Once the Luxembourg Agreements were signed the Conference began to address itself to the question of how it intended to use the money it would be receiving. The issues were very practical: would all (as the Germans had demanded) or only part of the funds be used for welfare and assistance programs? Would a cultural program be instituted? On what principles were allocations to be made? Would a separate network for evaluating applications and supervising allocations be set up, or would existing organizations be made use of? These questions vitally affected the Joint.

In accordance with its undertakings to Germany, the Conference was incorporated as a legal entity in New York in November 1953. The first payments were scheduled to be made by Israel to the Conference (Inc.) at the end of December 1953 (six months after the end of the first three-monthly period in which Israel received German goods under the agreements). In the period between incorporation and the receipt of the first funds, the Conference attempted to reach a consensus on the issues discussed above.

The question of the Joint's exact relationship to the Claims Conference and its role in the expenditure of the funds which the Conference was to receive had already emerged as a point of some controversy during the negotiations in Wassenaar. In the course of

drafting the protocol setting out the purposes for which the global claim could be used, a fundamental difference of opinion arose between the Conference negotiating team and the German delegation. The Germans wanted the funds to be used for the benefit of needy victims of Nazi persecution whose claims for individual indemnification had not been recognized by the German courts. In this way the Germans could always direct any unsatisfied claimants to the Claims Conference and thus absolve themselves of any further concern for the individual case. The Conference negotiating team, however, was determined to retain as much freedom of action as possible for the Conference when it came to allocating funds. Rehabilitation, they argued, could only be achieved if the needs of the victims were defined in as wide a sense as possible, including cultural and communal needs. These could not be provided out of the global settlement if the agreement defined it as a 'hardship fund' for the benefit of needy individuals. Such a construction would have restricted the expenditure to welfare programs only.

The differences over the term 'hardship fund' were between the German and Conference delegations. However, the disagreement over the term 'needy' victims became an argument between the Conference negotiating team, led by the Joint's Leavitt, and the Conference Presidium. The Presidium, wishing to maintain as much freedom of action as possible in the future allocations, had instructed Leavitt to have both 'hardship fund' and the reference to 'needy' victims dropped from the draft agreed with the Germans. The Presidium explained that 'We must avoid giving the Germans an opportunity of interfering in the disposition of Conference proceeds'.³⁸ Leavitt chose not to tackle the Germans on the 'needy' phrase, and the Presidium felt that he was intentionally overriding its wishes in order to increase the JDC's leverage over the fund. If the money was to be spent only for needy victims (that is, welfare), then the Joint would be the natural channel of the funds.

Adolph Held reflected the views of those who wished to devote the reparations income to as wide a range of community reconstruction programs as possible, when he stated:

Perhaps the Presidium made an error in their choice of a negotiator, for this clause is definitely an opportunity to give the JDC a chance to use the fund. The JDC is a very worthwhile

organization but the intention had been to use these funds for wider purposes.³⁹

The final version of Protocol II of the German-Conference Agreement avoided the term 'needy', and the question of whether Leavitt had overstepped his authority in the negotiations became irrelevant. The Presidium's final verdict on Leavitt's conduct of the negotiations was that he had conducted them with great skill and had faithfully represented the interests of the Conference. Nevertheless, at the end of the negotiations, the question of the Joint's future relationship with the Conference remained open.

Throughout the negotiations, the officers of the Joint had assumed that their organization would be the Claims Conference's operating agent. It would disburse the funds from Germany for the benefit of the victims of Nazi persecution through its relief and rehabilitation programs, in the same way as it disbursed the money raised by the United Jewish Appeal by JRSO, and by the other sources of the JDC's income. No other organization could match the Joint's experience, nor did any of the Jewish relief organizations have as extensive a network of trained professional welfare officers as the Joint employed. If the Claims Conference resolved to establish its own network of rapporteurs to investigate applications for funds and supervise those projects which it decided to support, it would be a clear case of wasteful and expensive duplication of administrative effort. Furthermore, the Joint was clearly linked to the Conference through the transfer arrangement which would enable Israel to discharge its foreign currency obligations to the Conference.

The Presidium seriously addressed this issue at its first meeting after the Luxembourg Agreements had been signed. When it convened in October 1952, Leavitt explained why the Joint should be given the task of disbursing the Conference's funds outside of Israel, and the Jewish Agency given the same task within Israel. In addition to the obvious reasons for relying on the Joint, Leavitt pointed out that only the use of an experienced operating agency would avoid possible charges that the Conference might be misusing the reparations funds. However, Leavitt added, the Joint required certain assurances from the Conference before it would take on the task:

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The JDC would not consent to receiving instructions from the Conference as to the manner in which the funds were to be expended. The JDC will submit to the Conference its budget and needs. The JDC will submit certified accounts of the moneys expended. However, the JDC will not accept specific earmarking and directions regarding these funds. It can accept them on no other basis.⁴⁰

Leavitt's comments opened up a Pandora's box of difficulties. It had not yet been decided which organization would supervise the distribution of the proportion of the reparations funds which were to be spent in Israel, although Goldmann had also advised that the Jewish Agency be given this task. However, if the Agency and the Joint were both appointed as the Conference's operating agents, and if both demanded the degree of independence in their allocations that Leavitt had set out as a condition for the Joint's collaboration, then there would be little left for the Conference itself to do. In fact, Goldmann had already suggested confidentially to some members of the Presidium that the incorporation of the Conference be avoided (with the implication that its existence be terminated precisely for this reason).⁴¹ Goldmann did not express this view openly to the Presidium. But his close associate, Dr Israel Goldstein, did so implicitly when he pointed out that the main job of the Conference had been to conduct the negotiations and bring them to a successful conclusion. The only reason, he argued, for incorporating the Conference and ensuring its continued legal existence for the duration of the reparations payments was the insistence of the German government.

Thus the entire function of the Claims Conference after the negotiations had been completed was brought into question by the nature of its relations with the Joint and the Jewish Agency (although the ties to the latter proved to be far less controversial). The issue at stake was essentially similar to the debate between the American Jewish Committee and Goldmann one year earlier over the question of parity between the claims of Israel and the diaspora organizations. If Goldmann's and Leavitt's proposals were adopted, the achievement of a separate reparations payment by Germany to the Jewish organizations would not fundamentally change the primacy of the Agency and the Joint in the Jewish world. As the American offices of the AJC reported to their

office in Paris, the Jewish Agency and the JDC wanted to achieve a 'monopoly situation'.⁴²

Not surprisingly, with the prospect of an influx of reparation funds, questions were also raised concerning the traditional financial relations between the Jewish Agency and the Joint. The Conference undertook to provide the Joint with a major part of its budget at a time when the Joint's needs in Europe were declining. Following the mass immigration into Israel immediately after independence, however, the opposite was true for the needs of the Jewish Agency, which grew dramatically. Thus, during 1953, Josephthal suggested to Leavitt that 'the larger part of whatever proceeds you get from the reparations money should be deducted from U[nited] J[ewish] A[ppel] income'.⁴³ If this proposal had been accepted, the effect would have been to turn the Claims Conference and its independent budget into a fiction. Conference funds would have gone to the Joint as a replacement for lost UJA income, while the Agency's budget in Israel would have increased dramatically. It is not surprising that Josephthal's proposal was not taken up by his American colleagues.

The opposition to the Joint's assumption of the task of allocating the reparations funds was not based solely on considerations of prestige and primacy. The Joint's influence within European Jewish communities was due only in part to its expertise and experience as a welfare agency. Its influence was also due to the fact that it was the channel of American Jewish philanthropy. While the JDC provided the funds, it was accorded the role of supervising their disbursement. But the Claims Conference was to disburse German funds as the rightful due of communities which were the victims of Nazism. It was the view of the American Jewish Committee that it was 'undesirable to give European Jewry the impression that everything depends on the JDC, that the European communities are to be kept on the JDC apron-string and that even as supposedly independent entities, these communities are to remain indefinitely under JDC control'.⁴⁴

At the Presidium meeting, Blaustein reacted strongly to the views of Goldstein and to Leavitt's proposal:

. . . he was amazed by the opinion of Dr Goldstein that the primary responsibility of the Conference ended with the obtaining of the funds. He felt that the disbursement was also a primary

function of the Conference, even though the Conference had a right to delegate that function . . . he did not feel that the Conference should become an adjunct of the JDC or the Agency or any other organization . . . the Conference could not abandon its own responsibilities by availing itself of Mr Leavitt's suggestion . . . Moreover, Mr Blaustein felt that the problem of supervision was not as complicated or difficult as presented by Mr Leavitt . . . and that the Conference should not be deterred from doing a proper job by the fear that it would not be able to exercise proper supervision.⁴⁵

In the course of the debate, Adolph Held proposed a compromise approach which was in accordance with the position he had supported throughout the negotiations – that as far as the Conference's welfare program was concerned the Joint was the obvious operating agency, but the Conference must also devote part of its income to a cultural program which it itself would have to supervise.⁴⁶

Nothing was resolved in the course of this meeting of the Presidium. There was still an element of unreality in any debate on the expenditure of funds as the German Bundestag had not yet ratified the Luxembourg Agreements. As incorporation of the Conference was one of the conditions of the Agreement, the debate on the continued existence of the Conference was pointless. Furthermore, the Presidium had only been created to supervise the negotiations in Wassenaar, and had no mandate to resolve problems as far-reaching as those which had been debated at its October meeting. The Presidium disbanded shortly afterwards and the focus of policy-making reverted to the Executive Committee of the Conference, which convened in New York in January 1953. In addition to the members of the Presidium, the Committee included Samuel Bronfman (Canadian Jewish Congress), Dr Rudolf Callman (Council for the Protection of Rights and Interests of Jews From Germany), Sir Henry D'Avigdor Goldsmid (Central British Fund), Shad Polier (American Jewish Congress), and Dr Isaac Lewin (Agudath Israel World Organization).

With the successful completion of the task of incorporation, and the reactivation of the Executive Committee, the debate over the function of the Conference after the negotiations and the choice of operating agency had largely been defused. The logic of the Joint's position

prevailed. It was the most experienced agency, with an existing network of officials capable of administering the Conference's relief and rehabilitation program. It was in any case a vital component of the Conference-Israel agreement. But the Joint's case was now argued in a different way. Instead of the demand that the Joint be given a free hand as operating agency, the Joint was required to submit an application for funds like any other applicant organization. This application would be debated by the Board of Directors (that is, by the annual meeting of representatives of all the constituent organizations of the Conference). The difference between the Joint's annual application and those of other bodies was only one of size – the Joint would apply for \$6–7,000,000 annually, which represented some 80 per cent of the Conference's estimated annual income.

Although in theory the Conference retained the right to evaluate the Joint's annual application for funds, the relationship between the two organizations was symbiotic. Each influenced the other. The Conference never seriously exercised the right to intervene in the Joint's own programs. But Saul Kagan regularly addressed the JDC's annual meetings (of heads of department or of country directors), where all the major issues of Jewish communal life throughout the diaspora were debated. The overall scope of communal needs around the world was weighed, and the Joint was able to formulate its own application to the Claims Conference after taking into consideration its other sources of income and the changing patterns of Jewish need. As Kagan supervised the continual collation of applications coming into the Conference's offices in New York, he had a unique vantage point from which to judge the areas of greatest need and urgency. By his participation in the Joint's own internal deliberations, as much as by his close working relationship with Leavitt, Kagan contributed to the formulation of JDC policy and to the specific contents of its annual application for Conference funds.⁴⁷ He was also the address for disgruntled European Jewish community leaders, whenever they disagreed with the JDC's priorities in allocating funds in their communities.⁴⁸

The most significant distinction between this arrangement and Leavitt's original suggestion that the JDC become the Conference's operating agent lay in the balance of the budget which remained after the Joint's application had been granted. The budget remaining to the Claims Conference after the needs of relief and rehabilitation had been

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met became, in the course of time, the basis for the Conference's own unique contribution to the reconstruction of the Jewish world after the devastation of the Holocaust. The disagreements of the preceding months between the Presidium and the Joint, and between Blaustein and Held on the one hand and Goldmann and Goldstein on the other, were formally resolved when the Conference set about studying the challenge of implementing a cultural program of its own. In May 1953, the Executive Committee instructed Goldmann to appoint a sub-committee to prepare recommendations on the procedure for handling applications to the Conference for funds and another subcommittee to prepare recommendations for a cultural program.⁴⁹

NOTES

- 1 Sociologist Peter Y. Medding has described the American Jewish Committee as 'German patrician, elitist, wealthy and self-appointed', and as 'an elite body seeking to represent American Jewry, whose membership of a few hundred was hand picked and dominated by a central core of New York patricians'. Peter Y. Medding, 'Patterns of Political Organization and Leadership in Contemporary Jewish Communities', in D. Elazar (ed.) *Kinship and Consent* (Ramat Gan, 1981), pp. 261, 263 respectively.
- 2 Lessing Rosenwald, a member of the AJC Executive Council, was also a leading proponent of the virulently anti-Zionist American Council for Judaism. In October 1949 the AJC formally disapproved of the Council for Judaism's methods.
- 3 Naomi W. Cohen, *Not Free to Desist. A History of the American Jewish Committee 1906–1966* (Philadelphia: Jewish Publication Society, 1972), p. 309.
- 4 From Statement by Prime Minister of Israel at Luncheon at King David Hotel, Jerusalem, 23 August 1950. For a discussion of why Ben-Gurion chose to define the position of the Israeli government in a declaration to the leading American non-Zionist, rather than to a representative of the American Zionist movement, and the implications of the Ben-Gurion–Blaustein Agreement for their relations with Israel. See Melvin Urofsky, 'The Vision Disrupted', *Forum*, No. 28–29, 1978, pp. 59–79; Charles S. Liebman, 'The Israel Government and the Zionist Movement', *Forum*, No. 28–29, pp. 38–56; and Liebman, 'Diaspora Influence on Israel: The Ben-Gurion–Blaustein "Exchange" and Its Aftermath', *Jewish Social Studies* 36 (July–October, 1974), pp. 271–80.
- 5 The dispute was over the financial relations between the Jewish Agency and the World Jewish Congress, which the AJC insisted be terminated as it believed that they provided for Agency funds to be used for Zionist education in the diaspora. See Blaustein–Goldmann correspondence on CZA, Z6-206 and Z6-207.
- 6 On the original Israeli view of the function of the meeting of Jewish organizations, see Felix E. Shinar (Israel Foreign Office) to Goldmann, 12 September 1951, CZA, Z6-229. The organizers were forced to change their conception of the meeting as a result of the pressure of a number of the organizations invited, Halprin (Jewish Agency, Jerusalem) to Goldmann, 17 October 1951, CZA, Z6-195.

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- 7 The AJC press release following the conclusion of the Waldorf-Astoria meeting stated that 'Blaustein stressed the equality of status and importance of the non-Israeli claim with that of the Israeli claim', American Jewish Committee Archives, New York (hereafter AJC), File 'Restitution-Germany Conference Material 1953-1955'.
- 8 Author's interview with Saul Kagan, 1984
- 9 Blaustein to Goldmann, 18 October 1951, AJC Archives, Rest. and Indem. Files.
- 10 An additional reason was the unwillingness of diaspora Jewry to surrender control of Jewish National Fund land to the Israeli government.
- 11 Correspondence on CZA, Z6-196 and Z6-330, and *Haboker*, 2 September 1952.
- 12 Goldmann shared the chairmanship with Berl Locker, who was responsible for the actual running of the Agency's affairs on a day-to-day basis.
- 13 Blaustein remained very active as the Senior Vice-President of the Claims Conference throughout the Conference's existence, even after he had resigned as president of the AJC.
- 14 Letter of Eugene Hevesi to author, June 1982.
- 15 See 'Comments and Proposals in Connection with Dr Nahum Goldmann's Recent Activities in the Name of the Claims Conference', 31 December 1951, AJC, Restitution-Germany Conference Material 1953-1959.
- 16 'Outline of Discussion with Nahum Goldmann', 9 January 1952, *ibid*.
- 17 Israel Goldstein to Moses Leavitt, 27 February 1952, Goldstein Papers, Me 2501(b).
- 18 As recounted to the author by Saul Kagan.
- 19 Goldmann to Israel Goldstein, 5 August 1952, Goldstein Papers, file 2501(d).
- 20 Abraham Karlikow interview with the author, June 1982.
- 21 Institute of Contemporary Jewry, The Hebrew University, Jerusalem, Oral History Project, Interview (81)7, p. 9.
- 22 The JDC was represented at the meeting by Joseph Schwartz.
- 23 When the Claims Conference delegation assembled at Wassenaar it became apparent that no one had made provisions to meet the delegation's expenses. The Joint was the only organization capable of raising the necessary sum (\$10,000) quickly, JDC Archive, New York, General Claims Conference File 1951-52.
- 24 JDC Archives, New York, Loeb and Tropper Auditors Reports of the American Joint Distribution Committee, 1950-74.
- 25 Goldmann to Executive Committee, 27 December 1951, Goldstein Papers, File 2501(a).
- 26 Moses Leavitt to Presidium, 29 July 1952, Goldstein Papers, File 2501(d). Goldmann, in a letter to Locker of 28 March 1952, also mentions 15 per cent as the sum available to the Claims Conference for its own non-Israeli programs, CZA, Z6-330.
- 27 Leavitt to Blaustein and Goldmann, 10 March 1952, AJC Archives.
- 28 The payment of a global claim to the Conference was agreed between Goldmann and German officials in Bonn on 11 June 1952. The subsequent negotiations on the Conference's global claim were over the justification for the claim and the purposes for which the money could be spent.
- 29 Minutes of Presidium meeting, 30 April 1952, CC 16601.
- 30 Minutes of Presidium meeting, 13 June 1952, *ibid*.
- 31 Kagan memo to Presidium: Agreement with Israel, 23 July 1952, CC 16811.
- 32 Goldmann to Locker, 6 August 1952, CZA, Z6-330.
- 33 Schwartz to Leavitt, 1 August 1952, JDC Archives, New York, General Claims Conference File 1951-52.
- 34 Josephthal to Leavitt, 9 June 1953, CZA, S42-61. See also correspondence on CC

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- 16811, and Goldstein to Goldmann, 24 July 1952, Goldstein Papers, file 2501(d).
- 35 On the workings of the Israel Purchasing Mission in Germany, see Yeshayahu Jelinek, 'Implementing the Luxembourg Agreement: The Purchasing Mission and the Israeli Economy', *Journal of Israeli History*, Vol. 18, Nos. 2–3, Autumn 1997, pp. 191–210.
- 36 Israel Government–JDC–Jewish Agency Agreement, New York, 25 September 1952
- 37 On the JDC's expenditures in Israel for Malben and the resulting ties with the Jewish Agency, see 'Malben–Jewish Agency, 1953–1956', CZA, S42-235.
- 38 Kagan to Leavitt, 31 July 1952, CC 16601.
- 39 Minutes of Presidium meeting, 11 August 1952.
- 40 Ibid., 2 October 1952.
- 41 'Incorporation would mean perpetuating Conference for next ten years which is inadvisable for many reasons especially from viewpoint of Agency', Goldmann to Goldstein, 4 August 1952, Goldstein Papers, File 2501(d).
- 42 AJC, New York to AJC Paris, 16 December 1952, AJC Archives, Restitution and Indemnification Files, 1951–52, RG 17.
- 43 Giora Josephthal to Moses Leavitt, 9 June 1953, CZA, S42-61.
- 44 Eugene Hevesi to Z. Schushter, 13 November 1953.
- 45 Minutes of Presidium meeting, 2 October 1952, CC 16601.
- 46 Ibid.
- 47 Herbert Katzki interview with the author, JDC offices, New York, December 1986. The significance of the Conference's participation in the Joint's deliberations is evident from the Joint's own records. See, for example, minutes of the meeting of department heads, 27 January 1955, JDC Archives, New York.
- 48 Kagan interview with the author, December 1986.
- 49 Memorandum to Members of Executive Committee, 22 May 1953, CC 6677.

5 • *Principles of Allocation and the Cultural Program*

‘Conference funds are going to open up the greatest Pandora box of headaches and excitement during the next year.’¹

THE DISAGREEMENTS over the role of the JDC within the Claims Conference reflected the gradual adjustment of the contending forces within the Conference to the realities of practical philanthropy. They were based on struggles for primacy in the Jewish world which were forgotten as the task of allocating the Conference’s budget was taken in hand. Only the JDC was capable of allocating the bulk of the reparations funds paid to the Conference, and as soon as this was understood by all the parties concerned, the debates of 1952–53 were forgotten.

The task of allocating the Conference’s budget was a unique challenge. The funds the Conference received were the legacy of six million murdered Jews and could not be spent frivolously or unwisely. Awareness of this fact impinged on all operations of the Conference.² Furthermore, despite the Conference’s early fear that the Germans would renege on their commitments and find some excuse for not paying the reparations to which they had committed themselves, the promise of an annual income of up to \$10 million which was not contingent on fundraising or communal levies permitted the Conference to think in terms of ambitious long-term planning. If spent properly, the Conference’s allocations would have a far-reaching impact on the future of Jewish communities in Europe and elsewhere.

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The Conference was also very aware that under the second article of Protocol II (see Appendix 2) negotiated at Wassenaar, the German government required a detailed annual accounting of how the reparations monies were spent. In the first memorandum prepared by the Conference's offices on the question of the principles of allocation, in October 1952, the contractual obligation to report annually to the Germans figured prominently. One implication of this obligation was that the Conference could only support established organizations which had learnt the art of keeping records and would be able to submit regular audited reports of their accounts. This would affect the sorts of projects and groups which the Conference could support.

These considerations were external to the Conference, and could not be changed by internal debate. Within the restrictions they imposed, however, the Conference faced choices of major importance. Should the funds be used for the benefit of individuals or communities? If the former, should the money be spent on alleviating the immediate material needs of the survivors of Nazism or should it be devoted to their long-term rehabilitation? If the latter, should the Conference support grandiose capital projects or should the money be spent on cultural projects whose impact would not be immediately apparent but would, in the long run, contribute more to the revival of Jewish communal life than the building of concrete edifices?

The choices that faced the Claims Conference during the period after the completion of the negotiations and up to the first allocations (some 25 months) were the same choices that confront any organization involved in professional social work. The choices were not mutually exclusive, and many projects were adopted which met multiple needs. A fellowship for a destitute scholar would provide immediate material relief as well as contribute toward the revival of Jewish culture, while the construction of a home for the elderly would be undertaken within the framework of a welfare program and a program for capital construction. Nevertheless, there was constant competition between the three basic areas of need: welfare, communal reconstruction and the cultural program.

The Claims Conference began to address these problems from the very beginning, well before it was certain that an agreement would be reached with the Germans. The first principle of allocating the funds was adopted at a meeting of the Executive Committee in January 1952,

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and it remained in force throughout the life of the Conference. Despite various pressures, it was resolved that none of the reparations money would be spent on reimbursing the expenses of those organizations that had been active in relief and rehabilitation of the victims of Nazism. While such organizations could apply for funds, the Conference agreed to support only their new or ongoing projects.³ The decision was adopted in response to the expectations created by the Waldorf-Astoria meeting ten weeks earlier. Within days of that meeting, the (American) Council of Jewish Federations and Welfare Funds wrote to Goldmann pointing out that its member bodies had spent \$600–800,000,000 on behalf of the victims of Nazism since 1933.⁴ This figure was dubious, even for American Jewish philanthropy, and any demand for its reimbursement would have destroyed all prospects of negotiating a global claim for the Conference.

During 1953, the Executive Committee established a special sub-committee to prepare recommendations on the question of allocations.⁵ There were four issues involved: the principles of eligibility, the purposes for which Conference funds could be spent, the procedures for investigating and deciding on applications, and the nature of the cultural program which the Conference would support. The issues were at first discussed in a vacuum. No one had any idea of the number of applications that would be made, nor was there any clear picture of the exact amount that Israel would receive from Germany on behalf of the Conference. The early optimism that these issues could be dealt with quickly faded when the full complexity of the problem of allocating funds became apparent. In fact, only in the fall of 1955 was the Conference able to publish a full account of the principles of eligibility and the procedures for deciding on applications.⁶

Parallel to the discussions within the Claims Conference, during 1953 the JDC also debated the questions of eligibility and principle concerning the use of Conference funds. The Joint was concerned to evaluate the impact of this sudden influx of money on the European Jewish communities which it had already done much to rehabilitate. A special team of JDC workers was given the task of studying the problem.⁷ Many of their conclusions were subsequently adopted by the Conference.

As the Conference's funds were to be devoted to the 'victims of Nazi persecution', they first formulated categories of victims and listed them

in the order of priority they were to be given in the allocation of funds. The first category included the victims of Nazi persecution who were still living in DP camps or other 'collectivities' anywhere in the world except Israel. Many survivors clung together and chose to live in closed groups isolated from the society around them. For the bulk of the survivors the DP camps were a halfway house back to normal everyday life. Others, especially those who arrived from Eastern Europe after spring 1947, were not allowed into the camps run by UNRRA and they took up residence in urban centers, often living in groups. Immediately after the end of the war this was both understandable and even desirable, allowing a practical solution to housing and welfare problems in a generally chaotic situation. However, with the passage of time, the continued existence of 'collectivities' was seen as a barrier to the social, economic and legal integration of these Jewish refugees on a permanent basis, and the JDC team recommended that absolute priority be given to the dissolution of these groups (together with their emigration from Europe if necessary), 'regardless of the amounts of money involved'.⁸

There were in fact very few Jews who belonged to this category by 1953. The sense of urgency which the recommendation conveyed was not based on the size of the problem but on the acute embarrassment caused by one particularly difficult group of victims of Nazism – the 'hard-core' displaced persons who were still living in a limited number of camps in Germany and Austria. They included some 4–5,000 people who had emigrated (mainly to Israel) but had drifted back to the camps in Europe where they could continue to live on state welfare and Jewish philanthropy. There were four such camps in 1953 – Asten, Hallein ('an absolutely indescribable hellhole'),⁹ Camp Rothschild (Vienna) in Austria, and Camp Foehrenwald in Germany. (Some 2,100 Jewish residents of this latter camp refused all efforts to resettle them. The camp was finally dispersed only in 1956 after considerable effort. The story of Camp Foehrenwald will be related in Chapter 6.)

The second category in order of priority were victims of Nazism still classified as refugees or displaced persons in 1953 (except residents of Israel) who were not integrated in their country of residence legally, socially or economically and were therefore still receiving public or private assistance. The final category included those victims of Nazi persecution who could be considered 'settled' but were still in need of

financial assistance because they had not recovered economically since the war.

Technically, these three categories included all those who were entitled to benefit from the funds that the Federal Republic would pay to the Claims Conference. Other needy clients of the JDC's worldwide programs would have to be assisted from Jewish philanthropy as in the past. In practice, however, it was extremely difficult to maintain such distinctions. The focus of the JDC's activities had changed dramatically since the end of the Second World War. In 1953, the Joint provided for 27,800 welfare clients in Europe. But it was also providing for 95,900 Jews in North Africa and another 38,000 in Israel. Its European operation had become one of the smallest of the Joint's major activities, and the number of people it served continued to decline even after the influx of Conference funds.¹⁰

TABLE 5.1: PERSONS ASSISTED BY JDC EUROPEAN OPERATIONS, 1953
(EXCLUDING EASTERN EUROPE)¹¹

Austria	2,500
Belgium	1,850
France	14,200
Germany	4,000
Greece	300
Italy	3,500
Portugal	30
Spain	150
Sweden	250
Switzerland	900
Yugoslavia	120
TOTAL	27,800

The JDC had begun to wind down many of its programs in Europe since 1949–50, both as a result of declining need and because of a continuing decline in the Joint's own income. In 1951, after the great concentrations of Jewish DPs had been dispersed, leading officers of the Joint had considered whether the time had not come for the Joint to wind down its European program altogether. At that time, even before the overall reparations program could seriously be considered a possible source of finance for the Joint, it was decided that the Joint should stay on until the Jewish communities were capable of looking

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after themselves.¹² Two years later, an official of the Joint's European offices suggested that this ambitious target had also been effectively met:

In 1953, and we have to be very straightforward and frank on the question, we can indicate that as of now there really does not remain one community in Western Europe that does not have a structure of some kind, the panoply of office, engages in fundraising, has committees of all kinds, and that we have therefore, perhaps, met the challenge that was presented in 1951. What then remain as the issues in these communities for 1953?¹³

Although the issue raised by this question was central to the JDC, it was not seriously addressed. The Joint had become a large organization, with a hierarchy of officials and bureaucrats. It had grown in response to the urgency of the necessary relief work among the survivors of the Holocaust and the refugees from Eastern Europe. It had been indispensable for a long period of intensive activity. But like large organizations everywhere, it could not evaluate objectively the indispensability of its own services once that period of greatest need had passed. The greatest strides toward disengaging from the immediate postwar levels of activity had taken place in France. The successful establishment of the central fundraising and welfare agency, the FSJU, allowed the JDC to consciously withdraw into the background after 1951. However, as will be discussed in the following chapter, the influx of Claims Conference funds increased rather than reduced the Joint's involvement in communal affairs.

The Joint Distribution Committee looked for new challenges in the early 1950s, and invested them with the importance of the tasks it had dealt with in the years of crisis. Furthermore, as it had become so deeply entrenched in the European communities, the task of disengaging was not simple. There were numerous ongoing commitments that could not be abandoned, and few officials were very confident about the viability of the structures or the 'panoply of office' which the Joint had helped to re-establish in the European Jewish communities. In the years before the start of the Claims Conference allocations program, one major problem plagued almost all of the West European communities – the relations between the surviving members of the original communities and the new members, the displaced persons who

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had chosen to remain in Europe. The Joint felt a responsibility for overcoming the gulf between these Jews and the established communities. Finally, it was doubtful whether any of the recently rehabilitated communities would be willing or able to take upon themselves the responsibility of looking after their share of almost 28,000 recipients of direct welfare from the Joint.

The funds that the Conference directed to the Joint were used for the benefit of the victims of Nazism. But they were not simply added to the funds that the Joint was already spending in Europe, nor did they revolutionize the level of benefits which the JDC was already providing. At first, the officials of the Joint estimated that reparations payments would only allow for a 15 per cent expansion of the relief and welfare services to the victims of Nazism.¹⁴ In fact, taking 1953 – the last year prior to the influx of Conference funds – as a base, JDC expenditure in the countries listed in Table 5.1 increased by 60 per cent over the first three years of the Conference allocations. The JDC's unofficial program in Eastern Europe increased by 50 to 60 per cent over the same period, and the Malben project in Israel was also supported at a higher level.

The influx of Conference funds allowed the Joint to continue programs in Europe it would otherwise have terminated, and to undertake programs it would otherwise not have considered because of lack of funds. But the most significant change in the JDC budget resulting from reparations payments was the allocations for the Muslim countries, where the Joint's activities increased by an average of 60–80 per cent during the first three years of Conference allocations (see Tables 5.2 and 5.3). Despite the formal restrictions on the use of the reparations funds in the agreement with Germany, the money was used where the needs were greatest. Moses Leavitt, in a candid reflection to the 1954 Country Directors Conference of the JDC held in Paris, observed:

Our budget was based on priority of needs both in and outside of Israel, the Moslem countries, all included . . . We did not consider the Conference fund as anything but a part of general funds placed at our disposal in order to meet the area of Jewish needs for which we were responsible, the area of greatest priority.¹⁵

By the mid-1950s there were more Jews in need in Moslem countries than there were in Europe, and it was only natural that the Joint's

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expenditure reflected that fact. Given that the Joint's income from other sources was declining in this period, German reparations funds allowed for an increase in its expenditures in Europe when they might otherwise have declined even further, as well as allowing for a major expansion of the Joint's programs in the Moslem world (see Table 5.3).

TABLE 5.2: JDC ANNUAL EXPENDITURE, SELECTED ITEMS (\$'000)

	1953	1954	1955	1956	1961	1963	1965
Austria	303.2	325.9	271.0	280.3	307.6	186.9	169.2
Belgium	300.0	344.6	442.3	453.2	367.3	254.6	123.2
France	942.0	1,548.1	1,335.7	1,161.9	2,547.9	2,877.2	1,882.5
Germany	335.4	1,028.7	1,041.3	669.7	172.2	161.8	—
Greece	15.6	12.2	52.5	62.0	51.9	26.3	13.1
Holland	—	—	73.1	51.1	67.5	87.6	13.9
Italy	295.0	457.4	515.8	492.7	641.8	598.8	651.2
Poland	—	—	—	—	699.6	505.4	349.2
Portugal	17.6	17.9	17.4	17.2	13.8	11.9	10.7
Spain	28.9	25.8	25.5	38.2	23.5	38.2	46.4
Sweden	44.4	80.4	155.5	166.6	124.5	186.1	22.6
Switzerland	92.5	154.7	80.7	81.5	27.9	—	—
Yugoslavia	49.5	75.4	78.5	90.0	104.4	107.7	89.9
Total:	2,424.1	4,071.1	4,016.2	3,513.3	5,149.9	5,041.9	3,371.9
Moslem lands							
Israel	7,896.3	10,988.0	9,642.8	10,971.8	9,670.9	6,241.2	7,028.7
Eastern Europe	835.0	1,006.0	1,750.0	2,465.1	489.0	420.0	420.0
TOTAL:	12,961.6	18,425.8	18,726.1	20,403.0	25,007.9	20,883.0	19,345.6

Note: This is not an exhaustive listing of the countries in which the JDC was active.

Source: AJDC Annual Audited Reports, 1953–56, AJDC Archives.

The changing pattern of the Joint's spending which resulted from the injection of reparations funds followed the letter of the agreement signed at Wassenaar, even if it did not necessarily accord with the Germans' intentions as expressed during the negotiations. It reflected the pattern of Jewish welfare needs, and, as was freely acknowledged at the time, the overall anticipated impact of the Conference's contribution

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to the Joint's budget was only expected to be a 15 per cent increase in the latter's European spending.¹⁶ In fact, as Table 5.3 illustrates, the increase was substantially larger during the first three years of the combined JDC-Conference program.

TABLE 5.3: JDC ANNUAL EXPENDITURE, PERCENTAGE INCREASE (BASE YEAR – 1953)

	1954	1955	1956	Average
Western and Central Europe	67.9	65.7	44.9	59.5
Moslem lands	30.7	83.7	91.2	68.5
Israel (Malben#)	39.2	22.1	38.9	33.4
Eastern Europe*	20.5	109.6	195.2	108.4

As JDC's Malben expenditures for 1953 were exceptionally high, the base year has been calculated on the average annual outgoings for the period 1950–53.

* Relief-in-transit. This item is discussed in Chapter 6.

Source: AJDC Annual Audited Reports, 1953–56, AJDC Archives; and Unnumbered File 'Post-1964 Expenditures', CC.

The JDC internal report on the principles of allocating the funds turned next to the question of which groups or organizations would be entitled to apply for allocations. The authors of the report argued that if the existence of Conference funds in any way substituted for or discouraged local fundraising, then the communities or organizations that benefited from these local funds would, in the long run, be weakened. They might well find it impossible to re-establish a pattern of giving after the end of the reparations program and to restore the consciousness of local responsibility that had earlier been created.

The pattern of Jewish fundraising in Europe varied widely in each of the national communities. Some European Jewish communities, such as Holland, were for all practical purposes self-supporting, and no longer required JDC assistance. Others, such as France, had made serious progress by 1953 in establishing local fundraising structures, while other communities, such as Italy, had only just begun the task of local fundraising. In Germany and Austria no efforts had been made to establish any sort of fundraising organization. It was recognized that all of the communities would make strong representations for Conference funds, but, as a basic principle, the report argued that Conference monies should not be allowed to substitute for monies raised locally.

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Concerning capital investments, the report argued that requests for funds to improve, enlarge or repair existing facilities should be acceded only if these institutions existed prior to the war, were still in use, and if the community undertook to provide for the institution's operating budget within a reasonable period. Capital investment in new facilities should only be approved if they were required to meet real communal needs and if the community would be able to provide the necessary maintenance budget. Full use should be made of all opportunities for government or other public funds for such projects before recourse was had to Conference funds. Conversely, every safeguard would have to be taken to ensure that the existence of Conference support was not used by governmental bodies to deny victims of Nazism public assistance or other benefits for which they would otherwise be eligible. (This latter possibility was a serious threat in Eastern Europe, where the Joint feared that governments would attempt to obtain Conference dollars by holding their Jewish communities 'to ransom', that is would cut them off from all public benefits in an attempt to shift the burden onto the Claims Conference.)

These recommendations imposed a major responsibility on the rapporteur whom the Conference intended to appoint for each application. It would be the rapporteur's task to ensure that the above requirements had been met. The report's final recommendation was that in communities where there was a central Jewish organization this organization itself should play a role in screening all the allocations that emanated from that community. This was to apply to all applications, including those that came from the country offices of international bodies or those that originated with groups outside the framework of the central Jewish community body. Clearly the authors of the report wished to strengthen the central community organizations, limit the ability of larger international bodies (almost all American-based) to compete with the local central organizations, and encourage the central planning and coordination of community programs.

The report of the JDC on the principles of allocating Conference funds had been prepared by the professional Europe-based officers of the Joint. It did not represent the final point of view of the Joint's New York Executive, but as it represented the first attempt to analyze the impact of the reparations funds it proved to be very influential. Many of the ideas it embodied were included eventually in the Claims

Conference's published list of the principles of allocation. However, it was far from being the only contribution to the debate on how the Conference's funds were to be spent.

Within the Conference itself the special subcommittee on allocations was able to decide on procedures before it could agree on principles. All applications were to be directed to the secretary of the Claims Conference in New York, who would pass them on to rapporteurs in the countries of origin of the applications. These rapporteurs were appointed jointly by the President, the Senior Vice-President and the Treasurer of the Conference (Goldmann, Blaustein and Leavitt respectively). The rapporteurs reported to the Executive Committee (originally they were to report to a permanent committee on applications, with five to seven members, but this stage was quickly abandoned), and the Executive Committee in turn would present its recommendations to the annual meeting of the full Board of Directors of the Conference, where all final decisions on allocations were taken.¹⁷ This procedure shared to the widest possible degree the responsibility for distributing the Conference's funds as all constituent organizations of the Conference were represented on the Board. Although, in practice, the Board invariably accepted the recommendations of the Executive Committee, the annual Board meetings did provide a valuable opportunity for reviewing the entire spectrum of Jewish communal life as reflected in the applications for funds. (The long-term significance of these Board meetings will be discussed more fully below.)

The ability of the Board of Directors to have an overall view of developments in the Jewish world, and to make its allocations accordingly, was a jealously guarded prerogative – even at the expense of accusations that it was New York-based and therefore dominated by Americans. During the course of the discussions on the procedures of allocations, the representative of the British Board of Deputies argued that two committees should be established, one for British applications and another for other European applications. The proposal was rejected both because it implied that the British Jewish community, which had been a donor of funds, would apply for a share of the Conference budget and become a recipient, and because it would have undermined the unity of the Conference.¹⁸

In later years, other British members of the Board of Directors criticized not only the American dominance of the Conference but also

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the assumption that the professional employees of the Conference in New York were able to physically cope with the processing of the huge number of applications every year. Sir Henry D'Avigdor Goldsmid, MP, President of the Jewish Colonization Association and a member of the Executive Committee of the Conference, stated publicly in 1955, after the Conference's first full year of experience at allocating funds that:

The task that has been placed on two or three members of the Secretariat, which has been charged with evaluating the priorities of claims from Australia to Finland and as between schools and synagogues and needs for relief is something which no individual can be expected to carry.

Sir Henry went on to question the whole structure of the Conference allocations program, with its underlying paternalistic assumption that the American Jewish organizations collectively knew best what needed to be done with the reparations funds:

The Claims Conference should recognize that Europe has to a certain extent come of age and while we appreciate that most of the Jewish communities of Europe would not be alive today were it not for this really marvelous American generosity, there comes a moment when those communities come of age and need the responsibility of the expenditure of those funds, which, after all have their origin in Europe and should go back to the rehabilitation of those communities.¹⁹

However, these views, and other European Jewish expressions of resentment at American dominance, had little impact.

The Claims Conference subcommittee on applications met in early December 1953 to consider all the ideas that had been put forward till then on the principles that would govern the Conference's allocations. At this meeting the Joint's deliberations – which the Conference's Secretary had integrated into a memorandum distributed before the meeting – came under critical scrutiny. No one challenged the Joint's recommendations directly, but there was a widespread feeling that if the Conference was to adopt them formally then it would circumscribe its own ability to choose projects for support. In effect, the subcommittee challenged the entire concept of rigid, and publicly known,

criteria of allocation. The professionalism of the Joint was weighed against the attractions of dividing up the reparation funds by a closed cabal. In the course of the deliberations Leavitt warned the subcommittee that their desire to maintain some 'flexibility' in the allocations would in the long run undermine the Conference's ability to function:

. . . the number of applications received so vastly exceeded the funds available, that some basic criteria would have to be set to eliminate some of them. Otherwise the Conference would be under tremendous pressure from the various groups, and there would be complete chaos.²⁰

Leavitt's warning convinced the subcommittee of the need for adopting criteria of allocation, and for accepting that there were different priorities that could be established by the 'urgency of need'. However, the committee managed to retain some degree of flexibility by overriding the Joint's insistence that funds be made available to any category of applications only when the applications of all projects servicing the preceding level of need had been met. The committee insisted that while the most urgent cases would have the first claim, they would not have the *only* claim on the funds. The distinction was of considerable importance, as the Joint's original set of categories would have meant that funds could only be allocated for the benefit of 'persecutees' who were economically and socially unsettled in communities largely dependent on external aid. 'Persecutees' who had emigrated to donor countries (that is, countries that raised funds in excess of local needs, such as America) would not be entitled to aid from the Claims Conference. As all of the leading personalities in the Conference represented organizations based in donor countries, it is not surprising that the subcommittee on allocations rejected the Joint's rigid interpretation of the 'urgency of need'.

Throughout 1953 and 1954 applications for grants from Conference funds accumulated in the Conference's offices in New York. It quickly became apparent that the total funds requested from the Conference would be between five and seven times greater than the Conference's estimated budget for 1954. Establishing the principles according to which the budget would be divided among the claimants became increasingly important. One official involved in processing the first

year's applications recalled the pressure of dealing with this unexpected quantity of requests:

When we sat down to the first batch of applications which had been presented for 1954, it was clear that we had no policy, we had no program, we had no principles, and we should logically have sat down to start to work out . . . this type of question before we allocated. But . . . we did not reach our decisions at all until March, and that left only nine months of 1954 to work in, and had we taken still additional time to resolve the issues of principle, there would have been no program in 1954.²¹

Kagan also recalled the first few months of operations as 'a period of groping':

. . . there was no clear set of operating principles or priorities, no professional staff to evaluate the relative merits of applications, no machinery for distributing the funds. There were many – and heated – discussions about whether we should formulate a full and clear statement of such principles in advance. But it was decided not to, on the grounds that an *a priori* formulation would be too rigid and doctrinaire.²²

The need for agreed and known principles soon overcame the fear of rigidity, and Kagan, as Conference Secretary, set about compiling a list of criteria that reflected the compromise reached at the meeting of the previous December.²³ The list set out the nine points that had been agreed and that reflected the compromise between the professionalism of the Joint and the political realities of the Conference:

1. All allocations must be governed by the contractual obligations of the Conference.
2. No new agencies will be created by the Conference for the spending of allocated funds.
3. No allocations shall be made to compensate institutions or individuals for property losses incurred as a result of Nazi action.
4. No allocations shall be made to reimburse organizations for past expenditures in connection with the relief and rehabilitation of Nazi victims.
5. Conference funds should not be a substitute for local fundrais-

ing or enable local organizations to forego assistance which they might otherwise obtain (e.g. heirless property, grants by local and central governments), nor to forego the use of local funds existing for the purposes requested in the application (building or endowment funds, legacies, foundations, etc.)

6. Conference funds shall not be allocated to new institutions principally created for the purpose of receiving Conference funds, unless there are compelling reasons to do so.
7. The Conference shall make allocations only to recognized, functioning relief organizations, unless there are compelling reasons to do otherwise.
8. The Conference shall not make direct allocations to individuals, except in special cases.
9. Communities largely dependent on external aid shall have priority over communities independent of external aid.

Point seven had been included in the list as a specific response to the demands of the residents of Camp Foehrenwald. The camp committees at Foehrenwald, representing the 2,100 residents of the camp, submitted an application for \$5 million to the Conference. This claim was almost as large as the JDC's entire European budget, and the prospect of dividing this sum between them meant that all emigration from the Camp had stopped. As the Conference believed that the residents of the Camp would simply divide the money between themselves ('cash relief on a generous scale'), it resolved to prevent any such applications being made again.

Point eight represented a particularly difficult problem for the Conference. If the Conference accepted applications from individuals, it would have to abandon all hopes of supporting larger projects designed to regenerate Jewish communal life. The Conference maintained that individual victims of Nazi persecution would have to be referred to the appropriate relief organizations within their respective countries. On the other hand, it was felt that there was at least one category of claimants who did deserve to be considered on an individual basis – 'outstanding community leaders' of the destroyed European communities who were now destitute. The members of the committee on applications felt particular sympathy for their plight and it was resolved that a special reserve fund be created to meet their

needs. In its first year this fund distributed \$100,000 to 78 beneficiaries. Subsequently refugee rabbis were also recognized as an additional special category meriting aid, and a fund was established for them too. This second fund distributed \$100,000 among 408 beneficiaries in the United States and Canada, and 63 beneficiaries in the United Kingdom.

These principles of allocation, and the procedures for considering applications for funds, were adopted formally by the Claims Conference Executive Committee in September 1955, and they remained in force throughout the life of the Conference. In 1958, after five years of allocating the reparations funds, the Conference embarked on a detailed internal review of its own operations. The authors of that review were able to conclude that the principles of allocation and the procedures involved 'were sound, and should be retained'.²⁴

The entire question of procedures and principles could easily have been the subject of major controversy among the member organizations of the Conference during this formative period. However, although unprecedented amounts of money were at stake, the records of the Conference's deliberations show remarkably little evidence of discord. This was largely due to the practical realities of the allocations which were to be made. After all, it had already been decided that the JDC was going to be the Conference's operating agent, that is, it would actually implement or supervise all projects relating to relief, which would cover the bulk of the Conference's budget. And for projects in which the Joint was not directly involved as operating agent it frequently acted as rapporteur. Important as the deliberations on principles and procedures were, the participants realized that it was the Joint rather than the Conference that would decide how most of the money was going to be spent.

During 1954 the Conference assumed, for the purposes of planning, that its share of the German reparations that would reach it via Israel would be \$8,500,000. Against this figure, applications for projects amounting to \$50 million were made in the Conference's first year of operation. The JDC submitted a budget of \$8.7 million for its own work in Europe and on behalf of European Jewish relief organizations that it supported. Ultimately, the Conference agreed to make an allocation to the Joint of \$6.8 million.²⁵ Other commitments had effectively placed a lien on much of the \$1.7 million that remained of the

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Conference's estimated 1954 budget. In the agreement between Israel and the Claims Conference, the Conference took upon itself a share of the costs of the Purchasing Mission which Israel maintained in the Federal Republic of Germany in order to obtain the goods under the reparations agreements. The Conference bore 15 per cent of the operating costs of the Mission, and \$100,000 was set aside to cover this commitment. A further \$100,000 was devoted to covering the Conference's own operating costs for 1953 and 1954.

Ironically, the Conference, which channeled so much money into the Jewish world during the years of its operation, was desperately short of funds to meet its own expenses as well as provide the money necessary to make the first allocations during 1954. Until the flow of goods from Germany to Israel, and the subsequent flow of funds from Israel to the Conference, became a matter of routine, the New York staff of the Conference devoted much of its time to ascertaining exactly just how much money was due to it in any calendar year. The Israeli government was lax in reporting the amount of goods it had received, and the Conference staff maintained a file of clippings from the Jewish Telegraphic Agency and other press sources in order to monitor the arrival of German goods in Israel.²⁶ The Conference budget remained uncertain until the Jewish Agency, and later the Israeli Treasury, began to supply quarterly reports on a regular basis. The situation was further complicated by the fact that, according to the agreement signed between the Government of Israel, the Jewish Agency and the Claims Conference, Israel was to supply only a minor part of the Conference's budget in cash (about 15–20 per cent). The rest of the sum due to the Conference was provided in US dollars from the UJA income of the Joint, which was in turn credited with a parallel sum in Israel by the Israeli government. The relationship could not have been more symbiotic – the Conference provided the JDC with the largest part of its budget while the JDC provided the cash (in hard currency) itself. New money was injected into this cycle when the Israeli Treasury provided the Joint with Israeli pounds attained by the sale of the goods obtained from Germany. As the German goods went mainly to the Israel government or to semi-governmental authorities, the government was the real source of the matching Israeli currency.

In addition to these claims on its budget, the Conference had undertaken to cover the operating deficit of the United Restitution

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Organization (URO), under the terms of an agreement signed in April 1954. The URO had been providing legal aid on a worldwide basis to Jewish victims of Nazi persecution who had been unable to secure legal counsel in order to obtain compensation and the recovery of assets under restitution and indemnification laws. The enactment of the German Federal Indemnification Law in 1953 (in accordance with Protocol I of the agreement between the Claims Conference and the Federal Republic) led to a doubling of the URO's workload. Previously the URO had been supported by the Joint and the Jewish Agency with funds from the Jewish Restitution Successor Organization, but with the allocation of the Conference budget it was agreed that the Conference would take over responsibility for the support of the URO. A sum of \$800,000 was budgeted for this task during the first year of allocations.

The balance of the Conference budget, estimated at \$850,000, was reserved for one area of need which the members of the Claims Conference hoped to tackle through the Conference's own programs, unmediated by any operating agency – cultural and educational reconstruction. In the earliest debates of the Presidium and the Executive Committee of the Conference, even while the negotiations with the Germans were underway, the members of these bodies zealously guarded the hope that not all the reparations money would be spent on relief or administrative/URO projects. A cultural program was seen as the one means by which the Claims Conference could make its own distinctive contribution to the rehabilitation of the Jewish world.

The Executive of the Conference appointed an Advisory Committee on Cultural and Religious Applications in May 1953 (at the same time that the subcommittee on allocations was appointed).²⁷ In establishing this Advisory Committee the Conference looked beyond its own members, and co-opted the historian Salo Baron to chair a small group charged with the task of drawing up a list of candidates who 'reflect trends in Jewish life' for a more permanent committee on cultural grants. The task was not an easy one. Baron recommended that the committee include between 70 and 100 intellectuals, but Goldmann insisted that it be restricted to less than 12 people. The list eventually compiled by the Baron committee did not include a single European, and Goldmann once again intervened. When the list was finally presented to the Executive Committee (in December 1953) it contained the names of 12 Americans (including Baron, Israel Efros, Nelson Glueck, Oscar

Handlin and Abram Sachar) and nine representatives from Europe (including Rabbis Leo Baeck, Israel Brodie and Jacob Kaplan).

The promise of a well-financed Jewish cultural program attracted much interest. Up to the period of the first Claims Conference allocations, in March 1954, applications for support totaling over \$16 million were sent to the cultural program – 20 times more than the amount budgeted for it. (It transpired that the real sum was less as many of the applications came from *yeshivot* that had sent in multiple applications under different guises.) While the Conference had resolved to distinguish between recipient and donor countries, and to favor claims originating in the former in the relief program, this priority was far less pronounced in the cultural program. All Jewish educational religious and cultural institutions could apply for funds on condition that the money was used to the benefit of survivors of Nazism.

From the outset, the Cultural Advisory Committee was involved in controversy. The European members of the Committee learned of its existence shortly before the convening of the first meeting, in December 1953. They had no opportunity of attending, and they quickly lost all faith in the willingness of the Committee's chairman, Baron, to represent the interests of European applicants.²⁸ Indeed, Baron recommended to the Committee that the allocations be made on a geographical basis (that is, with the US sharing equally with Europe) rather than according to the concentration of the survivors.²⁹ This would have allowed American claimants a far larger share of the allocations than they would otherwise have obtained.³⁰

The Committee had been asked to present their recommendations to the Executive Committee by March 1954, and they had less than three months to discuss the avalanche of applications before them. As the Committee had been designed to represent every trend in the Jewish world, the large majority of its members represented movements or organizations that were actually claimants from the Conference. The Committee's deliberations consisted largely of attempts to divide the budget up between its members. There was no serious attempt to weigh overall Jewish cultural needs or to consider the relative merits of the applications received.³¹ Furthermore, the Cultural Advisory Committee had resolved that while victims of Nazi persecution would be given priority, research projects would be entrusted to the best available scholar and not necessarily to the refugee scholars.³² Clearly this

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contradicted the first principle of allocations that the Conference had adopted.

TABLE 5.4: AMERICAN JOINT DISTRIBUTION COMMITTEE ANNUAL INCOME (\$)
(SELECTED YEARS)

Source	1950	1951	1953	1954
United Jewish Appeal	26,450,000	19,775,000	18,900,000	17,226,000
JDC Special Campaign	750,790	0	0	0
Non-US Campaigns	461,567	632,612	216,597	624,247
IRO	4,568,998	4,620,412	1,006,259	0
JRSO	179,454	500,482	1,037,872	127,093
Miscellaneous	553,856	41,594	35,997	10,940
ICEM	0	0	287,904	246,903
UN Agencies	0	0	9,210	0
US Escapee Program	0	0	174,613	0
Ford Foundation	0	0	310,910	0
Jewish Agency	0	0	53,846	269,231
JTC	0		105,050	210,115
Claims Conference	0	0	0	6,724,250
Total	32,964,665	25,570,100	22,138,258	25,438,779
Conference funds as %	0	0	0	26

Source	1955	1958	1960	1964
United Jewish Appeal	16,434,000	15,850,000	16,350,000	7,729,257
Non-US Campaigns	506,012	632,083	688,805	840,769
IRO	836,690	0	0	0
JRSO	211,694	140,676	1,296,567	70,528
Miscellaneous	110,977	30,361	211,870	241,664
ICEM	166,041	0	0	0
UN Agencies	0	12,776	48,294	32,193
US Escapee Program	0	86,886	45,509	96,484
JTC	437,202	568,348	365,965	44,868
Malben (Israel)	0	0	522,660	526,608
Claims Conference	6,700,000	6,910,500	7,000,000	7,550,000
Total	25,402,616	24,231,630	26,529,670	27,132,371
Conference funds as %	26	29	26	28

Source: AJDC Annual Budget, Audited Reports, 1950–64, AJDC Archives

Principles of Allocation and the Cultural Program

In the course of its work the Committee employed Dr Judah Shapiro as a consultant. Shapiro had served as Director of Education and Cultural Reconstruction with the JDC's Paris office, and had a wealth of experience in the budgeting of cultural and educational projects. At the conclusion of the Committee's deliberations he prepared a report strongly critical of its work. His dismissed the Committee's recommendations, and advised the Executive of the Conference that

[they] should be considered only as a general guide and not as a specific pattern of allocation . . . Many of the applications do not represent realistic, feasible, immediately realizable projects . . . Sometimes, a group is assigned a sum beyond [its] need by virtue of that group's ability to muster the strength for its position.³³

Within a week of receiving this confidential report, Goldmann disbanded the Committee.³⁴

The first cultural allocations were made largely on the basis of the Cultural Advisory Committee's recommendations. It was simply too late to change them. No principles of eligibility were published for the cultural program, but the Executive now recognized the need for a full-time professional officer to deal with the cultural program. The issues were too sensitive to be decided upon by community leaders who were themselves claimants. Shapiro was appointed to the new position, and he took the cultural program in hand.

The income from the Conference's first year of operations exceeded the sum originally estimated (raising the budget from \$8,500,000 to \$9,500,000). As a result, it was possible to expand the cultural budget as well, and in the first year of its operation the Claims Conference spent \$905,000 on cultural and educational projects. This represented just less than ten per cent of the Conference's final budget, and although the Executive insisted that this division was not intended as a precedent, in the years that followed it did represent the average share of cultural and educational projects in the budget of the Claims Conference. As the requirements for relief and rehabilitation in Western and Central Europe declined over the years, new needs emerged elsewhere that prevented any radical change in the scope of the cultural program. Although the share of the allocations going to cultural projects doubled in the course of the allocations program, these projects never received more than 20 per cent of the Conference's annual budget. Nevertheless,

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as we shall see in the following chapter, much was achieved with the limited funds that were made available for the fields of culture and education.

NOTES

- 1 Karlkow to Simon Segal (AJC, New York), 23 October 1943, AJC, Rest. and Indem. Files.
- 2 In interviews held with officers of the Claims Conference, the reason for the German payments to the Conference were constantly recalled.
- 3 Meeting of Executive Committee, 7 January 1952, CC 6676.
- 4 H. Glasser to Goldmann, 1 October 1951, CZA, Z6-291.
- 5 The members of the committee were: Blaustein, Leavitt, Barnett Janner, Samuel Bronfman, Jules Braunschwig, Shad Polier and Dr Noah Barou. Because of its composition, it is not at all clear how the committee held the 'many long meetings' with which it was credited. Four of its members (Janner, Bronfman, Braunschwig and Barou) were not based in the USA, and Barou, because of his advisory role to a Soviet bank in London, was not permitted entry into the US. Blaustein was represented in the committee by a strong delegation from the AJC New York staff, including Drs Eugene Hevesi and Simon Segal.
- 6 See Annual Report of the Conference on Material Claims Against Germany, 1954 (New York, 1955).
- 7 Minutes of AJDC Country Directors Conference, Paris, October 1953.
- 8 All quotations from JDC report are from a memo submitted by Laura Margolis-Jarblum to Moses Beckelman, 22 July 1953, AJDC Archives.
- 9 Samuel Haber address to AJDC Country Directors Conference, 1953, pp. 155ff.
- 10 Beckelman informed the Applications Committee, at its 12 December 1954 meeting, that 26,739 people would be assisted with JDC funds during 1955, Minutes, on CC 6670.
- 11 Minutes of the AJDC Country Director's Conference, Paris, October 1953.
- 12 Address by Judah Shapiro, *ibid.*, p. 291.
- 13 *Ibid.*
- 14 Beckelman address to Country Directors meeting, cited in Karlkow to Segal, 23 October 1953, AJC, Rest. and Indem. Files.
- 15 Moses Leavitt, AJDC Country Director's Conference, Paris 1954, pp. 262-3.
- 16 *Ibid.*
- 17 Papers on file CC 6677.
- 18 Minutes of Executive Committee, 11 May 1953, *ibid.*
- 19 Minutes of Subcommittee on Applications, 9 December 1953, *ibid.*
- 20 Minutes of Sub-Committee on Applications, 9 December 1953, *ibid.*
- 21 Judah Shapiro, Address to AJDC Country Directors Conference, Paris, November 1954, pp. 285-6.
- 22 S. Kagan, 'The Claims Conference and the Communities', *Exchange*, No. 22, October 1965, p. 12.
- 23 Kagan to members of Committee on Applications, 18 January 1954, CC 6670.
- 24 Report of the Study Committee, October 1958, CC 6657.
- 25 The Joint's total European budget for 1954 was \$7,667,380. In addition to the Conference subvention, it provided a further \$832,000 from its own sources. For a

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- comparison of the Joint's pre-1954 expenditures in Europe, see Tables 3.2 and 3.3.
- 26 See papers on CC 6973.
- 27 Papers relating to Cultural Committee in unnumbered files, CC.
- 28 See correspondence and memoranda presented to the Cultural Advisory Committee, January–March 1954.
- 29 Minutes of Cultural Advisory Committee, 28 December 1953, unnumbered CC file.
- 30 In his book *Steeled by Adversity* (Philadelphia: Jewish Publication Society, 1971), Baron makes a revealing reference to the Cultural Committee. He points to the Committee as an example of how American Jewry was willing to support Jewish causes overseas before they supported their own local needs (p. 514). The implication was that the money that the Committee intended to allocate was raised by American Jewish philanthropy.
- 31 Shapiro to Executive Committee, memorandum, 17 March 1954, *ibid.*
- 32 Minutes of Cultural Advisory Committee, 26 March 1954, *ibid.*
- 33 Shapiro to Executive Committee, memorandum, 17 March 1954, *ibid.*
- 34 Goldmann to Salo Baron, 24 March 1954, *ibid.*

6 • *The Challenge of Reconstruction*

FROM 1954 ONWARDS, the Claims Conference became a major source of funding for Jewish communities throughout the world. The principles of its operations and the structure of the allocation process had been established during 1953. As soon as it began to receive the first reparations funds, the Conference was organized to meet the needs of the Jewish communities. What these needs were, and how they were dealt with during the years 1954 to 1966, when the Conference was most active, is the subject of this chapter.

In the financial year 1953–54, the first in which the reparations agreement came into effect, the Federal Republic budget allocated the equivalent of \$73,800,000 for reparation payments to Israel. This represented a marginally higher rate of payment than the Luxembourg Agreements specified. Reparation payments soon became one of the largest sources of foreign currency transfer to Israel. Already in the first year of payments they represented just over 14 per cent of all transfers – the fifth-largest source of foreign currency income, after exports, UJA, bonds and US economic aid. German manufactured goods were obtained by the Israel Purchasing Mission in Munich without friction, and there was every expectation that the transfers would proceed without difficulty. Applications for grants began to pour into the New York offices. In October 1953, Israel's Finance Minister Levi Eshkol informed the Conference that the government would make a payment to the Conference every three months of 15 per cent of the income that it had received from the sale of goods reaching Israel nine months previously.¹

However, Israel found it difficult to meet its obligations during 1954. Although Kagan only discussed the matter with Goldmann and Leavitt (Blaustein does not seem to have been party to these deliberations), he was forced to weigh the possibility of implementing the Israel–Jewish Agency Claims Conference agreement signed two years earlier (see Chapter 4). This would have compelled the Agency to act as guarantor for payments owed by Israel, creating an extremely embarrassing situation in inter-Jewish relations.²

Kagan strove hard to find alternative sources of funding to cover operating costs during the first 12 months of the Conference's operations. In December 1953, in a note of despair, he informed Josephthal, the treasurer of the Jewish Agency, that 'the Conference finds itself on the verge of the New Year stone broke and in debt'.³ Ironically, the Claims Conference started its extensive program of allocating the reparations funds by borrowing money from other Jewish organizations.⁴

Gradually, all parties concerned adjusted to the realities of the flow of German funds, and Israel eventually overcame the foreign currency shortages that had prevented it from promptly meeting its first obligations to the Conference. After these initial difficulties had been resolved, payments were made regularly, and financial relations between Israel and the Conference were harmonious. In March 1961, the Federal Republic revalued the Deutschemark by five per cent, and a new difference of opinion arose between the Conference and the Israeli Finance Ministry. At issue was whether outstanding funds owed to the Conference by Israel for the reparations transfers of the preceding nine months were to be converted into dollars at the higher or lower rate. The question was sent to arbitration (in Israel), which found in the Conference's favor.⁵ The successful resolution of this potentially disruptive disagreement was indicative of a constructive working relationship. At every annual Board of Directors meeting, Goldmann was able to report the smooth operation of the agreement between the Israeli government and the Conference.⁶

The Conference allocated \$9,500,000 in 1954, of which \$6,724,250 was credited to the Joint. The latter received \$6 million of this payment directly from the Israeli government in Israeli currency to finance the operation of its Israeli welfare organization, Malben, even though Malben expenses were not actually covered by the Conference. It received a further \$724,250 worth of German goods directly from the

Israel Purchasing Mission. The Joint then financed its European operations (which were covered by the Conference allocation) with its share of the UJA dollar funds which it would otherwise have spent for Malben. A further \$100,000 was deducted at source from the Conference's share of the reparations funds to cover its 15 per cent share of the operating costs of the Israel Purchasing Mission in Germany. The debts which the Conference had incurred (to the Central British Fund, the major recipient of the restitution income from the Jewish Trust Corporation (JTC) in the British zone of Germany) were reimbursed by Israel from United Israel Appeal funds in the UK (approximately \$250,000). The balance – just over \$2,400,000 – was made available by Israel in the European currencies necessary for the Conference's program on that continent.⁷

This complex web of interdependent relations between the Israel government, the JDC and the Claims Conference was the outcome of the reparations agreement and the German insistence that the reparations be paid for in German manufactured goods and not in foreign currency. The JDC was not an applicant like all others, despite the fact that it made an annual application like other organizations, and the application was debated at each annual Conference Board of Directors meeting. Nevertheless, the JDC was such an integral part of the reparations agreement that one can fairly question the degree of control that the Conference was able to exercise over the largest part of its income from Germany. An examination of the Conference's relationship with the JDC during 1954–66, and the mutual pressure that each organization was able to bring to bear on the policies of the other, show that neither party dictated policy for the other, while the plans of each had a major effect on the other organization.

In later years, the budget of the Conference changed as the value of the German goods reaching Israel and the Conference's share of their value varied, and as the initial debt to other organizations was liquidated. In 1955 the Joint undertook to provide the Conference with the European currencies it needed in exchange for a larger allocation from the Israeli government to Malben. Thus the Conference was only dependent on the Israeli Treasury for dollar, sterling, Deutschemark and Israeli pounds.⁸ But the general pattern for 1954 – both in the division of the funds and sources of the currency – remained essentially constant throughout the years of allocations.

One further fact is necessary to appreciate the actual scope of the Conference's activities. Although Israel and the Claims Conference had jointly announced, after signing the agreements at Wassenaar in 1952, that the Conference had obtained a one-third share of the global settlement reached with the Federal Republic, the largest part of this third was reserved for the Jewish Agency, which received 18½ per cent of the total payments compared with the Conference's 15 per cent. Its income from this source represented approximately ten per cent of its overall budget in the mid-1950s. As the Jewish Agency also received funds from the JRSO, from the successor organization operating since 1950 in the British zone of Germany (the Jewish Trust Corporation), as well as from the International Refugee Organization on account of the Paris Reparations Agreement of 1945, the overall income which the Agency derived from reparations and restitution averaged 13 per cent of its consolidated income during 1952–65. The Conference funds were only one source among a number of reparations-related funds which the Agency received (see Table 6.1).

The Agency allotted 90–95 per cent of its share of the reparations to its own resettlement and rehabilitation programs. The balance of the reparations income that originated in the Claims Conference grant was allocated by an Agency-appointed committee to various educational and cultural organizations in Israel.⁹ The Conference attempted to protect its right of final control over the Agency's use of these funds, but had only limited success. Goldmann was technically co-chairman of the Agency as well as being president of the Claims Conference, but as he worked outside of Israel his influence on Agency policy in Jerusalem was insignificant. After the Agency had made the first allocations, mainly to finance its own immigration and absorption programs, Goldmann argued for a more generous approach to the claims of the other Israeli organizations who had applied for grants from the reparations funds. His ability to see the general balance of interests between Jewish groups contrasted with the concern of the Agency to maximize its income. Goldmann appealed to Josephthal:

I hope you will reach some agreement with ORT and OSE and also with regard to some money for religious institutions. I warn you that if we will take a too narrow minded attitude we will lose ten times more. The Conference here will not agree that all the

eighteen per cent in Israel should go to the Agency. It is much better to give up voluntarily a few per cent and keep the rest than create a united front of hostility among the other organizations which would endanger the possibility for us to get the bulk of the money.¹⁰

Goldmann's primary concern was the continued collaboration of the various trends within the Jewish world to ensure the full implementation of the Luxembourg Agreements. In order to achieve this end, he was prepared to make minor concessions at the expense of the Jewish Agency, which was, after all, the largest single recipient of reparations funds during the 1950s.

The main criticism of the Agency's allocations came from Agudat Yisrael, which attacked the allocation of ten per cent more to a single educational institution, the Hebrew University, than was allocated 'for all the yeshivot throughout the length and breadth of Israel'.¹¹ Both inside the Board of Directors meetings and publicly in the columns of the Jewish press, Aguda attacked the Agency's allocations procedures as 'a serious breach of the Agreement signed between Israel and the Claims Conference'.¹² In the following allocations year, Aguda's own share of the Agency-controlled funds was increased, and its public criticism of the procedure adopted in allocating the funds abated. Eventually, the Executive Committee and the Board of Directors lost interest in trying to control the Agency's use of reparations money, and were satisfied with the receipt of an annual report on the nature of the allocations made from Jerusalem.¹³

The Israeli organizations that benefited from the Jewish Agency's allocations program on behalf of the Conference include the Hebrew University, the Technion, various *Landsmanschaft* groups, some 150 *yeshivot* attached to the central bodies Ihud Hayeshivot, Mifa'al Hatora and Va'ad Hayeshivot, ORT,¹⁴ Alliance Israélite, Shaarei Zedek Hospital and Agudat Yisrael nurseries.

In effect, the Claims Conference dealt only with the 15 per cent share of reparations funds that it was to spend outside of Israel. And, as is clear from the pattern established in the 1954 allocations, the largest proportion of these funds was spent through the JDC. There was no practical alternative to this arrangement and no better way to spend the money. The Joint had a central role in the complex process of

converting German goods into American dollars unhindered by exchange controls, and making them available to the Jewish world. In theory, at least, the Conference was able to debate the allocation of a full third of the money obtained from the reparations agreement. In practice, after the Jewish Agency had made its allocations, and the JDC had planned the distribution of its share of the funds, the amount remaining to be freely divided by the officers of the Conference was about \$2,500,000 annually.

Claims Conference funds were allocated only after a complex process of evaluating specific applications and then weighing each application within the overall needs of the Jewish communities entitled to aid. It was a time-consuming procedure, requiring consultation at many levels. Here, too, patterns emerged in 1954 as experience was gained in allocating funds, which persisted throughout the lifetime of the Conference.

There were two channels for submitting funds – either directly to the Conference's offices in New York, or, as in most communities, through the central Jewish community organization charged with the task of collating and evaluating applications at the first level. All applications had to reach New York by September to be considered for the following year's allocation program. In cases where the application had to be submitted to a local Jewish organization first, they generally imposed a spring deadline.

Officially, the ultimate authority within the Claims Conference was the Board of Directors, on which all 22 member organizations were represented. The Board met every year in January or February to debate the allocations program for that year. Once approved, allocations commenced in March and were generally paid in installments over the following 12 months. The Board meetings usually took two or three days. When the delegates convened, they were confronted with a massive collection of documents (called the 'Black Books' because of their distinctive binding) of almost 500 pages. These documents included reports from the Conference's major officers, complete listings of all applications and the recommendations of the Executive Committee. As most major national Jewish communities, and almost every stream of opinion in Jewish life, were represented on the Board most applicants were able to find a member of the Board to represent their interests before all the delegates if their application had been

rejected or reduced. Indeed, all major policies were discussed at length by the Board, frequently over the course of several annual meetings. The meetings were briskly chaired by Goldmann, who used his prerogatives as chairman to channel the debate towards compromise and agreement whenever possible.

It appeared to be an open and democratic decision-making process, whereby the Conference's annual budget was divided between the many, and ultimately competing, claimants within the Jewish world. In practice, however, the Board of Directors functioned largely as a court of appeals for dissatisfied applicants. The real decisions on how the funds were to be divided were made elsewhere.

Between the submission of all applications in September, and the meeting of the Board of Directors in January, the applications were collated and checked by the Conference's staff in New York. All new applications were submitted to a rigorous check by a rapporteur appointed by the Conference. In almost all countries where the JDC maintained offices, officials of the Joint fulfilled this function. Elsewhere, the central Jewish community body acted as rapporteur. The rapporteur's investigations were exacting. He had to be satisfied: that the application represented a real need of the community, that the beneficiaries were victims of Nazi persecution; that the applicant organization had not been created solely in order to seek a grant (even if its purposes were legitimate, the Conference decided that where a real need existed, a Jewish organization would in all probability already exist to cater for it; recently formed organizations were thus either disqualified or given lower priority); that the project to be financed actually existed or was in an advanced planning stage; that the local community would also support the project proposed (the best indication of the importance of a project to the community); that there were no other Jewish organizations providing the same service within a community; and that the applicant would be able to maintain the rigorous standards of bookkeeping and reporting that the Conference demanded.

The rapporteur's reports to the offices of the Conference were in most cases an important consideration in the final recommendation to the Board of Directors. But they were not the only factor taken into account. Every year since 1946 the directors of the offices of the Joint in each country where it operated had assembled in Paris in October to consider the state of the Jewish world. It was a meeting of professional

social workers and community welfare officers, and as each of them reported on the events of the previous year and the circumstances of the communities they served, a global picture emerged of Jewish problems and interests. Lay leaders of the European Jewish communities also attended these meetings. From 1953 on, the country directors were aware that the Claims Conference would provide them with a major tool for fashioning the Jewish world in accordance with the best interests of the various communities as they themselves saw them. After all, the JDC was the major operating agency for the Conference and its annual application represented three-quarters of the Conference's budget.

During its most active years, the offices of the Conference in New York were in the same building and on the same floor as the New York headquarters of the Joint. JDC officials acted as rapporteurs for the Conference, and Leavitt (together with Goldmann and Blaustein) was one of the Senior Officers of the Conference. It is therefore not surprising that the relief, rehabilitation and welfare expenditures of the Claims Conference were largely determined by the JDC. The main part of the Conference allocations program each year was resolved at the annual Country Directors Conference of the JDC in Paris each October. (Saul Kagan was an active participant at these Conferences.) In fact, the timing of the Paris meeting was the reason for the September deadline for Conference applications.¹⁵

In December, a few weeks before the annual meeting of the Board of Directors, the Executive Committee met to debate the applications and allocation program. The detailed recommendations of the Conference staff, based on the rapporteurs' reports, the debates in Paris, and their own deliberations, were considered at the Executive Committee meeting and the recommendations compiled into the 'Black Books' to be presented to the Board. At this point, unsuccessful applicants were informed of the failure of their application. They were also told that if they succeeded in convincing a member of the Board (generally the one from their own country) to raise the application at the Board meeting, and if a majority of the Board approved, then the rejection could be overruled.

It was a tedious procedure. In the first year of the program, there were almost 400 applications, each of which had to be considered in detail. Moses Beckelman, the Director-General of the Joint's European

operations since 1951, was appointed the chief rapporteur for this flood of requests. As he later recalled, few of the applications showed signs of serious communal planning:

Communities which had never received [needed] relief funds from overseas in several years came forward with proposals involving millions of dollars. Communities with handfuls of people came forward with applications for very, very substantial amounts, and, curiously enough, larger communities, no better situated financially than some of these smaller communities, did not come forward at all.¹⁶

Given the amounts of money involved, and the massive number of applications that had to be rejected each year, it is significant that the criticism directed against the sagacity of the Conference's allocations was so limited. However, as decisions were reached after the general needs of the Jewish world had been considered at the Country Directors Conference, after the rapporteurs' reports and the professional judgement of the staff of the Conference, and after the deliberations of the Executive Committee, with the further possibility of appeal to the Board for reconsideration of failed applications – after all these, the funds, it was generally agreed, were equitably and wisely distributed. (Public criticism in the Jewish press of the Conference's programs will be considered in the Conclusion.)

During 1953, almost 100 Jewish organizations submitted applications, requesting \$54 million. Some 75 per cent of this sum was for the material relief, rehabilitation and resettlement of the victims of Nazism. The projects submitted, two-thirds of them from Europe, included requests for cash relief, feeding programs, child care, medical care, care of the elderly, vocational training, legal aid, emigration assistance, rehabilitation and reconstruction loans and the communal rehabilitation of religious and social institutions. A further \$14 million was requested for cultural projects.

In evaluating this enormous volume of requests, the Conference created a number of priorities to measure the urgency of need of Nazi victims and of Jewish communities under Nazi occupation. The highest priority was given to countries whose resources were insufficient to cope with the emergency relief requirements of Jewish victims of Nazi

persecution. However, even in countries occupied by the Nazis, Conference allocations were not designed to replace local fundraising or to weaken efforts to capitalize on local, including governmental, resources. Equally, Conference funds were not allocated to relieve Jewish communities of responsibility for maintaining the level of relief aid to Nazi victims granted before the establishment of the Claims Conference.

The overwhelming proportion of Conference funds allocated for relief and rehabilitation were granted for use in Europe, and in the former Nazi-occupied countries in particular. In making its allocations, the Conference strongly favored established welfare and central communal agencies, believing them to be best qualified by experience and organization to make the most effective use of the relief and rehabilitation grants. Central agencies that received Conference funds during 1954 (either via the Joint or on the basis of the recommendations of its rapporteurs) included the Israelitische Kultusgemeinde in Austria, the Aide aux Israélites Victimes de la Guerre in Belgium, the Fonds Social Juifs Unifié in France, the Zentralwohlfahrtsstelle of Germany, the Central Council of Jewish Communities in Greece, the Unione della Comunità Israelitiche Italiane, the Mosaiska Församlingen in Sweden, the Federation of Jewish Communities in Yugoslavia, the Verband Schweizerischer Juedischer Fluechtlingshilfen in Switzerland, the Asociación Filantrópica Israelita in Argentina, and the Australian Jewish Welfare Society. The central communal organs of Brazil, Luxembourg, and Uruguay also received allocations in 1954. The allocations were used for the support of homes for the elderly, orphanages, kindergartens, hospitals, health centers, special medical aid and related purposes.

According to an early report prepared by the Conference's offices in New York, some 27,500 needy Jewish victims were provided with essential aid (through the programs of the JDC) as a result of the 1954 Conference allocations, of whom 11,500 lived in the 'DP countries' (Germany, Austria and Italy), and 16,150 in France, Belgium and other lands on the European continent.¹⁷ This figure represents the remaining hard core of the Jewish displaced persons in Europe in the early 1950s.

As the welfare needs met by the Conference allocations were the urgent and immediate needs of sustenance for a functionally disabled

clientele, it is only reasonable to assume that these needs had already been catered for in the years preceding the creation of the Claims Conference. Indeed, the number of beneficiaries of Conference's welfare programs in countries previously occupied by the Nazis was almost exactly the number of people benefiting from the welfare programs of the JDC in 1953 – the year prior to the start of the Conference's allocations program (see Table 5.2).

In terms of direct-relief payments, the reparations payments clearly made little difference. The Jewish world had already organized itself to meet the most urgent needs even before funds from Germany had become available. These facts explain why Moses Leavitt, as head of the Claims Conference delegation in the negotiations with the Germans at Wassenaar, so insistently opposed the German demand that reparations funds be devoted entirely to 'needy' victims of Nazism. The needs of the 'needy' victims of Nazism had already been largely met by Jewish philanthropy. The Jewish organizations had larger plans for the Claims Conference allocations than simply extending existing welfare programs.

While the number of beneficiaries of JDC aid did not increase as a result of the reparations funds, the amounts of money spent for each recipient of aid grew. Conference allocations both underwrote existing JDC expenditures and allowed these programs to expand. Special Conference allocations expanded the Joint's relief activities in Europe by just over one-third in 1954.¹⁸

In the first year of allocations, the sum of \$6,784,250 was awarded for general relief, rehabilitation and resettlement programs to be administered either directly by, or under the supervision of, the Joint (it had applied for \$8,736,000).¹⁹ The Joint, in turn, channeled the money to the communal organizations listed above. For many Jewish communities, the effect of funds originating in the Claims Conference allocations program was felt only through the mediation of the Joint. (Table 6.4 illustrates the extent to which the budgets of major communal organizations benefited from Conference-Joint funds.)

The JDC conducted four basic types of relief programs – cash relief, medical aid, child care and care for the aged. An additional category of aid, 'relief-in-transit', will be discussed separately below.

The 'hard-core' displaced persons problem was so named because of the difficulties in finding these refugees suitable locations for

resettlement. Many of them had been to Israel and preferred to return to the camps. (Living off European welfare and Jewish philanthropy was easier than coping with the difficulties of life in Israel in the early 1950s.) Most were ineligible for normal emigration to other countries because of their poor physical and emotional health, or because of their political affiliations. They represented a significant proportion of the Jewish communities in the countries in which they resided. These communities, in countries occupied by the Nazis, were themselves undergoing a process of rehabilitation, and their capacity to contribute to the support of the needy among them had not returned to its normal prewar strength. Furthermore, as most of these hard-core cases had come from Eastern Europe, they were foreign elements in the local Jewish communities.

The Joint's strategy for dealing with the problem of the welfare recipients was to provide, in addition to relief and rehabilitation assistance, the vocational training and emigration aid necessary to improve their chances of leaving Europe. The JDC had already undertaken a series of negotiations with Norway, Sweden, England and several countries in South and Central America to convince them to liberalize their immigration laws for emotionally and physically disabled refugees. In 1952 and 1953 the Norwegian and Swedish governments accepted small groups after the Joint had made lump-sum payments to offset the costs of their resettlement or institutionalization. In 1954, when it presented its first application to the Conference, the Joint anticipated the emigration of a further 5,000 from among the welfare cases.²⁰ However, throughout the allocations program from 1954 to 1966, emigration never reached the level which the officials of the Joint and the Conference in New York had hoped. Excluding the sudden upsurge in Conference-assisted emigration in 1956–57 which resulted from the events in Hungary, emigration proceeded at an annual average of just over 2,000 persons per year.²¹ Not all these emigrants were on the JDC relief rolls, but a certain percentage were, and the number of people dependent on relief declined through emigration every year. A proportion of the hard-core problem was resolved by resettling the individuals concerned in Europe (mainly Germany). Others remained institutionalized and their care gradually became the responsibility of the local Jewish communities. The passage of time also alleviated the problem by natural means, and by the late 1950s the

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relief and welfare component of the Joint's annual allocation from the Conference had been reduced considerably.

The hard-core welfare clients of the Joint were spread throughout the DP countries and France. There was, however, one particular regional concentration of them that seemed to encompass everything that was problematic about these victims of Nazism. As the DP camps were emptied of their inhabitants between 1948 and 1950, the most difficult cases gathered in what turned out to be the last DP camp in Germany – Camp Foehrenwald. With the approaching dissolution of the International Refugee Organization, the German authorities were given responsibility for the remaining DP camps in their territory.

German policy toward Jewish DPs was the same as toward *Volksdeutsche* from Eastern Europe and other groups – close the camps and force their inhabitants to integrate into Germany society and economy. Some of the best known of all the DP camps – Feldafing, Landsberg, Lechsfeld – were closed in late 1950–early 1951. Similarly, the JDC began to terminate its support for the remnants of the representative committees of the camps, and the last meeting of the Rat (Council) of the Central Committee of Liberated Jews in Germany (US zone), was held on 10 January 1950.²²

Many of the DPs gravitated toward Camp Foehrenwald. So too did the 'returnees', survivors of the Holocaust who had emigrated to Israel but found life too difficult there and preferred to live off the charity of the JDC and the IRO.²³ The possibility of individual indemnification payments also encouraged them to return (the earliest German indemnification and restitution legislation applied only to claimants within the borders of the Federal Republic). It was estimated that there were up to 2,000 'returnees' in Germany by 1952, 690 of them in Foehrenwald. There was so much lawlessness within the camp that the JDC threatened to withdraw all services from the residents.²⁴ In May 1952, a German customs raid on the camp resulted in German police firing into the air, but they were afraid to actually enter the camp. Relations with the local authorities were complicated by the fact that the German minister responsible for the camp, the Bavarian State Secretary for Refugee Affairs (Professor Theodor Oberlaender), had been a moderately prominent Nazi.²⁵

The residents of Foehrenwald were acutely aware of the symbolic nature of their presence – the last of the survivors in a camp – and they

intended to exploit fully its media value to improve their chances of favorable treatment from all parties interested in the final resolution of the DP problem. They did not discriminate in this regard between Jewish or German agencies, all of which wanted to close Foehrenwald as quickly as possible. Shortly after the signing of the Luxembourg reparations agreements, Foehrenwald residents approached the Federal German authorities and requested payment of DM 3,000 (\$714) per person to help disband the camp. The Germans referred them to the Conference, but it declined to allocate funds for this purpose.

During 1953 the demands of the residents increased, while at the same time violent confrontations with the German police became more frequent. The deteriorating situation was attracting increasing attention of the worst possible sort for the Jewish organizations. During the year the camp committee made an application to the Conference for a cash payment of \$5 million – high enough, it was noted, to attract other ex-Foehrenwald inmates back to the camp from Israel, where they had settled, so that they too could share in any allocation. In December 1953, the Conference resolved to refuse to discuss the application. The applicants replied by physically expelling the JDC from the camp and organizing a mass sit-in in the JDC's Munich offices.

These incidents were reported widely in the German press, and did little to strengthen German–Jewish relations. The worst stereotypes were confirmed for a large part of the German public who in any case believed that the reparations process had been an act of extortion.

Eventually both the JDC and the German authorities capitulated to the Foehrenwald residents. In a settlement reached in April 1954, the Joint agreed to contribute \$650,000 from its Conference allocation toward their emigration and resettlement. The German authorities provided a further DM 3 million as a resettlement payment (\$475 per adult and \$120 per child, payable by the German consulate in the countries of resettlement). A further 200 apartments were rented in Munich for those who did not want to leave Germany.

Most of the Foehrenwald people emigrated to Australia, and the Australian Jewish Welfare Society was allocated funds to ensure their successful settlement.²⁶ During the 1954–64 period, the Conference contributed more than \$2,235,000 for relief and rehabilitation of Jewish refugees in Australia, not including its contributions to cultural

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and educational programs there.²⁷ As late as 1963, the income from the Conference represented 71 per cent of the total budget of the Australian Jewish Welfare Society.²⁸

Camp Foehrenwald was only finally disbanded in 1956. It was the last DP camp in Europe and, when it finally closed, a chapter of Jewish history came to an end. The Foehrenwald case was one of the most difficult welfare problems resolved with Conference funds. It caused a large amount of resentment among the officials of the Joint and the Conference. As Leavitt pointed out, the Joint/Conference allocation alone was disproportionately favorable to the camp residents.²⁹ The collective sigh of relief when Camp Foehrenwald was closed from all the Jewish organizations that dealt with this problem is almost palpable in the otherwise dry documentation of the period.

Care of the remaining DP problem was only one charge on the Joint's budget. The larger part of the JDC application to the Conference was aimed to assist local communities to cope with their welfare responsibilities to their own members, and to finance the reconstruction of Jewish communal life. In fact, even though the share of 'relief, rehabilitation and resettlement' in the Joint's budget declined, the Joint's allocation from the Conference increased during the years of the Claims Conference program.

Beyond the aid that the Conference provided for the emigration of the remaining inhabitants of the DP camps, allocations were also made to support the general migration work of the United HIAS Service (UHS). Whereas the Jewish Agency organized Jewish immigration to Israel, the United HIAS Service conducted operations on every continent. The UHS was formed in 1954 following the merger of the three main agencies dealing in Jewish migration elsewhere than to Israel – the Hebrew Sheltering and Immigrant Aid Society (HIAS), the Emigration Department of the Joint and the United Service for New Americans. The UHS received a total of \$6,683,916 during the 1954–64 period, within the context of the annual allocation that the Conference awarded the JDC. A total of 48,765 migrants benefited from this program. Almost 50 per cent of them were Hungarian Jews who migrated during 1956–57.

Two specific welfare programs were administered directly by the Conference itself – aid to refugee rabbis and to former community leaders. Age, ill health and adjustment difficulties in the lands of

resettlement made it difficult for many refugee rabbis to earn a livelihood. From 1954 until 1967, the Conference allocated \$1,122,680 to a program designed to bring relief to the most difficult cases in this group. The average annual allocation for the entire program in the years 1954–64 was \$77,000, with a peak allocation of \$135,000 in 1958. After the termination of the Conference's main allocation program (that is, after 1964), the refugee rabbis' fund continued for a number of years, petering out in 1967.³⁰

This program proved to be one of the more difficult of all such programs run directly by the Conference. In his account of the JDC's use of Conference funds to the 1955 Board of Directors meeting, Leavitt recalled it as 'one of our biggest headaches'.³¹ Almost as many applications were made for support within this program as were directed to the Conference's budget as a whole. The Conference was subjected to more criticism on this issue in the American Yiddish press than on any other issue. Some rabbis who applied for welfare aid refused to provide the necessary information on their means and sources of income, as they considered disclosure to be demeaning. Although the program was aimed at helping rabbis who had been heads of their communities in prewar Europe, more than half of those who applied were younger than 30 when the war broke out. Many were recent graduates of American *yeshivot*. The Conference was obliged to administer this program directly when the agency that had first dealt with it, the New York Association of New Americans, withdrew as a result of 'pressure from individuals and groups over and above . . . what it considers is a reasonable pressure in the administration of any kind of aid program'.³²

A Committee for Refugee Rabbis, made up of prominent orthodox rabbis in the US, supervised the program on behalf of the Claims Conference.³³ Despite the potential for disagreements on questions of rabbinical *smicha* (ordination), the Conference's senior officers preferred to leave the question to the discretion of the orthodox rabbis on the special committee.³⁴ The program aided some 225–250 persons annually, on average, in the United States, Canada and Britain – countries where the central Jewish welfare agencies received no financial support from the Conference.³⁵ In the US and Canada, payments were distributed to the beneficiaries directly between 1954 and 1963, and through the Office of the Chief Rabbi in the United Kingdom. Between 1964 and 1967, allocations in North America were

distributed via the Esras Torah Fund.³⁶ The rabbis also benefited, whenever possible, by employment with Conference-funded cultural projects. There were similar programs in Israel and France – the former supported by a small Conference grant, and the latter program, which was almost as large as that of the Conference's own relief work for refugee rabbis, was supported from the general program of the JDC.

The Conference also administered directly a special fund for former Jewish community leaders residing outside of Israel. The fund was established by the Board of Directors at their first allocations meeting, in March 1954. It reflected a similar fund maintained by the Jewish Agency in Israel since 1940, which provided a modest income to previous Jewish community or Zionist leaders.³⁷ In order to keep this program within reasonable bounds, the Conference resolved to restrict the candidates to the highest level of former Jewish leadership – the surviving leadership elite of communities that were destroyed. Candidates had to be at least 60 years old, in need, and with no steady source of income. Suitably prominent candidates were members of parliaments representing the Jewish population, leaders of the major Jewish political parties, heads of central Jewish institutions, and leading writers and scholars who were no longer able to work.³⁸

Residents of 16 countries were beneficiaries of this program, one-half of them older than 75 years. Over the years their numbers diminished, and the size of the program shrank. Nevertheless, like support for refugee rabbis or for the *Hassidei Umot Ha'Olam*, once the Conference commenced this program it had undertaken a commitment which could not easily be set aside. Monthly grants varied in size from country to country, in keeping with different standards and costs of living. Widows and minor children received 60 per cent of the sums granted to the late spouse. Community leaders from Eastern Europe who migrated to Israel after 1965 and were in need were also assisted. During the years of peak Conference activity, to 1964, over \$900,000 was spent on this program. The program continues to this day, with an average annual expenditure of \$60,000.³⁹ The Directors of the Conference administered this fund for impoverished communal leaders with particular care and discretion. A special committee of five, who were all members of the Board of Directors, supervised the fund, which was run directly from New York. This was contrary to the general

practice of the Conference, which, like the Joint, always worked toward strengthening the authority and standing of the central representative body of the local Jewish community. In this case, in order to maintain the utmost discretion, the Conference operated directly and circumvented the channels of supervision and rapportage that it usually insisted upon.

A third special welfare program was financed by the Conference, although it was not administered directly by it. During the second year of allocations, it became apparent that the principle of not allocating welfare funds in donor countries discriminated against survivors of the Holocaust who had migrated to America after the war. A particularly acute problem arose concerning support for a large number of Jews who had been made invalids by Nazi brutality. Accordingly, the Conference agreed to finance the economic and medical rehabilitation of survivors who had lost limbs or suffered other severe orthopedic disabilities. A sum of \$310,000 was allocated to this special program between 1955 and 1958, and 210 persons were aided. The program was administered by the New York Association for New Americans.⁴⁰

The account of the activities of the Claims Conference given above has traced the course of programs begun in the first year of allocations and continued throughout the life of the organization. Research and commemoration projects are considered in the following chapter. In very general terms, the manner in which the Conference's first allocations were divided between the various categories of projects (although not between the different beneficiaries) remained constant throughout the period 1954 to 1964.

For a number of years, until 1958, the Conference contributed substantial amounts to the operating costs of the United Restitution Office (URO), which provided legal aid to needy victims of Nazism as they prosecuted their claims under the German indemnification and restitution laws. The URO generally financed its own operations by charging its clients a small fee following the successful prosecution of their case. The case load of the URO increased rapidly following the translation into law of the agreements concerning individual restitution and indemnification which the Claims Conference had negotiated at Wassenaar. However, until the number of settlements in court grew, the URO did not have sufficient income to provide the services necessary for the maximum number of victims of Nazism to take advantage

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of their rights under the new German legislation. Allocations from the Conference covered this interim period, until the URO became a self-financing organization.

In addition to its offices in Israel, Britain and the United States, as a result of this support the URO was able to open offices in Canada, Belgium, Sweden, Australia, Argentina, Brazil, Chile, Uruguay and South Africa. It also opened offices in six major German cities in order to represent claimants before German indemnification courts and agencies. Between 1954 and 1958, the Conference allocated \$2,695,000 for this program.⁴¹ When the URO no longer required an income from the Conference, a substantial percentage of the latter's annual budget was released for other purposes. As the URO received only \$10,000 from the Conference in 1958, the Conference budget changed significantly already in that year.

One category of expenditure, which, although remaining basically constant throughout the life of the Claims Conference, fluctuated after 1958, was the administrative budget. Beyond its participation in the costs of the Israel Purchasing Mission in Germany, the Conference maintained offices in New York. Officials of the Conference traveled widely in the course of their duties, supervising projects which received Conference funds and reconciling differences between the member organizations on allocations for the coming year. As the Conference collaborated so closely with the Joint and made such extensive use of the professional employees of that organization, its own offices were minimally staffed. Major annual expenses included the Board of Directors meeting in a different capital city every year (the travel and living expenses of a representative from each of the 22 constituent organizations were met by the Conference) and the publication of the exhaustive *Annual Report*.⁴²

The Conference was fastidious about its public accountability. Under the terms of the Protocol signed with Germany in Luxembourg, the Federal Republic was entitled to, and received, a full-length report on all details of the Conference's activities. The reparations agreements of 1952 were not universally welcomed by all ministries of the Federal Republic. The Finance Ministry, in particular, examined the Conference's annual reports in detail. The first annual report (for 1954) reached the Germans in January 1956.⁴³ (A draft report leaked to the press in January 1955, but a more detailed official version, written in

German, was specially prepared for the authorities in Bonn each year.) After having studied the first report, the West German Finance Ministry informed the Conference that they were dissatisfied and intended to activate the arbitration procedure incorporated into the Luxembourg agreements. Other ministries of the Federal Republic had expressed their satisfaction with the operation of the Conference. However, there was a difference of opinion between the Conference and Joint on the one hand, and the Finance Ministry, on the other, over the payment of cash relief to special hardship cases within Germany.⁴⁴ The Jewish organizations insisted on their right to allocate funds according to the accepted principles of professional social welfare, the chief aim being to reduce dependence on charity. The Germans, however, were primarily interested in eradicating conspicuous problems such as Camp Foehrenwald as quickly as possible. The Conference believed that the threat of arbitration was simply a ploy used to force the compliance of the Joint and the Conference, and turned to higher German authorities to circumvent the pressures of the Finance Ministry.⁴⁵ They also went to great length to provide the Ministry with all additional information that they required (including details of relief-in-transit, discussed below).⁴⁶

Even into the 1960s, the German authorities raised questions about some of the allocations, in particular the relief-in-transit program and the cultural budget.⁴⁷ The answer they invariably received was that the funds allocated to the projects which the Federal Republic did not consider to directly benefit victims of Nazism (such as the cultural program) were derived from Israel's contribution to the Conference's budget, or from the JDC where it and the Conference financed a project jointly.

An additional explanation of the Conference's desire to publicly account for its use of the reparations funds derives from the source of those funds and the bitter controversy in 1951–52 over the negotiations with Germany. In view of these facts, Conference officials firmly believed it was necessary that the money be spent wisely, and be seen to have been spent wisely.⁴⁸

However, the most pressing reason for all the efforts invested in reporting the Conference's activities derived from its composite nature. Each constituent organization had to account to its own community for the decisions of the Conference. There was hardly a community or an applicant who did not feel a sense of disappointment with the

allocations received. Each applicant had pitched its claims at a high level, and most applications were reduced substantially or rejected outright. In such a situation, every applicant looked out for inappropriate allocations. As Kagan observed to Josephthal:

I find that in connection with nearly 400 applications which I have to tackle here that people who are dissatisfied spend at least as much time attacking favorable recommendations as trying to persuade me of the importance of their own request . . . *Schadenfreude ist die schönste freude.*⁴⁹

Kagan was the senior salaried officer from the Conference's inception. From 1954 to 1956, he was aided by Judah Shapiro, who was responsible for the cultural and educational programs. Shapiro's experience in the educational department of the Joint in Paris made him familiar with the cultural and educational needs of European Jewish communities. His successor was Mark Uveeler, who had previously worked with YIVO in New York. Uveeler was responsible for the cultural and educational program of the Conference until 1964. From 1962 Uveeler was the Executive Secretary of the Conference.

The administrative expenses of the Conference, excluding the 15 per cent share of the costs of the Purchasing Mission in Germany, fluctuated between three and four per cent of the total budget. The costs remained fairly static, except for a marked increase in the early 1960s, after which the administrative expenditures returned to the lower levels of the 1950s.

As the hard-core refugee problem dwindled, a different category of welfare expenditures began to assume an increasing share of the Joint's annual allocation from the Conference. A program euphemistically entitled 'relief-in-transit' was allotted just over \$1,000,000 in 1954. By 1964, when the main part of the Conference program terminated, relief-in-transit was receiving over \$6,700,000 – almost the entire JDC share of the Conference's annual budget. From 1954 to 1964, the Claims Conference provided almost \$44,000,000 for this program. Furthermore, after 1964, relief-in-transit was the largest single undertaking still supported by the residual Conference program, with allocations of \$1,000,000 annually to 1969.

Despite its size and apparent importance, the program was shrouded in secrecy. Moses Leavitt gave brief accounts to the annual Board of

Directors meetings, but only after the stenographic recording was turned off. One senior officer of the American Jewish Committee noted that he first learned details of the program in 1962, nine years after the Conference had begun allocating funds for it.⁵⁰ Although the German authorities asked frequently for details of the program, information was only provided orally and at the highest possible level to which the officers of the Conference and the Joint had access.⁵¹ Indeed, when Goldmann went to Germany to discuss the program with advisers of Chancellor Adenauer, he himself had to be specially briefed. The term 'relief-in-transit' has been used to describe a number of different programs administered by the Joint and the Jewish Agency since the Second World War. The forerunner of the program financed by the Joint was a combined Agency-Joint effort during the war to provide relief packages to Jews in the Soviet Union. Following the war, 'relief-in-transit' was the term used to describe the aid which the JDC provided for Jews fleeing Eastern Europe for the Allied Occupation Zones of Germany, Austria and Italy in 1945–47 (the '*bricha*').⁵²

In 1948–49, the communist regimes of Eastern Europe expelled first the Jewish Agency and then the Joint in an attempt to isolate the local Jewish communities and sever their links with international Jewish organizations (see Chapter 2). Accordingly, relief-in-transit was transformed into a program to bring aid and sustenance to Jewish communities behind the Iron Curtain, with which the Joint no longer had any direct contact. Packages of clothing, foodstuffs and medicine were sent in increasingly large quantities to Jewish families in the East. In 1955, when the program was still relatively small, 55,000 packages were sent to the satellite states (i.e. excluding the USSR) alone.⁵³ In 1957, it was estimated that the program reached 100,000 individual Jews in Hungary, 180,000 in Romania, 50,000 in Poland, 25,000 in Czechoslovakia, 7,000 in Bulgaria, and 12,000 Jewish families in the Soviet Union. Cash relief was also given wherever possible. In Hungary one-third of the relief-in-transit was in cash, in Romania cash payments made up half the program, in Czechoslovakia they were two-thirds of the overall program. Secrecy was vital, because an organized program of these dimensions was either illegal or, where the local authorities were aware of the source of the packages, considered to be an affront to the ability of the proletarian regimes to take care of their own welfare needs.

Relief-in-transit was run in a separate Joint operation from Switzerland, either openly by the Joint or through a front organization. At all times, the only senior Joint officer directly involved was the European director of the JDC, Moses Beckelman, until his death in 1956, and afterwards Charles Jordan. The relief-in-transit program grew so dramatically as a result of the declining needs of the individual survivors and the Jewish communities in Central and Western Europe, and because of the unique circumstances of the Jewish communities in communist countries. As most Jews in the communist countries were defined officially as 'bourgeois', they were discriminated against because of their class background. Many were expelled from their flats and offered only manual jobs. In 1957 it was estimated that up to 45 per cent of the Jewish community of Budapest was unemployed. In the Soviet Union, relief-in-transit payments were necessary because many Jews were only entitled to one-third of the strict minimum necessary for subsistence in the form of state pensions – because they could not show 25 years of 'productive' labor before retirement. Other categories of beneficiaries included widows, and the families of those in prison (who were disqualified from any state aid whatsoever).⁵⁴

The parcels were mainly designed for resale locally. The counter-value of a \$50 parcel varied between 1,500 and 2,000 rubles. In 1957, 1,000 rubles per month was necessary to maintain a family of four at a more or less minimum level. Most recipients received one parcel a year, although approximately 25 per cent received two parcels annually and the neediest families received three.⁵⁵ A similar relief program was operated by the Lubavitcher movement, with a Conference–JDC subvention, in the Soviet Union.⁵⁶ Part of the relief-in-transit was reserved for facilitating emigration from Eastern Europe. The money was used to pay official departure taxes, to provide transportation to the nearest European stopover (where the Jewish Agency took over the emigration process), and to provide a small amount of cash-in-hand for the migrants.

The relief-in-transit program came to dominate the Joint's allocation from the Conference, while all other relief programs were declining. By the early 1960s the secrecy which surrounded the program was criticized within closed forums of the Conference. As a senior adviser to Jacob Blaustein wrote,

an appropriation of nearly \$5,000,000 [in 1960] should not be left to the exclusive discretion of any single individual, no matter who he is. The Senior Officers . . . have an obligation to receive much more detailed information as to these expenditures so that they can be satisfied . . . that these funds are being used properly. This is not lack of confidence in anybody; it seems to me that it is the proper procedure for responsible trustees of communal funds.⁵⁷

In January 1962, Charles Jordan presented a detailed verbal report on the program to the Executive Committee of the Conference. Apparently this report, which was not entered into the official records of the Conference, was the only serious accounting ever presented. The entire program remained the domain of the small group of senior officials of the JDC and a very few officers of the Conference. It is indeed surprising that beyond the confidential challenge referred to above, and the questioning by the officials of the Federal Republic, there was so little debate in the Jewish public about relief-in-transit. The terse line or two included in each annual published report of the Claims Conference apparently satisfied the inquisitiveness of the Jewish press and public.

At the start of the Claims Conference allocations program, two-thirds of West European Jewry lived in France. As the Jewish population of France grew more rapidly than that of any other European country during the lifetime of the Conference, the predominance of French Jewry among the European communities increased. It is not surprising therefore that the Conference devoted 34 per cent of its overall allocations to country-specific programs to France (see Table 6.3). Wherever possible the Claims Conference and the Joint funneled grants through the central communal bodies in accordance with its principle of encouraging existing community institutions. The Fonds Social Juif Unifié (FSJU) was the main conduit through which the Conference and the Joint were able to distribute \$22,129,000 during the lifetime of the allocations program in France.

Over the years, 35 community and youth centers were built with Conference help, and 12 children's homes, 11 homes for the elderly, 9 summer camps, a psychiatric hospital, clinics, and various religious institutions were either created by or received aid from the Claims Conference. Forty-six Jewish schools throughout France received

substantial capital allocations to improve their physical plant. A modest cultural program encouraged research and publications.⁵⁸

In 1953, when the professional social workers of the JDC who were based in Paris debated the likely impact of the impending influx of Conference funds, they were very concerned that the funds, while allowing an expansion of communal welfare services, would have the undesirable effect of halting the French Jewish community's progress towards independence. The aim of all social work is to enable a client to attain control of his own affairs and financial independence. The officials of the JDC related to the entire community in the same way as their profession viewed the aims of individual social work. French Jewry, they feared, would cease contributing to the central fundraising campaigns because of the reparations income, and the Joint, rather than close its offices (as it was hoping to do by 1951), would in fact become more deeply involved with the community as large sums of money were to be spent. This was the other side of the reparations coin. To what extent were these fears justified?

For the first few years of the allocations program, the annual budget of the FSJU grew dramatically (from 345 million francs in 1952 to 666 million in 1955). Yet local fundraising remained static (142 million francs in 1952, 148 million in 1955).⁵⁹ Almost all of the deficit was covered by JDC-Conference allocations. Ten years later, the dollar value of local fundraising had more than doubled, but it still fell far short of the needs created by the expanded FSJU program. Despite the hopes of the Joint's officials in the early 1950s, French Jewry had not succeeded in weaning itself away from the support of external sources. Nevertheless, when the reparations income ended, the local community was in a far stronger position to undertake the burden of supporting a higher level of communal activity than might otherwise have been the case.

When an organization submitted an application to the Claims Conference, it was required to prepare an itemized budget for the project concerned and provide approved building plans whenever construction work was envisaged. It had to be able to convince the rapporteur of the Conference that it was capable of implementing the project proposed, and could provide written quarterly reports of its progress. Annual audited accounts of all income and expenditure relating to the project were also necessary. These requirements

concerned the applicant organization, and while the project it had proposed would be judged on the basis of the principles of allocation as they emerged in 1954–55, the very act of lodging an application often forced Jewish communal groups to reconstitute themselves on a more professional and permanent basis than previously.

The Conference itself was also obliged to report annually and in detail on all of its expenditures, both to the Board of Directors of the Conference, and to the German government. As a result, the officials of the Conference were often loath to allow any discretion at all in the use of funds to the organizations that received them. In June 1954, the Conference encouraged the FSJU to establish a Commission du Plan d'Action Culturelle representing all streams in French Jewry. The Commission was to establish priorities between research projects, publications, and libraries – that is, long-term projects, adult education, schools for young people and matters of general interest. There were 86 applications for projects in France which fell within these categories for the grants year of 1955. After the French Cultural Commission made its recommendations, the offices of the Conference in New York made an additional selection. Despite the encouragement the French received from the JDC–Conference program, and regardless of the aspirations of the French Commission, the Conference clearly saw the Commission's task as advisory and not executive.⁶⁰ When the Conference allocated less than the application of the Commission required, another argument arose – would the French Commission be free to re-allocate the funds the FSJU received among programs it had proposed according to its understanding of French Jewish priorities, or would the American officials of the JDC and the Conference in New York make that decision for them?

The question, which arose regularly in one form or another in the earlier years, indicates the sort of problem that confronted the officials and executive officers of the Conference. They were determined not only to distribute the funds equitably to alleviate welfare needs among Nazi victims and to enable cultural and other projects to be undertaken, but also to use the allocations to encourage a different, 'professional' style of communal organization and leadership. This approach was inevitably paternalistic, and it underlay many of the tensions between the Conference and the larger recipient communities.

There were also occasions when the Conference endorsed a

‘cultural’ project against the wishes of the central communal representation, in order to remain neutral as between the various religious trends in modern Judaism. Despite the protests of the Commission du Plan d’Action Culturelle, the Conference allocated \$5,000 for the opening of a seminary for the training of Progressive rabbis in Paris. It quickly became clear that the seminary staff was inadequately trained and the number of students very small. After the first grant no further Conference funds were made available to it.

In Belgium, reparations funds were used by the Conference to overcome the main communal rift, between the established Belgian Jewish community from prewar days and the much larger refugee community which had lived in Belgium only since 1945 or later. The two communities were estranged. The more recent arrivals demanded a vigorous Jewish cultural and religious program, and Zionist activities, none of which were encouraged by the more assimilationist older community. In the first year of the Conference each group submitted separate applications for the establishment of a Jewish community center in Brussels. Such a center (Foyer Israélite) had existed before the war but had been destroyed by the Germans. During 1954–55, officials of the Joint, acting as rapporteur, succeeded in bringing the two factions together and having them submit a joint application for a center that was open to all trends within the Jewish community.⁶¹ In addition to the community center, Conference funds were used to improve the welfare services of the community (mainly through the existing welfare organization Aide Aux Israélites Victimes de la Guerre (AIVG)), to improve the physical plant of the Jewish school system, and to maintain children’s homes.

During 1954, the Jewish community in Holland submitted applications for aid in undertaking 20 projects, ranging from the restoration of the Portuguese Synagogue in Amsterdam, the publication of a children’s magazine, cultural salvage work, and through the whole spectrum of welfare work (for example, orphanages, homes for the elderly, hospitals, mental-health centers, aid societies). Most of the projects were adopted by the Conference, and in the course of its program the Conference allocated \$1,146,263 in that country.

The Dutch Jewish community was in the unusual position of being established socially and financially, and enjoying a large degree of homogeneity in its composition. It presented a well ordered front to the

Conference. Nevertheless, when representatives of the community suggested that they establish a committee to screen Dutch applications and to formulate an overall plan of work which would allow the presentation of a unified application to the Conference, officials of both the Conference and the JDC were very wary. The precedent of the Cultural Commission of the FSJU made it difficult to reject the idea of such a committee, but the Dutch initiative was accepted only after 18 months of correspondence and serious debate. The Conference and the JDC did not wish to allocate a block sum to a local community and leave them to make the distribution, even when the community concerned was as stable and established as that of Holland. The official reasoning behind the rejection of the proposal from Holland was that the Conference had to defend the rights of smaller groups whose projects might not be well received by the local community, and that it was obliged to retain the power of final decision on each application.⁶² The conflict between centralized decision-making in New York and the delegation of authority to the local Jewish communities was only slowly resolved in favor of delegation to the communities.

Applications from the Jewish community of Great Britain presented the Conference with a different sort of dilemma. From the very beginning, it had been agreed that in view of the principle of not using reparations funds to replace local fundraising, 'donor' countries would not be recipients of Conference allocations. Furthermore, preference was given to the applications from countries that had been occupied by the Nazis.

Eventually it proved impossible to retain this principle, as the Conference programs in Britain and North America demonstrate. In part, this was the result of 'political' pressures exerted by British and American members of the Executive Committee and Board of Directors. However, it also reflected the fact that both Britain and the United States had absorbed large numbers of victims of Nazism, who could not be disqualified from benefiting by reparations to their communities.

According to local estimates, there were 450,000 Jews in Britain during the 1950s, 10–12 per cent of whom were refugees from Nazism. Furthermore, densely populated Jewish areas in London had been bombed extensively during the war, and various synagogues and other communal property had suffered damage. Thus both because

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of the number of victims living there and because of the direct consequences of the war, Britain had a good claim to Conference funds even though it met none of the formal criteria. Each year a different British application – for schools, synagogues repairs, old-age homes – was the subject of heated debate in the Executive Committee and the Board of Directors. However, the decisive factor in the debate, and the consideration which ultimately guaranteed that most British requests were met out of Conference funds in the long term, was not raised in the discussions at this level. It appears that only the officials of the various organizations involved fully appreciated the ramifications of the issues at stake.

The Conference on Jewish Material Claims Against Germany was the most public and open of the organizations that dealt with reparations funds, but it was not the only one. The Jewish Restitution Successor Organization (JRSO) and the Jewish Trust Corporation (JTC) in the British and French zones of Germany maintained their own allocations program parallel to that of the Claims Conference. In the long term, these organizations distributed funds which were almost as large as the amounts distributed by the Conference, but, unlike the Conference program, the money deriving from restitution of heirless Jewish assets was almost all distributed directly to the larger organizations – the Jewish Agency, the Joint, the Central British Fund, and (as will be discussed below) the Zentralrat der Juden in Deutschland.⁶³ JRSO's program was by far the largest, followed by that of the JTC (British zone). Jewish assets restituted by the JTC were paid to the Central British Fund, which, in turn, paid over two-thirds of the first DM 10 million it received directly to the Jewish Agency and the Joint. At the same time, the Central British Fund applied to the Conference for support for a number of projects in Britain.

The entire reparations and restitution program had created an interlocking network of dependent ties among all the organizations involved in the relief and rehabilitation of the Jewish victims of Nazism. The Central British Fund was in the unique position of not only acting as rapporteur for the Conference in Britain and as its main distributing agency, but also as a significant source of funds for organizations whose opinions had considerable weight in the deliberations of the Conference.⁶⁴

These factors were the concern of the officials of the Conference, the Agency, the Joint and the Central British Fund. They were not addressed directly by the annual meetings of the Board of Directors of the Conference. Among the considerations that influenced the allocations decisions of the Board was a strong feeling that a community that had done as much as British Jewry for the victims of Nazism should not be excluded from the allocations program, and a general understanding that none of the participating organizations in the Conference should feel that they had been inequitably treated.

On occasion, individual members of the Board of Directors were able to convince their colleagues at Board meetings to overturn the decision of the Executive Committee and support an application that had been rejected, or increase the sum allocated. An example is the success of the President of the Executive Council of Australian Jewry, Maurice Ashkanasy, to convince the Board meeting in Paris, 1955, to effectively double the allocation made to Australia, and to support Mt Scopus, a Jewish school in Melbourne. This was despite the fact that the Executive Council of Australian Jewry had not met the reporting requirements of the Conference and had not satisfied officials of the JDC as to the management of various welfare projects.⁶⁵ The success on appeal of the Australian application was due both to the eloquence of Ashkanasy's presentation and to a general recognition that Australia was currently contributing much to the resolution of the remaining hard-core displaced persons problem. An Australian lawyer born in Britain, Ashkanasy spoke an elegant rhetorical English, which many of the other directors tried to imitate. Goldmann, whose own English in the mid-1950s was studded with Yiddish and was far from articulate, pointed out that when Americans mimicked British parliamentary usage the results were usually unintelligible.⁶⁶

In the first years of its allocations program, the Claims Conference, like the other Jewish public bodies involved in the restitution and reparations process – JRSO, the JTC and the JTC-French zone – had to come to terms with the unique demands of German Jewry, both those Jews inside Germany (but not necessarily survivors of the prewar community) and the large number of former German Jews who had found refuge elsewhere. The issue was sensitive, and led to significant controversy in the Jewish world. When the Claims Conference first dealt with it, in its 1954 allocations program, there was already a long history of

argument and litigation among the various groups representing German Jewry, and the restituting organizations.

The Council for the Protection of the Rights and Interests of Jews from Germany (subsequently known as the Council of Jews from Germany) was formed in 1945 by various German Jewish refugee groups scattered in England, America, Israel, Europe and Latin America, for the purpose of representing German Jewry. It was a founding member of all the restitution successor organizations, and of the Claims Conference. However, it never marshalled the power or influence of the Jewish Agency and the Joint Distribution Committee, both of which dominated all stages of the reparations process.

From the beginning, the Council of Jews from Germany demanded a role as a distributing agency, together with the Jewish Agency and the Joint, to aid German Jewish émigrés throughout the world. If the Agency and the Joint were entitled to the status of operating agencies by virtue of their international responsibilities, the Council, it argued, was entitled to this status because German Jewry had a legitimate claim to a share of the funds which had accrued from properties which had once belonged to German Jews. In 1949, when the JRSO began allocating funds, Rabbi Leo Baeck, the distinguished leader of prewar German Jewry and the most prominent surviving leader of that community after the war, claimed that the Council was entitled to 20 per cent of JRSO's income. Similar claims were presented to the JTC and the JTC-French zone when these organizations began to operate.⁶⁷ The Council had far greater influence in Britain than in America or Israel, and the Central British Fund was the dominant force in the JTC. Accordingly, the JTC soon came to a settlement with the Council. However, both the Agency and the Joint refused to concede to the Council's demands on JRSO.

The refusal was based on a fundamental question of principle which underlay the conception the Joint and the Agency shared of their special role in Jewish life. They were not special-interest groups representing a particular religious, ideological or political trend. Nor were they *Landsmanschaften*, representing the parochial interests of a specific Jewish community. They aspired to represent all of Jewry, balancing the needs and interests of each community and allocating public Jewish funds wherever the needs were greatest. Their work united world Jewry, while organizations based on *Landschaft* could only divide it.

In a speech to the 1955 Conference Board of Directors meeting, Goldmann explained his opposition to the *Landsmanschaft* as a unit in Jewish public life:

I am dead against a world organization based on a principle of the origin of the Jews who belong to it . . . It would destroy any kind of unity of the Jewish people and . . . weaken the authority of local Jewish bodies who have managed to establish themselves as united representative bodies. It would cut across all our policies . . . We have the same claims [from] Jews from Czechoslovakia and Jews from Hungary and tomorrow if it will be known that we give money to such bodies I assure you . . . that within a year you will have six seven other such bodies.⁶⁸

The Joint and the Agency insisted that US Military Law No. 59, the legal basis of JRSO's activities, specified that the monies which the new body would restitute were to be used for the benefit of all Jewish survivors of Nazism and not just for the remaining German Jews. As the JRSO pointed out, German Jewry had benefited in the 1930s from the Jewish organizations, and these organizations were now directing their programs to where the greatest needs were in the Jewish world.⁶⁹

The final consideration underlying the unwillingness to accord the Council the special standing of an operating agency was its argument that German Jewry deserved preferential treatment. This demand had been part of the Council's earliest requests:

For ethical and legal reasons, the welfare institutions of the Jews in Germany, as well as the social needs and purposes of the Jews expelled from Germany and living abroad, are to receive preferential and adequate consideration in the utilization of [restitution] funds.⁷⁰

This demand conflicted directly with one of the basic principles of the whole gamut of organizational programs – that assistance would be given equally in accordance with the degree of need.

When Israel and the Claims Conference delegation prepared for the negotiations at Wassenaar with the Federal German Republic in 1952, the Council and the Zentralrat (which had only resumed its work in 1951), fearing that with a global reparations settlement the German governments would end government subventions of the German Jewish

community, demanded a guaranteed share of any settlement with Germany. The Zentralrat and the Council joined forces during 1952 for the purpose of pressing their demands. They did not hesitate to exploit the delicate state of relations with Germany and to publicly criticize the Jewish organizations during the negotiations when they did not receive the commitments that they sought.⁷¹

The problem was not resolved during 1952–53, despite a number of meetings between all the parties involved – the JDC, the Jewish Agency, the JRSO, the JTC on the organization side, and the Council, the Zentralrat, the Zentralwohlfahrtsstelle and the *Gemeinden* on the German Jewish side.⁷² The *Gemeinden* did benefit from a distribution by the JRSO of restituted communal assets during 1953–54, although the JRSO succeeded in maintaining the principle that communities greatly diminished in size had no right to all the communal assets returned to Jewish control. Instead, a proportion was returned for the benefit of the ‘surviving’ community (or the community which had sprung up in its place) and the rest were sold and the funds allocated elsewhere. Eventually the claims of the Zentralrat and Zentralwohlfahrtsstelle were moderated and were brought within the regular JDC–Conference allocations program.⁷³

In time the differences with the Council for Jews from Germany were also solved, although not within the bounds of the Conference allocations program. In November 1954, the Council and JRSO agreed on a settlement whereby the Council would receive DM 2.2 million from the first DM 20 million which the JRSO received, and a further ten per cent of all sums over that amount (for specific projects approved by the JRSO).⁷⁴ The Council also received additional funds from the restitution income of the Central British Fund. Nevertheless, the Council also made a substantial application to the Conference in its first year of operation, for 20 per cent of the Conference’s entire budget for the next ten years.⁷⁵ The Conference rapporteur (Moses Beckelman, the senior JDC official in Europe) was unambiguous in his recommendation to reject the application:

The question . . . is whether Conference funds for relief and welfare purposes should be channeled through the established, recognized and community-wide Jewish welfare and relief agency in each area or whether its funds should be parceled out to a

number of separate organizations, each of which would then be required to establish its own machinery of administration and social service and maintain its own standards of relief based upon the amount of money available to it and the number of people among whom it elected to divide that money.⁷⁶

Despite this rejection in principle of the Council's attempts to establish itself as an operating agency for its own, selected, clientele, and despite Goldmann's opposition to *Landsmanschaften* receiving Conference funds, occasional modest grants were made to the Council. These were largely for the cultural and educational work of the branches of the Leo Baeck Institute throughout the world. By the beginning of 1956, when the third meeting of the Board of Directors convened, many of the questions of principle underlying the Claims Conference program had been resolved. A formal list of the principles of allocations had been published by late 1955. The Applications Committee, which made recommendations to the Executive Committee, who in turn advised the Board, was abolished. That this streamlining was possible indicates the degree of routine in the decision-making process of the Conference. In addition to the principles of allocation, patterns and procedures of distributing funds had evolved in the first years of the Conference's work which facilitated the division of funds in later years. By the third Board meeting, held in New York in January 1956, many delegates wished to avoid the general debate and vote directly on the allocations. In that way, the meeting would have finished its work with a one-day session.⁷⁷

This was indicative of a general process. In October 1958 the Board resolved to enlarge the Executive Committee so that one representative of each of the 23 member organizations of the Conference would be part of the Executive. This decision allowed representation to the organizations which had been pressing to join the Executive since 1953–54: the Zentralrat, the Anglo-Jewish Association and the British Section of the World Jewish Congress. The Executive Council of Australian Jewry, the South African Board of Directors, the World Union of Progressive Judaism, the Synagogue Council of America and the American Zionist Council were also invited to join.⁷⁸

Significantly, most of the organizations which had previously been excluded from the executive decision-making process and now joined it

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were non-American. When the European groups had pressed to be included, during the first year of the Conference's work, the reply had been that only those which could attend frequent meetings in New York and were otherwise only a phone call away could possibly be members of the Executive Committee. Furthermore, it had been argued, membership of the Executive was a personal and not an organizational prerogative, and there was no basis for the demand that representation be universal. These points were legitimate, and indicate the nature of the ongoing responsibilities which the Executive Committee bore in the earliest years of the Conference.

The transformation of the Committee in 1958 was not the result of a revolution in communications. It was simply an indication of the changing pattern of the work of the Conference. It was no longer necessary for the Committee to meet regularly to discuss sensitive questions of policy. The agreement with Germany functioned smoothly and the allocations program held few surprises. Thus the Executive was expanded, and a spurious image of equality among the organizations was maintained. The corollary was a progressive decline in the effectiveness of the Committee as an executive body, and, as all organizations were in any event represented in the Executive Committee, a decline in the importance of the annual meetings of the Board of Directors. In 1962 and 1963, and perhaps during other years as well, the Executive Committee did not meet at all to discuss the allocations program. Instead, the Senior Officers (Goldmann, Leavitt and Blaustein) reviewed the recommendations to the Board by themselves.

The progress made in the rehabilitation of European Jewry by 1956 made it possible for some American members of the Conference to raise the possibility of revising the principle of not allocating funds for relief purposes to 'donor' countries. Goldmann strongly opposed the proposal, arguing that it would undermine the whole purpose of the Conference:

The German funds were not given exclusively for individual victims of Nazi persecution. More than that the funds are to rebuild Jewish life, particularly on the destroyed Continent of Europe. It would be easy for the Conference to fritter away the funds in this manner [relief in the US] . . . There is always a conflict between claims of individuals and the needs of the

community . . . it was more important for the Conference to make a lasting contribution to Jewish life which was destroyed by the Nazis, than to give large portions of its funds for temporary relief . . . This is an easy position to take but it would result in Conference funds being eaten up without resulting in permanent achievement. This is a unique opportunity for the rebuilding of Jewish life which the Conference must take.⁷⁹

It is very likely that the majority of the members of the Board shared the view of the President of the Conference. Nevertheless, as in so many other conflicts which were aired in the forum of the Claims Conference, in the long run competing interests were all satisfied. When this could not be achieved within the Conference's own program, funds were made available from the other, non-public sources of reparations – the JRSO or the JTC. In the American case, legislation had been enacted by Congress in 1955 releasing heirless German Jewish assets held by the Custodian of Alien Property. These funds, up to \$3 million, were to be used for the exclusive benefit of victims of Nazism living in the United States. (In fact, only \$500,000 was distributed.)

The January 1958 meeting of the Board of Directors in Rome resolved to initiate a study of the Claims Conference program both as a check on existing procedures and to provide an overview of the projects and commitments of the Conference. A Study Committee was constituted, and eight members of the Executive Committee were appointed to it.⁸⁰ The Study Committee met for a week of intensive examination of all the records of the Conference. Additional meetings of sub-committees studied specialized aspects of the program. Their report was submitted to the members of the Board in September 1958, and a special meeting of the Board was convened in London to debate its conclusions. It was the first time that the Board had met to deal with major policies which governed the operations of the Conference rather than to consider specific allocations.

The Study Committee was able to examine five years of the Conference's work, during which time some \$50 million had been distributed. The general conclusion of the Committee was that the existing principles of allocation of funds for the relief and rehabilitation of Jewish victims of Nazism and for the cultural and educational reconstruction

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of Jewish communities were fundamentally sound, and should be retained for the next three years of the Conference's activities. The main implication of this conclusion was stated by Blaustein:

The great bulk of Conference funds is going to the communities which were occupied by the Nazis or which are seriously burdened by [a] heavy influx of Nazi victims. It was clear to us, after the examination of many reports from the central communal organizations in those areas, and after critical evaluation of them by our staff, rapporteurs and ourselves, that the size of needs that still remain unmet in those places would not justify shifting Conference attention to areas and communities which were less affected by the consequences of Nazi action.⁸¹

The Committee also endorsed the division of the Conference budget between welfare and cultural work: 'the present levels of support for cultural and educational programs represent a commitment that is commensurate with the Conference's basic overall responsibilities in the fields for which Conference funds are intended'.⁸²

TABLE 6.1: JEWISH AGENCY ANNUAL INCOME
SELECTED YEARS ('000 IL)

Source	1951-52	1952-53	1955-56
Keren Hayesod	18,500	36,749	101,017
JNF	4,141	2,853	
Aliyat Hanoar	2,025	2,420	5,447
Israeli government	1,351	1,350	10,806
IRO	1.1	1,958	
JRSO	1,185	22,898	11,413
Claims Conference			26,559
JDC	69.5	3,450	
Sundries	2,157	2,470	5,625
Loans	17,148	8,927	4,753
TOTAL	47,241	64,175	169,070

Source: Jewish Agency, Finance Department, Annual Budgetary Reports, CZA.

The Report of the Study Committee was over 80 pages long, and presented an exhaustive examination of all facets of the Conference's work.⁸³ The overriding conclusion was that the achievements of the

previous years were the most that could have been achieved with the reparations funds, and that there was every reason to continue the existing pattern of allocations. The needs of European Jewry, and of other Jewish victims of Nazism, left little scope for any change in the general framework of the Conference program which had evolved in the first two years of the Conference's existence.

TABLE 6.2: CONFERENCE AND GENERAL REPARATIONS PAYMENTS AS PERCENTAGE OF JEWISH AGENCY BUDGET

	<i>Claims Conference</i>	<i>General*</i>
1951–52	0	2.5
1952–53	7.6	14.7
1953–54	18.7	19.2
1954–55	14.5	17.8
1955–56	15.7	22.5
1956–57	14.2	18.2
1957–58	6.3	6.5
1958–59	9.2	9.9
1960–61	4.6	10.0
1962–63	6.5	6.8
1963–64	7.5	8.1
1964–65	9.3	9.8
Average #	10.4	13.1

* Includes Claims Conference, JRSO, IRO and JTC payments

Excluding 1951–52.

Source: Jewish Agency, Finance Department, Annual Budgetary Reports, CZA.

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TABLE 6.3: TOTAL CLAIMS CONFERENCE EXPENDITURES BY COUNTRY, 1954–64 (US\$)

Europe			
Austria	3,701,116	Luxembourg	19,520
Belgium	5,765,703	Norway	240,682
Czechoslovakia	533,712	Poland	134,822
Denmark	248,403	Portugal	172,840
France	22,128,986	Spain	322,968
Germany (W)	6,660,386	Sweden	1,961,780
Greece	954,409	Switzerland	744,468
Holland	1,146,263	United Kingdom	1,885,293
Hungary	270,617	Yugoslavia	1,229,488
Italy	7,271,884		
<i>Regional total</i>	55,393,340		
Latin America			
Argentina	462,511	Ecuador	38,571
Bolivia	140,982	Guatemala	24,800
Brazil	1,220,218	Haiti	40,849
Chile	248,836	Paraguay	29,832
Colombia	40,525	Peru	31,660
Costa Rica	22,625	Uruguay	436,473
Dominican Rep.	136,096		
<i>Regional total</i>	2,873,978		
Other			
Australia	2,610,579	Philippines	116,965
Canada	15,000	Rhodesia	20,000
China (Shanghai)	11,091	United States*	4,334,460
<i>Grand total</i>	65,375,413		

* Includes \$1,454,000 spent on 18 *yeshivot* in the USA and four in Canada.

Source: Claims Conference, *Twenty Years Later: Activities of the Conference on Jewish Material Claims Against Germany, 1952–1972* (New York).

TABLE 6.4 CONFERENCE-JDC FUNDS AS PERCENTAGE OF LOCAL BUDGETS (\$)

	1957		1958	
	<i>Allocation</i>	<i>%</i>	<i>Allocation</i>	<i>%</i>
AVIG (Belgium)	286,900	82	228,900	75
Centraal (Holland)	48,115	34	91,912	49
Central Union (Greece)	54,092	41	81,329	45
Kultusgemeinde (Austria)	92,777	25	91,657	27
FSJU (France)				
(i)	808,129	63	954,004	66
(ii)	198,889		208,450	
(iii)	29,550		229,398	
Mosaiske-Församlingen (Norway)				
(i)	111,196	61	111,347	73
(ii)	20,027		55,135	
Unione (Italy)				
(i)	67,272	49	66,372	50
(ii)	36,900		17,978	
VSJF (Switzerland)				
(i)	60,096	16	58,411	20
(ii)	10,000		15,000	
Yugoslav Federation	98,897	90	94,359	90
Zentralwohlfahrtsstelle (Germany)	511,671	89	411,488	90

(i) Ongoing programs

(ii) Capital grants

(iii) Emergency relief

Source: CC 14503

NOTES

1 Levi Eshkol to Giora Josephthal, 10 October 1953, CZA, S42-462.

2 Kagan to Josephthal, 18 June 1954, CZA, S42-464.

3 Kagan to Josephthal, 23 December 1953, CZA, S42-462.

4 Correspondence on CC 6973.

5 See Arbitration decision by Dr Siegfried Moses, 18 March 1962, CC 6975.

6 Relations between the Conference and the government became so cordial that all traces of discord were completely forgotten. Thirty years after the event, when the author discussed these relations with officials of the Conference, they had no recollection of the problems of 1954.

7 Kagan to Pinhas Sapir, 2 June 1954, CC 6978.

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- 8 Kagan to Sapir, 8 March 1955, CC 6978.
- 9 Interview with Moses Ussoskin, Chairman of Agency's committee dealing with Israeli allocations.
- 10 Goldmann to Giora Josephthal, 27 April 1953, CZA, Z6-414.
- 11 Letter to Editor of *Jewish Chronicle*, London, 18 March 1955.
- 12 *Ibid.*
- 13 Conference-Jewish Agency relations can be seen on CC 6968, 6969, 16811, and CZA, S42-459 and S42-462 to S42-470.
- 14 Ussoskin to Goldmann, 30 October 1958, CC 6968.
- 15 Kagan interview with the author. The centrality of the Country Directors Conference in the Claims Conference decision-making process is evident from the Claims Conference's own records.
- 16 Moses Beckelman, Address to the 1954 AJDC Country Director's Conference, Paris, p. 265.
- 17 Report of Allocations, 1954, Archives of Australian Judaica (hereafter AAJ), Executive Council of Australia Jewry (hereafter ECAJ), G1.
- 18 'Breakdown Table of Conference Allocation to the JDC', April 1954, CC AG 1955, No. 86.
- 19 In a preliminary defense of the JDC application for 1955, Moses Beckelman, the director of the Joint's European operations, informed the Applications Committee of the Conference that the best estimate of the number of people who would be assisted out of JDC funds was approximately 30,000 persons, according to the following breakdown: cash relief 11,785 in homes for the elderly, 760 in children's homes, 1,765 in hospitals, 190 medical assistance, 6,545 in TB sanatoria, 55 meals in canteens 2,320, other services 7,460 (Minutes of Applications Committee Meeting, 12 December 1954, CC 6670).
- 20 Application of the American Joint Distribution Committee to the Conference on Jewish Material Claims Against Germany, November 1953, CC AG 1954, No. 86.
- 21 Claims Conference, *Twenty Years Later: Activities of the Conference on Jewish Material Claims Against Germany, 1952-1972*, p. 38.
- 22 Documents on JDC, Jerusalem, C-45.016.
- 23 There were similar camps at Asten and Hallein in Austria, as well as Camp Rothschild in Vienna. Hallein was 'an indescribable hellhole', while Camp Rothschild was considered worse than Foehrenwald. Joint officials estimated that since 1945 some 4,000-5,000 Jews had returned to European camps after a resettlement solution had been found for them (S. Haber, AJDC Country Directors Conference, Paris, October 1953, p. 155).
- 24 S. Haber to M. Laub, 2 August 1951, AJDC Archives, Jerusalem, Foehrenwald 1947-52, C-45.013.
- 25 Eugene Hevesi to Kagan, 17 December 1953, AJC, Rest. and Indem (Germany) Files.
- 26 CC AG 1954, No. 54. For an account of Australian policies toward Jewish immigration in the postwar period, see S. Rutland, 'Australian Responses to Jewish Refugee Migration Before and After World War II', in *The Australian Journal of Politics and History*, Vol. 31, No. 1, 1985, pp. 29-48.
- 27 Claims Conference, *Twenty Years Later*, p. 121.
- 28 Peter Medding, *From Assimilation to Group Survival* (New York, 1968), p. 46. At least during the 1950s the Australian Jewish Welfare Societies also received funds from the Joint and HIAS (Lang to Kagan, 28 October 1955 CC AG, 1954, 161). See AAJ, ECAJ, G5.
- 29 Leavitt cable to JDC HQ, New York, 22 April 1954, CC AG, 1954, No. 54.

- 30 Figures derived from Claims Conference, *Twenty Years Later*, pp. 34–35; *Claims Conference Annual Reports*, 1954 to 1964; and the annual Audited Statements prepared by Loeb and Tropper, Chartered Public Accountants, 1954–75.
- 31 Minutes of Board of Directors Meeting, Paris, 5–6 February 1955, CC 16603.
- 32 Kagan, *ibid.*
- 33 The original members of this committee were Rabbis Lookstein (chairman), Lewin, Jung, Wohlberg and Henkin.
- 34 See Minutes of Applications Committee, 12 December 1954, CC 6670. 35. The sums granted to individual rabbis ranged from \$200 to \$1,500 in the United States. During the 1955 allocations year, for example, the average grant was just below \$1,000 (CC, AG 1955, 182).
- 36 Claims Conference, *Twenty Years Later*, pp. 34–35.
- 37 Details of the Israel fund are recounted in Josephthal to Kagan, 9 May 1954 and Josephthal to Kagan, 16 May 1954, CZA, S42-464.
- 38 Kagan memorandum, 30 April 1954, CZA, S42-464.
- 39 Sources of information include annual Audited Report (1965–1975); Claims Conference Annual Reports, 1954–1964; and Claims Conference, *Twenty Years Later*, pp. 35.
- 40 *Ibid.*
- 41 URO allocations presented here are based on the Conference's audited reports. They are at variance with the sums appearing in Claims Conference, *Twenty Years Later*, p. 141.
- 42 For example, the final full Board of Directors meeting in Geneva, July 1964, cost the Conference budget around \$25,000 (CC 14180).
- 43 Although the Conference was only obliged to send a report by the end of 1955, a detailed interim report was in fact submitted in November 1954 (Goldmann to Hallstein, 18 November 1954, CC file 'Reports to Germans, 1954–1960').
- 44 Kagan to Goldmann, 21 March 1957; and Kagan to Goldmann, 23 August 1957, CC file 'Reports to Germans, 1954–1960'.
- 45 *Ibid.*
- 46 Ernst Katzenstein to Kagan, 14 March 1957, CC file 'Reports to Germans, 1954–1960'.
- 47 Katzenstein to Kagan, 29 July 1966, CC 16802.
- 48 Kagan interview with the author, 1978.
- 49 Kagan to Josephthal, 11 January 1955, CZA, S42-464.
- 50 Simon Segal to John Slawson, 18 January 1962, AJC Relief In Transit File, Blaustein Archives.
- 51 From protocol of Claims Conference–German Interdepartmental Meeting, 11 October 1957, File 'Reports to the Germans, 1954–1960', CC 16802.
- 52 S6/4604-4641, CZA.
- 53 Charles Jordan to Leavitt, 3 March 1958, CC 14498.
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- 55 Simon Segal to John Slawson, 18 January 1962, AJC Relief In Transit File, Blaustein Archives.
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- 58 Claims Conference, *Twenty Years Later*, pp. 75–79.
- 59 CC, AG 72(i), 1955.
- 60 Dr V. Modiano to Goldmann, 14 January 1955, CC, AG 1955, 72.
- 61 CC, AG 1955, 66.
- 62 CC, AG 1955, 19.

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- 63 See memorandum and correspondence on CC, AG 1955, 144.
- 64 Central British Fund for Jewish Relief and Rehabilitation.
- 65 See Jerome Jacobson to Kagan, 18 February 1953, CC, AG 1954, Central British Fund File; and Jacobson to Kagan, 22 October 1954, CC, AG 1955-61, File 32. 61. CC, AG 1955, 350. See also papers on AAJ, ECAJ, G5.
- 66 Protocol of Board of Directors Meeting, Paris 1955, CC 16603.
- 67 Papers on CZA, S42-436.
- 68 Goldmann, Board of Directors Meeting, Paris 1955, CC, 16603.
- 69 Monroe Goldwater (JRSO) to Rabbi Leo Baeck, London, 9 April 1954, CC AG 1954, Council for Jews from Germany file.
- 70 From 'Resolution Adopted by a Joint Session of the Zentralrat der Juden in Deutschland and the Council of Jews from Germany which met in Duesseldorf on 28 May 1952', Israel Goldstein Papers, file 2501c. See also Breslauer to Claims Conference, 10 September 1954, CC, AG 1954, 37.
- 71 Minutes of meeting of Presidium, 23 September 1952.
- 72 Minutes of Meeting on *Gemeinde* Problems, Paris, 18 October 1953, CC, AG 1954, file 55.
- 73 See CC, AG 1954, 128 and 129.
- 74 CC, AG 1954, 37.
- 75 CC, AG 1954, Council of Jews from Germany.
- 76 Report by Beckelman Rapporteur, *ibid*.
- 77 Protocols of Board of Directors Meeting, New York, 14-15 January 1956, CC 16604.
- 78 Papers on CC 6671.
- 79 Speech by Goldmann, Summary of Board of Directors meeting, January 1956, on IG, File 2516.
- 80 The members of the Study Committee were Blaustein, Jules Braunschvig, Goldmann, Barnett Janner, H. Oscar Joseph, Philip Klutznick, Leavitt and Shad Polier.
- 81 Blaustein address to October 1958 meeting of Board of Directors, CC 6671.
- 82 *Ibid*.
- 83 Report of the Study Committee, CC 6657.

7 • *Commemorating the Holocaust*

WHEN SIMON DUBNOW, the Jewish historian, was seized by the Germans, he is said to have called out: 'Brothers, write down everything you see and hear. Keep a record of it all.'¹ The writing of history becomes an act of commemoration, setting down in narrative for all time the tumult, suffering or achievements of the recent past. The urge to record and to recall the past is a significant imperative in Jewish life. This has found particular expression in the commemoration of the Holocaust.

It was difficult to comprehend the fact that mass murder was being perpetrated at the time, despite massive evidence, and it was difficult to perceive the scope of the catastrophe even after the war had ended. The death camps embodied more suffering than human understanding could easily encompass. As an early scholar of the Holocaust, Phillip Friedman, wrote, its first historians were found among its victims. Many of them made great efforts, often at considerable risk, to record the life, suffering and deaths of their fellow Jews under German rule. In the Warsaw Ghetto, Emanuel Ringelblum organized the 'Oneg Shabbat' archives. Within Auschwitz and other camps, records were kept by the inmates. The Labor Zionist underground and the Bund kept records, as did many Judenräte.² From Vilna to Grenoble, Jews attempted to keep a chronicle of Nazi persecution. In addition to these organized archival efforts, paintings, diaries and other personal writings record the suffering of the victims. Many of these records have survived either in whole or part.

There was widespread anxiety that the evidence would die with the victims, that if records were not kept no one would know of the crime that was being perpetrated. If a record survived then at least the memory of the victims, that they had ever lived and breathed, would not perish in the gas chambers and crematoria as the victims themselves perished. Furthermore, a historical record might assist in bringing the murderers to justice once the killing had stopped. And if this should prove a forlorn hope, as in many cases it was, then perhaps the existence of a record of what had happened would help future generations to avoid being dragged into the abyss.

After the war, this urge to record what had happened led to the creation of historical 'commissions' in many of the displaced persons (DP) camps. The Central Committee of Liberated Jews in the United States Zone of Occupation in Germany – the recognized representative body of all Jewish survivors in that zone – maintained a 'Central Historical Committee' whose task was to conduct research and publish accounts of Jewish life and death under the Nazis.³ Documents, eye-witness accounts, anything that might add to the historical record was collated. As one observer noted after visiting the survivors in 1946–47, they had an: 'almost passionate devotion . . . to the collection of historical and material data on ghetto and concentration camp life and death. Every DP is a private document center and every DP camp has an historical commission.'⁴

The war crimes trials created an immediate need for evidence of crimes against humanity, and that of the historical commissions of the DP camps was supplemented by the work of Jewish historical institutes and centers in France, Poland, Hungary, Slovakia, Bohemia, Italy, Austria, Germany, Sweden and Switzerland.

Parallel to the work of collating the historical record, the survivors went to great lengths to create memorials to the victims of the Holocaust, despite major shortages of building materials and tools in the DP camps. At Landsberg, one of the largest of the DP camps in the American zone of Germany, housing the survivors of Dachau, an impressive memorial was constructed by dismantling existing buildings and fashioning tools on the spot. The memorial consisted of a waist-high red-brick wall, flanked by two pylons. Set into one of the pylons was a memorial tablet to the six million Jewish dead; on the other was a tablet expressing Jewish aspirations for the future. Crowning the pylons

were statues of the Jew in exile, bent by the Torah scrolls on his back, and of the *halutz* (pioneer) – ramrod-straight, with a shovel on his shoulder.⁵

Whatever artistic merit this memorial may have had, it provides a number of insights into the thinking and emotional needs of the survivors. The compulsion to commemorate their personal losses requires no explanation. However, beyond commemoration, there was a deeply felt need to remind the world why they were in DP camps at all. The Allied powers occupying Germany were increasingly coming to see the DPs as an inconvenience, while the attitude of the occupying powers toward the German population became daily more positive as policy moved toward the rehabilitation of Germany. The DPs believed that just as the world had largely ignored their suffering during the Holocaust, so too would they forget the events of the recent past under the pressure of great-power political interests in the postwar period. The desire of the DPs to leave the camps and depart from Europe would be overlooked. Thus the collation of historical records and the commemoration of the Holocaust were not only gestures toward the past, but were closely linked to the future of the survivors as they saw it.

After 1948, the major concentrations of DPs dissipated, and as the number of camps declined the task of preparing the chronicle and commemorating the dead was taken up elsewhere. Ironically, these tasks could only be undertaken on a serious scale with the aid of German reparations.

The availability of reparations funds transformed the historical and commemorative projects that were already in existence, while others now became possible. From the very outset of its allocations program in 1954, the Claims Conference received applications from almost every group that was involved in such projects, or now wished to undertake them. In the first year of its allocations the Conference resolved to support three such projects in particular: the Comité pour l'Erection du Tombeau du Martyr Juif Inconnu in Paris and the associated Centre de Documentation Juive Contemporaine; the Yidisher Visenshaftlikher Institut (YIVO) in New York; and Yad Vashem in Jerusalem. Eventually, the Wiener Library in London also became a beneficiary of Conference funds.

The archival and research work of the Centre de Documentation Juive Contemporaine (CDJC) grew out of the activities of French

Jewish underground groups. It was created in Grenoble in 1943, and became the eventual repository of the entire papers of the Vichy Commissariat Général aux Affaires Juives. Five members of the CDJC lost their lives through deportation or before the firing squad, but the task of bearing witness to the fate of the Jews in France was continued.⁶

Within five years of commencing its work, the CDJC had collated an important archive. The CDJC organized the first European conference of Jewish historical commissions in Paris in December 1947, which was attended by more than 50 scholars, writers and students. When reparations funds became available, the CDJC requested a substantial allocation for the building of a memorial (*Le Tombeau du Martyr Juif Inconnu*) and a proper research center in Paris.

The request was actively supported by the American Jewish Committee. Many of the DP historical commissions had sent their collections of documents to Israel when the camps were closed, but Blaustein was anxious that the valuable collection of documents which had been collated by the CDJC should remain in France.⁷ The project was particularly significant because the City of Paris had undertaken to provide a prestigious and central site for the building of the memorial.

Nevertheless, there was significant opposition within the French Jewish community to the allocation of sizable funds for a memorial project, and the Claims Conference appointed Baron Guy de Rothschild to act as rapporteur on the CDJC application. Rothschild's report was essentially opposed to the request of the CDJC. Arguing that the local Jewish community had no desire to undertake the expensive task of maintaining the memorial, and that the memorial would be 'of sentimental value, but without social contribution', Rothschild argued in favor of a more modest memorial combined with a community center.⁸ One rapporteur from the Conference's New York offices, when visiting Paris, observed that the FSJU, the Consistoire and the CRIF all opposed the project.⁹ Kagan himself recorded that the Yiddish press in Paris expressed the opposition of the *Kehillah*, the community of East European Jews in Paris, many of whom were Holocaust survivors.¹⁰ By spring 1955, 19 Jewish organizations in France came out publicly against the project, and the opposition was beginning to embarrass the Conference.¹¹

Despite this local opposition, the project continued to enjoy the Conference's support, in particular that of Goldmann, Blaustein and

Frank Goldman.¹² It was unusual for the Claims Conference to disregard the recommendations of its own rapporteur. In this case an exception was made, and the Conference undertook to cover the entire cost of \$300,000 for the building of the memorial and the documentation center. In 1954 and 1955, the Conference allocated over ten per cent of its cultural budget to the CDJC for the construction of the memorial, which was completed in 1956. At the same time, the opposition of segments of French Jewry to the project was overcome when the Conference made its own contribution conditional on the suspension by the CDJC of all fundraising for the memorial in the local community.¹³ Subsequently, a further \$240,000 was contributed to the Center's research and documentation activities.¹⁴

The Conference's willingness to override the rapporteur, to disregard its own principle of not supporting projects which the local community would not undertake to maintain, and to ignore the cardinal principle which governed the Joint's approach to allocations – never use outside support to undermine local fundraising – are indications of the importance with which the Claims Conference saw commemorative projects. Once this investment in a diaspora institution had been accepted, the way was paved for agreement within the Conference for a much larger and long-term undertaking to support a major commemorative project in Israel.¹⁵

Another archival and research center which benefited from Claims Conference funds was the Yidisher Visenshaftlikher Institut (YIVO). Academic Jewish historiography originated in Eastern Europe in the late nineteenth century, and owes much to the pioneering work of Simon Dubnow. All historical research is ultimately dependent on the collection and collation of documentary records. In the modern period the richest source of such records is the official archives of governing authorities, but as the Jews were a scattered minority there were no such archives of the Jewish people to facilitate the work of the first modern Jewish historians. Dubnow's first task was to collect raw data to compensate for the lack of Jewish national and municipal archives. In effect, Dubnow started a popular movement among thousands of Jews in the tsarist empire who, following his guidance, accumulated for him a large amount of documentary sources. The writing of history is but one expression of heightened national and social self-awareness, and the popularity of Dubnow's research and archival projects

was a reflection of the changes that were affecting East European Jewry.¹⁶

YIVO was founded in Vilna in 1925, largely as a result of the work Dubnow started. Branches functioned in Berlin, Warsaw and New York, while YIVO circles were active in Latin America, England, France, Palestine, Romania and wherever there was a large Yiddish-speaking population. There were other centers of Jewish historical teaching and research (their proliferation and popularity reflect the scholarly interests of a community whose access to universities was limited by the restrictions of the *numerus clausus*), but YIVO was the only institution of this sort in Eastern Europe that managed to save itself from the Nazi onslaught. In 1940, YIVO transferred its activities to New York. After the war it was able to retrieve part of its original (and unique) archival collection on East European Jewish communities. The Nazis had transferred the YIVO collection to Berlin, and the US army recovered 41,000 books (one-quarter of its original holdings) and almost one million documents (one-half of its prewar archives).¹⁷ (Additional parts of the YIVO collection were returned in the 1990s, after the collapse of the USSR.) The Claims Conference contributed nearly \$150,000 to the task of repairing and cataloging the restored books and documents.

Immediately after the outbreak of war, YIVO began collecting documentary material on the fate of the Jews under German rule. After the war it was able to extend considerably its holdings on the Holocaust. It was also able to add material collected in the DP camps after the war and passed over to YIVO when the camps were dissolved. (Other camps chose to deposit the work of their 'historical commissions' with Yad Vashem in Israel.) Material from ghettos, Jewish councils, eyewitness accounts, official German papers, the Shanghai community of Jewish refugees, and other collections have all made YIVO one of the leading archives not only of East European Jewry before the war but also of the Holocaust and its aftermath. The Claims Conference undertook to assist the collation and research of these documentary collections at the beginning of its allocations program. In the course of 11 years of allocations \$225,000 was made available to YIVO for three projects conducted in conjunction with Yad Vashem in Jerusalem:

The Sources and Life of the Catastrophe: This bibliographical series describes and annotates books, periodicals and pamphlets, in many

languages, focusing on the era of Nazi persecutions, its background and its consequences. Nine volumes of this series were prepared and published with the aid of Claims Conference allocations.

Publication of Documents: The records of the Judenräte of Bialystok, Kovno, Lublin and Shavli; documents of the Lodz ghetto; and documents relating to the destruction of Slovakian Jewry were published.

Annals of the Jewish Communities (Pinkas HaKehillot): This encyclopedic undertaking records the 30,000 Jewish communities in Eastern and Central Europe destroyed by the Nazis.

Following the termination of the Claims Conference's main program of allocations (1964–66) these projects continued to receive support through the Memorial Foundation for Jewish Culture, which was established by the Conference in 1964.

The support that the Claims Conference provided to both YIVO and the Centre de Documentation Juive Contemporaine played an important role in facilitating the activities of these organizations. This clearly reflected not only the needs of historical scholarship but also the deeply felt emotional needs of the surviving victims of the Holocaust that there be a record of Nazi crimes and a fitting commemoration to those who died. Perhaps because of this need, which was even more apparent in the early 1950s when the Conference initiated its support for YIVO and CDJC projects than it is today, the Claims Conference was willing to diverge from its agreed principles of allocation concerning the expressed needs of the local community that was to benefit from the supported project. Furthermore, these organizations were, in the long run, only minor beneficiaries of Conference funds.

The vast bulk of the support that the Claims Conference gave research and commemorative projects was directed to Yad Vashem in Jerusalem. It might fairly be said that without reparations funds Yad Vashem would never have been created. Certainly without them Yad Vashem could not have maintained such extensive archival, publishing or commemorative projects. And in no other organization which benefited from Claims Conference allocations did the Conference play such an active, participatory role. Established by the Israel Knesset in August 1953, Yad Vashem was charged with the widest-ranging tasks of any of the commemorative projects yet undertaken.¹⁸ These included the establishment of memorial projects, the collation and publishing of testimony concerning the fate of the victims and Jewish resistance to

the Nazis, supervision of the observance of an annual day of ‘joint remembrance of the heroes and victims’, undertaking research, and representing Israel on international projects aimed at perpetuating the memory of the victims of Nazism and of those who fell in the war against Germany. The Yad Vashem Law specifically cited the following categories whose actions or whose fate were to be commemorated:

- the six million who had died;
- the organized Jewish communal life which had been destroyed;
- the Jewish servicemen who, in the service of various Allied armies, had risked their lives in the war against Hitler; and the armed Jewish partisan forces;
- the fighters in the ghettos who had risen in revolt ‘to save the honor of their people’;
- the efforts of the Jews outside of German-occupied territory to rescue their brethren;
- the non-Jews who had risked their lives to save Jews.

In addition, Yad Vashem was charged with the responsibility of conferring commemorative citizenship of the State of Israel on Jews who perished in the Holocaust and the resistance, as a token of their having been ‘gathered to their people’.¹⁹

This last task was imaginative and of deep symbolic significance. Less than two years prior to the enactment of the Yad Vashem Law, Israel had argued strenuously that even though a sovereign Jewish state did not exist at the time of the Holocaust, it was entitled to make material claims against postwar Germany in the name of those who had perished. The claim had moral weight, but no basis in international law. Furthermore, it ascribed to Israel a special relationship to the Jewish people as a whole – a claim which was diametrically opposed to the position of the American Jewish Committee. The task of awarding ‘commemorative citizenship’ emerged as a major issue of contention between the Claims Conference and the newly created Yad Vashem. It was not, as we shall see, the only difference that came between the Conference and the memorial authority.

Yad Vashem was unique among the various commemorative projects because of this breadth of objectives, all of which had been established by law. It was also unique because of the constitution of the bodies that governed it. The Executive of Yad Vashem included four

ministers of the Israeli cabinet (Finance, Foreign Affairs, Religion and Education), the president of the World Jewish Congress, and representatives of the Jewish Agency. In addition, four members of the Claims Conference were members of the Executive. The Council of Yad Vashem included these members of the Executive and a further 50 to 100 public figures, half of whom were to come from Jewish organizations in the diaspora (which, for as long as it functioned, was understood to mean from the Conference).

The burden of financing such an ambitious venture was divided equally between the Claims Conference and the Israeli government together with the Jewish Agency. However, the American Jewish Committee refused to endorse the objectives of Yad Vashem, as set out in the legislation, and Blaustein ensured that the Conference did not sign any formal undertaking with the new organization until these objections could be resolved.

The issue of contention was the plan to award commemorative Israeli citizenship to the victims of the Holocaust. As there was no legal precedent for the relevant clause of the Martyrs' and Heroes' Remembrance Law, eminent international lawyers had been consulted during the drafting of the legislation.²⁰ None of them had found any objection. Israel intended the step to be of purely symbolic significance (that is, without involving Israel in any disputes on such questions as individual inheritance and succession). Nevertheless, Blaustein objected strongly to the plan because of its implications concerning the attribution of Israeli citizenship to Jews not resident in Israel. He insisted that no Claims Conference funds be spent on the task of compiling the names of the victims or on any other expenditure in the course of implementing the plan.

The agreement between Yad Vashem and the Conference was negotiated by the Israel consul in New York (Avraham Harman) and officers of the American Jewish Committee. Blaustein was kept personally informed on all stages of these negotiations, and the signing of the agreement between the Conference and the Israeli consul (acting on behalf of Yad Vashem) was delayed until October 1954, when Blaustein was personally able to be present. He considered the exact wording of the agreement so important that he took the unusual step of asking for his own personal copy.²¹

In the course of these negotiations, the American Jewish Committee

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managed to obtain an understanding from Yad Vashem that even though the Conference itself would not be involved in the citizenship project, citizenship would only be granted to victims of the Holocaust when a relative or close friend had specifically requested it in writing.²² As an additional safeguard, the Claims Conference insisted that Conference funds be allocated only to specific projects that had been approved by the Conference.

The extent of the Conference's participation in Yad Vashem's budget, its general interest in commemoration projects, and the American Jewish Committee's special sensitivity to the citizenship proposal, together with the active participation of representatives of the Conference at all levels of the governing of Yad Vashem, created an unusually close bond between the new organization and the Conference. Everything that Yad Vashem did, and much that it failed to do, came under the constant scrutiny of the Claims Conference.

Yad Vashem began functioning in 1954 with the tasks of collecting archival sources, organizing a library, and recording personal accounts from survivors of the Holocaust. Among the first projects that Yad Vashem undertook was the microfilming of the records of the International Tracing Service (ITS) at Arolsen in the Federal Republic of Germany. These records were the central archives for documents relating to the Nazi concentration camps, deportations to extermination camps, forced labor, postwar displaced persons, and related subjects. The archives contained some 20 million documents which had been collected at Arolsen by the Western Allies at the end of the war. Up to the end of the occupation of Germany in May 1955 the ITS was under the jurisdiction of the Allied High Commission. The archives provided documentary evidence for use in prosecutions of Nazi war criminals, and, by the mid-1950s, documentation to support indemnification claims against the Federal Republic. An average of 30,000 such documents was issued monthly.

In the Paris agreements of 1952 re-establishing German sovereignty, the Federal Republic undertook to guarantee the continued work of the ITS. However, a dispute developed when Germany claimed that the archives had become its sole responsibility. Interested governments, including Israel, were concerned that if the archives were damaged by fire or other means (and the conditions under which they were stored meant that fire was a real hazard), the entire process of indemnification

claims and the bringing of war criminals to justice would be gravely harmed.

The problem was eventually resolved by a compromise arrangement reached after months of negotiations in which the Israeli Foreign Ministry played an active role. The Federal Republic undertook to finance the ITS while its management and administration were entrusted to the International Committee of the Red Cross. Furthermore, the Federal Republic agreed to permit Israel to microfilm the entire collection of documents. Apart from the willingness to help Israel procure microfilm copies, there was a general interest in having duplicates of the documents made and stored outside Arolsen and Germany.²³

The Arolsen Project, as it became known, was a massive undertaking. Much of the initiative for the work came from the Israeli Foreign Ministry: the Ministry contributed one-third of the estimated cost of the project, and an official of the Ministry was present in Arolsen to watch over the archive during the interim period until the International Red Cross was properly established there. Unfortunately for the success of the project, and against the wishes of the Claims Conference, the Foreign Ministry selected a British firm for the task of microfilming. Yad Vashem refused to employ a German firm for the task, and it was at first believed that no Israeli firm had the means or the expertise to copy the 20 million documents without undue delay.²⁴

The work began in mid-1955, and it quickly became apparent that the British microfilming firm was unequal to the task. After much deliberation and under the threat of legal action they were replaced by an Israeli team supervised by Yad Vashem and the Foreign Ministry. The documents themselves were passed to the film crews by officials of the Red Cross, three of whom supervised the work of each microfilm machine operator. The work of filming was completed in the fall of 1957, and the last Israelis were able to leave Arolsen in December of that year. As a final gesture, Yad Vashem offered to provide the ITS with copies of all documentation in its own archives which were missing from the collection at Arolsen.

A few months after Yad Vashem had been legislated into existence by the Knesset, and before it began formal operation, the new memorial authority signed an agreement with YIVO wherein both organizations undertook to cooperate and to offer 'full mutual aid'. The

agreement also set out specific projects which would be undertaken jointly by YIVO and Yad Vashem, foremost among which was the preparation and publication (in Hebrew, Yiddish and English) of a bibliography of the literature on the Holocaust.

During the first ten years of Yad Vashem's activities, when the Claims Conference was most actively involved in its affairs, the publication of the series of bibliographies was among Yad Vashem's most important scientific achievements. The bibliographies contain descriptions and annotations covering thousands of books, periodicals and pamphlets which focus on the era of Nazi persecution, its background and its aftermath. Nine volumes in all were prepared and published with the aid of Claims Conference allocations. The first volume, 'A Guide to Jewish History under Nazi Impact', was followed by separate bibliographic guides to books in Hebrew, books in Yiddish, periodicals in Hebrew (three volumes), periodicals in Yiddish (two volumes) and a volume on publications relating to the Holocaust in Hungary.

The controversial commemorative citizenship project continued, despite the repeated opposition of the Claims Conference.²⁵ However, it would appear that despite the Conference's frequent complaint that Yad Vashem did not give due weight to its persistent advice on a wide range of matters, on this question at least Conference pressure bore fruit. When the first Chairman of Yad Vashem (Benzion Dinur, previously Israel's Minister of Education) published an article in 1957 setting out Yad Vashem's tasks, he wrote that 'the most meticulous care was invested in the drafting and terminology of the [Martyrs' and Heroes' Remembrance] Act, not only in respect of their immediate meaning but also taking into account their wider implications'.

Dinur then set out the primary task of Yad Vashem as he saw it: 'The initial duty of Yad Vashem accordingly is to inscribe the names of all those who lost their lives in the course of the European catastrophe, and of all those who fell in the struggle against the Nazis'.²⁶ Significantly, he made no mention of the award of commemorative citizenship, and in 1960 Jacob Robinson, acting as rapporteur for the Claims Conference, noted with satisfaction that the entire project of registering the victims of Nazi persecution 'has undergone various changes and at present is maintained on a reduced scale'.²⁷

In place of the commemorative citizenship project, Yad Vashem directed its attentions to the *Pinkas HaKehillot*, the Register of Jewish

Communities destroyed or seriously damaged by Nazi depredations. The full geographical extent of the catastrophe which befell European Jewry, and the thoroughness of the destruction of Jewish life, meant that a task which would normally have been the work of geographers and sociologists had suddenly become the task of historians. A Jewish community was defined as a location in which there had been at least a *minyan*, ten adult Jewish males, plus their families – communities of approximately 50 people or more. While this made sense sociologically, such an exhaustive definition of what constituted a community established very ambitious aims for the *Pinkas HaKehillot* project, and presented an immense challenge to the historians engaged in it.²⁸ The task was encyclopedic, and the Claims Conference took steps to ensure that its support would extend beyond the period of the Conference's own existence through the Memorial Foundation for Jewish Culture. To date, some 30,000 communities have been registered and annotated in an extensive series of publications.

The Claims Conference was more intimately involved with the day-to-day work of Yad Vashem than with any other beneficiary organization. While it had undertaken even larger budgetary responsibilities with the Joint, the Joint neither allowed nor required the degree of participation in decision-making that characterized the relations between the Conference and Yad Vashem. As a new body, faced with multiple tasks, some of which were unprecedented, sensitive and unusually difficult, it was inevitable that there would be room for constructive intervention in Yad Vashem's affairs. This was particularly so when, in the late 1950s and early 1960s, a number of administrative steps taken by Yad Vashem were met with public criticism in Israel. The Conference was forced to follow the difficult path of offering advice, and at times even dictating, to the Executive of Yad Vashem without necessarily sharing in the final responsibility for its actions. Clearly there was much scope for tension and disagreement. Nevertheless, over the years Yad Vashem has emerged as an important center of scholarly research and at the same time has succeeded in fulfilling its mandate to establish a number of purely commemorative projects.

HONORING THE RIGHTEOUS GENTILES

In one very special field, Yad Vashem and the offices of the Claims Conference have remained tied for many years. The nature of their combined activity deserves mention both because of the widespread interest it evokes and because it is symbolic of the changing pattern of relations between the two organizations.

Research into the Holocaust has made it abundantly clear that one of the most important factors in the survival rate of any Jewish community under the Nazis was the attitude of the non-Jewish population to the fate of the Jews. The Germans found it impossible to send Jews to the slaughter in countries where the general population opposed the policy of genocide. The survival of the Jewish communities of Denmark and Bulgaria is related directly to the refusal of Danes and Bulgarians to allow the Germans to deport the Jews of those countries. Accounts of these events have been recorded fully elsewhere, and need no repetition here. In other countries, it is clear that the murder of the Jewish community had the implicit, and at times also the explicit, support of the general community.²⁹

There was a wide spectrum of attitudes between the extremes of collaboration with the occupying German forces, and opposition to them. These attitudes themselves were not always consistent. Many opponents of the occupation were prepared to assist the Germans in removing the local Jewish community, or were simply indifferent to the fate of the Jews. Others were intimidated by the threat of punishment by the Germans. It should be noted that the severity of the German response was always linked to the attitudes generally prevailing. In countries where the population endorsed German anti-Semitic policies, the punishment for aiding Jews was death. In countries where the general population was more sympathetic to the Jewish community, the punishment was rarely as severe. For anyone willing to risk harboring a Jew, the greatest danger came not from the possibility of chance discovery by the Germans, but from the very real risk that one's neighbors would inform the Germans. The general hostility was so great in Eastern Europe that, after the war, when it was discovered that a villager had given protection to Jews he was often forced to leave the village. In other instances, people were murdered because they had helped Jews during the war.

In a sea of open hostility or indifference, the chances of survival for members of a bounded minority were small indeed. Although it is impossible to establish exact statistics, and the sources differ radically on the figures, it is reasonable to estimate that one or two per cent of European Jewry survived the Holocaust as a direct result of the sympathetic support of their neighbors or other countrymen.

It is not hard to understand, in human terms, the gratitude of the individual survivors to those who had sheltered them or otherwise protected them from the Nazis. Beyond the individual level, however, this gratitude has been adopted by the Jewish people as a whole, and has been reflected in the work of Yad Vashem and the Claims Conference. According to Jewish tradition, life is sacred, and the saving of a single life is as valuable as the saving of all mankind. Furthermore, one of the lasting legacies of the Holocaust is the haunting recognition of the fact that those who did not collaborate actively with the Nazis were largely indifferent to their murderous policies, an indifference which was as widespread in the countries that fought against the Nazis as it was in the countries that they occupied. In this context, the fact that some people risked their lives to save Jews has acquired added significance, and ways were sought to give expression to the collective sense of appreciation toward the 'Righteous Amongst the Nations' for their role in rescuing people from the hands of the Nazis.

In the late 1950s a number of Jewish organizations – including the Joint Distribution Committee and the World Jewish Congress – extended help to those Righteous Gentiles who were in financial difficulties. Even before Yad Vashem became officially involved with the project, and certainly before any rigorous criteria were adopted on who deserved the title of 'Righteous Gentile', some 80 non-Jews were receiving financial aid from Jewish organizations as a result of appeals for assistance. The appeals had been initiated by the survivors whom these people had saved.³⁰

The Martyrs' and Heroes' Remembrance Law of 1953 charged Yad Vashem with commemorating the heroism of those non-Jews who had risked their lives to save Jews. However, Yad Vashem only addressed itself to this obligation in late 1962.³¹

Yad Vashem's first task was to appoint a committee of public figures to consider individual applications for the status of Righteous Gentile. Most of the members of the committee who were selected were

themselves survivors of the Holocaust and were intimately aware of the circumstances in Europe under the Nazis. The deliberations of the Committee were conducted according to procedures of a court of law, and a member of the Israel Supreme Court was designated as chairman. The committee was supported by a specially created department in Yad Vashem, whose task was to collate evidence and to decide whether the facts of each case answered the criteria which would justify the candidacy being brought before the Yad Vashem Committee.

The criteria for candidacy are straightforward. First and foremost, there must be testimony that the rescuer risked his or her life to rescue. The motives of the rescue must have been solely humanitarian, without any suggestion of the payment of money (ransom) or any other pecuniary advantage accruing to the rescuer. The rescue must have happened while the Jews of the area were under great danger. And finally, evidence must be provided by at least one surviving person rescued.

No two cases which have come before the Yad Vashem Committee are identical. The Committee examines each case at length. According to its appreciation of the circumstances of the rescue it is able to award a medal (the highest distinction), the right to plant a tree on the 'Avenue of the Righteous' or a certificate of recognition. The Avenue dominates the approaches to the main commemorative and museum buildings on the grounds of Yad Vashem in Jerusalem. In recent years, all recipients of the medal were also granted the right to plant a tree. Both together represent the greatest distinction that Yad Vashem can bestow.

The Committee has been active now for 40 years, and throughout this period it has had to grapple with the difficult and delicate task of weighing the motives and extent of human valor. For very many of those accorded the title 'Righteous Amongst the Nations', the entire procedure is remarkable, and superfluous. Why make such a to-do over the simple offer of help to someone, whether a friend or a complete stranger, who was in such obviously dire straits? Surely the decision to save another's life is the normal, human choice? These questions have been asked repeatedly by the recipients of the awards. Nevertheless, despite the modesty of the recipients, it is apparent that their actions were not 'normal' but exceptional, and were certainly seen as such by those whom they saved.

Many of the rescued were traumatized by the experience of being saved from almost certain death by the figurative hand extended in

help, and they have gone to great lengths in ensuring that Yad Vashem accord those who rescued them some form of recognition. The records of Yad Vashem contain many files replete with 'special pleading', a reflection of the bond formed between the rescued and the rescuer.

The distinction between ordinary human decency and that special quality of additional humanity which might be described as 'righteousness' must be understood according to the different circumstances in each part of Europe. Actions that would never be considered exceptional in Western Europe (for example, a non-Jew harboring and protecting his Jewish wife) and certainly not as meriting a special award, might, if they had occurred in Eastern Europe or the Baltic states, be considered worthy of the highest award – because the norm was not to save but to hand over to the Germans in that part of Europe. Yet another example of the dilemmas that the Committee has had to deal with was the recognition of the valor of a Jew who had converted to Christianity and had later clearly saved Jewish lives at the risk of his own. According to Jewish law that person remains a Jew, and common sense dictates that saving one's own people hardly merits the award of Righteous Gentile for exceptional bravery. But what if the rescuer was completely unaware that he had been born a Jew? Could the Committee acknowledge the heroism involved and overlook the principles of Jewish law? In these cases, and in others like them, the Committee has consciously interpreted the criteria for an award as liberally as possible. Most awards were proposed by those whom they saved, while some proposed their own candidacy.

At the beginning of the year 2000, the number of nominees from Western Europe (including 336 Germans) and Eastern Europe was almost equal. The largest group of Righteous Gentiles, by national origin, comes from Poland.³² Poles who rescued Jews did so against fearful odds. The punishment was death for oneself and often for one's family as well. As the general population was largely sympathetic to German anti-Semitism, the chances of betrayal by one's neighbors always existed. Nevertheless, 5,373 Poles have received a medal, a certificate, the right to plant a tree, or a combination of these awards.³³

The number of Polish candidates for the awards increased significantly during the 1980s. Many of the Polish cases examined by the Committee proposed their own candidacy for the award. The majority of these applicants address their petition for recognition to the Jewish

Historical Institute in Warsaw. The Institute makes a careful selection and forwards to Yad Vashem only those applications (some 60 per cent) that it feels the Committee in Jerusalem would be likely to find eligible for any sort of award. There appear to be two reasons for this – some Poles consider that the slightest assistance to Jews during the Second World War entitles the donor to a medal, and, if possible, some financial remuneration from the Jewish world. (One claimed financial support because he once gave bread to Jews who passed his house.)³⁴ Furthermore, in a program financed by the Claims Conference since its inception, small pensions have been made available to people recognized as Righteous Gentiles who are in financial difficulty. Since these pensions became available, and until today, between 90 and 95 per cent of the pensions granted have gone to Poland. Only a small minority of those awarded recognition are also offered pensions (about ten per cent). But as the economic situation of Poland deteriorated in the late 1970s and early 1980s, the number of applications for recognition grew. (In 1979, 259 Righteous Gentiles were recognized, in 1984 over 400.)

In a working arrangement established in 1963, the Claims Conference accepts Yad Vashem as the only body properly equipped to evaluate the applications for recognition. Yad Vashem also has the opportunity of recommending to the Conference's offices in New York which of the successful candidates for awards is in need of financial support. The Claims Conference arranged the payment of the small pension directly to the recipient. Saul Kagan, the only living officer of the original Claims Conference, felt so strongly about the significance of this program that he personally administered it: 'In the most horrible period of terror, persecution and destruction of life, these individuals were ready to risk their own lives and the lives of their families. We consider them to be exceptional human beings. This is our special moral responsibility.'

The funds offered have never been lavish. The money was made available in American currency, and its purchasing power represented a significant addition to the official welfare payments. The same level of support was provided by the JDC for needy Polish Jews. However, in American terms they are modest and reflect the limited resources that were available for this program. In the 25 years following the start of the program, support of the Righteous Gentiles resulted in an

expenditure of just over \$1,000,000. The program only began when the Claims Conference was winding up its affairs, and after the original influx of funds from Germany had ended.³⁵ The commitments to this program were met out of the Conference's dwindling residual funds. And as the number of applicants from Poland continued to increase, the Conference's contribution was at a record high of almost \$100,000 annually in 1985.³⁶ By the middle of 1986, 368 people from 16 countries received support through this program, 83 per cent of whom lived in Poland.³⁷

For a number of years the Conference has warned the authorities at Yad Vashem that they are no longer able to consider new cases, and may not be able to maintain support of those pensions already awarded. Yet each year the money is found and the program continues.³⁸ Recalling the early history of Yad Vashem and its substantial dependence on the Claims Conference, it is significant that since 1983 Yad Vashem has been seeking support independently of the Conference so that it will be able to continue and perhaps even expand the entire Righteous Gentiles project, including the provision of financial support.³⁹ At the time of writing, the Jewish Agency and the JDC have also become involved in financing this project. Starting in 1989, the Claims Conference reached an agreement with the 'Jewish Foundation for the Righteous', whereby the foundation would administer any cases of Righteous Gentiles referred by Yad Vashem after that date. The Conference provided allocations to the Jewish Foundation for the Righteous for this program, and continues to make direct payments for those recognized before 1989. At the end of 1999, there were 174 grant recipients in ten countries. All but 17 live in Poland. Since the program's inception, the Claims Conference has assisted a total of 784 non-Jews recognized as Righteous Gentiles by Yad Vashem, aggregating \$2,366,200.⁴⁰

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TABLE 7.1: RIGHTEOUS GENTILES (RECOGNIZED BY 1 JANUARY, 2000)

Poland	5,373
Holland	4,289
France	1,913
Ukraine	1,403
Belgium	1,172
Hungary	503
Lithuania	440
Czech and Slovak Republics	434
Russia and Belarus	434
Germany	336
Italy	266
Greece	231
Yugoslavia*	213
Latvia	90
Austria	83
Albania	56
Romania	55
Switzerland	26
Moldova	33
Norway	16
Denmark#	14
Bulgaria	13
United Kingdom	13
Sweden	7
Armenia	6
Spain	3
Estonia	2
China	2
Each of the following countries:	
Brazil, Japan, Luxembourg,	
Portugal, Turkey, USA	1
TOTAL	17,433

* Serbia, Croatia, Bosnia, Slovenia and Macedonia.

The Danish underground requested that its members who participated in the rescue of Jews be recognized as one body.

Source: Yad Vashem, Department of Righteous Gentiles.

NOTES

- 1 Lucy Dawidowicz, *The Holocaust and the Historians* (Cambridge: Harvard University Press, 1981), p. 125.
- 2 Philip Friedman, *Roads to Extinction: Essays on the Holocaust* (New York: Jewish Publication Society, 1980), pp. 554–57.
- 3 Kurt Grossman, *The Jewish DP Problem: Its Origins, Scope and Liquidation* (New York: Institute of Jewish Affairs of the World Jewish Congress, 1951).
- 4 Koppel Pinson, 'Jewish Life in Liberated Germany: A Study of the Jewish DPs', *Jewish Social Studies*, Vol. 9, 1947, p. 109.
- 5 Leo Srole, 'Why the DPs Can't Wait: Proposing an International Plan of Rescue', *Commentary*, Vol. 3, No. 1, 1947, p. 15.
- 6 Memorandum, September 1953, CZA, Z6-542.
- 7 AJC, Restitution and Indemnification Files, 1953–55, *passim*.
- 8 Kagan to Goldmann, Blaustein and Leavitt, 26 May 1954, *ibid*.
- 9 Shapiro to Kagan, 1 June 1954, CC, Applications and Grants, 1954, 38a.
- 10 Kagan to Goldmann, 22 October 1954, *ibid*.
- 11 *Jewish Chronicle*, London, 1 April 1955.
- 12 Kagan to Goldmann, 4 June 1954, CC, Applications and Grants, 1954, 38a.
- 13 Kagan to the Paris Comité pour l'Erection du Tombeau du Martyr Juif Inconnu, AJC, 28 May 1954, Restitution and Indemnification Files, 1953–55.
- 14 Claims Conference, *Twenty Years Later*, pp. 64–65.
- 15 The American Jewish Committee was particularly concerned that if the wishes of the French Jewish community were followed and a documentation center established in conjunction with the community center rather than the memorial project, the documentation center would eventually lose momentum and its holdings would be transferred to Israel. See Simon Segal to Blaustein, 11 May 1954, AJC, Rest. and Indemn. (Conf. Gen.): Applications: Yad Vashem (hereafter YV).
- 16 Dawidowicz, *The Holocaust and the Historians*, pp. 127–28. See also Friedman, *Roads to Extinction*, pp. 468–69.
- 17 NA, Washington DC, RG 59,740.00119 EW/4-146, State Department to USPOLAD Robert Murphy, Berlin, No. 1003; RG 59,740.00119 EW/4-1546; and RG 165, War Department General and Special Staff, Civil Affairs Division, Refugee Program Messages, Box 857, OMGUS (Clay) to War Department, 17 June 1946.
- 18 Martyrs' and Heroes' Remembrance (Yad Vashem) Law, 5713-1953, Sefer Ha-Chukkim, No. 132, p. 144.
- 19 *Ibid.*, 12(4).
- 20 Professors Lauterpacht (Cambridge), Cassin (Paris) and Guggenheim (Geneva) had all been consulted.
- 21 Blaustein to Kagan, AJC, 6 October 1954, Rest. and Indemn. (Conf. Gen.): Applications: YV.
- 22 Goldmann–Dinur exchange of letters, 6 October 1954, CC, Commemorative Projects Files.
- 23 'The Microfilm Project', Dr K. Sella (memorandum), *ibid*.
- 24 Uveeler to Kagan, 23 April 1956, *ibid*.
- 25 H. Lowenberg to Segal, 6 May 1956, AJC, Rest. and Indemn. (Conf. Gen.): YV.
- 26 Benzion Dinur, 'Problems Confronting "Yad Vashem" in its Work of Research', *Yad Vashem Studies*, No. 1, 1957, pp. 7–8.
- 27 Jacob Robinson, 'The Claims Conference and Yad Vashem: Report', p. 37.
- 28 For a pre-discussion of the methodological difficulties, see B. Ophir, 'Bibliographical Problems of the "Pinkas Hakehilloth"', *Yad Vashem Studies*, No. 1, 1957,

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- pp. 31–48.
- 29 The most extensive studies of the relationship between survival rates and the attitude of the general population are to be found in Friedman, *Roads to Extinction* (New York: Jewish Publication Society, 1980), pp. 409–21; and Yehuda Bauer, *The Holocaust in Historical Perspective* (Seattle: University of Washington Press, 1978), pp. 50–93.
- 30 Alkalai to Uveeler, 11 November 1965, World Jewish Congress/Claims Conference File 1, Department of Righteous Gentiles, YV.
- 31 Kubovy to Goldmann, 6 November 1962, *ibid*.
- 32 For a detailed study of Righteous Gentiles in Poland, see Nechama Tec, *When Light Pierced the Darkness: Christian Rescue of Jews in Nazi-Occupied Poland* (New York: Oxford University Press, 1986).
- 33 Report prepared by the Department of Righteous Gentiles, YV, 1985.
- 34 Vera Prausnitz interview with the author, June 1985, Jerusalem.
- 35 Tec, *When Light Pierced the Darkness*, p. 4, incorrectly attributes the funding for this project to the American Jewish Congress. Although various Jewish organizations have been involved at one time or another in aiding Righteous Gentiles, the longest-running program, and the only one conducted in conjunction with Yad Vashem, was that of the Claims Conference.
- 36 Kagan to Justice Bejski, 29 August 1983, YV, 37.
- 37 Annual Report of the Claims Conference, July 1986 (unpublished), p. 28.
- 38 See Mordechai Paldiel, 'Rescuers and the Rescued – Righteous Gentiles Living in Israel' (in Hebrew), *Yalkut Moreshet*, No. 41, June 1986.
- 39 Protocol of Plenary Meeting of Committee on Righteous Gentiles, 22 December 1983, Yad Vashem, and Bejski–Kagan correspondence on the same file.
- 40 Interview with Saul Kagan and Alissa Kaplan, June 2000.

8 • Beyond Welfare

OF THE FOUR major functional divisions of the Claims Conference allocations program, welfare and commemoration have been discussed in the previous two chapters. The cultural program, the first stages of which were examined in Chapter 4, and the capital investment allocations are the subjects of this chapter.

In May 1956, the officials of the Conference invited representatives of each of the major European Jewish communities to a conference in Paris to consider developing long-range programs in the building of communal institutions. Thirty-three organizations were represented. Building programs take many years to implement. Winning communal support, drawing up architects' plans, obtaining municipal approval, building and equipping the schools, community centers, homes for the elderly, hospitals and so on are all necessary but time-consuming phases in the creation of community institutions. They required planning over a period of time, which the Conference's own yearly applications and grants program did not make any easier.¹ Eventually, the Conference evolved procedures for allocating funds for projects that extended over a number of years.

The Conference participated in financing 321 capital projects in European countries, Australia, Latin America and the United Kingdom. The Conference allocated \$9,555,908 to projects whose overall cost was more than \$28,562,000. The projects included community and youth centers, homes for the elderly, children's homes and kindergartens, youth shelters, vacation colonies, medical installations, religious institutions, cemeteries, canteens, sheltered workshops, and sundry others.

In view of the large proportion of the Conference's budget that was committed to the JDC (a commitment renewed annually), the Jewish Agency's independent allocations of the 18½ per cent of the global settlement, and the Conference's commitments to the programs for refugee rabbis, community leaders and invalids, only a small part of the annual budget remained uncommitted and available for allocation at the discretion of the Board of Directors. In theory, the Board was sovereign, and was authorized to revise all budgetary commitments and applications at its annual meetings. In fact, as a matter of practical politics, its actual discretionary allocations were limited to less than the \$2 million each year remaining after major, long-term commitments had been met.

Throughout all the debates of the Claims Conference, whether at the Executive level or during the Board of Directors meetings, a clear distinction was drawn between the unavoidable but inherently ephemeral tasks of relief and welfare, and the potentially lasting impact of an efficient and well thought-out cultural program. This was a challenge that appealed to all members of the Conference. They considered achievements in the fields of culture, education and scholarship to be no less important than the pressing humanitarian demands of the welfare program.

These sums were spent almost entirely on the cultural and educational programs directly supported by the Conference. Over the years, direct Conference allocations for cultural and educational reconstruction reached \$23,613,700.² Between 1954 and 1964, this was the largest single source of funds available in these fields throughout the Jewish world. Legally, the Conference was constrained to make allocations only to victims of Nazism. Benefits reached an average of 2,000 Holocaust survivors each year, in the form of salary payments and grants to rabbis, editors, scholars, writers, researchers and recipients of Conference scholarships and fellowships. Many personalities who were prominent in the world of literature and scholarship were able to pursue their careers because of these payments. A far larger number of relatives of Nazi victims also benefited from Conference funds by attending primary and secondary schools, *yeshivot*, seminars and courses in adult education that received direct Conference allocations. According to the Conference's own statistics, 16,500 people benefited directly from such programs by 1964, many of them victims or their families.³

As opposed to the welfare program, which concentrated on the countries occupied by the Nazis, the cultural and educational program focused on the communities where the victims of Nazism had settled. Some \$3,833,500 in allocations went for the construction, renovation, equipment and repair of 150 schools in 18 countries. The largest single beneficiary community was in France, where 43 Jewish schools received support. In England, 37 day schools and two teacher-training colleges were partly maintained by the Conference. In Belgium, six day schools and two supplementary schools, in Italy nine schools, and in Australia 21 schools all received Conference funds.

Yeshivot in Europe, and *yeshivot* elsewhere that had been transplanted from Europe (mainly to the United States and Canada) received approximately ten per cent of the overall educational and cultural budget over the years. An extensive scholarship program allowed 1,800 survivors to obtain tertiary education. Funds were also allocated to established organizations and institutions conducting scholarly, religious and cultural activities. Over the years, almost 460 volumes were published with Conference help.

The allocations were monitored carefully by the Conference's own staff (Judah Shapiro and, from 1956, Mark Uveeler) and they reported at length to the meetings of the Board when the coming year's allocations were discussed. Nevertheless, in evaluating the achievements of the cultural program, it is necessary to ask whether the 'political' realities of the Claims Conference allowed it to pursue a conscious cultural policy. Three basic principles underlay the cultural allocations:

- programs should benefit the victims of Nazism (or their children);
- programs should meet real needs;
- the allocations should be equitable and fair, reflecting all trends in Jewish life.

In the course of time, the first principle became less and less important. The Conference was legally obligated to the German Federal Republic, as set out in Protocol II negotiated in Wassenaar (see Appendix 2), to spend the money for the benefit of the victims. The Conference strove to meet this obligation, even though it placed a severe constraint over the general allocations program. However, there was resistance to allowing the German authorities to influence the cultural allocations. This was an entirely Jewish affair. Ultimately, the agreement with

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Germany was easily circumvented due to the Israeli supplement to the Conference budget (discussed in Chapter 2). Cultural expenditures, Goldmann was able to report to Bonn, were financed by the Israeli contribution to the budget and therefore did not fall within that part of the budget on which the Conference was obliged to report annually to Germany.

Furthermore, in the natural course of events, the number of Nazi victims who turned to the Conference for help within the cultural programs declined over the years. By the early 1960s the wartime experiences of an applicant were no longer the most significant criterion in deciding allocations.

Gradually, the third principle, that the allocation should be equitable and fair, became the dominant consideration. Fairness inevitably meant that the protégées of each of the organizations represented on the Board all received something. The Board included representatives of all the major streams in Jewish life, reflecting the approach of Goldmann – that the ideological status quo within the Jewish world should not be changed by reparations transfers. It also ensured the maximum degree of harmony within the Conference. The only attempt to pursue a definite cultural policy was that of the Cultural Applications Committee under Salo Baron (see Chapter 4). But the Senior Officers of the Conference had dismissed the recommendations of Baron's Committee as completely unrealistic and impractical. The attempt to formulate a definite interventionist policy had foundered on the shoals of academic empire-building. Thus the Claims Conference pursued no normative cultural policy beyond ensuring that the reparations money supported all existing trends within the Jewish world, and was spent in accordance with the demands of the Board. Organizations whose requests for support could not be met within the Conference's annual budget could always turn to the other reparations sources – the Jewish Restitution Successor Organization (JRSO) and the Jewish Trust Corporation (JTC). While the Claims Conference was the largest source of funds between 1954 and 1964, it was not the only source. Beyond the Conference's own program, the JRSO and JTC often supported applicants who had not received funds from the Conference.

In 1960, two years after the Study Commission and some years before the Conference's overall allocations program would come to an end, the Conference began a long debate over the use of its remaining

income, the use of any residual funds after the Conference closed its major operations, and the fate of specific welfare programs that were entirely dependent on Conference allocations. For some years, members of the Board had expressed the opinion that not enough had been allocated to cultural projects because the Joint had received the largest part of the funds, and that more could have been achieved had it not been for the obligation to support Nazi victims.⁴

At its meeting in Amsterdam in 1960, the Board of Directors resolved that 1964 would be the last year of allocations from the Claims Conference budget. It established a special sub-committee of the Executive Committee, to investigate the utilization of post-1964 funds. By that year, the Conference would have allocated just over \$109,500,000 of its anticipated income of \$123,214,285.⁵ This estimate was based on the DM 450 million from Germany plus the additional 15 per cent which Israel had undertaken to contribute. An additional \$1 million had accrued to the Conference from interest earned on the sums kept on reserve to meet the open obligations of the allocations program.⁶ In addition, approximately \$2,500,000 was added to the Conference's income when the German currency revalued against the American dollar in 1961. As the Conference's income was in DM, and its expenditure was mainly in dollars, the impact of the revaluation was a significant windfall for the Conference.⁷

The Committee for the Utilization of Post-1964 Funds held its first meeting in Paris in June 1960. At the meeting, Goldmann raised the possibility of creating a special, perpetual fund for cultural purposes.⁸ Goldmann's proposal would have resulted in the effective termination of the collaboration between the JDC and the Conference. Charles Jordan expressed the Joint's claim to the residual funds of the Conference:

. . . it must be realized that in 1964 and beyond, for an as yet undetermined period of years, there will remain with us a relief problem of very large dimensions. Under the circumstances, we cannot afford but to ask the Claims Conference to leave with us every residual nickel they can lay their hands on . . . I can certainly see no justification for proposing that the entire amount available in the last year should be put into a trust fund.⁹

However, the JDC's anxieties had no impact. The Committee wanted

a long-term fund. Disagreements emerged as to the purposes for which the funds would be used (culture vs relief); whether the post-1964 fund would be short-lived (a few years), long-term (25 years) or perpetual; and whether the trusteeship of the fund should be restricted to the current members of the Claims Conference or whether membership should be thrown open to a wider, and perhaps more representative, organizational base. The divisions within the Committee reflected the conflicting positions of the Joint, the American Jewish Committee, and Goldmann and the professional staff of the Conference. The Joint argued that it should be the sole recipient of the funds for its welfare programs. The AJC and Goldmann supported an extensive cultural program, with all relief expenditures restricted to the continuing support of the residual refugee rabbi, communal leader and *Hassidei Umot Ha-olam* (Righteous Gentile) support programs. Relief-in-transit was also to be supported for a limited period. The AJC and Goldmann disagreed, however, on the duration of the cultural trust. Goldmann was interested in perpetuity, while the AJC believed that for the new trust to have any impact, it must distribute its capital base as quickly as possible. They believed that the current generation was the crucial one for the continuation of Jewish life in Europe. If sufficient funds could be devoted to cultivating Jewish learning and identity among the generation of the 1960s, then Jewish life had a future in Western and Central Europe. Future generations, according to the AJC's arguments, would be able to look after their own interests.¹⁰

At the heart of Goldmann's conception of a perpetual cultural trust was his belief that far more money would be made available to it once it was established. In addition to the residual funds due from Israel, Goldmann believed that he could convince Adenauer to contribute a further \$10–15 million to the new foundation as a monument to the German leader's contribution to the entire Claims Conference phenomenon. He also believed that he would be able to convince the authorities in Bonn to return to the Conference the DM 50 million which had been subtracted from the original Conference global claim at Wassenaar in order to provide for baptized Jewish victims of Nazism ('Hebrew Christians'). As very few claims had been made against this DM 50 million, Goldmann wanted the Germans to return the money to the Conference (which they eventually did). He also hoped to attract major contributions to the fund from wealthy Jewish donors.

The main debate within the Committee for the Utilization of Post-1964 Funds was over the amount of money to be diverted to welfare. Goldmann informed the Committee:

I will fight for excluding all relief from it. The moment you open a door to relief, I am afraid of the good heart of all Jews. Tzdoke [charity] is a very dangerous thing with Jews: billions have been wasted on that. But what maintained a people is cultural life, and not hospitals . . . If I had all the hundred thousand intellectuals buried in Auschwitz, I would rebuild the Jewish people. But if you go on and spend it for relief, then everything will become meaningless. I want to forbid it to ourselves, to tie our hands, because it wouldn't change very much.¹¹

In the course of the debate, both Leavitt and Blaustein pointed out that the German government would have to approve the diversion of a significant part of the Conference's normal budget for purely cultural purposes, as this contradicted the provisions of the agreement reached at Wassenaar in 1952. Leavitt was doubtful whether the Germans would be willing to support a perpetual trust which would be a way of perpetuating the memory of what the Nazis had done to the Jewish people. Goldmann replied by saying that he had already raised these questions in Bonn and had obtained the Germans' agreement. As he pointed out, 'They are very proud of what they are doing to make good.'¹²

The debate over culture versus welfare was finally resolved when it was decided to allocate two-thirds of the remaining funds after 1964 for the cultural trust and one-third to support the continuing welfare obligations of the Conference. As these obligations were primarily the programs maintained directly by the Conference, the subvention to the JDC was to terminate after 1965.

The Committee resolved to limit the membership of the new trust to the members of the Claims Conference. The members of the Committee were concerned to avoid a scramble for positions on the new body. As Blaustein pointed out, 'Once you open it up, then you are really in trouble.' Uveeler responded by saying that the only way to avoid opening the membership question would be to continue the Conference and charge the already existing structure with the running of the new fund.¹³ Eventually, however, this safe approach was not

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pursued, and the Board of Directors, at its final meeting in Geneva in July 1964, endorsed a wider membership base for the new organization.¹⁴

The debate on the utilization of the post-1964 funds, and on the purposes and structure of the new cultural trust, continued from 1960 until the final meeting of the Board of Directors in 1964. The principles of operation and the articles of incorporation of the new body slowly emerged in the course of a four-year-long discussion. The new trust, called the Memorial Foundation for Jewish Culture, formally came into existence in 1964. A number of organizations joined the 23 member organizations of the Conference on the Board of the new body, which began its allocations program in October 1965.¹⁵ Goldmann's hopes for additional funds for the Foundation, beyond the balance of the Claims Conference's original \$123,500,000, were not realized. The Jewish Agency contributed an extra \$1,000,000 over a four-year period, but the basic fund of the Foundation was \$10,432,000 – two-thirds of the Conference's remaining funds.¹⁶

The balance of the Conference's funds, just over \$5,000,000, was allocated by a small staff of Conference officials. The Board continued to supervise these allocations, and the offices of the Conference function to this day. Throughout its life, the Claims Conference monitored the implementation of the German legislation providing indemnification for victims of Nazism. This program continued beyond 1964. But the major work of the Conference on Jewish Material Claims Against Germany, its allocations program, came to an end with the creation of the Memorial Foundation in 1964.

NOTES

1 Report on Claims Conference/AJDC Program of Capital Investments, 1954–58, CC 14189.

2 Claims Conference, *Twenty Years Later: Activities of the Conference on Jewish Material Claims Against Germany, 1952–1972* (New York, 1973), p. 54.

3 Ibid.

4 See, for example, Hayes to Blaustein, 28 October 1958, CC 14908.

5 CC 14908.

6 CC 14206.

7 Kagan memo, 17 March 1961, CC 14838.

8 Protocol of Committee meeting, 24 June 1960, CC 14908.

9 Jordan to Leavitt and E. Warburg, 10 June 1960, CC 14908.

- 10 Comparative Table of the Three Position Papers, CC 14907.
- 11 Protocol of February 1961 meeting of the Committee for the Utilization of the Post-1964 Funds, CC 14909.
- 12 *Ibid.*
- 13 Protocol of 12 January 1962 meeting of the Committee for the Utilization of the Post-1964 Funds, CC 16621.
- 14 Resolutions of Board of Directors meeting, 29–30 July 1964, Geneva, CC 14907.
- 15 The original member organizations of the Memorial Foundation were: Agudath Israel World Organization; Alliance Israélite Universelle; American Jewish Committee; American Jewish Congress; American Jewish Joint Distribution Committee; American Zionist Council; Anglo-Jewish Association; B'nai Brith; Board of Deputies of British Jews; British Section, World Jewish Congress; Canadian Jewish Congress; Central British Fund; Committee of Institutions of Higher Learning; Conseil Représentatif des Juifs de France; Council of Jews from Germany; Delegacion de Asociaciones Israelitas Argentinas (DAIA); Executive Council of Australian Jewry; Jewish Agency for Israel; Jewish Labor Committee; PEN Centre (Israel); South African Jewish Board of Deputies; Standing Conference of European Jewish Community Services; Synagogue Council of America; World Council of Synagogues; World Jewish Congress; World Sephardi Federation; World Union of Jewish Students; World Union for Progressive Judaism; Yiddish PEN Club; Zentralrat der Juden in Deutschland.
- 16 Annual report of the Memorial Foundation for Jewish Culture, 1965–66, p. 11.

Conclusion

REPARATIONS, RESTITUTIONS and indemnification payments have transferred DM 115 billion to the Jewish world since the end of the Second World War. The vast bulk of these funds was paid as indemnification to individuals in accordance with Protocol I of the Luxembourg Agreements signed between the Claims Conference and the Federal Republic of Germany in 1952. While the Conference played a major role in bringing about these payments to individual victims, the reparations paid directly to the Conference on Jewish Material Claims Against Germany represented only a small part of the entire reparations phenomenon.

These facts are apparent with hindsight, almost 50 years after the conclusion of the negotiations at Wassenaar, but could not have been foreseen in the early 1950s. The DM 450 million which the Federal Republic had undertaken to pay to the 23 voluntary organizations was unprecedented, and created unprecedented challenges.

The first challenge required a decision of principle in 1952. Having successfully concluded the negotiations with Germany, would the Conference simply transfer the reparations funds which it stood to receive over the next 12 years to those organizations which had borne the burden of caring for the victims of Nazism until now (primarily the Joint and the Jewish Agency), and thus terminate its own existence, or would the Conference transform itself from a negotiating body into a distribution agency? The latter path, which was in fact chosen, would mean shouldering the burden of allocating funds between competing and (in many cases) equally worthy claimants, with all the controversy and public debate that this inevitably implied. Furthermore, it meant formulating principles for the allocation of funds which would be

acceptable to the diverse organizations that made up the Claims Conference, and which would be accepted by the Jewish public at large.

The Conference met these challenges by the practical step of collaborating with the Joint Distribution Committee for all allocations outside of Israel and with the Jewish Agency for programs within Israel, while reserving sufficient funds for commemoration, cultural and reconstruction programs as well as the minor relief programs, which the Conference supervised by itself.

There was no legal precedent for the Luxembourg Agreement, both because there is no international law regarding individual financial reparations and because there had never been such a wide-ranging agreement between a sovereign state and voluntary organizations.¹ The Conference was also unique because of the representative, diverse and international characters of its constituent organizations.

The most appropriate classification for the Claims Conference as an organization would be that of an American charitable foundation. While it may not have been able to compete with the grants payments of the Ford or Rockefeller Foundations, or of the Pew Memorial Trust, the Conference's annual allocations program would have ranked it among the top ten or 15 of the more than 22,000 existing American foundations.² The more important foundations, including the Claims Conference, controlled budgets sufficiently large to allow them to go beyond the conventional charity of individual welfare and relief payments and to pursue social policies aimed at transforming the recipient societies or altering radically the circumstances of the individual beneficiaries.

The fact that the Conference had a guaranteed income, independent of fundraising, gave it a uniquely powerful role among the beneficiary communities. The Conference not only made recommendations to the communities, it financed the cost of implementing them. Furthermore, everyone knew that its income was guaranteed for the length of the agreement with Germany – a full 12 years – which gave the promise of Conference support immense credibility.

Historically, the Conference cannot be understood in isolation. It was only one of a number of means by which reparations payments were channeled to the Jewish world. The Final Act on Reparations (Paris 1945) and the Five Power Agreement on Reparations for the Non-Repatriable Victims of Nazism (Paris 1946) established the

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precedent of returning Jewish assets to the Joint Distribution Committee and the Jewish Agency, for the benefit of all Jewish survivors of Nazism. The Jewish Restitution Successor Organization (JRSO), the Jewish Trust Corporation (JTC) and the JTC-French Branch, all began their job of restituting heirless Jewish assets and distributing the proceeds to the areas of greatest need, before or at the same time as the Claims Conference began its allocations program. As the bulk of the JRSO funds went directly to the JDC and the Jewish Agency, many Jewish organizations felt that they had been excluded. The Conference program provided an opportunity to overcome this discontent. The reverse was also true. Claimants whose demands could not be met within the framework of the general principles laid down by the Conference allocations program received funds from JRSO or the JTC. The concurrent allocations programs of the various reparations/restitution organizations ensured that any reasonable demand on reparations funds would be met.

Any evaluation of the impact of the reparations process on European Jewish communities must take into account the fact that for some of them the Conference was not the only channel for restitution and reparations funds. In Italy, Greece, Holland, Hungary and Poland, the local Jewish communities became the successor organizations for heirless Jewish assets within their borders, although the laws facilitating this were not always meaningful or implemented.³ If a Jewish community was able to realize the assets accruing to it as successor, it had a source of independent income. In addition, at the same time as the start of the Conference allocations program, funds became available from the JTC in the British zone of Germany, and, in the spring of 1954, the French Branch of the JTC received its first funds from heirless Jewish property in the French zone of Germany. (The board of the French zone Branch agreed that the 35 million francs available should be spent through the existing social agencies of the Fonds Social Juif Unifié (FSJU). A special committee of the board met with representatives of the agencies supported by the FSJU and drew up projects for the use of the 35 million francs.⁴ By the end of the 1950s, Germany had also undertaken to pay approximately \$188 million reparations to European countries. Belgium received \$19 million, Denmark \$3.8 million, France \$95.2 million, Greece \$27.2 million, Holland nearly \$24 million, Luxembourg \$4.3 million and Norway \$14.3 million. These monies

were designed to enable the various governments to compensate their nationals for wrongs committed during the Nazi occupation. Undoubtedly Jewish citizens of the countries concerned and the Jewish communities also benefited from these funds.⁵ Thus the reparations process was a complex and multifaceted one, whose impact on European Jewish communities did not derive solely from the program of the Claims Conference.

The Conference program allowed for long-term planning in Jewish communal life by the Joint and the central communal organizations through which it dispersed funds. Furthermore, Conference funds were used to influence the European Jewish communities toward centralizing their facilities and integrating communal organizations. Saul Kagan, the Conference's senior full-time official, considers this to have been one of the Conference's most important contributions to Jewish public life: 'Willy nilly, it brought together elements in the communities which had heretofore gone their own way and [had] spent a great deal of time, money and energy on efforts which, in effect, cancelled each other out.'⁶

Within the Conference, there was a constant sense that by meeting the requirements of the welfare clients of the Joint, the needs of the moment were adversely affecting the long-term planning for the future. The debate this provoked internally was resolved in favor of the welfare program. When welfare needs in Western and Central Europe declined, the only significant change in the Conference's activities was an increase in the relief-in-transit program (a form of welfare program for Eastern Europe). Despite the constant acknowledgment of the importance of the cultural and education allocations, cultural allocations increased from around ten to 20 per cent of the Conference's budget only after five years. This did not represent a major reallocation of funds for the cultural program when relief requirements declined. The creation of the Memorial Foundation, at the end of the effective life of the Conference, was the single major exception to this pattern.

The relief-in-transit program was, of necessity, discrete. There has been no public accounting of the funds spent, nor is there ever likely to be. Conference funds were ideally suited for such a program. Any program based on money deriving from public fundraising requires a large degree of exposure and public discussion, which would have been impossible with relief-in-transit. The program was only possible thanks

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to the availability of the Conference reparations payments. The German government was informed privately of the uses to which the reparation funds were being spent, and the directors of the Conference also received a confidential report every year. As there are no records of the discussions at the annual Board meetings on relief-in-transit, it is not possible to evaluate the extent of debate on the program. In light of the criticism by officers of the American Jewish Committee in the early 1960s about the lack of information made available to senior officers of the participating organizations, it can be assumed that the accounts presented to the Board of Directors meetings were cautious and limited. The general atmosphere of secrecy surrounding the relief-in-transit program and the sensitivity of the issues involved discouraged real debate.

The Conference funds came at a time when American Jewish philanthropy was declining, or was being diverted to Israel, and when payments from the International Refugee Organization to the Agency and the Joint were coming to an end. The reparations settlement allowed the JDC to continue at a level of operations that would otherwise have been impossible. In 1964, the last year of the main Conference allocations program, the Joint received almost 28 per cent of its budget from the Conference. The Conference continued to contribute \$1 million to the Joint's budget every year up to and including 1969 to cover the relief-in-transit program. Other programs to which the Conference had residual commitments (community leaders, refugee rabbis, righteous gentiles) were continued directly out of the Conference's office in New York.

However, no specific source replaced the Conference's peak contributions, and between 1964 and 1965, the JDC's budget dropped from \$27.1 million to \$20.7 million. It took almost ten years for the slow increase of United Jewish Appeal fundraising to replace the lost Conference support. By 1973 the JDC's budget had returned to the level previously attained during the Conference program.⁷

For the purposes of reporting the Conference's annual expenditures, its officials differentiated, as far as possible, Conference contributions from the Joint's other sources of income. Funds paid to the JDC were generally earmarked for specific JDC programs. However, in practice the JDC made no distinction between the funds it received. As Moses Leavitt explained at a Country Directors Conference:

Conclusion

There were several sources of funds for the JDC. One was the UJA, the second was the Conference, a third was inter-governmental agencies, a fourth was, in a smaller respect, other countries outside of the United States. The sum total of all those funds was the basis upon which we planned a program, and the basis on which we determined where the funds were to be spent. So none of us ever thought in terms of 'Is it UJA money or is it Conference money?' . . . It was to us one pocket, from which we drew to meet most emergency requirements that faced the JDC. And once we accept that principle and that policy, all discussions about Claims Conference funds fall to the ground.⁸

Because of its structure and the public nature of its activities, the Conference was an effective unifying agent at a number of different levels. It brought together diverse organizations representing the basic groups which had divided the pre-war Jewish world – religion, labor, Zionism and the wealthy American Jewish elite. Just as the Joint used the Conference funds to foster Jewish unity at a communal level, so the annual budget encouraged cooperation between the 23 organizations that made up the Conference. In the words of one of the Jewish officials active at the time, 'money was a wonderful cementing agent'. The cumulative impact of the annual Board of Directors meetings, bringing together a Jewish communal leadership from around the world, has already been discussed in the text. The effect of working together, and the collective sense of achievement at having obtained the Luxembourg Agreement and having successfully used the money for the welfare and rehabilitation of the Jewish world, had a significant effect at the executive level of the Conference as well. For reasons explained above, the negotiations with Germany and the entire Conference program depended on a tripartite collaboration between Israel, the Joint and the Conference. The Joint and the Jewish Agency had cooperated effectively since 1945. But for a number of organizations, the mutual interdependence with Israel and Zionist organizations was a novel experience.

Within Israel itself, the hostility created by the debate over reparations hardened the domestic political confrontation between the two main political blocs, Herut and Mapai. It is also very likely that the long-term impact of restitution and indemnification payments had a

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divisive effect on Israeli society as a whole, reinforcing unequal distributions of wealth between communities of different ethnic origins. However, due to the success of the Claims Conference, the opposite was true for the impact of reparations on the Jewish world in the diaspora. Due to the success of the Claims Conference, the reparations process was a unifying and not a divisive factor.

This was particularly evident in the developing relations between the American Jewish Committee and Israel. The AJC's policy toward Israel was only beginning to harden into a collaborative relationship when the Conference was created in 1951. The Ben-Gurion–Blaustein agreement, by itself, however, was no substitute for the practice of working together in the allocation of funds that the Conference allowed. Furthermore, reparations money made it possible to rehabilitate diaspora Jewish communities without diverting additional UJA funds from Israel. By enlarging the cake, the reparations process made it possible for all streams of Jewish life to receive an adequate portion.

Many of the policy positions adopted by the American Jewish Committee and Jacob Blaustein within the Conference can only be understood in terms of the AJC's desire to revitalize Jewish life in Europe and create a counterweight to the pull of Israel. However, in the broadest historical terms, no program of rehabilitation and reconstruction could possibly have overcome the effects of Nazi genocide on European Jewry. The dead could not be brought back to life, and destroyed communities could not be revived. Only in communities where the damage had been partial and where Jews survived to participate in the tasks of rehabilitation, could any benefit be derived from the reparations payments.

Following the Second World War, there was a large-scale flight of Jews from Central and Eastern Europe. The Conference funds were allocated in the decade after this population movement had come to an end. The Joint used the Conference payments to meet welfare needs, but Blaustein in particular saw the Conference program as a means of stemming the flight from Europe and saving what remained of a Jewish presence on that Continent. Later generations will be better able to judge the long-term success of that endeavor. The movement of North African Jews to France as a consequence of the decolonization of Tunisia, Morocco and Algeria revitalized Jewish life in the largest Jewish community in Europe outside of the Soviet Union. The

Conference program in France did much to prepare that community for the arrival of a new generation of Jews in flight.

Although Conference funds were not spent in North Africa, the Conference subventions to the JDC did allow the latter organization to divert substantial amounts of money for relief and rescue work in Jewish communities throughout the Arab world. In fact, in view of the contraction in the source of JDC income in the early 1950s, one of the most significant influences of the reparations payments was to allow a substantial JDC program in the Jewish communities of the Arab world during the 1950s.

Everyone involved in the Conference's work acknowledged the contribution of two personalities – Nahum Goldmann and Saul Kagan. Goldmann's contribution was central to the success of the Claims Conference. He was unquestionably the major figure in the organization and wielded the most influence within it. He did not become involved in daily administrative matters; indeed he was rarely informed as to the details of most of the Conference's programs. Whenever executive decisions were required he received detailed briefs from Kagan. Yet his political role and diplomatic skills were decisive, both in resolving conflicts within the Conference and in facilitating the Conference's relations with Germany. Goldmann's vision of the overall challenge facing the Claims Conference – the reconstruction of European Jewry – prevented the allocations program from being diverted entirely for immediate welfare needs or for the parochial interest of one or another group within the Conference.

By focusing on the rehabilitation of diaspora communities, Goldmann was able to ensure the active participation of the American Jewish Committee, Alliance Israélite Universelle, and the Anglo-Jewish Association in the reparations process. These organizations formed an unofficial non-Zionist countervailing force to the dominant influence of the Jewish Agency and the JDC. Goldmann's dual official positions, as co-chairman of the Jewish Agency and as president of the World Jewish Congress, helped him straddle this divide. His personality and his political skills ensured that such disparate organizations would work effectively together.

Kagan's role was also decisive, but on a different level. He was executive secretary not only of the Claims Conference but also of the JRSO – a dual role that allowed him an overview of all the reparations

money available for Jewish public purposes. Although he was technically a professional employee of the Conference, the composite nature of that organization allowed him a considerable degree of independence in his daily work. The effective cooperation of the members of the Executive Committee depended on the constant supply of information and briefing papers from Kagan's office. The annual Board of Directors meetings depended entirely on the 'Black Book' compilation of grants applications, rapporteurs' reports and Executive Committee recommendations which Kagan prepared every year. For most of the life of the Conference his office was across the corridor from that of Moses Leavitt of the Joint Distribution Committee. The close cooperation on a daily level between Leavitt and Kagan greatly facilitated the running of the combined Joint-Conference allocations programs.

Leavitt had played a central role in the negotiations with the Germans at Wassenaar in 1952 and was a key member of the Senior Officers group (together with Blaustein and Goldmann) throughout the life of the Conference. He died during the 1965 meeting of the Conference Board of Directors. His easy working relationship with Kagan was paralleled by both of their relationships with Giora Josephthal, the treasurer of the Jewish Agency. Similarly, much potential friction between the American Jewish Committee and the World Jewish Congress was defused because of the friendly relations between Seymour Rubin and Nehemiah Robinson.⁹ The personal relations between the professional employees of the various Jewish organizations cemented the collaboration of entities that were, ideologically at least, often in conflict.

In 1965, the *Jewish Chronicle* in London published a series of articles evaluating the entire work of the Conference. The main criticism was that the funds were allocated by politicians rather than the salaried professionals:

It was left to communal politicians rather than relief experts to decide on the disbursement of funds. Inevitably this led to a measure of horse trading and tit for tat deals among individual conference members. There are few directors who, if pressed, will not remember agreeing to favor an allocation for group X in return for another director's support for group Y.¹⁰

The assumption underlying this criticism is that the professional

communal workers inevitably know better than the political leadership what the real needs of any community are. This is dubious, especially as the decision to support a project often involved questions of value and ideology, which the experts had no role in deciding. However, the paper went on to make a more significant criticism:

. . . the secrecy which surrounded the claims procedure only encouraged unjustified reports and fuelled the disquiet of those who questioned the morality of a constitution which gave the board of directors the right to decide on allocations, when a number of them had a direct organizational interest in them. As it is today, many projects must succumb because of lack of local funds to keep them going or to be lost in limbo because their origin was communal jealousy or rivalry and not primarily need.¹¹

There was clearly a degree of political deal-making in the allocations process. The decision to support the Jewish school system in England, despite the principle of not allocating funds to countries which had traditionally contributed to overseas programs, is one example. There were numerous others. But these allocations, even though they resulted from 'deals', still reflected real communal needs. Many of them are thriving today because a persistent Board member succeeded in diverting money to a pet project from the general relief and welfare budget. The point is not the origin of the allocation decision but the degree of need met by that decision. Projects which reflected real needs did not wither but were maintained by the benefiting communities even after the main Conference program terminated.

The Conference program was part of the wider reparations process also from the perspective of the impact of reparations on German–Jewish relations after the war. In 1952, when the Luxembourg agreements were signed, a number of members of the Conference's Executive Committee expressed doubts whether the Germans were genuine in their commitment to the obligations they had undertaken – both as regards the global settlement to the Conference and the indemnification payments to individual victims of the Nazis. There were voices in Germany calling for the abrogation of the 1952 agreements, at both the public and political levels. Yet the Federal Republic adhered faithfully both to the letter and the spirit of the agreements signed with Israel and the Conference. Indeed, the terms of individual

indemnification were liberalized and extended significantly during the lifetime of the Conference. Despite the occasional query from Bonn as to various items of the Conference's allocations, there was no attempt to intervene in the manner in which the Conference discharged its responsibilities.

During the 1950s and 1960s there was a noticeable development within Jewish communities that absorbed European Jewish refugees from the Nazis or from postwar Europe. Gradually, refugees became integrated with the local communities, and in many of them they replaced the established Jewish elite.¹² Conference (and other reparations) funds facilitated this integration of the refugee communities. Refugees were no longer a burden on communal philanthropy. On the contrary, the fact that the Conference could only allocate funds for the benefit of the victims of Nazism meant that only communities with a refugee component were entitled to Conference support. Many communities were able to undertake significant capital projects because of the refugee element within them. It is reasonable to surmise that this fact encouraged the successful integration of the victims of Nazism in their countries of adoption.

The historical significance of the Claims Conference extends beyond the direct impact which the Conference's allocations program had on the rehabilitation of Jewish communities in Europe and of Jewish victims of the Nazis throughout the world. In the immediate postwar years, from 1945 until Israel's independence, the major burden of assisting the survivors of the Holocaust was carried jointly by the Jewish Agency and the JDC. These organizations collaborated successfully in dealing with the concentration of up to a quarter of a million Jewish displaced persons in camps throughout Allied-occupied Europe. The Jewish world learned the consequences of powerlessness and disarray during the Holocaust. The concerted efforts of the postwar years in bringing aid and succor to the survivors of European Jewry was made possible by the lessons of the war years. When the immediate challenges of those years had passed, and Jewish philanthropy wearied of the continuing tasks of rehabilitation, the reparations process and the restitution of heirless Jewish property allowed the voluntary organizations to continue their work with survivors and to extend it to include the rehabilitation of communities *qua* communities. In the course of this work, the close collaboration of the Jewish Agency and the Joint was

extended to a collaboration among all the major Jewish organizations that belonged to the Conference. This collaboration facilitated an important ideological adjustment. Israel's independence presented a challenge to the leading non-Zionist groups, who argued for the equality of the diaspora within the Jewish world, and against the Zionist negation of diaspora life (*shlilat hagola*). As long as American Jewish fundraising was the major source of funds both for the support of the fledgling state and for the rehabilitation of individuals and communities after the Holocaust, there remained a major potential for conflict between the leading organizations. Although there can be little doubt that Jewish public opinion would have given primacy to Israel's needs (as the pattern of fundraising throughout the Jewish world showed), this opinion would not necessarily have been shared by all the major Jewish organizations. The success of the Claims Conference in pressing its demands against Germany in 1952 and in obtaining Protocol II of the Luxembourg Agreements guaranteed an additional source of income. These funds, together with those derived from JRSO and the JTC, provided for the needs both of Israel and of the diaspora communities. A potential conflict over the division of scarce resources within the Jewish world was avoided.

By the end of the Conference's allocations program, there were few Jewish victims of Nazism whose needs had not been met by one part or another of the reparations process. The revival of Jewish communities in Europe, at the same time as Jewish communal life in North Africa collapsed under the pressures of French decolonization and the Arab-Israeli conflict, caused a dramatic change in the demands made on Jewish public philanthropy. There was no longer any point in challenging the primacy of Israel in allocating resources. Three years after the termination of the major Conference allocations program, the Six-Day-War of June 1967 reinforced the centrality of Israel in Jewish life throughout the world.

NOTES

1 David Silvers, 'The Future of International Law As Seen Through the Jewish Material Claims Conference Against Germany', *Jewish Social Studies*, Vol. 42, Nos. 3-4, 1980, pp. 215-28.

2 See *Giving USA 1973 Annual Report*, table on p. 14. Of the 30 largest foundations listed in this report, the average annual grants program was \$15,674,000. However,

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- this figure is distorted because of the huge program (over half of the total of all grants listed) of the Ford Foundation. Excluding Ford, the average annual grants program of the top 30 American foundations was \$7,743,828. The average annual Claims Conference program was just over \$10 million.
- 3 Shalom Adler-Rudel, 'Reparations from Germany', *Zion*, 2, Nos. 4-6, 1951, p. 86.
- 4 JDC Country Directors Conference, Country Report: France, 1954, CZA, S42-419.
- 5 Jerome Jacobson, speech, AJDC Overseas Conference—Assembly of European Jewish Communities, 31 October—2 November 1960, Geneva, CC 14503.
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- 7 Loeb and Tropper Budget Report, 1914-74, AJDC Archives, New York.
- 8 Speech by M. Leavitt, Country Directors Conference, Paris, 1954, p. 263.
- 9 Seymour Rubin, Interview (81) 7, Oral History Project, Institute of Contemporary Jewry, The Hebrew University, Jerusalem.
- 10 *Jewish Chronicle*, 26 February 1965.
- 11 *Ibid.*, 10 March 1965.
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ASHKANASY, MAURICE, b. London, 1901. Barrister. Alternate president, Executive Council of Australian Jewry, and president, Victorian Jewish Board of Deputies. Active in many other Australian and international Jewish organizations. Member, Board of Directors, Claims Conference.

BAECK, RABBI LEO, b. Lissa, Germany, 1873. Attended universities of Breslau and Berlin. Community leader and scholar in Germany and, from 1948, at the Hebrew Union College, Cincinnati, Ohio. Professor, Lehrenstalt für die Wissenschaft des Judentums. Chairman, Reichsvertretung der Juden in Deutschland in 1933–39. Interned at Theresienstadt, 1943–45. President, German B'nai Brith; World Union of Progressive Judaism since 1946. Author of numerous scholarly works. Died 1956.

BARON, SALO, b. Tarnow, Austria, 1895. Graduated from University of Vienna with various degrees, 1917–23. Ordained as rabbi at Jewish Theological Seminary in 1920. Moved to USA in 1926 at invitation of Stephen Wise, and taught at the Jewish Institute of Religion. In 1930 commenced teaching at Columbia University. Author of numerous works on Jewish history, including the multi-volume series *A Social and Religious History of the Jews*. A member of various professional and scholarly organizations.

BAROU, NOAH, b. Poltava, Russia, 1889. Attended universities of Kiev, Heidelberg, Leipzig and London. Moved to England in 1923. Economic and financial consultant. Prominent in World Jewish

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Congress affairs, a member of Board of Deputies of British Jews, active in Fabian Society and various cooperative and trade union organizations. Played vital role in the contacts which preceded the Wassenaar negotiations. Died 1954.

BECKELMAN, MOSES, b. New York, 1906. Graduate of Columbia University School for Social Work. Worked in AJDC, 1939-41 East European representative, 1941-42 South American representative, vice-chairman, European Executive Council of JDC, 1946-51, Director-General, JDC Paris Office, 1951. Died 1956.

BLAUSTEIN, JACOB, b. Baltimore, 1892. Co-founder of American Oil Co. (AMOCO), 1910. Member of various Jewish community and American government boards and advisory committees. Chairman, American delegation, Conference of Jewish Organizations, London, 1946; chairman, AJC delegation, Paris Peace Conference, 1946. Active in various Jewish and Israeli organizations. Vice-President, JRSO, and member of Presidium and Senior Officer of COJMCAG. Died 1970.

BRAUNSCHVIG, JULES A, b. Ste. Marie-aux-Mines, 1908. Graduate of University of Paris, 1928. Engineer and industrialist in Morocco. Prominent in Alliance Israélite Universelle and in Claims Conference.

BRONFMAN, SAMUEL, b. Brandon, Canada, 1891. Industrialist. National President, Canadian Jewish Congress, 1938-62. Active in many major Jewish organizations, including JDC, WLC, Zionist Organization of Canada, Federation of Jewish Community Services of Montreal. Vice-president of Board of Directors of Claims Conference. Died 1971.

CALLMAN, RUDOLPH, b. Cologne, Germany, 1892. Graduate of University of Freiburg, 1919, Harvard, 1939. In private law practice in US since 1943. Previously in practice in Germany, 1922-36. Vice-president and member of executive committee, Claims Conference; member, executive committee, Leo Baeck Institute, New York.

D'AVIGDOR GOLDSMID, SIR HENRY JOSEPH, 2nd Baronet, b. 1909, Tonbridge, England. Held public office in regional government. President, Jewish Colonisation Association; Chairman, Jewish Trust

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Corporation for Germany. Member, during the early years, of the Executive Committee and subsequently of the Board of Directors of the Claims Conference.

EFROS, ISRAEL, b. Ostrog-Volyn, Russia, 1891. Graduate of various American universities, receiving PhD Columbia, 1915. Poet, author, educator. Resident in US to 1955, when he became first Rector of Tel Aviv University (1955–59). Author of many scholarly works. Died 1981.

EINFELD, SYDNEY D., b. Sydney, Australia, 1909. Member of Federal Parliament, Canberra. Active in Australian Labor Party. Active in all local Jewish communal affairs. President, Executive Council of Australian Jewry (alternate) since 1952; Federation of Australian Jewish Welfare Societies since 1951 and Australian Jewish Welfare Society, NSW, since the same year. Executive member, WJC since 1951; member of Claims Conference Board of Directors.

FERENCZ, BENJAMIN, b. Soncuta-Mare, Romania, 1920. In US since 1920. Lawyer. Executive counsel, Office of the Chief Counsel for War Crimes, Nuernberg, 1946–48; chief prosecutor for the US in war crimes trial against Nazi extermination squads, 1947; Director-General, Jewish Restitution Successor Organization, 1948–56; legal adviser at Wassenaar negotiations, 1952; director of operations, United Restitution Organization, 1954–56; legal counselor to B'nai Brith, 1957–61. Member, private law firm.

GLUECK, NELSON, b. Cincinnati, USA, 1900. Held degrees in numerous universities. Biblical archeologist. Director, American School of Oriental Research, Palestine, 1932–47 (with intervals), and field agent, Office of Strategic Services, Near East. Author of numerous scholarly works, attributed with having 'uncovered more than 1,000 ancient sites in Palestine and Transjordan'. Member of Central Conference of American Rabbis and of various professional organizations. Professor of Bible and Biblical Archeology at Hebrew Union College since 1936. Died 1971.

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GOLDMAN, FRANK, b. Lowell, USA, 1890. Graduate of Boston University. Lawyer. International president, B'nai Brith, 1947–53, and hon. pres. since 1953. Member of National Commission of the ADL, and of the Presidium and Board of Directors of Claims Conference. Also active in various American and international Jewish organizations involved in social welfare, including the JDC. Died 1965.

GOLDMANN, NAHUM, b. Wisnowo, Poland, 1894. Graduate of University of Heidelberg, 1921. Member, Zionist Actions Committee, representative of Jewish Agency for Palestine to League of Nations, 1935–39; negotiator with British Foreign Office and US Dept. of State, 1945–48, JA representative to UN, 1947–48; elected Chairman, American Section of the Jewish Agency, 1949. One of the two chairmen, Executive of the World Zionist Organization and JA since 1951; president WZO since 1956, re-elected 1961; organizer, World Jewish Conference, Geneva, 1932; co-founder and chairman of exec., World Jewish Congress, 1936, acting president 1949–53, president since 1953. President, Claims Conference, since its inception; Chairman, Committee For Jewish Claims on Austria, since 1953. Co-founder, Eshkol Publishing Co., which published the *Encyclopaedia Judaica*, Berlin, 1922–34; hon. president, *Encyclopaedia Judaica*, NYC, since 1960. President, Judaica Foundation, Geneva, since 1960. Died 1982.

GOLDSTEIN, ISRAEL, b. Philadelphia, USA, 1896. Graduate of universities of Philadelphia and Columbia; ordained rabbi at Jewish Theological Seminary, 1918. Settled in Israel 1961. Rabbi, 1918–61, Congregation B'nai Yeshurun. Member, Jewish Agency Executive since 1948; president, JRSO since 1950; member, presidium and Executive Committee of Claims Conference since 1951; member, exec. committee of Committee for Jewish Claims on Austria since 1952; chairman, Western Hemisphere executive, World Jewish Congress, 1949–60, hon. vice-president since 1960; president, AJ Congress, 1951–58, hon. president since 1958; president, World Confederation of General Zionists, since 1946. Also active in Israel Bonds, UJA, JNF, Hebrew University. Treasurer, WZO and JA, Jerusalem, 1948–49; president, ZOA, 1943–45. Since 1961 World Chairman, Keren Hayesod—United Israel Appeal. Active in numerous additional organizations. Author of various works. Died 1986.

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HABER, SAMUEL L, b. Harlau, Romania, 1903. Migrated to US 1911. Economist. Researcher on labor and economic problems, 1925–35; economist and statistician, US Government, 1935–43; Major, US Army, 1943–46. Director, Austria and Germany, JDC, 1947–54; Morocco, Tangier, Algeria, 1954–58; asst. Director-General, JDC, Geneva, since 1958.

HANDLIN, OSCAR, b. New York, 1915. Graduate of Harvard, 1935. Professor of History at Harvard since 1955. Author of numerous scholarly works on American history.

HELD, ADOLPH, b. Boryslaw, Poland, 1885. In US since 1893. Editor and labor union executive. General Manager, *Jewish Daily Forward*, since 1962. City editor, 1907–13, business manager, 1913–18. Director, HIAS, Europe, 1920–25; president, Amalgamated Bank, 1925–45; director, health and welfare benefit, International Ladies' Garment Workers Union (ILGWU), since 1945. National Chairman, Jewish Labor committee, since 1938; member, presidium, Claims Conference, since 1952; vice-chairman, World ORT Federation, since 1948; chairman, WEVD radio station. Died 1969.

HEVESI, EUGENE, b. Hungary. Official of the American Jewish Committee.

HOROWITZ, DAVID, b. Drohobicz, Poland, 1899. In Palestine since 1920. Governor, Bank of Israel, from 1954. Member, exec. committee, Histadrut, 1923; freelance journalist, 1927–32; economic adviser and secretary to American Economic Commission for Palestine, 1932–35. Director, economic department, Jewish Agency, Jerusalem, 1935–1948; liaison officer, UN Special Commission on Palestine, 1946; member, Jewish Agency delegation, UN General Assembly, Lake Success, NY, 1947; head, Israel delegation, London, in talks with British government on fate of sterling balances and residual economic and financial matters resulting from termination of Mandate, 1950; head, Israel delegation to UN Economic Survey Commission, 1948. Director-general, Israel Ministry of Finance, 1948–52. Author of various works on economic and development policy, and volumes of memoirs.

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JANNER, BARNETT, SIR, b. 1892. English parliamentarian, Jewish community leader, solicitor. President, Zionist Federation of Great Britain and of the European Council of the World Confederation of General Zionists. Also president of British Board of Deputies. Member, presidium and executive committee of Claims Conference; member, council of Jewish Trust Corporation.

JORDAN, CHARLES, b. Philadelphia, USA, 1908. Director-general, overseas operations, JDC, since 1955. Director, Caribbean area, 1941–43, director, Far-Eastern activities, 1945–48; director, emigration dept., Paris, 1948–51, assistant director-general, 1951–55. Served US Navy, 1943–45. Member of various professional organizations.

JOSEPH, HENRY OSCAR, b. London, England, 1901. Banker. Treasurer, Bernhard Baron St George's Jewish Settlement, 1938–51; president since 1951. Treasurer, Central British Fund for Jewish Relief and Rehabilitation, 1945–57, chairman since 1957. Treasurer, Jewish Trust Corporation for Germany Ltd, since 1950. Director of Claims Conference since 1953, member of Committee on Jewish Claims on Austria and of Jewish Restitution Successor Organization. Member of Standing Conference on European Jewish Community Services; member, council of Anglo-Jewish Association. Also active in various other Jewish welfare organizations.

JOSEPHTHAL, GIORA, b. Nuernberg, Germany, 1912. Attended universities of Heidelberg, Berlin, Munich, Basle. Director, Youth Aliyah offices, Germany, to 1938. Jewish Agency representative Europe and illegal immigrants camp, Atlit, 1941–43, British Army, 1943–46. Member, secretariat, Zionist Organization of Germany to 1938, presidium, Representative Council of German Jews, 1934–38. Settled in Palestine, 1938. Member, central committee, Mapai, executive committee, Histadrut; Israel delegation, Wassenaar negotiations with Germany. Treasurer, Jewish Agency, since 1952.

KAGAN, SAUL, Chief of Financial Investigations Division, OMGUS; from 1948–51 was Director of Plans and Organization in Jewish Restitution Successor Organization (JRSO). Returned to the US in 1951 as JRSO's Executive Secretary (a post which he has since held

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continuously). From October 1951 also appointed as Executive Secretary to the Claims Conference.

KAPRALIK, CHARLES, b. Sereth, Bukowina, Austria-Hungary, 1895. Graduate in law, University of Vienna. In UK since 1939. General Secretary, Jewish Trust Corporation, since 1950. Joint secretary, Central British Fund, since 1958. Chief, financial dept., Jewish community of Vienna. Member, board of directors, Austrian Govt. Assistance Fund for Emigrants, since 1956; Austrian Govt. Property Restoration Fund, since 1956; Austrian Collection Agency for Jewish Heirless Property, since 1958. Fellow, Royal Statistical Society; author, *The Management of Insurance Funds*, 1933; *Reclaiming the Nazi Loot: A History of the Work of the Jewish Trust Corporation*, 1962.

KARLIKOW, ABRAHAM. Official of the American Jewish Committee.

KATZENSTEIN, ERNST, b. Bodenwerder, Germany, 1898. Attended universities of Heidelberg, Munich, Berlin, Gottingen. Barrister, Middle Temple, London. Settled in Palestine, 1933. Attorney and barrister, Palestine, 1939–49. Director, Jewish Restitution Successor Organization, since 1949; director for Germany of Claims Conference, since 1956.

KLUTZNIK, PHILIP, b. Kansas City, USA 1907. Attorney. Graduate of Creighton University, Omaha. Held numerous public posts at a municipal, state and federal level relating to public housing programs. International president, B'nai Brith since 1954. Active also in ADL, Zionist Organization of America, the JNF, Hillel, YMHA, Jewish Community Centers and various other communal organizations. Member, Board of Governors, Claims Conference.

LEAVITT, MOSES, b. NYC 1894. Graduated Cornell, 1916. Chemical engineer, 1916–22. Supervisor, self-support dept., Jewish Social Service Association, 1923–29; asst.-sec., 1929–33, sec., 1940–47, and exec. vice-chairman since 1947, JDC. Vice-president and sec., Palestine Economic Corporation, 1933–40; adviser to US War Refugees Board, 1944–45; head of Claims Conference delegation to Wassenaar negotiations, 1952; Senior Officer, Claims Conference, since 1952. Died 1965.

German Reparations and the Jewish World

LEWIN, RABBI DR ISAAC, b. Wieliczka, Poland, 1906. Graduate of University of Vienna. Member, city council of Lodz, 1937, 1939. Rabbi, Jewish community of Sambor, Poland, 1936. Author of various scholarly works on Jewish history in Poland and on religious questions. In US since 1941. Professor of Jewish History, Yeshiva University, from 1944; principal, Central Yeshiva High School for Girls, 1948. Chairman, American section, Agudath Yisrael World Organization, since 1951. Member mission to Europe of Va'ad Hatzala, 1945 and 1946.

LOOKSTEIN, RABBI JOSEPH H., b. Russia, 1902. In US since 1910. Graduate, City College of New York and University of Columbia. Rabbi, Kehilath Jeshurun, NYC, since 1923. Professor of Homiletics and Jewish Sociology, Yeshiva University, since 1931. President, Rabbinical Council of America and New York Board of Rabbis, 1941-43.

MOSES, SIEGFRIED, b. Lautenberg, Germany, 1887. Graduate of University of Heidelberg, 1908. In private law practice, Germany, intermittently to 1936. Food controller, Danzig, 1917-19. Settled in Palestine, 1938. Managing director, Haavara, Tel Aviv, 1939-49. State Controller of Israel, 1949-61. President, Council of Jews from Germany, London-Jerusalem, since 1957; Organization of Central European Immigrants, 1953; Zionist Organization, Germany, 1933-36.

POLIER, SHAD, b. Aiken, South Carolina, 1906. Graduate of universities of South Carolina and Harvard. In private law practice. Attorney for American Jewish Congress; member, executive, World Jewish Congress; Executive Committee, Claims Conference; National Association for the Advancement of Colored People. Also member of various professional associations. Died 1976.

ROTHSCHILD, BARON GUY DE, b. Paris, France, 1909. Banker. President, Fonds Social Juifs Unifié. Holder of Légion d'Honneur and other French decorations.

RUBIN, SEYMOUR, b. Chicago, Illinois, 1914. Lawyer. Graduate of

Appendix 1: Biographies

universities of Michigan and Harvard. Assistant legal adviser, Department of State, March 1943 to November 1948 (during the war in the Foreign Funds Control Division); legal adviser to US delegations abroad, 1945–48. Foreign Affairs Counsellor, American Jewish Committee, since 1948. Chief, US delegation to negotiations with Sweden, Portugal and Spain on matters concerning German external assets. Also represented US at other official negotiations. Participated, Wassenaar negotiations with Germany, 1952.

SACHAR, ABRAHAM, b., New York, 1899. Historian. Graduate of various universities. Director, B'nai Brith Hillel Foundation, 1928–33. Fellow, American Academy of Arts and Sciences, since 1952. Chairman, National Hillel Foundation, since 1948. President, Brandeis University, since 1948. Author of various scholarly works.

SCHWARTZ, JOSEPH, b. Russia. Graduate of Yale. Active in Jewish social welfare since 1929. Secretary, JDC, 1939–40; Chairman, European Executive Council, 1940–49; director-general, 1950–1951; executive vice-chairman, UJA, 1951–55. Assisted in preparation of the Harrison Report to President Truman on condition of DPs in American zone of occupied Germany, 1945; member of the Intergovernmental Committee on Refugees. Author of various scholarly works.

SEGAL, SIMON, b. Radziechow, Poland, 1909. Graduate of universities in France and America. Director, foreign affairs department, American Jewish Committee, since 1940. Author of works on human rights and modern Polish history. Died 1970.

SLAWSON, JOHN, b. Poltava, Russia, 1896. Specialist in social welfare. In US since 1904. Graduated with PhD from Columbia University in 1927. Held a number of posts as social welfare officer. Member of various professional bodies and contributor to professional journals. Executive vice-president, American Jewish Committee, since 1943.

Appendix 2: Protocol II

Protocol II

Drawn Up by Representatives of
the Government of the Federal Republic of Germany
and of the Conference on Jewish Material Claims Against Germany
Consisting of the Following Organizations

Agudath Israel World Organization
Alliance Israélite Universelle
American Jewish Committee
American Jewish Congress
American Jewish Joint Distribution Committee
American Zionist Council
Anglo-Jewish Association
B'nai Brith
Board of Deputies of British Jews
British Section, World Jewish Congress
Canadian Jewish Congress
Central British Fund
Conseil Représentatif des Juifs de France
Council for the Protection of the Rights
and Interests of Jews from Germany
Delegacion de Asociaciones Israelitas
Argentinas (DAIA)
Executive Council of Australian Jewry
Jewish Agency for Palestine
Jewish Labor Committee

Jewish War Veterans of the USA¹
South African Jewish Board of Deputies
Synagogue Council of America
World Jewish Congress
Zentralrat der Juden in Deutschland

The Government of the Federal Republic of Germany, of the one part, and the Conference on Jewish Material Claims against Germany, of the other part,

WHEREAS

The National-Socialist regime of terror confiscated vast amounts of property and other assets from Jews in Germany and in territories formerly under German rule;

AND WHEREAS

Part of the material losses suffered by the persecutees of National-Socialism is being made good by means of internal German legislation in the fields of restitution and indemnification and whereas an extension of this internal German legislation, in particular in the field of indemnification, is intended;

AND WHEREAS

Considerable values, such as those spoliated in the occupied territories, cannot be returned, and that indemnification for many economic losses which have been suffered cannot be made because, as a result of the policy of extermination pursued by National-Socialism, claimants are no longer in existence;

AND WHEREAS

A considerable number of Jewish persecutees of National-Socialism are needy as a result of their persecution;

AND HAVING REGARD

To the statement made by the Federal Chancellor, Dr Konrad Adenauer, in the Bundestag on September 27, 1951, and unanimously approved by that body,

HAVING REGARD

To the Agreement this day concluded between the State of Israel
and the Federal Republic of Germany;

AND HAVING REGARD

To the fact that duly authorized representatives of the Government of
the Federal Republic of Germany and of the Conference on Jewish
Material Claims against Germany have met at The Hague; Have
therefore this day concluded the following Agreement:

ARTICLE 1

In view of the considerations hereinbefore recited the Government of
the Federal Republic of Germany hereby undertakes the obligation
towards the Conference on Jewish Material Claims against Germany
to enter, in the Agreement with the State of Israel, into a contractual
undertaking to pay the sum of 450 million Deutsche Mark to the State
of Israel for the benefit of the Conference on Jewish Material Claims
against Germany.

ARTICLE 2

The Federal Republic of Germany will discharge their obligation
undertaken for the benefit of the Conference on Jewish Material
Claims against Germany, in the Agreement between the Federal
Republic of Germany and the State of Israel, by payments made to
the State of Israel in accordance with Article 3 paragraph (c) of the
said Agreement. The amounts so paid and transmitted by the State of
Israel to the Conference on Jewish Material Claims against Germany
will be used for the relief, rehabilitation and resettlement of Jewish
victims of National-Socialist persecution, according to the urgency of
their needs as determined by the Conference on Jewish Material
Claims against Germany. Such Amounts will, in principle, be used for
the benefit of victims who at the time of the conclusion of the present
Agreement were living outside of Israel.

Once a year the Conference on Jewish Material Claims against
Germany will inform the Government of the Federal Republic of

Appendix 2: Protocol II

Germany of the amounts transmitted by Israel, of the amounts expended as well as of the manner in which such expenditure has been incurred. If, for any adequate reasons, the Conference on Jewish Material Claims against Germany has not spent the moneys it has received, it shall inform the Government of the Federal Republic of Germany of the said reason or reasons.

The information herein referred to shall be supplied within one year from the end of the calendar year in which the relevant amount had to be transmitted to the Conference in Pursuance of Article 3 paragraph (c) of the Agreement between the State of Israel and the Federal Republic of Germany.

The Conference on Jewish Material Claims against Germany undertakes to spend, not later than three months before the penultimate installment payable to Israel falls due, all moneys referred to in Article 3 paragraph (c) of the Agreement between the State of Israel and Federal Republic of Germany and which have been received seven months prior to the date on which the said penultimate installment becomes due as aforesaid, and to inform the Government of the Federal Republic of Germany accordingly.

ARTICLE 3

The Conference on Jewish Material Claims against Germany shall be entitled, after prior notification to the Government of the Federal Republic of Germany, to assign its rights and obligations derived from the provisions of this Protocol and of the Agreement between the Federal Republic of Germany and the State of Israel to one or several Jewish organizations which are qualified to assume such rights and obligations.

ARTICLE 4

Disputes arising out of the interpretation and the application of Articles 2 and 3 of this Protocol shall be decided, in accordance with the provisions of Article 15 of the Agreement between the State of Israel and the Federal Republic of Germany, by the Arbitral Commission established by virtue of Article 14 of the said Agreement.

German Reparations and the Jewish World

IN WITNESS WHEREOF the Chancellor and Minister for Foreign Affairs of the Federal Republic of Germany, of the one part, and the representative of the Conference on Jewish Material Claims against Germany, duly authorized thereto, of the other part, have signed this Protocol.

Done at Luxembourg this tenth day of September 1952, in the English and German languages, each in two copies the text in both languages being equally authentic.

Notes

1. During 1953 the Jewish War Veterans of the USA withdrew from the Conference.

In 1957 the World Union for Progressive Jewry joined.

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