After the Genocide: Proximity to Victims and Support for Transitional Justice

Volha Charnysh * Sascha Riaz†

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Abstract

Does spatial proximity to the victims of genocide affect support for transitional justice among members of the perpetrator group? We analyze how exposure to the Jewish community prior to WWII shaped public and elite reactions to dealing with the Nazi past in West Germany. In the 1960s, the Auschwitz trial made gruesome details about the Nazi annihilation of Jews public. It also added urgency to extending the statute of limitations on murder, which enabled the persecution of Nazi crimes under German law. Using a difference-in-differences design, we show that the vote share of the SPD – the party that resisted Nazism in the 1930s and was most supportive of the Auschwitz trials in the 1960s – increased by 1–2 % in localities with prewar Jewish communities after the Auschwitz trial. At the same time, parties that opposed legal accountability for ingroup perpetrators lost electoral support. We further demonstrate that deputies born in localities with a prewar Jewish community were 9% more likely to vote for the extension of the statute of limitations. Our findings suggest that divergent local experiences with the victimized outrgroup affect support for transitional justice in post-conflict societies.

*Assistant Professor, Department of Political Science, Massachusetts Institute of Technology, charnysh@mit.edu.

†PhD Candidate, Department of Government, Harvard University, riaz@g.harvard.edu

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1 Introduction

Transitional justice policies in the aftermath of violence and repression are increasingly common. States institute truth commissions, pass lustration laws, pay reparations, and punish the perpetrators (Capoccia and Pop-Eleches 2020; Nalepa 2010).[1] Such policies evoke mixed reactions among the affected population, however (e.g., Balcells, Palanza, and Voytas 2018; Gibson 2004; Hoerner, Jaax, and Rodon 2019). Studies show that victimization increases support for transitional justice, provided the affected group is no longer in danger (e.g., Aguilar, Balcells, and Cebolla-Boado 2011; Balcells 2012; Samii 2013; Elster 2004; Hall et al. 2018). By contrast, members of the perpetrator group are often unwilling participants in the transitional justice process, with denial as the modal response (Cohen 2001). This one of the reasons why few studies have examined variation in attitudes towards transitional justice *within* the perpetrator group (Daly 2018). This is problematic because broad-based support for transitional justice, including among the perpetrator group, is crucial for post-conflict reconciliation.

In this study, we ask whether proximity to the victimized group affects support for transitional justice among members of the perpetrator group. People react more strongly to violence when it occurs in close proximity and/or affects people they know personally. Such personal experiences with traumatic events are more influential, in part, because they convey more vivid information than second-hand reports (Agerberg and Sohlberg 2021). We also build on a growing literature in political science showing that spatial proximity increases the impact of events such as terrorism, natural disasters, and immigration on political attitudes and behavior (Getmansky and Zeitzoff 2014; Hersh 2013; Hopkins 2010; Velez and Martin 2013). Building on this line of research, we argue that members of the perpetrator group who lived next to the victimized groups will respond differently to transitional justice policies

[1] We define transitional justice as "formal and informal procedures implemented by a group or institution of accepted legitimacy around the time of transition out of an oppressive or violent social order, for rendering justice to perpetrators, and their collaborators, as well as victims" (Kaminski, Nalepa, and O'Neill 2006).

than those who lived further away. The direction of the effect is unclear, however. On the one hand, greater contact with the victimized group may increase empathy and facilitate perspective taking (Pettigrew and Tropp 2008). This in turn may increase support for transitional justice policies and punishing perpetrators even among members of the perpetrator group. On the other hand, exposure to violence against outgroup members threatens the positive view of the ingroup and increases incentives to bury the past and deny culpability instead. Proximity to the Nazi labor and extermination camps, for instance, has produced intolerance toward outgroups and electoral support for the far right (Homola, Pereira, and Tavits 2020; Charnysh and Finkel 2017).

We test these opposing predictions in West Germany, a paradigmatic case in the transitional justice literature (Elster 2004, xi). Germany was slow to take on responsibility for Nazi crimes; the postwar consensus was that a small group of Nazi leaders were to blame for the war (Art 2006). Most Germans claimed to have been unaware of mass killings in extermination camps in the east. Moreover, since the Jewish minority made up just 1% of Germany's interwar population, many Germans had little personal experience with the alleged racial enemy and learned about anti-Semitic policies primarily from Nazi propaganda (Gellately 2001).

The state of public knowledge about the Holocaust[2] began to change with the Frankfurt Auschwitz trial (December 1963 to August 1965), which publicized gruesome details about Nazi extermination camps for the first time. The trial involved 22 former SS members who ran the Auschwitz-Birkenau concentration camp and was the first in Germany to cover atrocities against Jews (as opposed to Nazi war crimes in the East more broadly). It was "the largest, most public, and in many ways most important trial of Nazi criminals conducted in West Germany" (Pendas, Jockusch, and Finder 2013, 162-63). The trial was followed by and influenced parliamentary debates in 1965 and 1969 about extending the statute of limitations for the crime of murder beyond 20 years. Social Democrats in particular pushed to extend

[2]The term itself did not become mainstream until the 1970s.

the Statute of limitations in order to enable the persecution of Nazi crimes under German law beyond 1965. Surveys show that between 1958 and 1966, support for the Statute of limitations doubled from 34% to 69% (Wojak 2001, 11). The statute was first extended by four years in 1965, and by another ten years in 1969.

We argue that proximity to the prewar Jewish minority affected support for transitional justice among both elites and the general public. Germans who had Jewish neighbors had greater contact with the victims and were more likely to witness Nazi repression against them. By contrast, Germans who lived in ethnically homogeneous communities had little personal contact with Jews in the 1930s and 1940s and learned about anti-Semitic violence and discrimination indirectly, from the biased Nazi media. We argue that these divergent local experiences before and during National Socialism affected reactions to the Auschwitz trial and Nazi past more broadly.

We combine evidence from two data sources to examine the effect of proximity to Jews on German's support for transitional justice after WWII. First, we estimate the effects of the trial on political behavior drawing on county-level electoral results. We examine how the trial shifted support for political parties that took different positions on the Nazi past using a difference-in-differences design. We find that in localities that had a larger Jewish population before the war, the trial increased the vote share of the Social Democratic Party (SPD) – which supported the trial and resisted National Socialism in the 1930s. At the same time, the far-right National-Democratic Party of Germany (*Nationaldemokratische Partei Deutschlands, NPD*), which opposed legal accountability for ingroup perpetrators, lost electoral support in such localities.

Second, we demonstrate at the individual level that proximity to Jews affected support for transitional justice policies among elites. Specifically, we draw on roll call voting data and test whether the presence of a Jewish community in a parliamentarians' place of birth affected his/her likelihood to support the extension of the statute of limitations on murder.

For this analysis, we collected detailed information on the place of birth and local presence of Jews for all deputies who participated in the 1965 and 1969 votes on the statute of limitations. We find that deputies from districts with prewar Jewish presence were about 9% more likely to support the prolonged persecution of Nazi crimes in both 1965 and 1969.

It is critical to understand what makes members of the perpetrator group more accepting of the transitional justice process, and our paper takes a first step in that direction. Our findings suggest that proximity to the victimized group may benefit political parties associated with opposition to the old regime and increase support for punishing ingroup perpetrators. Intergroup contact may have a role to play in post-conflict reconciliation processes, to the extent that it increases public awareness of victims' suffering and facilitates perspective-taking. We come to similar conclusions as Čehajić and Brown (2010), who show that contact with Bosnian Muslims, the victimized group, predicted acknowledgment of in-group responsibility among Serbian adolescents, members of the perpetrator group, in Bosnia and Herzegovina.

Our paper thus advances the growing literature on transitional justice, which has has only recently began to consider how wartime experiences influenced support for reckoning with the past. Studies at the subnational and individual level have focused predominantly on the extent of direct victimization (Balcells 2012; Hall et al. 2018; Aguilar, Balcells, and Cebolla-Boado 2011), devoting little attention to the variation in exposure to the victims among members of the perpetrator group (but see Daly (2018)). We advance this literature by studying Germans' exposure to the Jewish victims in their place of residence. Our findings resonate with Daly's (2018) conclusions in Colombia that conflict experiences matter and that ex-perpetrators' views of transitional justice are influenced by their relationships with the victimized communities.

The paper also contributes to research in historical political economy by highlighting that variation in local experience before WWII (living next to Jewish minority before the war) comes to matter when activated by subsequent national-level debates (Auschwitz trial). A

growing number of studies have investigated the interaction between historical legacies and contemporary political context. For example, Charnysh (2015) shows that the distribution of the Jewish minority in interwar Poland affects support for the far right and EU accession preferences when the Holocaust is made salient in national debates. Rozenas and Zhukov (2019) demonstrate that Ukrainian localities that experienced repressing during the 1930s react differently based on contemporary political opportunity structure. Fouka and Voth (2021) find that Germany's wartime atrocities in Greece reduced German car sales only during the debt crisis, with little animosity toward Germans visible in these places in earlier times.

2 From the Third Reich to the Auschwitz Trial

2.1 Jews and Germans in Nazi Germany

While Germany has a long-history of anti-Semitism and discrimination against Jews, the Jewish minority was well-integrated by the 1930. At less than 1% of the population in 1933, German Jews lived predominantly in urban areas; most were middle-class and secular. Despite their small number, they were highly visible because of their predominance in commerce, and in the free professions such as medicine, law, and journalism. Everyday contact between Jews and Germans was extensive and intermarriage rates between Germans and Jews reached 28% by 1933 (Lowenstein 2005). The status of Jews changed from citizens to outcasts with Hitler's rise to power. Starting in 1933, Jews were gradually stripped of all legal rights and excluded from the public sphere. Anti-Semitic propaganda blamed Jews for Germany's economic crisis and defeat in WWI. Stormtroopers and the SS organized multiple boycotts of Jewish business, put up anti-Semitic street signs, desecrated cemeteries and synagogues. In 1935, Germany enacted the Nuremberg laws, which provided a legal basis

for the marginalization of Jews, Roma, and other non-Aryan groups.[3] Violence against Jews escalated in November 1938, when the Nazi regime set off a coordinated wave of pogroms across the country. During the Kristallnacht, or the "Night of the Broken Glass", Nazi paramilitaries destroyed hundreds of synagogues, defaced Jewish storefronts, and deported tens of thousands of Jews to concentration camps (Solomon 2021). The worst was yet to come. In the following year, Jews were prohibited from using all public facilities and their property was "Aryanized" (confiscated).

Because the Jewish minority was small and concentrated in urban areas, for many Germans the main source of information about Jews was the media, which justified Nazi policies and portrayed Jews as the enemy (Gellately 2001, 6-7). Only Germans who had Jewish neighbors directly observed and, in some cases, participated in the boycotts of Jewish businesses, the vandalism of synagogues and cemeteries, and physical violence against Jews. Some benefited directly or indirectly from the Aryanization policies by moving into Jewish apartments, purchasing Jewish property at a discount, and taking over Jewish businesses, while others sought to help their Jewish neighbors.

Both active participation and open resistance to Nazi policies were rare, and the vast majority of Germans were mere bystanders. For instance, a Social Democratic agent in Bavaria reported in 1935 that although the population does not render "active support" to the persecution of the Jews, "[p]eople are losing their impartiality toward Jews, and many are saying to themselves that the Nazis are actually right to fight them; people are only against this fight being exaggerated. And when people shop in Jewish department stores they do so in the first place not to help the Jews but to cock a snook at the Nazis" (quoted in Evans (2005, 542, fn. 74)). Whatever their attitudes toward Jews, most Germans reacted with "a deep shock" to open violence on Kristallnacht (Bankier 1992; Panayi 2003, 86).

Growing repression accelerated Jewish emigration. The size of the Jewish minority

[3]The Nuremberg Laws used religion to define Jews as people with at least three out of four Jewish grandparents and all those who practiced Judaism. The laws also created a category of"Mischlinge" ("mixed-race persons") who had one or two Jewish grandparents and belonged to neither Jewish nor German race.

dropped from 533,000 people in 1933 to just 214,000 on the eve of WWII.[4] In September 1941 Jews who were still present in Germany were required to wear a yellow star and subjected to forced labor. By May 1943, the remaining Jews were deported to Theresienstadt and Auschwitz and the Reich was declared "free of Jews" (*judenrein*). Altogether, about six million Jews were murdered as part of the Holocaust, including between 160,000 and 180,000 German Jews. The largest camp, Auschwitz-Birkenau, received transports from all across Europe, and alone accounts for about 1 million deaths.[5] There is some debate over whether ordinary Germans knew about the mass elimination of Jews in Poland.

2.2 The Auschwitz Trial and the unraveling of Adenauer consensus

In 1945-46, the allied forces held a series of military tribunals to prosecute the Nazi leadership. The Nuremberg trials produced a detailed record of Nazi crimes and resulted in the sentencing of many high-ranking officials, ten of whom received death sentences. However, the Holocaust was overshadowed by other atrocities, and only three Jewish witnesses were involved. The occupying powers also implemented a denazification campaign, which was rather limited and often resented by the population.

In 1946, future chancellor Konrad Adenauer argued that it was time to stop punishing ordinary Germans for the crimes perpetrated by a handful of Nazi fanatics (Art 2006, 50). When he came to power, a series of amnesty laws were passed overturning sentences on many former Nazis and allowing many war criminals to go free. By the 1950s, German elites converged on the position that most Germans were victims of the Nazi regime, that the top Nazis were already punished, and that it was time to move on (Art 2006, 53-57).

The consensus began to unravel in the 1960s as the Social Democratic party initiated

[4]This number is for Germany within the 1937 borders. See US Holocaust memorial museum: https://encyclopedia.ushmm.org/content/en/article/german-jews-during-the-holocaust.

[5]Estimates by the United States Holocaust Museum.

a more direct confrontation with the Nazi past. The Auschwitz trial (1963-65) was an important milestone in this process.[6] The trial was initiated by Hessian Attorney General Fritz Bauer, a Jewish emigre who fled Nazi Germany in 1936 and returned in 1949. Bauer was also a member of the Social Democratic Party. "Coincidence and luck" were important for making the trial possible at all (Wittmann 2002, 359). In 1958 Adolf Rögner, a convicted con man and former Auschwitz inmate, informed the Stuttgart police that a local resident, Wilhelm Boge, was involved in the murders and torture at Auschwitz. The authorities did not act on it. However, in 1959 Bauer received documents from a *Frankfurter Rundschau* reporter obtained from another former camp inmate, Emil Wulkan. This allowed Bauerto connect the dots, confirming the Boger case and laying claim to jurisdiction over all Auschwitz cases in West Germany. The final version of the indictment was announced on April 1963, five years after the start of the investigation, and after public prosecutors in Hesse had questioned more than eight hundred victims and former SS officers (Wittmann 2002).

Nearly every newspaper in West Germany, including smaller local papers, covered the trial. A striking 933 articles about the proceedings appeared in the supraregional press (*Die Welt, FAZ, Frankfurter Rundschau, Süddeutsche Zeitung*) in 1963-65 (Pendas, Jockusch, and Finder 2013, 186). A July 1965 survey by the Institute for Applied Social Science (*Institut für Angewandte Sozialwissenschaft*) showed that 83% of Germans had heard about the Auschwitz trial and 42% could identify Frankfurt am Main as its location (Pendas, Jockusch, and Finder 2013, 186).

As the prosecutors at Auschwitz were building their case, the ability of German courts to prosecute Nazi perpetrators was about to end. The 1949 constitution (*Grundgesetz)* of the Federal Republic established a Statute of Limitations of 20 years for murder. As the expiration deadline of May 8, 1965 approached, German parliamentarians began to consider extending or even abolishing the statute. The deliberations occurred amidst growing international pressure in favor of removing all limits on the persecution of war crimes (Sharples

[6] Another important event is the 1961 trial of Adolf Eichman in Jerusalem.

2004). Franz Bauer was an outspoken critic of the statute. He used his investigation for the Auschwitz trial as an argument in favor of extending the limit. He noted that because of the time constraints he faced, only 22 defendants were brought to trial out of 800 (!) under investigation (Wittmann 2002, 353).

A free vote (*Gewissensentscheidung*) on the Statute was held in March 1965 in the Bundestag.[7] The deputies agreed on a compromise, voting 344 to 96 to extend the Statute of Limitations by four years to 31 December 1969. This was justified as resetting the clock to 20 years since the formation of the Federal Republic in 1949, rather than since the end of WWII in 1945. Four years later, the Bundestag debated the Statute of Limitations for the second time. On 26 June 1969, the MPs voted 279 to 126 in favor of extending the Statute for an additional ten years. The issue would be revisited again in 1979, when all time limits would be abolished.

2.3 Divergent party positions on the Nazi past

German political parties diverged in their views about the Nazi past and the necessity of persecuting Nazi crimes. The SPD was unambiguously critical of the Third Reich both during the 1930s and after the war. It perceived confronting Nazi crimes as an essential element of democratization and viewed the Auschwitz trial in particular as a moral lessons for all Germans, who were "jointly responsible" (*Kollektivschuld)* for the Nazi crimes (Pendas, Jockusch, and Finder 2013, 202). Fritz Bauer was an active SPD member and close to Willy Brandt (German chancellor from 1969 to 1974). SPD politician Walter Menzel filed the first motion against the Statute of Limitations in March 1960, emphasizing the magnitude of the crimes and responsibility of the postwar generation to take them seriously.[8] This motion was voted down by a large majority, but the Bundestag adopted Menzel's proposals five

[7]Free vote meant that parliamentarians were allowed to deviate from the party line and vote based on their own moral convictions.

[8]Menzel argued that the years 1945-49 should not count toward the statute because Germany lacked an independent judiciary at the time.

years later (Wittmann 2002). SPD deputies unanimously supported extending the statute of limitations in both 1965 and 1969.

Other political actors were more ambivalent about the past. The center right (CDU/CSU) emphasized individual conceptions of guilt and the rule of law and argued against the politicization of the process (Pendas, Jockusch, and Finder 2013, 204). The party deputies diverged in their votes on the Statute of limitations, with some arguing that the prosecutors had enough time to deal with Nazi criminals and it was time for the deadline to lapse (Sharples 2004). The CDU position is well encapsulated by a letter to *Die Zeit* by Walter Gaßmann, MdB, Bonn (CDU/CSU), who argued that ordinary Germans did to know about - and thus were not complicit in – the full extent of atrocities against Jews in the east. Gaßmann argued that Jews were killed far back in Poland because Germans would not have tolerated this if they had known about it: "Even the reaction of the population, first of all the churches, to the leaked news about the killing of mentally disabled people left no doubt that the discovery of such horrific and cruel mass murders in the actual Reich area would have caused Hitler the most serious domestic political difficulties. We should therefore not assume today that the German people as a whole knew of these atrocities, which they approved and thus became guilty of."[9]

The liberal Free Democratic Party (*Freie Demokratische Partei, FPD*) was a vocal critic of transitional justice and advocated for amnesty for war criminals (Pendas, Jockusch, and Finder 2013, 187). Commenting on the Auschwitz trial in the interview with *Der Spiegel* in 1965, FDP's Ewald Bucher, then the Minister of Justice, explained that living with perpetrators like Kaduk was unavoidable in the rule-of-law state. In a 1953 poll, 80% of FDP supporters agreed that former Nazis should not face disadvantages in their political or economic careers (compared to 36% in the overall population). 25% even supported the reintroduction of national socialism (p. 10 Leuschner 2015). In fact, many former Nazi party

[9]Schiefes Weltbild. R. Z.: Verfahren gegen KZ-Opfer. „Wie MdB Gaßmann die Welt sieht", ZEIT Nr. 6 . Freitag, den 26. February 1965.

members joined the FDP after the war – so many that in 1953, the British occupying powers arrested a number of former Nazi party members who allegedly conspired to undermine and take over the FDP. FDP deputies upheld the Statute and argued that changing the expiration date would undermine public faith in the rule of law (Sharples 2004). In 1965, a small minority of 6% of FDP deputies voted in favor of the four-year extension of the statute of limitations. In 1969, the FDP unanimously opposed the statute of limitations extension bill.

The strongest rejection of the trials came from the far right, represented by the German Reich Party (*Deutsche Reichspartei, DRP*) and its successor the National-Democratic Party of Germany (*Nationaldemokratische Partei Deutschlands, NPD*), founded in 1964. The NPD viewed the Auschwitz trial as"national masochism" and argued that Germans were already demoralized and robbed of their national pride (Pendas, Jockusch, and Finder 2013, 200). In November 1966 Interview with *Der Spiegel*, Otto Hess – former state chairman of the DRP in Rhineland-Palatinate and a chief ideologue of the NPD at the time of the interview – said he "personally did not feel guilty" for Auschwitz "because guilt is individual". The party implied that the extermination of Jews in the Third Reich was a legitimate defense measure and emphasized that the Allies committed horrific war crimes themselves (Kühnl et al. 1967, 97). The NPD opposed extending the statute, but did not manage to get a seat in the Bundestag.

3 Theoretical expectations

There is growing evidence that spatial proximity influences the impact of past events on attitudes and behavior. For example, people who live in the vicinity of a terrorist attack or have a close connection to the victims of terrorism may become more supportive of anti-terrorist

policies and parties (Getmansky and Zeitzoff 2014; Hersh 2013).[10] Hopkins (2010) argues that local exposure to specific events and national-level framing interact to influence attitudes and behavior. He shows that anti-immigrant responses are more likely in communities that have experienced an influx of immigrants when salient national rhetoric reinforces the threat.

Building on this body of research, we theorize that proximity to Jewish communities before the war affected German political preferences and behavior in the aftermath of the Auschwitz trials. Germans who lived in close proximity to Jews had direct *contact* with the victimized outgroup prior to and during the war. These Germans directly witnessed violence and discrimination against Jews. We consider two opposing hypotheses about how this affected their political behavior.

On the one hand, prewar contact with Jews and direct exposure to violence against them, a vivid and traumatic experience, may increase empathy toward the victims and support for punishing the perpetrators. Here we build on a large and growing body of research on the 'contact hypothesis' (Allport 1954; Pettigrew and Tropp 2006; Paluck, Green, and Green 2019; Brown et al. 2021). Prior work in this vein suggests that contact with outgroups can improve intergroup attitudes because positive experiences with specific outgroup members are generalized to the whole group and/or because differences between social groups become less salient overall (Fuochi et al. 2020). Particularly relevant for transitional justice attitudes is the channel of perspective taking and empathy (Pettigrew and Tropp 2008), which allows members of the perpetrator group to see past violence from the viewpoint of the victimized group. Prior research by Weiss (2021) suggests that contact to out-group members in high-status professions such as medicine or law – occupations that German Jews frequently worked in prior to 1933 – can have a particularly strong negative effect on prejudice. Following this line of argument, we would expect higher levels of support for post-WWII transitional justice

[10] Relatedly, Newman and Hartman (2019) argue that proximity to gun violence increases support for gun control (but see Barney and Schaffner (2013)).

policies in regions where Germans had direct exposure to and contact with Jews prior to 1945.

Most prior research on the contact hypothesis has focused on the reduction of prejudice and discrimination and was conducted in classrooms and laboratories (see though: Mousa 2020). Less is known about the effects of intergroup contact on support for transitional justice in a post-conflict environment, particularly among members of the perpetrator group, who have material and psychological incentives to deny or minimize past violence (e.g., Cohen 2001; Daly 2018). One exception is Čehajić and Brown (2010)'s study, which demonstrates that self-reported post-conflict contact with Bosnian Muslims, the victimized population, increases acknowledgment of ingroup responsibility among Serbian adolescents, members of the perpetrator group, in the aftermath of the 1991-1995 war and genocide. Because contact is self-reported and measured after the conflict, however, it is possible that causality runs the other way, as students who are more open to acknowledging their group's wrongdoing should be more open to interacting with Bosnian Muslims.

In contrast to the arguments presented above, directly witnessing the victimization of others may also breed intolerance toward them through the mechanism of cognitive dissonance (Davis and Jones 1960; Festinger 1957). Ingroup members who directly witnessed violence and discrimination against Jews as bystanders may avoid mental discomfort by either downplaying the severity of Nazi crimes against Jews, or by trying to justify discriminatory policies on seemingly rational grounds. The effects are even more negative when individuals participated in and/or benefited from repression against outgroup members. This detrimental effect of past violence is heightened when ingroup wrongdoing is exposed, which threatens the positive view of the ingroup and triggers denial, minimization, or justification of past actions (Branscombe and Miron 2004; Branscombe, Schmitt, and Schiffhauer 2007).

This negative effect of outgroup proximity on support for transitional justice seems particularly common in the aftermath of genocide. Across Central and Eastern Europe, gentile

population in ethnically mixed communities ether stood by passively as their Jewish neighbors were humiliated, deported, and murdered; some even willingly participated in this persecution and benefited materially from the Jewish plight (Aly 2006; Dean 2008). Subsequent studies find greater anti-Semitism, support for the far-right, and opposition to property restitution among these bystander and perpetrator communities (e.g., Charnysh and Finkel 2017; Homola, Pereira, and Tavits 2020; Hadzic, Carlson, and Tavits 2017). These studies suggest that support for post-WWII transitional justice policies will be lower in communities with pre-WWII Jewish communities.

We describe how we test these competing predictions below.

4 Data and empirical strategy

We draw on two data sources to examine the importance of local historical context for support for transitional justice. First, we use aggregate data from West-German federal elections between 1953 and 1965 from the *Bundeswahlleiter* to examine changes in voting behavior after the Auschwitz trial (see section 2.2). We use this data to analyze electoral support for political parties that adopted divergent positions on the Auschwitz trial and the Statute of Limitations. While voting behavior was a product of many considerations besides the Nazi past, changes in party support after the trial in localities that differed only in the presence of a Jewish minority before WWII are less likely to result from party differences on other dimensions.

Second, we collected individual-level roll-call voting data for the statute of limitations bills in the German Bundestag. We hand coded the voting behavior of all deputies who voted on the statute of limitation extension in 1965 and 1969. Here we draw on the official minutes of plenary proceedings as our primary data source (sessions 175 and 243). We also coded the birth place for each individual MP. In this analysis, we leverage within-party variation in

support for the bill and ask whether members of the parliament who lived in close proximity to Jews during the Nazi era were more or less likely to support the prolonged persecution of Nazi crimes. As outlined earlier, the votes on the 1965 and 1969 statute of limitation bills were 'free' in the sense that deputies were free to vote following their own personal convictions. Deputies were not bound to the party line, which is usually the case in the party-centered German political system (see section 2.2).[11]

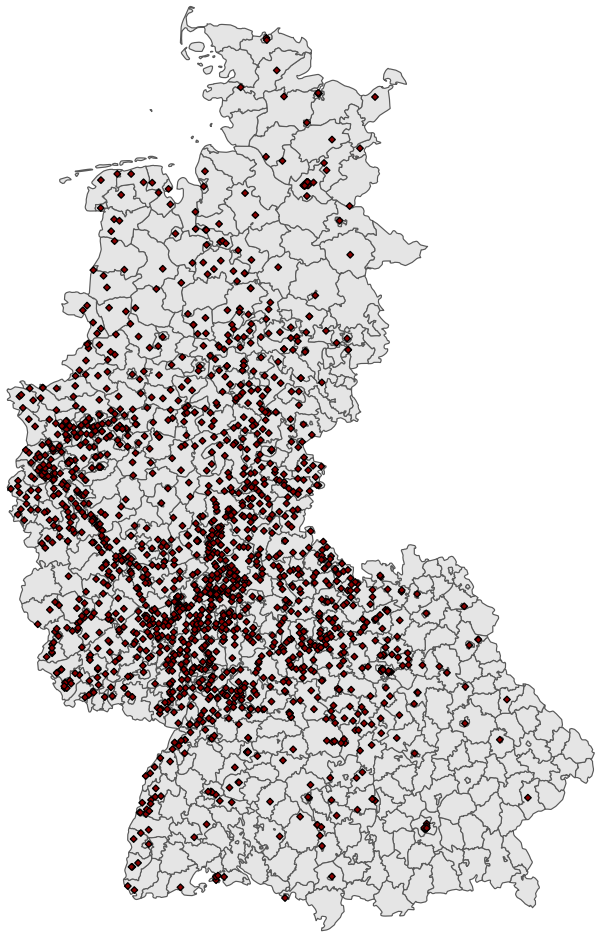
We measure prewar Jewish presence using the location of synagogues and prayer houses in the interwar period.[12] We validate this data drawing on the 1933 census. As of 1933, the median size of the Jewish population was about eight times higher in cities with synagogues compared to localities without synagogues. As noted above, the Jewish minority was small: it was under 4% in Berlin, a city with the largest share and number of Jews in the country. The presence of a synagogue made Jews more visible, given the central place synagogues occupy in Jewish communal and religious life. As a physical marker of Jewish history in a city, synagogues were frequently vandalized during the Nazi period, with the largest attack occurring on Kristallnacht. In cities without a synagogue, Jews on average only accounted for 0.06% of the population (about 1 in 1,600).

If proximity to Jewish communities increased empathy toward Jews and support for trying Nazi perpetrators, we would expect an increase in support for the SPD – the party most critical of the Nazi regime and most supportive of transitional justice – in cities with Jewish communities after the Auschwitz trials. Accordingly, we expect to see a decrease in support for the FDP, and especially the NPD – parties that opposed transitional justice. We would also expect MPs from communities where Jews lived before WWII to be more likely to vote for the extension of the Statute of Limitations, conditional on their party affiliation. Alternatively, if proximity to Jewish communities increases cognitive dissonance and willingness

[11] We also note that many MPs were not born in the constituencies that they represented after the war. This applies in particular to MPs born outside of Germany's post-WWII borders.

[12] We obtained geocoded data on the precise location of all synagogues in Germany as of 1933 from Daniel Solomon (2021).

Figure 1: Synagogues in West Germany as of 1933



Note: The map shows the spatial distribution of synagogues prior to World War II across Germany. The borders on the map correspond West German counties as of 1950.

to bury the past, we would expect an increase in support for FDP and especially for the NPD, and decrease in support for the SPD. Relatedly, MPs from communities where Jews lived before WWII should be less supportive of extending the Statute of Limitations.

Before moving on, we note that it would be ideal to complement our analysis with individual-level survey data. Following our theoretical argument, we would expect an empirical association between the level of exposure to Jews prior to 1945 and attitudes towards transitional justice at the individual level, not just among members of parliament but also

among German voters at large. Unfortunately, to the best of our knowledge, none of the public opinion surveys about transitional justice conducted in the 1950s and 1960s contain information on either i) the residence of respondents or ii) self-reported information about the level of contact with Jews prior to 1945.[13]

4.1 Estimating electoral effects of the Auschwitz trial

To study the electoral effects of the Auschwitz trials, we use a difference-in-differences framework and estimate a series of two-period two-way fixed effects models of the following form:

$$Y_{c,t,p} = \alpha_c + \gamma_t + \beta T_c \times \text{post}_t + \epsilon_{c,t,p}$$

where $Y_{c,t,p}$ is the vote share (in percentage points) of party p observed in county c in election period t.[14] The terms α_c and γ_t denote unit and time fixed effects respectively. T_c is a binary treatment indicator. The treatment is defined as the presence of at least one synagogue in a given county as of 1933, prior to World War II and the Nazi regime (see figure 1). We are interested in estimating β: the effect of direct exposure to Jews on the vote share of party p after the Auschwitz trial. This parameter gives us the divergence in the level of electoral support for different parties in counties with and without Jewish communities between different election periods. We use standard errors clustered at the county level for all inferences in this part of the analysis.

We recognize the downsides of using two-way fixed effects estimators in panel settings with more than two periods (Imai and Kim 2021). We therefore adopt a conservative approach

[13]For instance, Capoccia and Pop-Eleches (2020) have used three German public opinion surveys fielded in 1953, 1955, and 1957 to examine state-level variation in denazification policy. Data from many other surveys cited in qualitative literature are not available at a disaggregated level.

[14]We note that we code the DRP and NPD as 'far-right' parties. The DRP dissolved in 1965, partly in response to the establishment of the NPD one year earlier. For the 1953, 1957, and 1961 elections, we hence code the DRP vote share as far-right. For the 1965 election, we code the NPD vote share as the far-right vote share.

and do not pool more than two periods in a single model; all of our federal election voting analyses are based on two-period panels covering consecutive election periods. Our two-period 2WFE estimator is numerically equivalent to regressing the within-county change in the outcome (vote shares) between two election periods on the treatment (Jewish presence).

Our key identification assumption is that electoral results in cities with and without Jewish communities prior to WWII would have evolved in parallel between 1961 and 1965 if the Auschwitz trials had not taken place. While we cannot directly test this assumption, we provide two pieces of evidence that support the plausibility of our research design. First, we demonstrate parallel trends prior to the Auschwitz trials by performing placebo regressions in two pre-treatment electoral cycles. Specifically, we show that electoral support for all major parties evolved in parallel in treated and control counties for ten years prior to the trial (light gray bars in figure 2).

Finally, we note that our sample consists of all West German 'city-counties' (*Stadtkreise)* as of 1950 (see section A.1.1 for a complete list). This leaves us with a balanced panel of 136 cities. We subset to cities in our analysis of aggregate level voting data because our identification assumptions are more likely to hold in this subset. We conduct additional robustness checks to show that our main results remain unchanged when we do not subset to cities, but instead retain all counties in the sample (see Figure A.3).

4.2 Statute of limitations roll call vote

We analyze the roll call voting data using cross-sectional OLS models of the following form:

$$Y_{i,p,t} = \alpha_p + \gamma_t + \beta T_i + \epsilon_{i,p,t}$$

where $Y_{i,p}$ is a binary indicator that equals one for a given MP i if she voted 'yes' on the extension of the statute of limitations in 1965/1969. T_i is a binary treatment indicator.

Analogous to our analysis of the aggregate voting data, the treatment is defined as the presence of at least one synagogue in the birth municipality of MP i as of 1933.[15] When we pool the 1965 and 1969 votes, we include period fixed effects γ_t. We also present models where we analyze the 1965 and 1969 votes separately, as well as models including party fixed effects α_p (see table 1). We use standard errors clustered at the municipality level for all inferences in this part of the analysis. We are interested in estimating β: the effect of direct exposure to Jews on the likelihood to support the statute of limitations extension.

We note that all members of parliament in our dataset were born after 1935, i.e. all MPs personally witnessed the Nazi regime and World War II as children at the very least. Most MPs witnessed the Nazi regime and discrimination against Jews as adults. We plot a histogram of the year of birth of all MPs in our data in Figure A.5. The median year of birth is 1911, i.e. the median MP was already an adult by the time the Hitler seized political power.

The main threat to identification in this setup is that MPs from places with and without Jewish communities were different along a number of dimensions, not just with respect to their direct exposure to Jews prior to the war. If this were the case, we would expect differences in attitudes across a variety of policy issues, not just on matters of transitional justice. To address this concern, we conducted a series of placebo tests drawing on roll call voting data for other bills during the same time period (Sieberer et al. 2020). Among all roll call votes between 1961 and 1969, we selected those bills that had the highest share of CDU/CSU/FDP delegates who deviated from the majority position within their respective parties. We find that across all eight votes we analyzed, the voting behavior of MPs with and without direct exposure to Jews is statistically indistinguishable. The point estimates are very close to zero for all but one roll call vote. We interpret this as strong evidence in support of the assumption that the MPs we compare did not generally hold different

[15] We located members of parliament in the present-day municipalities of Germany. For MPs born outside of Germany's post WW2 borders, we hand coded whether the respective town had a synagogue.

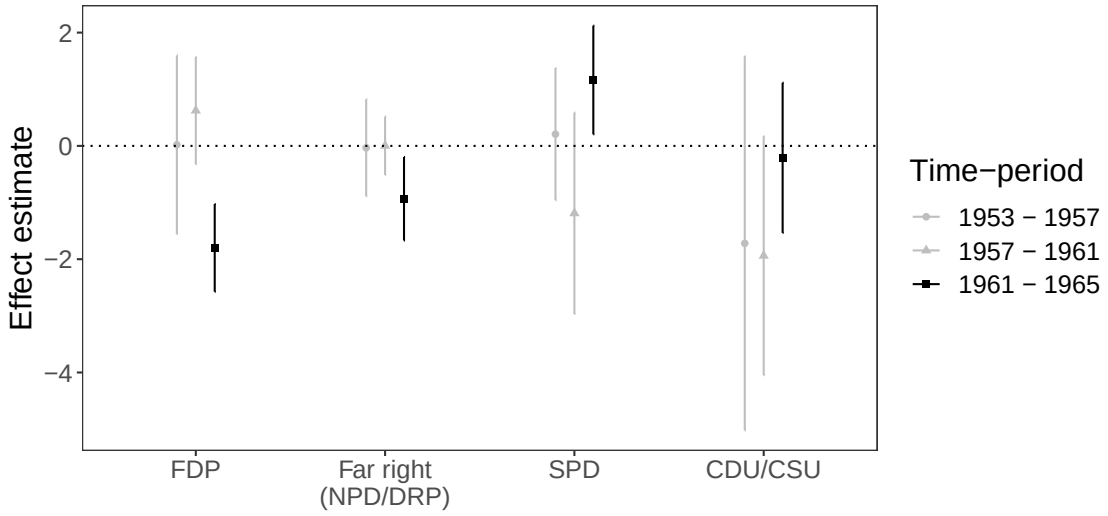
political views. Any difference in voting behavior we identify with respect to the statute of limitations vote cannot be attributed to underlying differences on covariates that determine political preferences in other policy issue areas. We provide more details on this placebo test and the bills we selected in section A.2.2.

5 Results

5.1 Voting in federal elections

We present our main results in Figure 2, where we show the difference-in-difference effect estimates for our main study period before and after the trial (1961 – 1965) as well as placebo periods prior to the trial.

Figure 2: Effect of Auschwitz trial on voting



Note: The figure shows treatment effect estimates from two-period difference-in-differences regression models. We run separate models for each election period and each outcome. Gray bars indicate effect estimates for placebo periods, prior to the Ausschwitz trial. The sample contains all German cities (*Stadtkreise)*. The binary treatment is defined as the presence of at least one synagogue in a given city as of 1933. Standard errors are clustered at the county level.

We find that voters in communities that had direct exposure to Jews prior to World

War II were more supportive of transitional justice. After the Auschwitz trials, the Liberal Democratic Party (FDP), which was a vocal critic of transitional justice and advocated for amnesty for war criminals, lost about two percentage points cities that had a Jewish community prior to the war. We find consistent findings for the parties on the far-right of the political spectrum (NPD/DRP): these parties lost about one percentage point in electoral support. At the same time, the main proponent of the trials, the Social Democratic Party (SPD), gained in communities that had visible Jewish presence before WWII.

To substantiate our results, we perform a series of robustness checks.

First, we demonstrate that the regression results are mirrored in the raw data and are hence unlikely to be driven by idiosyncratic model specification choices. We present the raw vote shares in cities with and without synagogues in figure A.1 in the appendix. After the Auschwitz trials, the SPD gains in cities that had a Jewish community prior to the war, whereas the FDP and far-right parties lose electoral support.

Second, we demonstrate that our main results remain unchanged when we do not subset to cities, but instead retain all counties in the sample (see Figure A.3).

Third, we demonstrate that our results are not driven by spatial clusters of synagogues. Specifically, we repeat our main DiD analysis and sequentially exclude one of the nine West-German federal states one by one. We present the results in Figure A.4. We find that our main results remain unchanged when we exclude different spatial subsets of our sample.

Fourth, we implement an alternative, weighted difference-in-difference estimator where we balance treated and control counties with respect to vote share trajectories prior to treatment (Hazlett and Xu 2018). We present the results in figure A.2. Reassuringly, our main results are robust to trajectory balancing.

5.2 Statute of limitations

We present our main results for the statute of limitations roll call votes in Table 1. We find that MPs born in communities with synagogues were about nine percentage points more likely to vote for the extension of the statute of limitations (point estimate from model 4). We find that this result holds when we include party fixed effects in our models. This means that within parties (i.e. within the CDU, CSU, and FDP factions), delegates who directly witnessed crimes and discrimination against Jews during the Nazi era were substantially more likely to support the persecution of perpetrators decades after the end of World War II. The magnitude of this effect is substantial, given that the overall share of CDU/CSU/FDP delegates who voted for the extension stood at only 65% in 1965 and 45% in 1969.

Table 1: Statute of limitations voting regression results

	DV: Vote for statute of limitations extension (0/1)					
	(1)	(2)	(3)	(4)	(5)	(6)
Jewish presence (0/1)	0.143***	0.073	0.215***	0.090***	0.062*	0.116***
	(0.045)	(0.048)	(0.056)	(0.031)	(0.036)	(0.040)
Party FE	No	No	No	Yes	Yes	Yes
Period FE	Yes	No	No	Yes	No	No
Sample	Full	1965	1969	Full	1965	1969
N	770	398	372	770	398	372
R-squared	0.021	0.014	0.053	0.427	0.546	0.517

Notes: Results from OLS regressions where the outcome is a binary indicator that equals one for MPs who voted for the statute of limitations. We consider MPs as treated if (as of 1933) there was at least one synagogue in the municipality he or she was born in. The unit of observation are individual MPs. Standard errors are clustered at the municipality level. ***p < .01; **p < .05; *p < .1

In section A.2.2, we provide additional evidence that these results cannot be explained by general differences in ideology between MPs with and without direct exposure to Jews. We conduct a series of placebo tests drawing on roll call voting data for other bills during the same time period (see also section 4.2). We find that across all roll call votes we analyzed, the voting behavior of MPs with and without direct exposure to Jews is statistically indistinguishable.

5.3 Qualitative evidence

In this section, we draw on qualitative evidence from letters to the editor during the 1960s and eyewitness reports to trace the mechanisms through which direct exposure to Jewish victims may affect political attitudes. The primary source we draw on is the *Lebendiges Museum Online* (LEMO), an online portal on German history that collects eyewitness reports and documents. These data help to understand the experiences of Germans who lived near Jewish communities. However, we note that these statements ought to be interpreted with sufficient caution: individuals who volunteer to submit statements to this project might be particularly critical of the Nazi past.

First, our analysis indicates that the Auschwitz trial got people to talk about their own wartime experiences and memories. For example, Carlos Hagenmüller from Baden-Baden wrote in a letter to the editor of FAZ in August 1964 that the trial"sharpened people's memories" and got them to talk about their own personal experiences during the war." His letter read: "It struck me that people who, not very long ago, tried to defend and justify the activities of the SS in conversations, now suddenly felt their disgust and horror at their atrocities. [...] These [personal experiences] would probably never have been discussed again if the memory were not awakened by the press reports [about Auschwitz]."[16]

Second, Germans who lived in close proximity to the Jewish community experienced National Socialism differently than Germans who only read about Nazi policies toward Jews in the biased state media. They witnessed the injustice and Jewish suffering firsthand, knew some of the victims personally, and recognized that violence against Jews was organized by the SA and not a spontaneous public reaction to Jewish behavior, as claimed in Nazi propaganda. For example, Dorothea Günther (born in 1914) describes her visit to the square after the Kristallnacht in November 1938 as a vivid and indelible memory that "would never leave her." Her recollection also highlights how little awareness some Germans had about

[16]Wachgerufen. Briefe an die Herausgeber. FAZ (S).11.08.1964 (Di) Seite 7.

Jews before the advent of National Socialism. She writes: "We couldn't believe what we were seeing: the destroyed and looted shops, inside the pale faces of the owners, if anyone showed up at all. Also in the shop we wanted to go to, smashed shop windows and devastated interior. SA men stood guard in front of it, legs apart [...] It was actually embarrassing how little I had heard of the situation of the Jews up until then. I later went so far as to feel guilty. The critical thinking that I was proud of seemed to have totally failed." She wrote that she wishes she would check on her Jewish acquaintance, a "reserved and shy miss Wertheim." She also describes visiting an address with cheap household items for sale, realizing that they came from a Jewish apartment: "Mother and I just exchanged a look, we both knew that it was an apartment owned by Jews. When we turned to go, the man said that if we couldn't find the right place here, he could show us other apartments and everything would be so cheap, almost free! Seized by horror, we quickly left the apartment." She also talks about witnessing Jewish deportations in her neighborhood.[17] Another eyewitness, Cornelie Ziegler (born in 1922) observes that Germans who lived near Jewish communities were aware that the Kristallnachtpogrom did not erupt spontaneously, as claimed in the Nazi propaganda. Ziegler herself learned about the fate of Jewish families through family and school contacts.[18]

Another eyewitness, Hannes Bienert (born in 1928, from Beuthen) underscores the role of personal contact with the Jewish community in shaping responses toward the persecution of Jews: "Because Grandma was a market woman, we actually had very good contact with the Jews. When the children were sick, my mother said: "We'll go to the Jewish doctor!" We had good Jewish doctors and good lawyers, but that was forbidden. We had to go there secretly. We weren't allowed to be seen. I even knew many Jews personally. [...] My attitude toward Jews was shaped by the fact that I always heard: "The doctor is good!" or: "The lawyer is good!" [...] The Jewish community had a good reputation among the [German]

[17]Dorothea Günther: Discriminierung und Entrechtung der Juden. Recorded in June 2010. URL:https://www.dhm.de/lemo/zeitzeugen/dorothea-guenther-diskriminierung-und-entrechtung-der-juden.html. Accessed September 10, 2021.

[18]Cornelie Ziegler:"Reichskristallnacht", 1938. Recorded in November 2018. URL: https://www.dhm.de/lemo/zeitzeugen/cornelie-ziegler-reichskristallnacht.html.Accessed Sep. 10, 2021

population. I couldn't understand what happened on November 9th [Kristallnacht]. At the time, many did not comprehend or grasp what was being done with the Jewish population."[19] A testimony by Werner Viehs (born in 1924) also speaks to the power of personal encounters with the victims following the introduction of the yellow star in 1941: "Jude' was clearly visible in black letters on the yellow star. I don't forget how a girl with a Jewish star looked at me fearfully as I walked by. Was she hungry?"[20]

These recollections illustrate the mechanisms behind our findings: living next to Jews meant personally knowing the victims and receiving more vivid, and less biased information about Nazi attacks on Jews. Such personal experiences might explain why revelations about even greater horrors in Auschwitz during the Frankfurt trial elicited greater willingness to punish ingroup perpetrators and take moral responsibility for the past in places where Jews had lived before the war.

6 Discussion

Experiences with the past are inherently local. Members of the same group may experience conflict in different ways based on where they live, and their attitudes towards transitional justice policies will vary accordingly. This paper has demonstrated that residential proximity to victims of genocide affects support for political parties opposed to the old regime and increases willingness to punish ingroup perpetrators. We theorize that this is because direct exposure to the victimized population increases empathy and perspective taking. Germans who had Jewish neighbors witnessed Nazi violence against Jews directly, a more vivid and objective experience compared to that of Germans who read about Nazi policies in biased

[19]Hannes Bienert: Das Novemberpogrom in Beuthen (Oberschlesien). Recorded in July 2013. URL: https://www.dhm.de/lemo/zeitzeugen/hannes-bienert-das-novemberpogrom-in-beuthen-oberschlesien-1938.html. Accessed Sep. 10, 2021.

[20]Werner Viehs: Das Pogrom vom 9. November 1938. Recorded in March 2011. URL: https://www.dhm.de/lemo/zeitzeugen/werner-viehs-das-pogrom-vom-9-november-1938.html. Accessed September 10, 2021

media reports. This made them more critical of the Nazi past and more willing to punish the perpetrators.

This is an important and surprising finding given the state of the literature on the legacies of past violence, which indicates that members of the perpetrator and bystander populations often react in the opposite way, becoming intolerant toward minorities and voting for parties that deny ingroup wrongdoing (Charnysh and Finkel 2017; Homola, Pereira, and Tavits 2020; Hoerner, Jaax, and Rodon 2019). These studies use proximity to Nazi concentration and death camps created for Jews, Roma, and other marginalized groups by the Nazi regime as the "treatment". Proximity to such camps did not promote interaction between Germans and the victimized minorities, who were stripped of their rights and human dignity upon incarceration. By contrast, we focus on the residential *contact* with the Jewish minority that dates back to before the onset of National Socialism. While anti-Semitism has a long history in Germany, by the 1930s German Jews were an assimilated minority; intermarriage rates between Jews and Germans were high. Nazi repression in such communities thus befell individuals, who had "Aryan" friends, family, colleagues, and customers and who were seen as fellow German citizens by a considerable share of the population. Contact in such integrated settings has been shown to promote empathy and perspective taking (Pettigrew and Tropp 2008, e.g.,). This difference in the nature of "treatment" could explain why our findings are so different: exposure to violence against complete strangers likely has divergent effects from exposure to violence against a group one knows personally.

It is critical to understand what makes members of the perpetrator group participate in the transitional justice process because there can be no true reconciliation and restitution without their engagement. One policy-relevant implication of our finding is that contact with the victims and direct exposure to their suffering increases support for dealing with the past among members of the perpetrator group. An important question for future investigation, then, is whether intergroup contact *after* conflict has similarly beneficial effects and if so, how to facilitate it in the aftermath of genocide, when both the perpetrators and victims are

reluctant to interact with one another.

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A Supporting Information (Online Only)

A.1 Federal elections

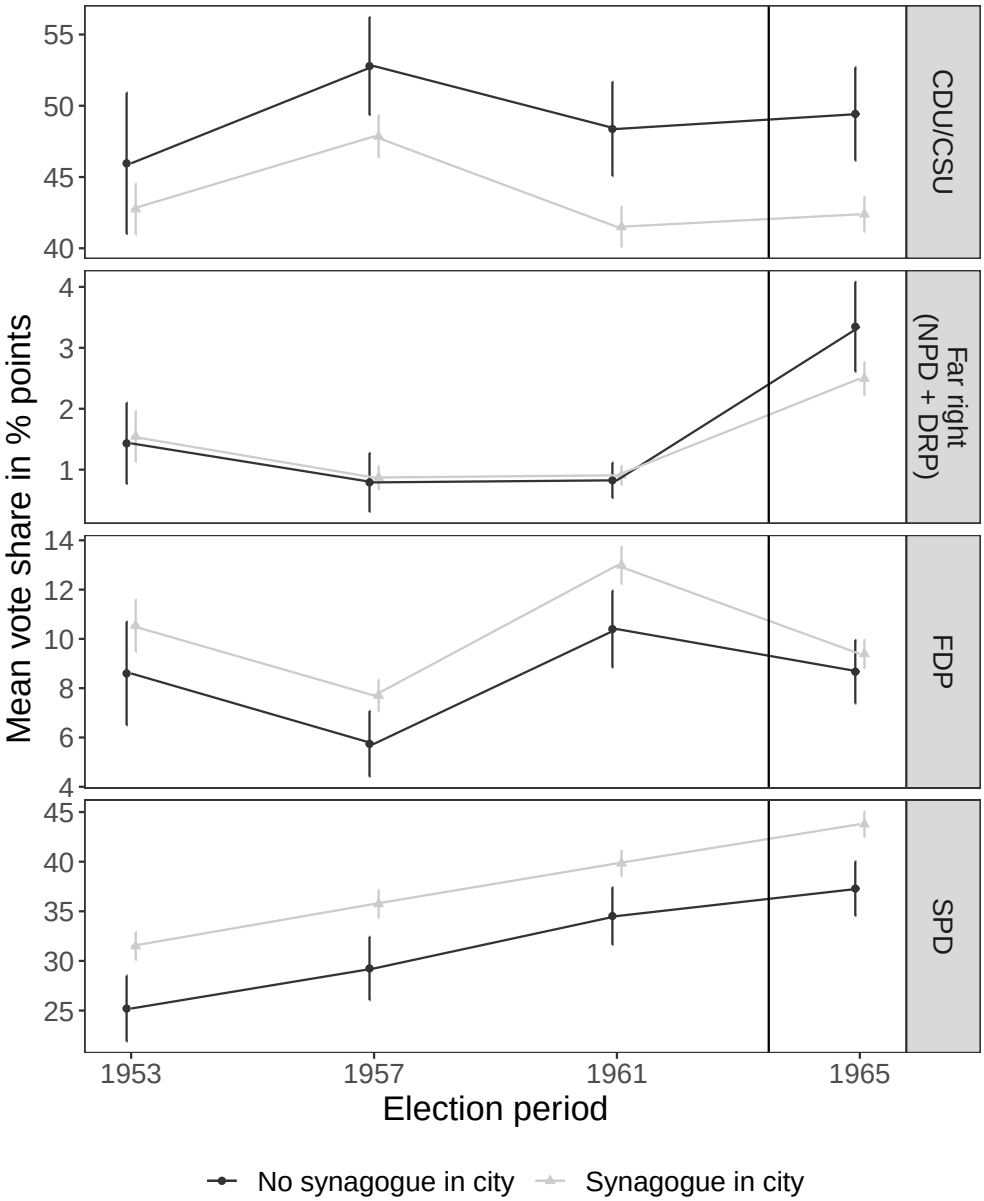
A.1.1 List of cities in sample

Our sample consists of the following city-counties (*Stadtkreise)*:

Aachen; Amberg; Ansbach; Aschaffenburg; Augsburg; Bad Kissingen; Bad Reichenhall; Baden-Baden; Bamberg; Bayreuth; Bielefeld; Bocholt; Bochum; Bonn; Bottrop; Braunschweig; Bremen; Bremerhaven; Castrop-Rauxel; Celle; Coburg; Cuxhaven; Darmstadt; Deggendorf; Delmenhorst; Dillingen an der Donau; Dortmund; Duisburg; Düsseldorf; Eichstätt; Emden; Erlangen; Essen; Flensburg; Forchheim; Frankenthal (Pfalz); Frankfurt am Main; Freiburg im Breisgau; Freising; Fulda; Fürth; Gelsenkirchen; Gießen; Gladbeck; Goslar; Günzburg; Hagen; Hamburg; Hameln; Hamm (Westfalen); Hanau am Main; Hannover; Heidelberg; Heilbronn; Herford; Herne; Hildesheim; Hof; Ingolstadt; Iserlohn; Kaiserslautern; Karlsruhe; Kassel; Kaufbeuren; Kempten (Allgäu); Kiel; Kitzingen; Koblenz; Köln; Krefeld; Kulmbach; Landau in der Pfalz; Landsberg am Lech; Landshut; Lindau (Bodensee); Lübeck; Lüdenscheid; Ludwigshafen am Rhein; Lüneburg; Lünen; Mainz; Mannheim; Marburg an der Lahn; Marktredwitz; Memmingen; Mönchen Gladbach; Mülheim an der Ruhr; München; Münster; Neu-Ulm; Neuburg an der Donau; Neumarkt in der Oberpfalz; Neumünster; Neuß; Neustadt an der Weinstraße; Neustadt bei Coburg; Nördlingen; Nürnberg; Oberhausen; Offenbach am Main; Oldenburg (Oldenburg); Osnabrück; Passau; Pforzheim; Pirmasens; Recklinghausen; Regensburg; Remscheid; Rheydt; Rosenheim; Rothenburg ob der Tauber; Schwabach; Schwandorf in Bayern; Schweinfurt; Selb; Siegen; Solingen; Speyer; Straubing; Stuttgart; Traunstein; Trier; Ulm; Viersen; Wanne-Eickel; Watenstedt-Salzgitter; Wattenscheid; Weiden in der Oberpfalz; Weißenburg in Bayern; Wiesbaden; Wilhelmshaven; Witten; Worms; Wuppertal; Würzburg; Zweibrücken.

A.1.2 Descriptive statistics

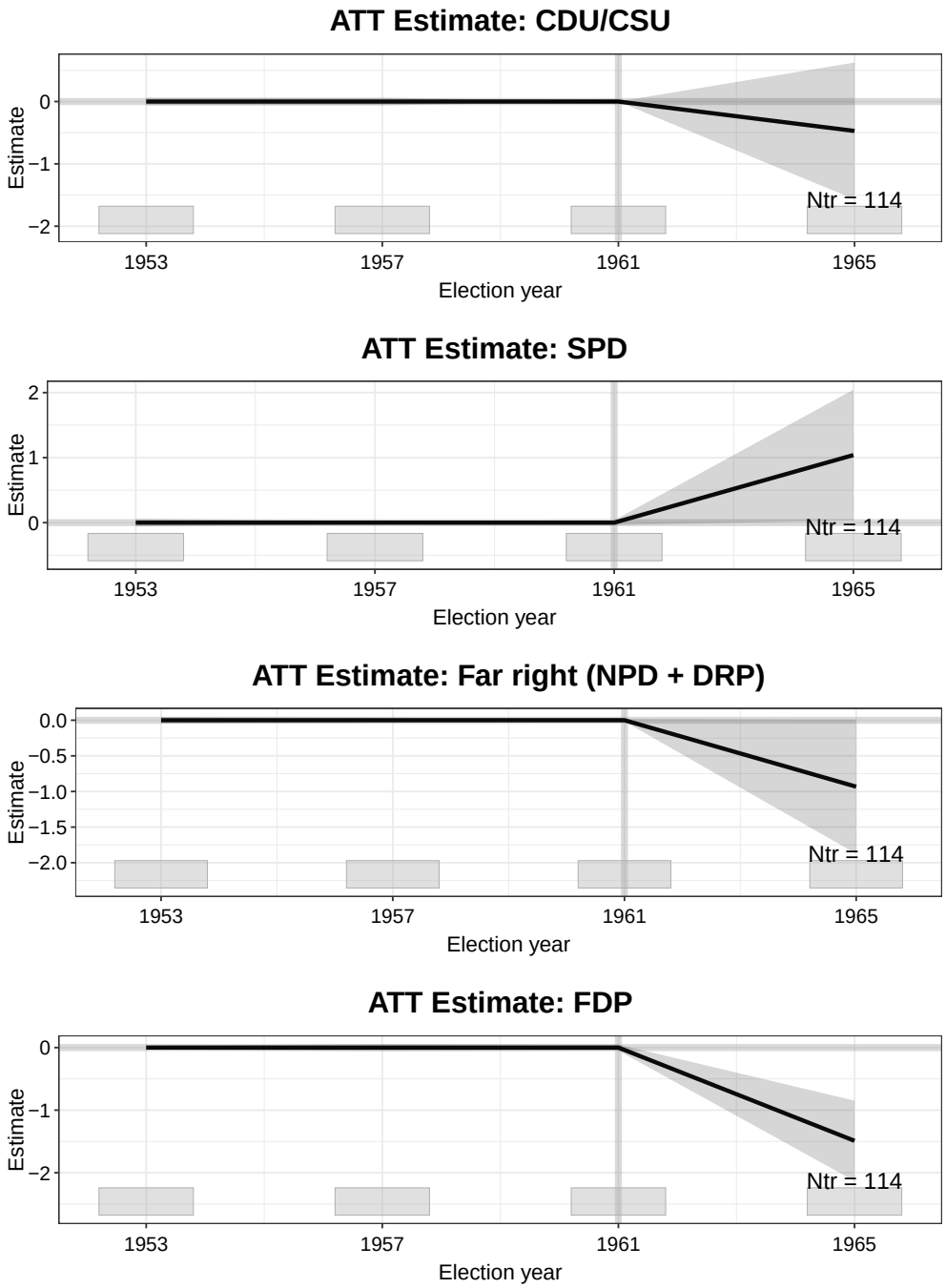
Figure A.1: Mean voteshares of different parties in cities with and without synagogues over time



Note: The figure shows the average vote shares for different parties in counties with and without synagogues over time. Our sample only consists of cities (*Stadtkreise)*.

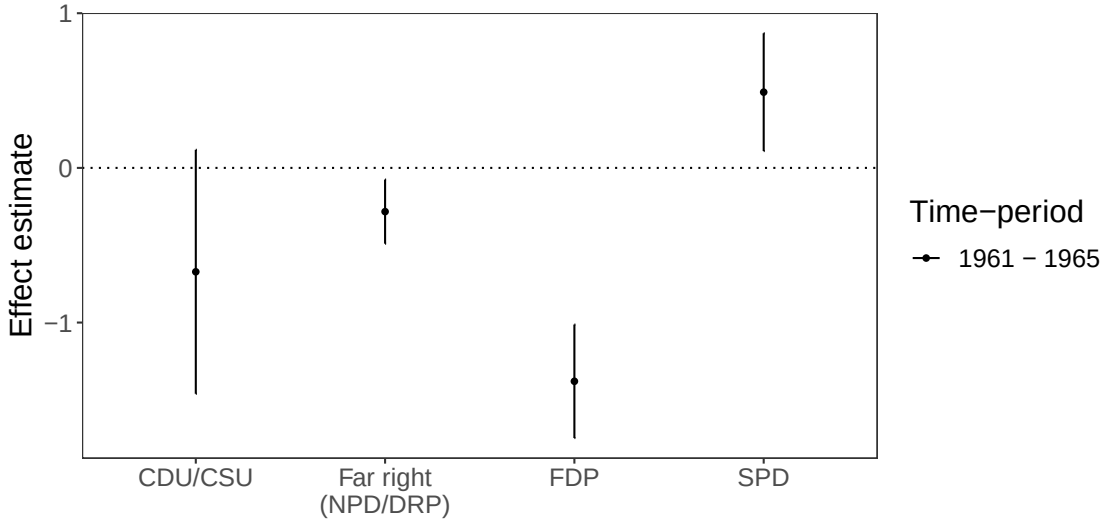
A.1.3 Robustness

Figure A.2: Trajectory balancing results



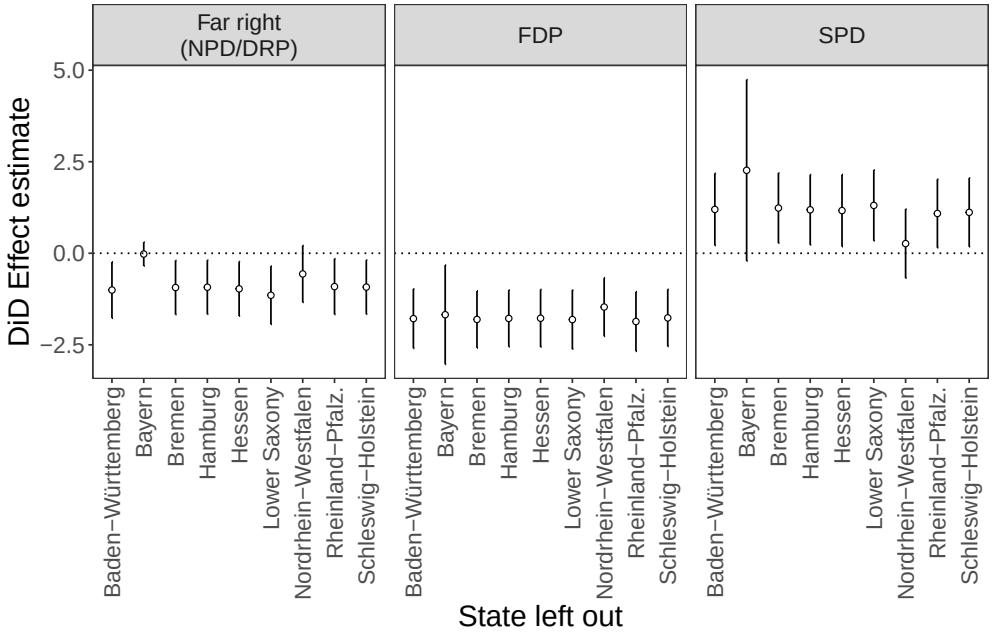
Note: The figure shows average treatment effect estimates after trajectory balancing (Hazlett and Xu 2018) between treated and control counties.

Figure A.3: Effect of Auschwitz trial on voting, full sample of all West German counties



Note: The figure shows treatment effect estimates from difference in differences models for the time period 1961 to 1965. For this analysis, we do not subset to city counties (*Stadtkreise)*. Instead, we retain all West German counties (as of 1950). Otherwise, the analysis is identical to our main results. The binary treatment is defined as the presence of at least one synagogue in a given city as of 1933. Standard errors are clustered at the county level.

Figure A.4: Excluding spatial clusters of synagogues

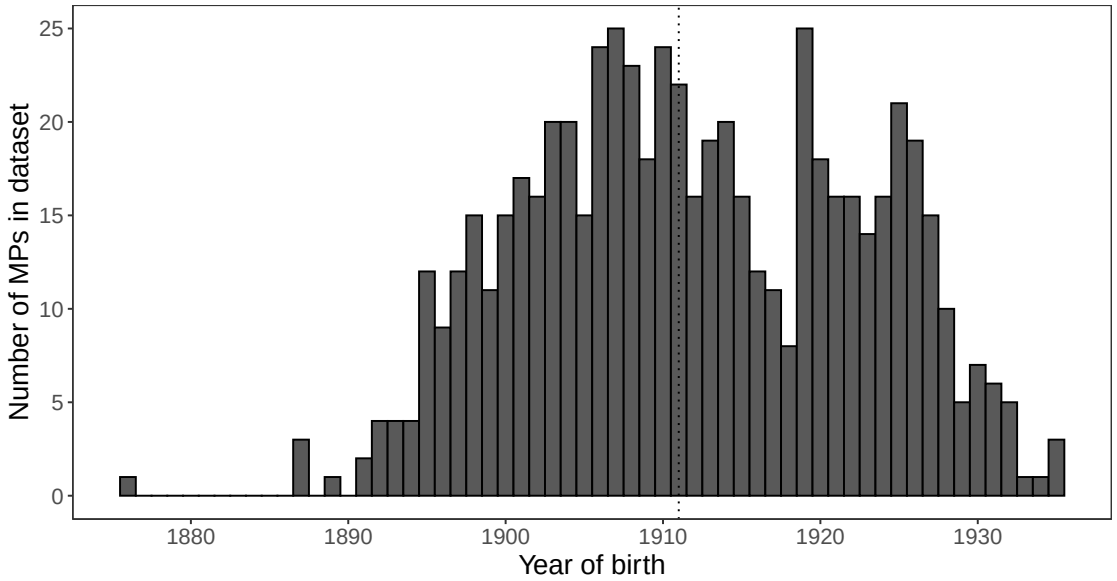


Note: The figure shows treatment effect estimates from difference in differences models for the time period 1961 to 1965. We repeat the same analysis as for our main results (see Figure 2), but sequentially exclude one of the nine West-German federal states one by one. Standard errors are clustered at the county level. We fit separate models for each vote share outcome variable.

A.2 Statute of limitations roll call voting

A.2.1 Descriptive statistics

Figure A.5: Histogram, year of birth of members of parliament



Note: The figure shows a histogram of the year of birth across all MPs in our statute of limitations voting data (see section 4.2). The median year of birth is 1911 (dotted line on the plot).

A.2.2 Placebo test

For this placebo analysis, we draw on the roll call voting data collected by Sieberer et al. (2020). We selected the top 10 votes between 1961 and 1969 in terms of the share of MPs from the CDU/CSU or FDP who deviated from the majority position within their respective party. To code this, we followed the coding in Sieberer et al. (2020), who record 'strong' and 'weak' deviations from the party line as follows:

> "The party line is defined as the absolute majority position within the party group in the roll call vote; if there is no absolute majority position, the position taken by the chair of the parliamentary party group is coded as party line. Strong deviation: MP votes yes and party group votes no or the other way around; weak deviation: MP or party group abstains and the other votes yes or no" (quoted from codebook provided by Sieberer et al. (2020)).

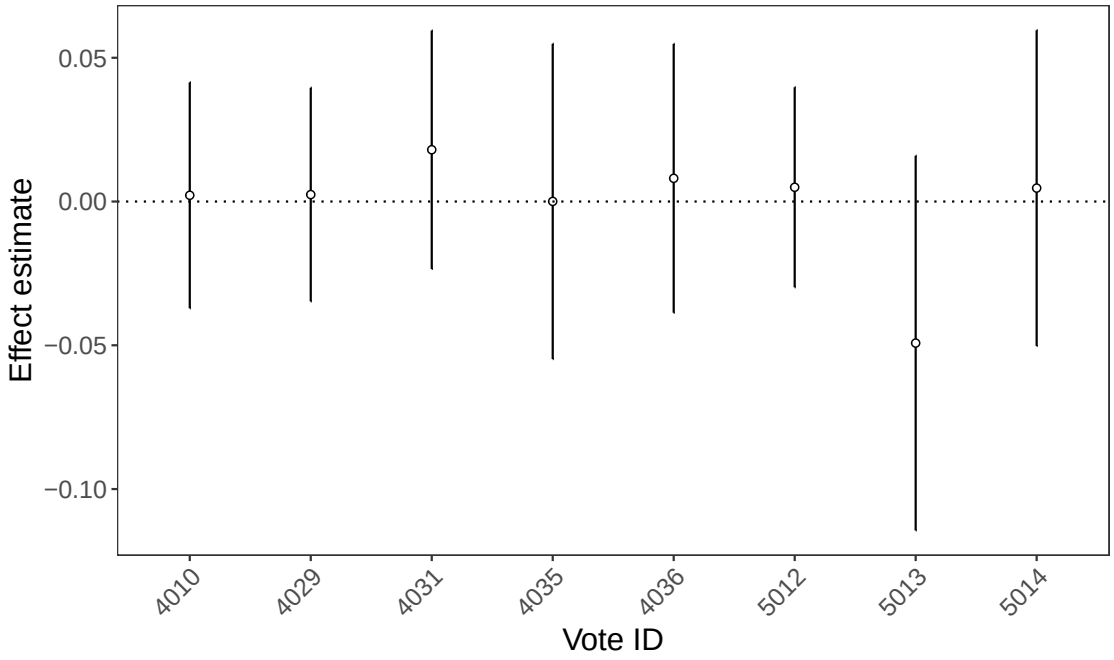
We excluded the 1965/1969 statute of limitations vote. We also excluded a 1964 vote on the *Kriegsgefangenschaftsentschädigungsgesetzes*, which is also closely related to World War II. This leaves us with eight roll call votes which we leverage as placebo tests (see detailed list below). For each bill, we run separate cross-sectional OLS regressions of the following form:

$$Y_{i,p} = \alpha_p + \beta T_i + \epsilon_{i,p}$$

where $Y_{i,p}$ is a binary indicator that equals one for MPs who deviated from their respective party line (as defined above). We include party fixed effects α_p in all models. We use exactly the same treatment definition for T_i as for our main analysis of the statute of limitations roll call voting data. The treatment is defined as the presence of at least one synagogue in the birth municipality of MP i as of 1933.

We present the results in figure A.6. We find that across all votes we analyzed, the voting behavior of MPs with and without direct exposure to Jews is statistically indistinguishable. The effect estimates are very close to zero for all but one roll call vote.

Figure A.6: Placebo roll call votes



Note: The figure shows treatment effect estimates from OLS regressions where the outcome is a binary indicator that equals one for MOPs who deviated from the party line in a given roll call vote. We consider MOPs as treated if (as of 1933) there was at least one synagogue in the municipality he or she was born in. The unit of observation are individual MOPs. Standard errors are clustered at the municipality level.

List of placebo roll call votes

- Vote ID 4010: Änderungsantrag der Fraktion der SPD (Umdr. 345) zum Entwurf eines Gesetzes zur Änderung des Bundesbesoldungsgesetzes (Drs. IV/625)
- Vote ID 4029: Änderungsantrag der Fraktion der SPD (Umdr. 637) zur zweiten Beratung des Entwurfs eines Aktiengesetzes und des Entwurfs eines Einführungsgesetzes zum Aktiengesetz (Drs. IV/171, IV/3296)
- Vote ID 4031: Änderungsantrag der Fraktion der SPD zur dritten Beratung des Entwurfs eines Aktiengesetzes und des Entwurfs eines Einführungsgesetzes zum Aktiengesetz (Drs. IV/171, IV/3296, IV/3444)
- Vote ID 4035: Änderungsantrag der Fraktion der FDP (Umdruck 725) zur zweiten Beratung des Entwurfs eines Gesetzes zur Änderung des Mutterschutzgesetzes und der Reichsversicherungsordnung (Drs. IV/562, IV/3125 neu, IV/3652)
- Vote ID 4036: Änderungsantrag der Fraktion der SPD (Umdruck 722 Ziffer 10b) zur zweiten Beratung des Entwurfs eines Gesetzes zur Änderung des Mutterschutzgesetzes und der Reichsversicherungsordnung (Drs. IV/562, IV/3125 neu, IV/3652)
- Vote ID 5012: Anlage 3 des mündlichen Berichts des Vermittlungsausschusses zu dem Zwanzigsten Gesetz zur Änderung des Grundgesetzes (Drs. V/3896)
- Vote ID 5013: 12 in der Ausschussfassung des Entwurfs eines Zweiten Gesetzes zur Reform des Strafrechts (Drs. V/32, V/2285); zweiter schriftlicher Bericht des Sonderausschusses für die Strafrechtsreform
- Vote ID 5014: Schlußabstimmung über den Entwurf eines Ersten Gesetzes zur Reform des Strafrechts (1. StrRG) (Drs. V/32, V/2285)