

**UNITY  
IN DISPERSION**



**unity**  
*in*  
**dispersion**

***a history of the  
world jewish congress***

NEW YORK  
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## P R E F A C E

This volume is an attempt to give a candid answer to the summons of history.

On June 27, 1948, almost twelve years after its constituent meeting, the second session of the World Jewish Congress will bring together in Montreux Jewish community leaders from the four corners of the earth.

This survey seeks to render an account of what the Congress has labored to achieve in the momentous interval.

That this chronicle should be the first comprehensive report on the Congress doings, when stories of lesser organizations crowd the shelves of libraries, is in itself an illustration of the eventfulness of the period to which it is dedicated and the relentless pressure of the events upon the Congress. A time of continual emergency and inescapable duties left no leisure for the task of the historian.

The obligation to bear witness could not be delayed any longer. On the eve of a new epoch in Jewish history, it was keenly felt that the experiences not only of the Congress but also of its predecessor, the Comité des Délégations Juives, ought to be committed to print. The realities of Jewish life are rapidly shifting before our very eyes, and soon a new generation will arise which knows not our problems and to which many of our controversies will be incomprehensible. Under the impact of the tragically altered demographic constitution of our people and its changed and changing geographic distribution, all components of the Jewish question in the Diaspora are being reshuffled and reshaped. A new leaf has been turned over in the relations between the various Jewish ideological camps, while the proclamation of the State of Israel deeply affects and colors all aspects of Jewish life everywhere. For the last thirty years the activities of the Comité des Délégations and the Congress have been woven into the woof and warp of Jewish history and their record cannot be written down without Jewish history being written at the same time.

That is why this is a very unequal account. Many endeavors of the Congress, its branches and affiliates were left out. It was considered preferable to concentrate on the major trends in the complex developments of the era as well as on the general philosophy of the Congress and the particular ideas that guided it in its actions and in its departures from views held by others.

In no other field have the victories of the Congress been so complete as in the ideological. The fundamental community of fate of Jews everywhere and the distinctiveness of the Jewish position have been universally admitted by all who are active in Jewish public affairs. The isolationist attitude of leading Jewish groups, the method of secrecy in dealing with the Jewish question, the cloak of anonymity thrown over matters specifically Jewish—all these are essentially things of the past. However, the differences of opinion of this recent past had to be told, since they were the rock on which foundered many efforts to save Jews or to remedy their distress.

Topics have been expatiated upon which no longer have any bearing upon the Jewish situation. Still they had to be expounded since they were for many years the bitter bread of our daily life. It was felt that this book should essay to be of lasting service to the student of Jewish problems of the last thirty years. Were they too sketchily drawn, they would in their complexity be unintelligible to the public worker of the future.

An attempt was also made to render here and there some of the feeling of torment and frustration that often accompanied the uphill fight of the World Jewish Congress amid a Gentile world frequently callous and deliberately unhelpful, and a Jewish world assailed with apocalyptic issues of which it sometimes failed to grasp the profound meaning and implications. However, it was also emphasized that in the long run the enterprise has been rewarding.

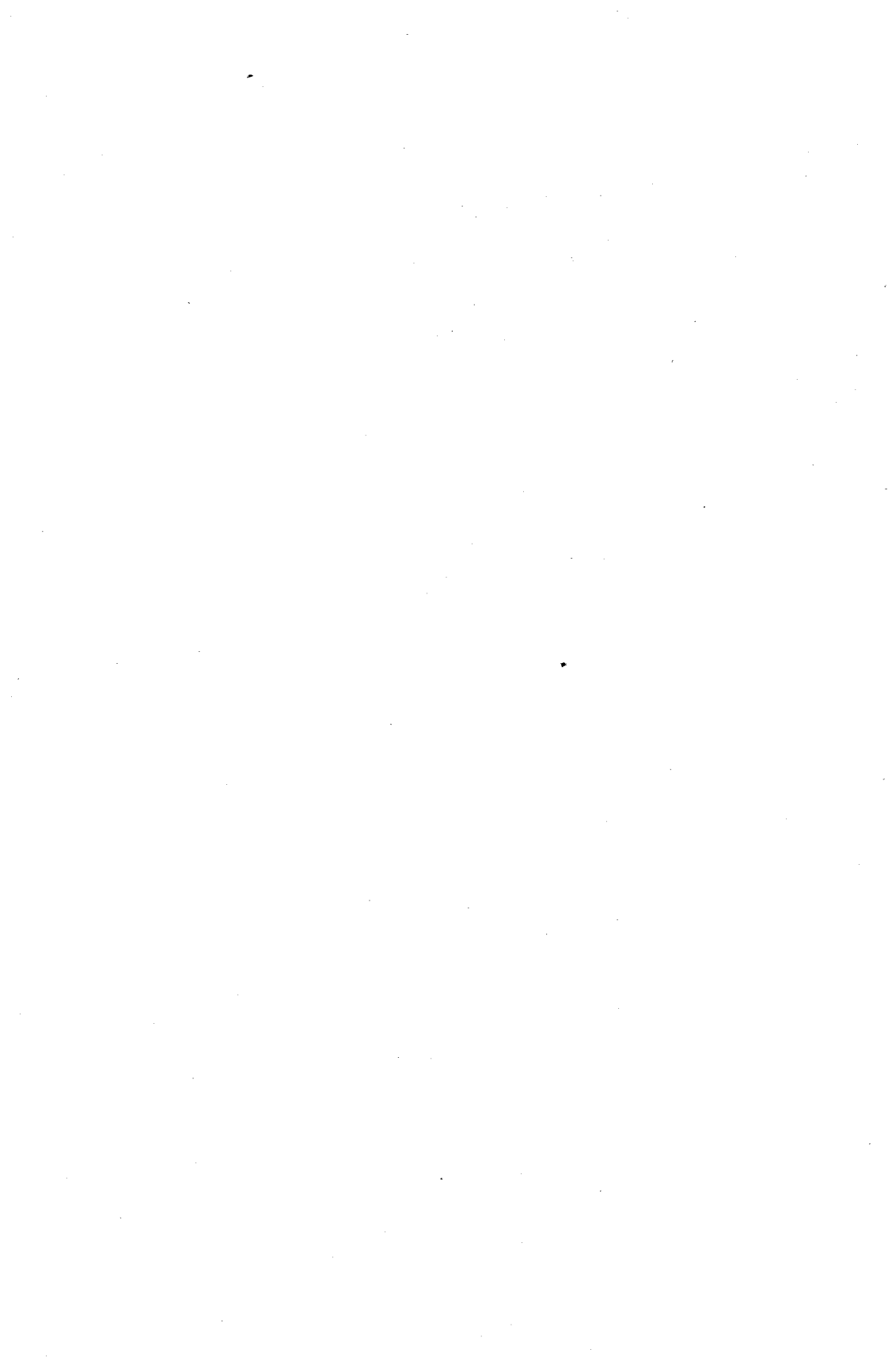
The organization of a voluntary, legitimate, central authority in Jewish public life and the elimination of the irresponsibility rampant in our midst are still of overriding importance. It does not depend primarily upon us whether our various aims will be achieved. Our position is to a large extent contingent upon the state of humanity and in particular upon the relative strength of the various powers and ideologies which are at grips in the battle for a new world order. But our own preparedness, the state of our leadership, and our ability to muster the necessary forces in times of emergency, — these depend entirely upon us. No one can give us these things, and no one can take them away from us.

An excursion even into a cruel past has the paradoxical virtue of giving one some courage and even comfort. The trials of bygone days and the manner in which they were overcome yield a message of hope. We are reminded that there is a time to kill and a time to heal; that the things that are have been, and the things that have been will be, and all things are full of labor. Again and again, during the thirty centuries of Jewish history, Jewish communities have been decimated only to rise again within the lifetime of a generation, with new vigor and creative activity.

\* \* \*

This volume is a composite one. Julius S. Fischer, Dmitri Gawronsky, Anatole Goldstein, and Gerard Jacoby of the Institute, and Oscar Karbach and Nehemiah Robinson of the Political Department, have in many ways laid the groundwork for it. Much is based on reports and papers of the various departments of the Congress — Cultural, Organizational, Political, and Relief — and of the Institute of Jewish Affairs. The *Congress Digest*, edited by Greta Beigel, has been a precious source of information. Oscar Karbach, Jacob Lestschinsky and Nehemiah Robinson have, in addition, contributed their wide knowledge and judicious advice in connection with various aspects of the book. Maximilian Hurwitz has been a most competent, sagacious, and indefatigable editor. Facts spread over such an extended period of time would have been difficult to gather without the skill of the staff of the Archives Division, composed of Elizabeth Maier, Erich Maier, and Ida Tumarkin. Special gratitude for her most valuable aid is due to my assistant, Marie Levy.

A. LEON KUBOWITZKI



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**PART ONE**  
**ORIGINS AND BEGINNINGS**



## ORIGINS AND BEGINNINGS

THE WORLD JEWISH CONGRESS as it stands today might be defined as one of the stages in the organization of the Jewish people in the Diaspora, and as the historical result of two trends in the communal history of the Jewish dispersion: one, interterritorial cooperation of the various communities; the other, the self-assertion of the organized community as against an oligarchy of influential citizens.

### INTERTERRITORIAL COOPERATION

There are early records of interterritorial cooperation among Jewish communities. The Community of Rome was often called upon to intervene with the Holy See in behalf of Jews persecuted elsewhere, and it granted its hospitality and diplomatic support to deputations from other communities. Problems of relief frequently resulted in joint action by several communities or in assistance from more prosperous Jewries to needy ones. Intercommunal mediation was often resorted to for the settlement of serious local conflicts.

Early chroniclers also tell of regional and interterritorial conferences and synods devoted not only to religious and legal matters, but also to political, organizational, and relief questions. Most of these gatherings took place with the formal permission of the authorities; some were even called by the authorities, mainly for fiscal purposes. Later these meetings aroused Gentile suspicions, and Italian and German conferences were discouraged until the emancipation era. In Poland, various attempts at intercommunal collaboration evolved into the Council of Four Lands (*Vaad Arba Aratzot*), composed of representatives from Lesser Poland, Greater Poland, Red Russia, and Lithuania. Later Lithuania seceded and

established a separate body. She was usually replaced in the Council of Four Lands by Volhynia. The decline of these councils began with the Cossack massacres of 1648. Relief problems brought about interterritorial action after many an emergency, such as the expulsion from Spain and the carnage of 1648, particularly in the work of the redemption of Jewish captives, which was considered a paramount duty.

The emancipation of the Jews at first produced considerable timidity in the Jewish approach to international action. Since emancipation was based on the concept of complete identity of the Jew with his fellow citizen in all political and cultural respects, except the religious, Jewish leaders began to fear that Jewish interterritorial solidarity, even in things purely Jewish, might be interpreted as dual allegiance and that the sincerity of their loyalty to their newly acquired fatherland might become suspect. The first Jewish spokesmen to appear before a modern international gathering, the delegates of the Frankfurt Community to the Congress of Vienna, limited their concern to the emancipation of their own parish. At best, influential personalities, namely, the leaders of the House of Rothschild, used their contacts and associations secretly in behalf of persecuted Eastern Jewries.

However, in the 1840's, British and French Jewries felt secure enough in their position to venture into the field of international collaboration. The Damascus and Rhodes blood accusation cases were the occasion of a conference called in 1840 by Sir Moses Montefiore and the Board of Deputies of British Jews, and attended, among others, by Adolphe Crémieux. Thereafter, the Board of Deputies considered itself responsible not only for the welfare of British Jews but also for their coreligionists in other countries. In New York, thirteen congregations united to hold a public protest meeting.

A few years later, American Jewry made a timid attempt to enter upon the Jewish world scene. In 1843, the Independent Order of B'nai B'rith was founded in New York for the purpose of uniting the Jews of the world in one body. It organized lodges in many countries; however, it confined itself to the establishment and maintenance of eleemosynary institutions.

In 1857, American Jews for the first time resorted to political pressure in a matter concerning Jews abroad. The purpose was to

terminate the denial of residential and commercial rights to American Jews coming to Switzerland. A national convention took place in Baltimore with delegates from Charleston, Chicago, Cincinnati, St. Louis, and Washington. A delegation headed by Rabbi Isaac M. Wise proceeded to Washington and placed the case before President James Buchanan.

In 1860, the Mortara Affair in Rome and the Rumanian persecutions moved Adolphe Crémieux and others to establish the Alliance Israélite Universelle, which dedicated itself to working "for the emancipation of our brethren who still suffer under the burden of discriminatory legislation." The original aim of the Alliance was to be worldwide in its scope and membership. However, the branches it established in other countries made no headway, and it remained essentially a French organization.

As a result of the Mortara Affair, a Board of Delegates of American Israelites came into being in the United States. It was established at a convention held in New York on November 2, 1859, with delegates from 14 important communities. Its objectives, among others, were "the adoption of measures for redress of grievances under which Israelites at home and abroad might suffer for religion's sake" and "the maintenance of friendly relations with similar Hebrew organizations throughout the world". Despite many achievements, the Board's prestige declined in the late 1870's, mainly because of its opposition to the immigration from Eastern Europe, and in 1878 it merged with the Union of American Hebrew Congregations.

After the Franco-Prussian War, as the position of the Alliance weakened, similar institutions were established in England (the Anglo-Jewish Association, founded in July, 1871, "for the promotion of objects pursued by the Alliance Israélite Universelle and for cooperation therewith"), and in Austria (the Israelitische Allianz, formed in 1872). In 1901, the Hilfsverein der deutschen Juden was formed, along lines similar to the Alliance, for the moral, intellectual, and economic advancement of Jews in Eastern Europe and Asia, but it devoted itself especially to relief work, in which it won a position of leadership.

In 1906, after several attempts, there arose the American Jewish Committee, whose origin may be traced to the National Committee for the Relief of Sufferers by Russian Massacres which

Oscar S. Straus, Jacob H. Schiff, and Cyrus L. Sulzberger set up after the Kishinev Pogrom of April 19, 1903. In spite of the demands expressed, under the impact of the Russian pogroms, by such conservatives as Schiff, Dr. Cyrus Adler, and Louis Marshall, for a body which could, in cases of necessity, cooperate effectively with similar bodies in other countries for the welfare of the Jews elsewhere, extreme cautiousness got the upper hand. The 1906 Constitution took great pains to specify in its preamble the Fabian policy by which the Committee should be guided. "When conditions calling for relief from calamities affecting Jews exist anywhere, correspondence may be entered into with those familiar with the situation, and if the persons on the spot feel themselves able to cope with the situation, no action need be taken; if, on the other hand, they request aid, steps shall be taken to furnish it."

#### DEMOCRACY IN JEWISH COMMUNAL LIFE

Because of the particular circumstances of Jewish life in exile, democracy has had special difficulties in asserting itself in Jewish communal affairs. For several centuries after the conquest of Judea by Titus, the majority of the Jews of the Diaspora considered themselves subject to the jurisdiction of the Palestinian patriarch. This was later replaced by the authority of the Babylonian exilarch. In medieval and early modern Europe, the influence of a few wealthy families was dominant in the administration of communal affairs, and was mitigated only by the supreme value attributed to Jewish scholarship. The key offices in most Jewish communities were held by an oligarchy of wealth, tempered by an aristocracy of learning.

The frequent need for intervention with the Gentile authorities had made the community dependent, since the early years of the Diaspora, on individual *shtadlanim*, Jews having by reason of wealth or some other asset friendly contacts with the outside world. When emancipation came to the Jews of Western Europe, while the Jewish masses of Eastern Europe and the Moslem East remained subject to the arbitrary will of their rulers, the role of the new Jewish aristocracy became all the more important, as it was felt that only secret diplomacy carried on by influential individuals could mitigate or remove the indignities to which the less privi-

leged brethren were subjected. Needless to say, it has not been possible up to now to renounce entirely this "backstairs diplomacy".

However, with the consolidation of liberalism in Western Europe, the influence of the organized community or its representative body progressively replaced individual patronage. The Board of Deputies, which was organized in 1760 with a view of preventing favors being asked for without the consent of the community, began in 1828 to concern itself actively as a body with the removal of Jewish disabilities. In 1835 it adopted a constitution whereby the constituent congregations agreed to pay the expenses of administration on a fixed basis of apportionment, and has since been progressively widening its representation. The Central-Verein Deutscher Staatsbürger Jüdischen Glaubens, which was founded in 1893, also steadily endeavored to give itself a broad, popular base, and in 1929, comprising 555 local units and over 60,000 individual members, it represented together with its corporate members a vast segment of German Jewry.

On the other hand, the Alliance Israélite Universelle, in spite of the bold program represented by its very name, never really attempted to represent French Jewry or world Jewry democratically. Neither did the Anglo-Jewish Association or the Israelitische Allianz; and when the American Jewish Committee was founded in 1906, it adopted a constitution which represented a defeat for those who, like Marshall, wanted a body which would be the result of democratic selection and derive its authority from the people, or who, like Jacob H. Schiff, wanted it to enjoy the confidence of the new Jewry that had arisen in the United States since 1881.

In the interterritorial field, moreover, while these bodies accepted the principle of Jewish solidarity, they rejected that of democratic cooperation. They acted as collective *shtadlanim*. In 1840, for the first time in modern history, public consultation between British and French Jews was used for the protection of the good name of the Jewish people, but no serious effort was made to unify democratically or even to institute democratic cooperation of the various Jewish communities. Interterritorial conferences did take place from time to time, but the attempts to establish worldwide organizations or regular joint conferences failed. After the excesses of the '70's and the resulting trend toward Jewish emigration from Eastern Europe and the Balkans, the feeling

developed that Jewish problems should be dealt with on the basis of international organization. Conferences were held in 1869 in Budapest, in 1872, 1875, and 1878 in Brussels and Paris, but no international organization resulted from them.

The lack of legitimate, organized world leadership of the Jewish people was deeply felt by men like Leo Pinsker and Theodor Herzl. Both of them stated in their classic writings that the administration of Jewish affairs could not be left to sporadic, unorganized action or to individuals of good will, but should be entrusted to what Pinsker called a "National Congress" and Herzl "The Society of Jews". To Herzl, the absence of centralized leadership was the main source of Jewish distress. In this respect, as in many others, the First Zionist Congress (Basle, 1897) was a turning point in Jewish history. For the first time since the exile, elected representatives of the Jewish people gathered to deliberate publicly on its situation and destiny, and decided to cooperate publicly and internationally on the solution of its problems.

#### ZIONISM AND THE WORLD JEWISH CONGRESS

When the first Zionist Congress convened, it was meant to deal not only with the establishment of a Jewish State, but also with the problems of the Jews in the Diaspora. Subsequently, two schools of thought developed in Zionism. One wanted all Zionist efforts to be concentrated on the upbuilding of the Jewish homeland; the other advocated the simultaneous pursuit of Jewish welfare in the Diaspora. The discussions for and against the inclusion of *Gegenwartsarbeit* in the Zionist program went on for years. With the increasing interest of the Jewish masses in the political and social aspects of their own life and in the problems of their countries, the sentiment grew that they should endeavor to organize whatever strength they had in the countries of the dispersion so as to influence their destiny there. National Jewish parties in Eastern Europe contributed to the education of the Jews in this direction. In 1903, after the Kishinev Pogrom, Simon Dubnow urged that the Zionist Congress be transformed into a World Jewish Congress, concerned with all the needs and tasks of the Jewish people. In 1906, the Zionists of Russia and of Austria, at two important conferences in Helsingfors and Cracow, respectively, adopted a program affirming that the Zionist organizations in the various coun-

tries should include in the scope of their work concern for the situation and fate of the Jews in the Diaspora. This view culminated in the Copenhagen manifesto of October, 1918, in which the World Zionist Organization formulated the Jewish demands to the Peace Conference, and which was ratified in 1921 by the Zionist Congress in Carlsbad. Besides defining the Jewish claims to Palestine, the manifesto demanded

“full and de facto equality of Jews in every country, as well as national autonomy with regard to cultural, social and political activities for the Jewish communities of the countries with a Jewish mass population, and of all other countries where the Jewish population may demand such autonomy.”

However, the Zionist Organization soon found itself confronted with tremendous difficulties in its effort to make the most of the unique chance it had been given to build a Jewish National Home in Palestine within a foreseeable future. After much heart-searching, it had to recognize that it could not burden itself with the fight against the infringement of the equality of the Jews in the Diaspora and for the improvement of their economic situation.

Before it reached that conclusion, several attempts were made, in particular by Dr. Leo Motzkin, Secretary General and later President of the Comité des Délégations Juives as well as de facto permanent chairman since 1925 of the Zionist Actions Committee, to extend the competence and the activities of the Zionist Organization to all things Jewish, including *Gegenwartsarbeit*.

For there was decided reluctance, in certain sectors of the Zionist movement, to establish a second world association of the Jewish people, which they feared might detract from the authority of the Zionist Organization and from the primacy of Palestine's upbuilding. Thus, when Dr. Mordecai Nurock declared at the Annual Zionist Conference in Carlsbad in 1922 that it was necessary to call a world Jewish assembly on Diaspora affairs, the majority of the delegates did not concur. But Zionism became ever more absorbed in the work of reconstruction of the Jewish homeland, and no time and energy were left for the organization as such to attend to the needs and woes of the Jews of the Diaspora other than those of *halutzith* and *aliyah*. Besides, certain powers had assumed a favorable attitude toward Zionism, while pursuing

in their own countries a policy of determined discrimination against their Jewish subjects, so that for the sake of its long-range policy, the Jewish Agency was not always free to adopt the same militant attitude toward these governments as did the bodies concerned with the defense of the religious, civil, and ethnic rights of the Jews the world over. Many leaders of the Yishuv, who maintained a deep interest in the well-being of the Diaspora, had a keen and realistic understanding of the need for a separate organization for Galuth matters, and Meir Dizengoff, Dr. Benzion Mossinson, Rabbi J. L. Fishman, and Joseph Sprinzak, among others, were ardent supporters of the World Jewish Congress idea.

Thus, after more than thirty-five years of scrutiny and heart-searching, when the German menace to Jewish survival in Germany and elsewhere began to take shape, the Zionist movement was ripe for the separation of the two fields of organized Jewish endeavor, and the Zionist Actions Committee greeted the first preparatory conference of the World Jewish Congress (1932) in a resolution reading as follows:

“The Zionist Organization, which was the first to proclaim the national rights of the Jewish people in the Galuth countries, supports every form of international action by the Jewish people to defend its civic and national rights, as well as its political, economic, and social positions. In these days of unheard-of attacks upon the existence of the Jewish people and of a threat to vital Jewish rights in divers lands, every effort at an international union of Jewish communities and groups of various countries is doubly necessary. Accordingly, the Actions Committee requests the President of the Zionist Organization to convey the greetings and best wishes of the Zionist Organization to the Geneva Conference and expects a large participation of Zionist circles in it.”

In 1935, in its report to the 19th Congress, the Executive of the World Zionist Organization recalled that “the Zionist movement has from the very beginning affirmed the idea of a World Jewish Congress.” Dr. Isaac Gruenbaum was granted the opportunity of delivering a keynote address on Diaspora matters, and a Commission on Galuth Affairs was appointed, with Dr. S. S. Wise as chairman, and Dr. A. L. Kubowitzki and Dr. M. Nurock as members of its presidium. The debates of the Commission, as well as those of the Congress itself, especially on the question

of action to be taken on Germany, proved conclusively that it would not always be possible in the near future to reconcile the Zionist political course with that required for the defense of the Jewish position in the lands of the Diaspora. The need for a separate worldwide organization, recognized by Jews and non-Jews alike as the spokesman of the whole Jewish people, in order to cope with the growing menace, became the credo of the great majority of the Zionist movement.

Accordingly, the 19th Zionist Congress adopted a special resolution stating:

"The 19th Zionist Congress regards a union of all sections of the Jewish people for the defense of its political rights and economic possibility of existence and the creation of an authorized representative body on a democratic basis as an urgent necessity. The 19th Zionist Congress looks upon the World Jewish Congress as a suitable form of such a representative body. The 19th Zionist Congress calls upon Zionists and Zionist groups to take part in the World Zionist Congress."

#### AMERICAN JEWRY UNITES AND MAKES HISTORY

In spite of its endorsement by the Zionist movement, there might have been no World Jewish Congress, had it not been for American Jewry's profoundly democratic aspirations and its sense of responsibility for the fate of the Jews in other countries.

The origin of the World Jewish Congress can be traced directly to the sentimental and ideological upheaval that took place among the Jews of the United States during the years of World War I. From the very beginning of that war, the conviction grew in responsible Jewish circles that American Jewry would have to establish a permanent body for the relief of the victims of the constantly recurring emergencies in Jewish life. This view led, at the end of 1914, to the establishment of the American Jewish Joint Distribution Committee. No less strong was the conviction in American Zionist circles that American Jewry would have to take the lead in securing Jewish equality and group rights at the forthcoming Peace Conference. As early as August 30, 1914, an extraordinary Zionist conference in New York referred to the Provisional Zionist Committee for action a resolution signed by B. G. Richards, N. Syrkin, and B. Zuckerman "in favor of a convention for the

purpose of considering Jewish affairs," and Louis D. Brandeis was entrusted with the task of negotiating with the American Jewish Committee for a common policy with regard to such a convention.

Socially and culturally, the Jewish people in America had been completely reshaped by the successive waves of immigration since 1881. The newer elements considered the American Jewish Committee "unrepresentative in its constitution and constituency." They had learned to know the blessings of democracy and wanted it applied to Jewish affairs. They had given themselves leaders of distinction who shared their view that a representation of the Jewish people could work and succeed only on a democratic basis. The American Jewish Committee, however, opposed the movement to summon a large, democratic Jewish gathering which would discuss the whole Jewish problem in all its aspects. Its spokesmen expressed their preference for a conference composed of prudent and experienced leaders, which, in their opinion, was sure to accomplish much more than a "talking convention".

Curiously, in its opposition to democratic elections and to a broad agenda of subjects, the American Jewish Committee subsequently won the support of the National Workmen's Committee on Jewish Rights, representing various organizations of Jewish workingmen and established in 1915 to strive for the achievement of equal rights for the Jews in all countries where they were discriminated against. The latter justified its position on the ground that it was opposed to the collaboration of classes in an organization representing the entire Jewish collectivity. The Poale Zion, however, saw in this anomalous alliance of the Jewish plutocracy and the Jewish trade unions a coalition of anti-Zionists and they fought the official leadership of Jewish labor in fervent ideological battles within the Workmen's Circle and the unions. They had a galaxy of brilliant spokesmen such as Ber Borochow, Dr. Nachman Syrkin, Pinchas Ruthenberg, Baruch Zuckerman, and, for a time, Dr. Chaim Zhitlowsky.

On March 21, 1915, a Jewish Congress Organization Committee was formed, of which Louis D. Brandeis, Judge Julian W. Mack, and Dr. Stephen S. Wise assumed the leadership. Brandeis, in a number of addresses, defined the aims of the Congress. Jews of America, he said in an address in Baltimore on September 27, 1915, could not hope to aid in the solution of those problems which

most deeply affected their brethren abroad without unity. However, "unity means not oneness in opinion, but oneness in action". When action was contemplated, some decision had to be made. "The making of a decision implies the existence of a body which has authority to decide. Among a free people the body which makes a decision must necessarily be democratic." The Congress was consequently to be

"an incident of the organization of the Jewish people — an instrument through which their will may be ascertained, and when ascertained may be carried out."

Brandeis opposed a conference which the American Jewish Committee, bowing to a recommendation of the then existing Kehillah of New York City, had suggested calling for October 24, 1915, because it would have no mandate from the Jewish people and because its deliberations would be secret.

"Secrecy will lead necessarily to suspicion and misrepresentation of Jewish purposes and deprive us of non-Jewish support. We seek action in the open so that there shall be no misunderstanding either among our own people or among our fellow-citizens, as to our aims and methods."

On March 26 and 27, 1916, a preliminary conference of the American Jewish Congress took place in Philadelphia, in which 367 delegates participated, representing, according to the report of the Committee on Credentials, affiliated organizations with a membership of more than a million Jews. Dr. Wise delivered the keynote address on "American Israel and Democracy," in which he stated that the program of the conference might be summed up as follows: "The Jewish people must create their own organ through which after earnest deliberations and discussion to express their convictions touching the needs and demands of the Jewish people." Invoking Herzl's basic approach to the Jewish question, namely, that it could not be solved except by the method of publicity, he said, "Secrecy, always futile as a curative method, has proven disastrous in prolonging and intensifying Jewish woes." He emphasized that the policy of a people could not be reduced to relief alone, that the Jewish program must be

"not relief but redress, not palliation but prevention, not charity but justice."

The conference adopted a number of resolutions, the first

of which preformulated the Jewish demands to the Peace Conference. It recommended:

“(a) that the Congress consider the question of securing to Jews free and equal rights, civil, political, religious in all such lands where these rights were denied to them;

(b) that the Congress consider the question of securing to the Jews national rights in all such lands in which national rights were or are or ought to be recognized.”

The question of collaboration with other Jewish communities was also included in the purview of the Congress to be called and was formulated as follows:

“that the Congress consider cooperation with Jews in other lands, in furtherance of the Congress program.”

A National Executive Committee was elected, under the honorary chairmanship of Louis D. Brandeis, and after the conference it invited 45 central Jewish organizations in Europe, South America, South Africa, and Australia to cooperate with it. It continued negotiations with the American Jewish Committee as well as with the National Workmen's Committee, which, after many trials and struggles, yielded to the pressure of public opinion. A united Executive Committee held its first meeting on December 25, 1916. It agreed to impose limitations upon the function and the duration of the American Jewish Congress. In scope and in time, the Congress was to confine itself to united action on matters connected with the Peace Conference, and to cease to exist after the accomplishment of this task.

The elections for delegates to the Congress took place on June 10, 1917. Some 335,000 ballots were cast. In addition, some 30 central and national organizations were represented separately. Thus was brought together the largest aggregate of organized Jews in the United States that ever united for a common purpose. However, the National Workmen's Committee on Jewish Rights withdrew from the movement, contending that the needs for a Congress had passed when the Russian Revolution had emancipated the Jews of that country.

The first meeting of the American Jewish Congress had to be postponed several times because of the war situation, and convened in Philadelphia from December 15 through December 18, 1918, after the cessation of hostilities, in an atmosphere of optimism

and deep satisfaction. "We have at last unity of mind and purpose," said Nathan Straus, "as we always had of heart."

The list of delegates reads like an honor roll of American Jewry: Louis Marshall, former Ambassador Henry Morgenthau Sr., Nathan Straus, Jacob H. Schiff, Judge Mayer Sulzberger, Dr. Syrkin, Henrietta Szold, Dr. Zhitlowsky, Joseph Baroness, Professor Gotthard Deutsch, former Ambassador Abram I. Elkus, Dr. Israel Friedlander, Jacob de Haas, Professor Issac Hourwich, Judge Julian W. Mack, Rabbi M. S. Margolies, Rev. H. Masliansky, Dr. H. Pereira Mendes, Dr. B. Revel, Abraham S. Schomer, former Secretary of Commerce and Labor Oscar S. Straus, and the poet Yehoash. The then young Henry Monsky represented Omaha.

Of those still living, Professor (now Justice) Felix Frankfurter represented Boston; David Pinsky and Baruch Zuckerman, New York City District 1; Dr. Samuel Margoshes, District 2; Louis Lipsky, District 6; Emanuel Neuman, District 8. Dr. Stephen S. Wise had left for Europe on the eve of the gathering.

The program for submission to the Peace Conference adopted by the Congress and marked by broad vision and earnest determination, comprised the following demands:

(a) Equal civil, political, religious, and national rights for all citizens of a territory without distinction as to race, nationality, or creed;

(b) Autonomous management of their own communal institutions, whether they be religious, educational, charitable, or otherwise, by the members of the various national as well as religious bodies;

(c) Recognition of the historic claims of the Jewish people with regard to Palestine, and establishment of such political, administrative, and economic conditions in that country as would assure its development into a Jewish Commonwealth.

The Congress program was a victory for the views of those Jews of East European origin who had maintained that American Jewry must stand up for the rights of the Jews not only as individuals but also as a nationality. The triumph was all the greater as the demands summarized above in paragraphs (a) and (b) were presented by Louis Marshall as part of a Jewish Bill of Rights. It also constituted a Zionist victory, since it was decided

to cooperate with the World Zionist Organization on the implementation of the Balfour Declaration.

On December 17, the American Jewish Congress adopted a resolution, wherein it went on record as endorsing the idea of a World Jewish Congress, for which Abraham S. Schomer and his group had been battling for many years. The resolution read:

“Resolved, that the American Jewish Congress shall, as soon as peace is declared among the warring nations, instruct its European delegation to take necessary and effective steps in cooperation with representative Jewish bodies in other countries for the convening of a World Jewish Congress.”

The Congress elected a delegation which was to proceed to Paris in connection with the meeting of the Peace Conference, and which was composed of Julian W. Mack, Stephen S. Wise, Louis Marshall, Harry Cutler, Jacob de Haas, B. L. Levinthal, Joseph Barondess, Dr. Syrkin, Leopold Benedict (Morris Winchevsky), and Bernard G. Richards, secretary of the delegation, and instructed it to cooperate with representatives of the Jews of other lands.

On May 30, 1920, the American Jewish Congress convened in Philadelphia for its second session. Nathan Straus opened the meeting. “The delegation to Paris, led by Judge Mack, Mr. Louis Marshall, and Dr. Wise,” he stated, “has done everything that could be done in order to protect and further Jewish interests. The Jewish name is more honored today than it was because we Jews have had the courage and self-respect to stand up together and try to solve our own problems.” The chairman, Judge Mack, stated that the session had been convoked to pass upon the report of the delegation and then, pursuant to the terms of the agreement under which the Congress had been constituted, to adjourn without delay. There were motions to the effect that there be new elections for officers and that the Executive Committee have the power to reconvene the Congress. However, the chairman said that he was reluctantly compelled to declare the motions out of order on the ground that they aimed at the violation of the agreement as to non-permanency. Limitations which “were undesirable and ought not to have been imposed and ought not to exist” had been imposed and had been accepted. Consequently, after some debate,

the American Jewish Congress was adjourned *sine die* the same evening.

However, a few moments later a large body of delegates reconvened in a Conference of a Provisional Organization for the Formation of an American Jewish Congress. Gedaliah Bublick opened the meeting and said: "The Congress is not dead, it is just born." Dr. Wise stated in his keynote address that the Congress was opposed by those who had always resisted any attempt by the Jewish people to have a voice in the direction of their affairs. It was now too late to return to the

"un-democratic, un-American, un-Jewish method of dictation from above, however well-meaning in intent, however soft-spoken in manner."

Louis Lipsky was elected temporary chairman. Morris Rothenberg, as chairman of the Committee on Resolutions, proposed the creation of a Provisional Delegation for the American Jewish Congress. The Conference set up an Executive Committee of seventy-one, under the chairmanship of Nathan Straus, and directed it to convene the permanent Congress within one year. The elections took place in May, 1922, and the first session of the Congress was held in Philadelphia in June, 1922. Since that time, the American Jewish Congress has stood guard over situations affecting Jews in the United States, in the other countries of the Diaspora, and in Palestine.

#### EUROPEAN JEWS SET UP REPRESENTATIVE BODIES

While American Jewry was engaged in a struggle for its organization on the basis of democratic representation, a parallel movement for Jewish representative bodies was developing in various countries of Eastern and Central Europe, under the influence partly of the Jewish national movement in those countries, partly of the revival of nationalities there, and to some extent also of the American Jewish Congress movement.

World War I had acquired from the outset the significance of a fight for the principle of nationalities, and when the heterogeneous empires of Russia, Austria-Hungary and Turkey began to crumble, oppressed peoples arose everywhere determined to take their fate in their own hands and to decide their own way of development. The Jews took an active part in the constitution of

many of these new nations, but they were also concerned with securing their own recognition as a national minority. Some saw their request for national cultural autonomy granted even before the conclusion of the peace treaties. In the Ukraine, Jewish affairs were in 1918 placed for a time under the charge of a Jewish Minister, and in Lithuania there was created a Ministry for Jewish Affairs which existed from 1919 to 1922.

In Russia, after the collapse of the Czarist regime, the emancipation decree of March 21 (April 3), 1917, gave great impetus to the movement for a Russian Jewish Congress. A preliminary conference met in Petrograd from July 18 to 21 (July 31-August 3), 1917, and decided to form a Russian Jewish Congress on the basis of a compromise program embodying the principle of national cultural autonomy in Russia, and civil and national rights for the Jews in Palestine, Poland, and Rumania. Elections took place in spite of the turmoil of the civil war during the winter of 1917-18, but the Congress could not meet because of the opposition of the new Soviet regime to a movement which, in its view, was supported by middle class parties. From among the delegates of the Congress, a Jewish National Council was formed in Petrograd in July, 1918. However, the cooperation it sought to secure with the American Jewish Congress did not materialize.

In the Ukraine, the national autonomy which, after the revolution of 1917, had been granted to the Jews, as to the Great Russians and the Poles, was lost in the reaction that followed the defeat of the Separatist Ukrainian movement and the ensuing civil war. In November, 1918, 125 delegates of Ukrainian Jews met in a Provisional National Assembly at Kiev, under the leadership of M. M. Ussishkin. They put forth a claim for the restoration of the minority rights legislation and formulated demands to be submitted to the forthcoming Peace Conference.

In Russian Poland, 498 delegates met in Warsaw from December 26 through December 30, 1918, in a preliminary conference for the purpose of discussing the new foundations of Jewish life in Poland on the basis of the principle of minority rights. The conference appointed a Provisional National Jewish Council of 42 members for the conduct of all Jewish affairs and entrusted it in particular with the safeguarding of Jewish interests at the forthcoming Peace Conference.

In Austria, a movement for a Jewish Congress developed in 1916 under the leadership of Adolf Stand. In consequence of the disintegration of the Dual Monarchy, the projected Congress did not convene. However, a Jewish National Council was set up in Vienna in 1918, and from Vienna the idea spread to those parts of Austria-Hungary which seceded from the Hapsburg empire.

In Czechoslovakia, a Jewish National Council was established in Prague in the fall of 1918 under the leadership of Ludwig Singer and it submitted to the Czechoslovak National Committee a memorandum on the Jewish national program.

In Bukovina, a Jewish National Council was created in October, 1918, and asked for national autonomy for the Jews.

In Lithuania, a convention of communal Jewish delegates appointed a Jewish National Council at the beginning of 1919.

In Greece, a Committee for a Jewish Congress came into being as early as the spring of 1917.

By the end of 1918, nearly all Jewish communities of Eastern and Central Europe had set up representative bodies and adopted programs which in essential points coincided with the Copenhagen Manifesto. Substantially, their aspirations comprised two main objects:

- (a) to achieve within their countries the equality of Jews as citizens as well as the recognition of the Jewish group as a national minority;
- (b) to obtain at the Peace Conference international guarantees for this newly-won Jewish equality in its twofold aspect.

#### WORLD JEWRY MEETS AT VERSAILLES

By the time the Peace Conference assembled in Paris at the beginning of 1919, a great number of Jewish delegations from many lands had found their way to the French capital. It became clear to responsible Jewish statesmen that their first task was to coordinate the activities of these delegations.

On March 25, 1919, a Comité des Délégations Juives auprès de la Conférence de la Paix (Committee of Jewish Delegations at the Peace Conference) was formed, composed of delegations from Palestine, the United States, Canada, Russia, the Ukraine,

Poland, East Galicia, Rumania, Transylvania, Bukovina, Czechoslovakia, Italy, Yugoslavia, and Greece, speaking in the name of democratically elected Jewish Congresses, National Jewish Councils, or federated Jewish communities. In addition, the World Zionist Organization and the B'nai B'rith were represented on the Comité. The Comité des Délégations Juives thus rightly claimed to be the spokesman of over ten million Jews.

Only two Jewish delegations separated themselves from the others: that of the Alliance Israélite Universelle and that of the Joint Foreign Committee (of the British Board of Deputies and the Anglo-Jewish Association). The Alliance would not even hear of national rights, advocating only the recognition of Jews as a religious community, and the Joint Foreign Committee decided to stand by the Alliance, although it was in favor of the minorities being granted "the autonomous management of their religious, educational, charitable and other cultural institutions."

The work of the Comité des Délégations Juives was crowned with a substantial measure of success. The new and enlarged states were forced to assume an obligation to embody in a treaty with the principal Allied and Associated Powers such provisions as might be deemed necessary by the said Powers to protect the interests of those inhabitants who differed from the majority of the population in race, language, or religion. Thus Jewish unity of action promoted the cause of all national minorities, some of which later turned in base ingratitude against the Jewish people. It also established several precedents of historic importance in international law. The principles of national self-determination and homogeneity were not permitted to be carried to extremes. Absolute state sovereignty was restricted. Domestic group rights were placed under an international guarantee. Their supervision was not entrusted to the principal Allied and Associated Powers, who might be suspected of bias, but to the disinterested League of Nations.

The substance of minority rights was defined in an explanatory letter addressed on June 24, 1919, by Georges Clemenceau to Ignace Jan Paderewski. The minorities required not merely supplementary guarantees, but guarantees of a more complete nature. There was no contradiction between the principle of equality before the law and rights of minorities. The trend of our time, the letter stated, is to grant more protection to the groups that are

weaker and less secure. Persons belonging to racial, linguistic, or religious minorities should merely be guaranteed those fundamental rights which, in heterogeneous Central and Eastern Europe, were rather precarious in law and in fact.

The letter also upheld the specific Jewish provisions: "In view of the historical development of the Jewish question and the great animosity aroused by it, special protection is necessary for the Jews of Poland. These clauses have been limited to the minimum."

It was thus with justified pride that the report of the delegation of the American Jewish Congress stressed "that such service as it has been privileged to render before the Peace Conference is bound to inure to the benefit of the minority peoples of all European lands, as it was intended that it should." It also added very soberly and prophetically that whether the work of the delegation would become a permanent part of the law and life of the world depended in no small part upon the ultimate action of the United States Senate with respect to those treaties in which clauses guaranteeing the rights of minorities were embodied.

As is well known, the United States Senate refused to ratify the Versailles Treaty, and the American people repudiated the League of Nations in the Presidential election of 1920.

#### THE ARDUOUS WAY TO THE FIRST WORLD JEWISH CONFERENCE

When the Comité des Délégations Juives was established, it was intended to be an *ad hoc* organization for the duration of the Peace Conference. However, it soon appeared that the insertion of the basic Jewish demands in the peace treaties was not an end but a beginning, and that unremitting vigilance would be essential to insure their implementation. Accordingly, the Comité decided, at the end of the Paris Peace Conference, to drop the words "auprès de la Conférence de la Paix" and not to dissolve but to remain a permanent body. It continued its work under the inspiring leadership of Leo Motzkin. The system of protection of minorities required the intervention of the Comité in a great number of cases which obviously cannot be enumerated in this place. The Comité became the spokesman of the Jewish cause before

organization of social welfare work and Jewish emigration. Jewish leaders connected with the Comité played an important role in the Interparliamentary Union, in the International Congresses of Minorities (Dr. Motzkin, Prof. Max Laserson, Dr. Emil Margulies, Dr. Nurock, and Dr. Jacob Robinson), and in the International Union of League of Nations Associations (Rabbi Z. P. Chajes, Meir Dizengoff, Nathan Feinberg, Dr. Oscar Karbach, Dr. Margulies, and Dr. Benzion Mossinson).

At the same time that it was taking action upon every threat to, or restriction of, Jewish rights, the Comité engaged in the prolonged, arduous, and ungrateful task of bringing into existence a worldwide Jewish organization which would be recognized by Jews and non-Jews alike as the Jewish representative body for the problems of the Diaspora. The task was an urgent one, as the representative character and the authority of the Comité had been weakened by the dissolution of some of its constituent parts. In 1920, the Comité submitted to the Conference for a Permanent American Jewish Congress a proposal for the creation of a Council of Jewish Delegations (*Vaad Haaratzoth*), composed of delegates of national Congresses or similar bodies. The conference authorized the Executive Committee it had appointed to elect one or more representatives to the Comité at Paris and to send a delegation to the International Jewish Congress, should it convene before the permanent American Jewish Congress assembled. In September, 1921, the Comité held a conference in Carlsbad and invited additional Jewish organizations to join it. In the spring of 1923, Dr. Motzkin visited the United States, and on May 13 he addressed the Executive Committee of the American Jewish Congress, pleading once more for a World Conference of Jews to discuss the conditions of Jews in various lands and to devise ways and means for effective protection of Jewish rights.

After many trials and tribulations, a conference took place in London on August 3 and 4, 1926, with a view of reconstituting and strengthening the Comité. Dr. Stephen S. Wise, the late Abraham Goldberg, Louis Lipsky, Marvin Lowenthal, and Mrs. Archibald Silverman represented the American Jewish Congress; Dr. Leo Motzkin and M. N. Tsatskis, the Comité des Délégations. Poland was represented by Dr. Isaac Gruenbaum, Dr. Osias Thon, and Dr. Jerzy Rosenblatt, Members of Parliament, and Dr. Leon

Ringel and Chief Rabbi Isaac Rubinstein, Senators; Latvia, by Dr. M. Nurock, Member of Parliament; Austria, by Chief Rabbi Zvi Peretz Chajes; and Palestine, by Dr. Shemariah Levin. It was decided to convene a general conference in August, 1927.

The invitations, sent by Judge Julian W. Mack and Dr. Stephen S. Wise on behalf of the American Jewish Congress, and Nahum Sokolow and Dr. Leo Motzkin on behalf of the Comité des Délégations, called for an international meeting to "devise ways and means to unite and coordinate Jewish efforts directed against the persecution of Jewish minorities". The plan was either to create a permanent central organization or if this was unfeasible, to establish a *modus vivendi* whereby "without affecting in any way the autonomy of existing bodies," "independent and contradictory interventions" would be eliminated by a coordinating body.

The American Jewish Committee, the Joint Foreign Committee of England, the Alliance Israélite Universelle, and the Hilfsverein der Deutschen Juden declined the overtures, but 65 leading Jews from 13 countries, and representing 43 organizations, assembled at Zurich from August 17 through August 19, 1927, in a gathering subsequently known as the Zurich Conference on the Rights of Jewish Minorities. There was also a delegation speaking on behalf of a new collectivity without a soil, the *Staatenlosen* (stateless persons). Of the "minority rights" countries, Austria, Bulgaria, Czechoslovakia, Estonia, Greece, Latvia, Lithuania, and Poland sent representatives. Hungarian and Turkish Jewries were absent, having "renounced" minority rights, and Rumanian Jewry was present in the spirit only. There were also delegates from Palestine, France, Germany, South Africa, and Switzerland. An American delegation led by Dr. Wise, Judge Gustave Hartman, Judge Hugo Pam, and Max B. Steuer, inspired Nahum Sokolow to exclaim: "The bridge across the Atlantic has been rebuilt." After him, a number of European delegates stressed the importance of the participation of the American delegation on a footing of equality in an open, public deliberation.

Although the Jews of Great Britain, Belgium, Holland, and Italy were absent, not to mention the Jews of the USSR, the membership of the assembly was quite representative. In addition to the Americans mentioned, the leadership of the conference included six members of the Polish Sejm, one member of the Polish Senate,

and one member of the Latvian Parliament. The Zionist Organization had sent the President of its Executive, Nahum Sokolow. Palestine participated in the persons of Menachem Ussishkin and Dr. Benzion Mossinson. Jewish scholarship was represented by the greatest living historian, Simon Dubnow.

There were reports on the situation in Poland and Rumania. Dr. Motzkin surveyed the state of the implementation of the peace treaties in relation to the Jews. He stressed that the rights of millions of Jews in Europe were jeopardized by the lack of coordination among the at least 15 Jewish organizations which were in the habit of intervening on their behalf with the League of Nations. Prof. Dubnow analyzed the progress of the Jewish emancipation, and emphasized the need for an organization which should be "a seeing eye and a hearing ear". Dr. Emil Margulies reported on the relations of Jewish minorities with other international organizations.

It appeared impossible, in the absence of some of the leading Jewish organizations, to recreate the Comité des Délégations in such form as to meet the aims set forth in the invitation. Consequently, the conference sought to create a frame elastic enough to serve eventually as a coordinating instrument for all organizations engaged in the defense of Jewish rights, and at the same time possessed of enough substance and strength for the immediate tasks. As a result, a tripartite body was created: (a) an international conference, to be convened every two years; (b) a Council as the permanent directing organ, to be known as the Council on the Rights of Jewish Minorities, with headquarters at Geneva; and (c) an Executive, to be appointed by the Council.

The first Executive was elected by the Zurich Conference, and included Nahum Sokolow, President; Z. P. Chajes, S. Dubnow, Isaac Gruenbaum, Leo Motzkin, Stephen S. Wise, Vice-Presidents; H. Farbstein, I. Jefroykin, Emil Margulies, Leon Reich, and Jacob Robinson, members.

However, the tide of reaction, intolerance, hatred, and discrimination was rapidly rising in Europe. Thoughtful Jews everywhere felt that the mobilization of organized Jewish solidarity throughout the world was indispensable to enable the Jewish people to face an unparalleled crisis. When the German menace began to materialize, the American Jewish Congress, which had

kept the idea of a World Jewish Congress alive for so many years, decided that no further delay could be tolerated at such a critical hour. No Jewish organization had a deeper understanding and premonition of the dangers that were inherent in the basic tenets of the National Socialist ideology, and of the irreconcilable conflict between its program and the very existence of the Jewish people anywhere.

After the Seventeenth Zionist Congress in Basle in 1931, Dr. Wise called a meeting which was attended by a number of distinguished leaders of the Diaspora. It was decided to proceed to action, and a provisional committee was appointed, with Dr. Wise as chairman, Bernard S. Deutsch, Isaac Gruenbaum, Oscar Cohn, Leo Motzkin, and Dr. M. Nurock as members, and Z. Tygel as secretary.

The Tenth Annual Session of the American Jewish Congress approved the measures taken by its administrative bodies "to convene a conference in Geneva on August 14, 1932, of representatives of world Jewry to consider the calling of a World Jewish Congress for the purpose of discussing the world Jewish situation and the adoption of such measures as will alleviate it — among them the maintenance of security for the masses of the Jewish people; the facilitation and regulation of Jewish immigration and the reorganization and reconstruction of Jewish economic life on a sounder and firmer basis."

In May, 1932, Dr. Nahum Goldmann was invited by the American Jewish Congress to organize such a preparatory gathering, and for this purpose he visited the principal Jewish communities of Europe. On July 4, 1932, the annual convention of the Zionist Organization of America, recalling that it had been "largely instrumental in the founding of the American Jewish Congress, and has continued to be a constituent part thereof, participating in its activities and its development," pledged its support to the forthcoming world conference and decided to elect eight delegates to represent it there.

#### A PERMANENT ADDRESS FOR THE JEWISH PEOPLE

Thus it came about that the First World Jewish Conference met in Geneva from the 14th through the 17th of August, 1932. The American Jewish Committee, the B'nai B'rith, the Board of

Deputies, and the Central-Verein Deutscher Staatsbürger Jüdischen Glaubens refused to attend. However, 94 delegates participated on behalf of communal bodies and leading organizations of 17 countries. Jewish spokesmen from Poland, Rumania, Germany, Austria, Czechoslovakia, Lithuania, and Latvia reported on the situation in their respective countries, and underscored that only world Jewish solidarity could avert a catastrophe and alleviate the increasing distress of the Jewish masses. Leo Motzkin gave a survey of the past achievements of the Comité des Délégations, and of the hopes that the peace treaties and the creation of the League of Nations had held out for the Jews, and told how not only the collective rights but even the individual rights of Jews were being undermined by the growing waves of reaction. The new era for which the Comité had battled had assured minority rights not only to Jews but to millions of Germans, Hungarians, Poles, and others. Now the growing repudiation of the principles for which the Jews had fought at Versailles and the results they had achieved there made it indispensable that there be a mobilization of the Jews all over the world for the survival of the Jewish masses in Eastern and Central Europe.

Taking issue with the views expressed by delegates from Germany, Motzkin stated that, on the basis of his knowledge of what was going on and by comparing it with similar moments in Jewish life, the position of the German Jews was much worse and more alarming than they had represented it. German Jews had grown used to their elimination from economic and intellectual life,

“but no one wants to believe that physical violence against German Jews is possible. Unfortunately, I cannot conceive how a reckless campaign of incitement to murder conducted for many years which knows not the slightest moral restraint can remain without consequences.”

However, he did not consider the Jewish situation in Germany to be fundamentally different from that in many other countries.

“There exist in reality only very few countries in the world in which the Jewish situation is so secure that excesses, defamation, and even disfranchisement could not repeat themselves after a certain period of tranquillity.”

Dr. Wise appealed to the conference not to adjourn until after it had affirmed its right and acknowledged its duty to give its fullest support to the Jewish Congress ideal,

"that right of open and free assembly in the sight of the world for full and complete public discussion of Jewish questions and problems and tasks.

"The Jewish people has nothing to consider and discuss which does not invite and welcome and indeed require the light."

Dr. Goldmann defined the purpose of the World Jewish Congress as follows:

"It is to establish the permanent address of the Jewish people; amidst the fragmentation and atomization of Jewish life and of the Jewish community, it is to establish a real, legitimate, collective representation of Jewry which will be entitled to speak in the name of the 16 million Jews to the nations and governments of the world, as well as to the Jews themselves."

He stressed that most Jews did not yet realize that for them the nineteenth century had ended not only chronologically but also ideologically. A new era had begun in which large masses, nations, classes, groups were struggling for their position in the world. In such an era, only organized collectivities could assert themselves.

Joseph Sprinzak said that the Vaad Leumi, which he represented, welcomed all attempts to organize the Jewish people of the world. Palestine could not be excluded from the World Jewish Congress. It would be absurd to consider the great vital problems of Jewish life without also considering Palestine. It was wrong to think that there was any contradiction between the reconstruction of Palestine and the Jewish tasks in the Diaspora. Both were closely connected.

"Palestine needs a strong, efficient Jewish community in the Diaspora, and the Diaspora needs a powerful Jewish center in Palestine."

The Conference elected an Executive Committee composed of representatives of the Jewish communities of America, Europe, and Palestine, among whom were Dr. Wise, Dr. Goldmann, I. Jefroykin, Dr. Nurock, and B. Zuckerman, who still occupy leading positions in the World Jewish Congress.

The final resolution of the Conference declared that the decision on the future of the Jewish people must lie in the hands of the Jewish people, which, if united in its will to survive, would gain the support of public opinion throughout the world. The

Conference decided that a World Jewish Congress based on the concept of the Jewish people as a national entity, and authorized and obligated to deal with all problems affecting Jewish life, should meet not later than the summer of 1934.

#### ACTION ON UPPER SILESIA

In the opinion of many of the delegates, the emergency required that the Congress be convened at an earlier date. However, the Executive Committee soon found itself confronted with much opposition, even from unexpected quarters. Besides, the savage onslaught launched by the new German government on the Jewish population almost simultaneously with its accession to power necessitated the concentration of all Jewish energies on counter-measures, leaving little for purely organizational activities.

In this emergency the Comité des Délégations proved to be a most valuable instrument of political action. It seized upon the introduction of the German racial laws in the territory of Upper Silesia to bring the Jewish question before the Council of the League of Nations. Germany was bound, as far as that territory was concerned, by a treaty with Poland concluded under the auspices of the League of Nations in May, 1922, to "assure full and complete protection of their life and liberty to all inhabitants of Germany without distinction of birth, nationality, language, race or religion." The treaty also stipulated "that all German nationals shall be equal before the law and enjoy the same civil and political rights without distinction of race, language, or religion." Moreover, it accorded every inhabitant of the territory of Upper Silesia the exceptional right to appeal directly, as an individual, to the Council of the League of Nations regarding any violation of the protective provisions indicated.

On May 17, 1933, the Comité des Délégations presented to the League of Nations two petitions referring to the violation by Germany of her pact with Poland, by applying racial laws to Upper Silesia. One of the petitions was signed by Franz Bernheim, a Jewish resident of Upper Silesia who had been dismissed from a position he had held for several years at Gleiwitz, because of his Jewish origin. The second petition was submitted in the name of the Comité des Délégations, the American Jewish Congress, and

other organizations which had participated in the First World Jewish Conference. The documents submitted and circulated, and the discussions of representatives of the Comité with statesmen in Geneva, contributed to the fact that the Council, during the debate, went beyond the limited case of Bernheim and considered the entire German racial policy. The Council dealt with the problem during its sessions of May 22, 26, and 30, and June 6, 1933, and the various speakers did not conceal their disapprobation of the German persecutions. Keller, the German representative, admitted at the Council meeting of May 26 that Germany's international obligation could not be set aside by internal legislation. He placed the blame at the door of "subordinate organs acting under a mistaken interpretation of the laws." But when the Council report was drafted in this sense, Keller declared that he was not in a position to accept it, and expressed his doubts as to whether it came within the League's jurisdiction. A committee of jurists of the League rejected the German interpretation. The report was adopted on June 6, 1933, and took note of Keller's original declaration implying "that persons who because they belong to the minority have lost their employment or found themselves unable to practice their trade or profession in consequence of the application of these laws, will be reinstated in their normal position without delay."

The convention was to remain in force until July 15, 1937. And thus it happened that while everywhere else in Germany Jews were being reduced to the state of pariahs, those living in Upper Silesia continued to enjoy equal rights, to practice medicine and law, and to hold office.

Fifteen days before the German-Polish treaty expired, a decree was issued by the Reich for the immediate introduction in Upper Silesia of all anti-Jewish laws passed for Germany during the preceding four and a half years.

#### SECOND AND THIRD PREPARATORY CONFERENCES

It was in a completely changed international scene that the Second Preparatory World Jewish Conference convened in Geneva from September 5 through September 8, 1933. The conquest of Germany by National Socialism had been recognized by the governments of the world. Jewish leaders endeavored in vain at

this second Conference to convince the civilized world that the new Germany was a menace to the standards, the well-being, and the very security of humanity. In his address to the Conference, Dr. Wise predicted the new tragedy lying in store for the Jewish people, and interpreted its significance for the civilized world:

“Once again the Jewish people is called upon to suffer, for we are the suffering servants of humanity. We are called upon to suffer that humanity and civilization may survive and may endure. We have suffered before. We are the eternal suffering servants of God, of that world history which is world judgment. We do not rebel against the tragic role which we must play if only the nations of the earth may achieve some gain, may profit as a result of our sufferings, may realize in time the enormity of the danger they face in that common enemy of mankind which has no other aim than to conquer and destroy. We are ready if only the precious and the beautiful things of life may survive. That is once again the mission of the Jews. We stand on the front line, in the first row of trenches.”

The debates of the Conference culminated in the following resolutions:

The Conference noted with deepest satisfaction that the Jewish people had spontaneously resorted to the one accessible weapon of self-defense against the new German regime: the moral and economic boycott. It affirmed that the Jews could not have any economic or other dealings with the Third Reich and expressed the hope that the boycott would be supported by millions of non-Jews in all lands.

The Conference demanded that the persecution of the German Jews be recognized as an international problem likely to disturb the good relations between peoples and States, and that the League of Nations undertake to devise the proper means for the integral re-establishment of the rights of the German Jews, in conformity with the spirit of the Covenant, as well as find an international solution for the international problem of Jewish emigration created by the policy of repression, and also to create the machinery necessary for the systematic organization of a wholesale Jewish immigration into Palestine.

The third and last Preparatory World Jewish Conference convened in Geneva on August 20, 1934. Leo Motzkin, “the

guiding genius of the Comité des Délégations Juives", who had watched with "fidelity and agonizing vigilance" over the needs of the Diaspora, was no more. A week before his death in November, 1933, he had gone to London to participate in consultations on the situation in Germany. Dr. Nahum Goldmann had succeeded him as president in December, 1933, and in this capacity opened the Conference. Twenty countries, as well as all Zionist parties, were represented. There were present an impressive array of Jewish leaders from Palestine (M. Dizengoff, Rabbi J. S. Fishman, Dr. I. Gruenbaum, Dr. B. Mossinson), Algeria (E. Gozlan), Austria (R. Stricker), Belgium (Dr. A. L. Kubowitzki), Bulgaria, Czechoslovakia (Dr. E. Margulies), Denmark, Egypt, England, France (Léonce Bernheim, Fernand Corcos, I. Jefroykin, I. Naiditch, André Spire), Greece, Italy (Dr. A. Orvieto, Chief Rabbi A. Sacerdoti), Latvia (Dr. J. Hellmann, W. Latzki, Dr. M. Nurock), Poland (Dr. I. Gottlieb, A. Reiss, Dr. H. Rosmarin, Chief Rabbi I. Rubinstein, Dr. I. Schipper), Rumania (Dr. M. Ebner), Switzerland, South Africa (Harry Lourie), Tunisia, United States (Dr. Wise, Mrs. Wise, Rabbi W. Gold, Prof. H. Kallen, Dr. S. Margoshes, Mrs. A. Silverman, D. Wertheim), and Yugoslavia (Dr. I. Alcalay, Dr. F. Pops).

The Jewish situation in Germany was of course uppermost in every mind. Dr. Goldmann declared that in this matter the Jews could offer no compromise.

"Not even the most brutal persecution of Jews in Germany can force us Jews, as long as we are not in the power of the Third Reich, to any agreement or compromise with the Jewish policy of the Third Reich . . . because what we are demanding is the very minimum, namely, unrestricted equality of rights. And by the very definition of the term 'equality', there can be neither less nor more, maximum nor minimum, but just 'equality'."

Dr. Wise similarly stressed that

"Our place is indubitably and unalterably in the ranks of those forces of civilization and freedom which cannot coexist with Nazism . . . We will survive Nazism, unless we commit the inexpiable sin of bartering or trafficking with it. . . . If we could survive, let us say, through our lifting the anti-Nazi boycott, we should morally have perished."

Dr. Wise then deplored the Jewish absence of unity and unpreparedness for "the hour of menace":

"Up to this time it must be said that the shock of doom has awakened the Jewish people, but as a people we are not yet risen to a sense of collective responsibility and obligation in an hour of overwhelming peril. . . . And at this time self-deception is nothing more than self-anaesthesia. Even the boycott, as we have said, an instinctive, inevitable weapon of moral and material but not militant self-defense, has been put aside with the timidity of incomprehension and the delays of self-distrust. Every plan and purpose, other than that of immediate relief, evokes such hesitations of prudence and such procrastinations of self-contempt as call themselves wisdom. Even when silence would have resulted in the absence of non-Jewish protest against this oceanic wrong, attempts still were made to silence protest. . . .

"World Jewry, not German Jewry, is under attack . . . and there is an almost total absence of unity in world Jewry, and day by day tinkering has taken the place of long-view Jewish statesmanship."

The Conference analyzed the existing obstacles to the convening of a World Jewish Congress. It affirmed that the purpose was to create

"a permanent body representing Jews all over the world, whose task it will be, in the name of the whole of Jewry, to defend the common interests, and to protect the rights of Jewish communities wherever they may be threatened. . . . The World Jewish Congress and the organs elected by it will in no way have the task, or the competence, to occupy themselves with questions of the internal policies of the Jewish communities in the various countries or with questions of internal Jewish life in those countries. Furthermore, all questions of a religious character are outside the competence of the World Congress and its organs."

In a series of resolutions, the Conference confirmed the necessity "for the Jewish people to continue its vigorous resistance to the anti-Semitism of National-Socialist Germany, which transcends the frontiers of Germany." It confirmed the boycott of Germany proclaimed by the Second World Jewish Conference, and appealed "to all those who are enlisted in the fight for liberty and justice for all races, religions and peoples, to organize and carry through the boycott with all their energy." It criticized the "narrow basis" on which the League of Nations was trying to solve the problem of the Jewish refugees from Germany and stated that their absorption in different countries was still far from a solution.

It decided that in the future the political work of the Comité des Délégations as well as the preparatory work for the organization of the World Jewish Congress would be entrusted to a body which would be called the Committee of Jewish Delegations and Executive Committee for the World Jewish Congress.

Dr. Nahum Goldmann was elected president of the Committee, and there were set up an Executive Committee (I. Jefroykin, I. Naiditch, and Dr. M. Nurock among others) and a Council (on which the various countries were represented).

On September 4, 1935, Dr. Goldmann, appointed representative of the Jewish Agency for Palestine, resigned as president while remaining one of the leading members of the Executive Committee, and was succeeded by Dr. Stephen S. Wise.

In January, 1936, Dr. A. Leon Kubowitzki, president of the Council of Jewish Associations of Brussels, was coopted into the Executive and, as Secretary General, entrusted with the preparation of the first World Jewish Congress.

#### REFUGEES AND THE SAAR PLEBISCITE

It is proper to devote the concluding section of this chapter to two of the activities in which the joint Committee engaged before the first World Jewish Congress convened in August, 1936.

From the beginning of the German persecutions, the problem of refugees had been given a major place in the program of the Comité des Délégations and the Congress movement. The Second World Jewish Conference had stated that the problem could only be solved through international action, and had urged the League of Nations and the International Labor Office to take the necessary steps to achieve a solution in a manner similar to that previously employed in the case of the Russian and other refugees. In October, 1933, the League of Nations created an autonomous Office of High Commissioner for Refugees (Jewish and Other) coming from Germany, with a Governing Body composed of representatives of governments and an Advisory Council made up of representatives of private organizations. The Comité des Délégations Juives became one of the Jewish bodies represented on the Advisory Council, and it soon realized that the limited sphere of action given the Office must spell the failure of the efforts of the High Commissioner.

In the last days of October, 1933, the Comité (as well as the American Jewish Congress) participated in a conference whose subject was to initiate a united Jewish endeavor for the German Jewish refugees. However, no real activities resulted from this conference.

The work in behalf of the refugees continued after the Third World Jewish Conference. It is not the purpose of this record to expatiate upon it. Suffice it to note a few highlights. On November 15, 1935, the Comité submitted, at the request of the Secretary General of the League of Nations, a memorandum dealing with the refugee-aid work. It suggested a closer connection between the High Commissioner and the League of Nations, and stressed the urgent necessity of making arrangements for the transfer of German Jewish property. This memorandum was placed before the Committee of Experts on Refugees set up by the League of Nations, which met from November 28 to December 7, 1935, and which also heard an oral report by representatives of the Comité.

In 1936, the Comité participated in several meetings of a new Commission for German Refugees, at which a provisional agreement was drafted to regulate temporarily the legal status of the refugees and provide them with documents of identification. Later, in July, 1936, when an intergovernmental conference was held in Geneva for the adoption of a status for the refugees, the Comité attended the closed sessions and laid before the conference the wishes and needs of the refugees. The conference adopted the Provisional Arrangement of July 4, 1936, concerning the Status of Refugees coming from Germany.

Another object of concern was the Jewish population of the Saar. Immediately after the Third World Jewish Conference, the fate of the small Jewish community in the Saar region claimed the attention of the new Executive Committee. A plebiscite was to be held in January, 1935, to allow the population of the territory to choose German, French, or continued rule of the League of Nations. In the interim, the laws which had been valid in 1918 were to remain in force.

There was little doubt that if the population voted for union with the Third Reich, such a vote would seal the fate of some 4,000 Jews who composed 0.56 percent of the total population.

An attempt made by the Comité to secure for the Saar Jews the maintenance of their status of legal equality failed, as the Reich refused to allow any exceptions to the eventual *Gleichschaltung*.

At the end of November, 1934, a Committee of Three, appointed by the League of Nations to prepare a convention with Germany relating to the Saar territory, met in Rome. On behalf of the Comité des Délégations, Dr. Goldmann and Dr. Marc Vichniak concentrated on obtaining, in case of a vote in favor of Germany, a period of grace which would permit the Saar Jews to liquidate their assets and to emigrate in an orderly manner. As a result of their efforts, it was stipulated in the Rome agreement (1) that thenceforth persons domiciled in the Saar territory who wished to leave that territory should enjoy every opportunity to retain their real estate or to sell it and to take their goods with them free of any tax; (2) that during a period of one year stipulated in the agreement, the inhabitants of the Saar territory, whatever their nationality, should not suffer any discrimination on account of their language, race or religion, but enjoy in this respect the treatment and safeguards, in law and in fact, established by the legislation then in force in the Saar territory.

On December 3 and 4, 1934, there was an exchange of notes between the French and German governments in which both sides accepted the foregoing stipulations. On January 13, 1935, ninety-one per cent of the Saar population voted for union with the Third Reich. In accordance with the agreement, the Jews in the Saar were given a period of grace and the opportunity to emigrate. Attempts were made by the Reich to induce them to stay, so that their capital would not be transferred abroad. However, the overwhelming majority of the Jewish population left the Saar before the expiration of the deadline.



**PART TWO**  
**THE CONSTITUENT SESSION OF THE**  
**WORLD JEWISH CONGRESS**



## THE CONSTITUENT SESSION OF THE WORLD JEWISH CONGRESS

(August 8-15, 1936)

THE EXPECTATIONS of the Third Jewish World Conference of 1934 to convoke the World Jewish Congress in 1935 did not materialize. The preparatory work for the convening of the Congress needed more time and effort than had been anticipated. The members of the Preparatory Committee had to journey to various countries in order to win support for the Congress idea and to activate the local committees or to set up such committees in those countries where they did not yet exist. Furthermore, discussions had to take place with the various ideological groups in those countries in order to give the Congress as broad a basis as possible.

A hard struggle developed in *Poland*, where the propaganda for the idea of a World Jewish Congress had to deal with the opposition of the notables and the Agudah, but mainly with that of the Jewish labor organization known as the "Bund," which held that socialism was the only solution of the Jewish question and denied the existence of a common Jewish destiny, and even any community of interest between Jewish workers of different countries. The influence of the "Bund" on the masses of the Polish Jewish working classes was of considerable strength, hence the Preparatory Committee of the World Jewish Congress had to make special efforts to overcome the existing conflicts. These efforts met with only partial success: neither the "Bund" nor the Polish B'nai B'rith nor the Agudah accepted the invitation to the Congress.

From *Germany*, where the Nuremberg Laws of 1935 symbolized the persecution of the Jews as a state policy, no official representation of the Jewish community could be expected.

Political reasons, too, although of a different complexion, prevented the Jews of *Soviet Russia* from being represented at the meeting of the Congress.

Aside from these difficulties and obstacles, the preparatory work for the First Session of the Congress met with a warm response in many countries all over the world and it became clear what deep roots the idea of a World Jewish Congress had struck in the minds of Jews everywhere.

The Comité des Délégations Juives and the Executive Committee for the World Jewish Congress met in Paris on February 22 and 23, 1936, and resolved to convoke the World Jewish Congress in August, 1936, in Geneva, Switzerland. The meeting affirmed the democratic principles for the elections to the Congress, namely, that the ballot must be secret, direct, and based on proportional representation. An exception to the principle of direct elections was made for those countries where the Jewish community was already organized in a democratic representation; the delegates of these democratically elected bodies were recognized as the representatives of the Jews of these countries.

The following two instances will serve to show the whole-hearted response which the call for election to the Congress found in the various countries. In the United States of America an Electoral Convention met in Washington, D. C., on June 13 and 14, 1936, to choose the American representatives. The Convention was made up of more than one thousand democratically elected delegates who represented 99 communities in 32 States. The Convention named 52 delegates and 64 proxies to the first World Jewish Congress. In Poland, again, 700,000 Jews participated in the elections for delegates to the Congress. Mass meetings held all over the country aroused the solidarity of Polish Jewry in supporting the idea of the World Jewish Congress.

The First World Jewish Congress convened in Geneva, Switzerland, from August 8 to August 15, 1936, in the Bâtiment Electoral, a building which had housed the Assembly of the League of Nations up to the moment when that international body moved into its own premises. Representatives of various governments, official observers representing the Secretariats of the League of Nations and of the International Labor Office, as well as representatives of several governmental delegations to the League of Na-

tions, were in attendance. The Secretary General of the Nansen International Office for Refugees and the High Commissioner for Refugees were present. The latter addressed the meeting on the 10th of August.

Two hundred and eighty delegates represented the Jews of the following 32 countries: Algeria, Argentina, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Czechoslovakia, Danzig, Egypt, Estonia, Finland, France, Greece, Italy, Latvia; Lithuania, Lybia, Morocco, Palestine, Peru, Poland, Portugal, Rumania, Spain, Switzerland, Tunisia, the United Kingdom, the United States of America, and Yugoslavia.

It was a solemn moment when Dr. Stephen S. Wise, as President of the Comité des Délégations Juives and Executive Committee for a World Jewish Congress, called the First World Congress to order and extended his greetings to the guests and delegates.

As said above, two great Jewries were absent, those of Germany and of the Soviet Union. To the Jews of Germany, Dr. Wise in his opening speech offered his sympathy, realizing that they were "not free to meet with fellow Jews who speak the language of free men." As for the Jews of the Soviet Union, he refused to believe that they "are forever to be lost out of the fellowship of world Jewry" and expressed the hope that they would take part in the World Jewish Congress by the time of its next session. Dr. Wise then welcomed the participation of a group of distinguished representatives of the Yishuv.

#### PURPOSE OF THE WORLD JEWISH CONGRESS DEFINED

The first problem to be reviewed and disposed of by the constituent assembly of the World Jewish Congress was the very purpose of the organization. In his opening address, Dr. Wise undertook to define it.

1. "The World Jewish Congress is a purely voluntary and cooperative association of representatives of those Jewries throughout the world which have chosen to have part therein."

That some groups refused to participate in it did not alter the fact that it represented great masses of Jewish people in a number of lands.

2. No Jew should be excluded from the World Jewish Congress because of political or economic views.

"The World Jewish Congress must be wide and catholic enough to include all Jews who would, as Jews, have part with their fellow Jews in facing and seeking to solve the problems of their common Jewish life."

3. There is an "essential oneness" of the problems and difficulties of the Jews, he declared, and there is an underlying unity in their life. Jews are a people; they are neither a church nor a creed. Germany's real war was against "the Jewish totality, including all of us."

4. The Congress aimed to bring

"Jews together on a new plane, not that of giving and receiving, but for an interchange of views touching every manner of Jewish problems with a view to their solution."

5. Charity was not enough. This was a time primarily for moral, political, economic self-defense.

6. "Our unreadiness to act organizedly in defense of and for the safeguarding of the rights of Jews,—these are invitation, temptation, provocation to the enemies of Israel."

Besides, "why should world opinion trouble itself touching Jewish problems, seeing that save for the moments of special stress and anxiety, Jews for the most part remain untroubled and unvexed?"

#### JEWISH SITUATION IN THE WORLD ANALYZED

It was the task of Dr. Nahum Goldmann to give the Congress an analysis of the Jewish situation in the world.

The very concept of the Galuth, he said, is to be found in the decisive fact that the Jewish position and the Jewish fate are determined from the outside. Now more than ever since they left the ghetto phase of life, the Jews are the object of developments. However, the efforts of the National Socialist ideologists to drive us back into the ghetto are as futile as those of certain Jewish philosophers who preach a return to the ghetto. Forms of existence, once destroyed, cannot be restored.

*The Jewish situation has always been the result of two main factors. The first is the general character of the times. The second and less decisive factor is the specific existence of the Jewish*

*question. The immeasurable tragedy of our situation in recent years commenced the moment the general character of our time manifested itself as a negative factor in our life.*

The new Moloch of totalitarian Statism is preparing brutally to subordinate to itself all the richer, higher, and holier values of human culture. The absurd philosophy of racism has suddenly been elevated to the predominant factor in history. The tendency of the times to solve complex problems of relations between individuals and between nations by the simplifying methods of force has scored undeniable successes.

It is the old struggle between spirit and brute force in history. In this eternal process there are relapses which last for years and decades. The greater part of what the year 1919 created is now shattered. The march from the predatory practices of states to the great International Court of Justice cannot be accomplished in a few years. In order to bring it to a positive conclusion, there is need for one thing: to outgrow the concept of the sovereign state.

None more than we are the victims of this conflict, because we are a hundredfold minority. Whenever might fights against right, the world's weak are the first victims of the struggle. Our existence depends on tolerance to minorities. We suffer as a minority along with all other minorities, but, in addition, we suffer specially as Jews from the abnormality of our situation. This peculiar historical situation of ours has caused us to espouse for good and all those principles and tendencies of history which are the principles of the spirit and of justice. *Justice, equality, tolerance, peace, security, humanity, the League of Nations are the ideals, but also the interests, of the world's weak.*

Millions of Jews in Eastern Europe are being economically expropriated, politically disfranchised, and physically terrorized in the name of the supremacy of the state and of the dominant nation. In one country after another in Central and Eastern Europe, equality of rights for Jews has been practically annulled. By means of economic laws and administrative measures, one Jewish trade after another is being robbed of the possibility to carry on. In almost all countries in which we were granted minority rights, they exist today only on paper. The international safeguard of minority rights, guaranteed by the League of Nations, hardly amounts to anything now. The minorities themselves virtually do

not dare any longer to fight for their own protection. Since Germany undermined the ideological basis for all German minorities by her policy toward Jews, the Minority Congress, in the creation of which the Jewish minority played a decisive part, has gone to pieces. The Jewish problem in Europe is becoming ever more a question of physical survival in the most elementary sense of the word.

Dr. Goldmann then proceeded to state that he found himself very reluctantly compelled to speak in this connection of Soviet Russia, too. There is no other country in the world, he said, in which the civil equality of the Jews has been enforced with greater consistency than in Soviet Russia. It is therefore all the more regrettable that hundreds of Zionists are confined in jails and concentration camps solely because they are Zionists, that the Hebrew language and literature are proscribed, and that no opportunity is granted for emigration to Palestine or elsewhere.

Summing up the situation, Dr. Goldmann said that we had today a disfranchised, Pariah Jewry in Germany; a terrorized, economically dispossessed Jewry of millions in Austria and Eastern Europe; a Jewry thwarted in its national life in Soviet Russia.

In the face of this unparalleled challenge, he said, we meet everywhere with resignation and despondence among Gentiles and Jews alike.

The world is not eager to hear us talk of our sufferings. Everybody is in a state of panicky fear of the great catastrophe which may happen tomorrow. In the Europe of the non-totalitarian states, the prevailing mood is one of lethargy. Nothing is rarer in the world today than civic courage.

There are even whole Jewish groups who would prefer to go into hiding in order to pass through this period unobserved. This is the main reason why they are not represented in this, the first World Jewish Congress.

To this must be added that some German Jews believe they will be able sneakingly to obtain a modicum of security.

For us there is no compromise with this regime, he declared. *Where the equal rights of a Jewish community are affected, we are no longer concerned with a regional Jewish question, but with the Jewish question, with a common, worldwide Jewish interest. The surrender of the Jews' equality of rights in any country would*

*mean the surrender of their equality of rights throughout the world.*

Dr. Goldmann concluded by *linking the Jewish fate with that of humanity itself*. We know quite well, he said, that we cannot by ourselves succeed in repelling the attack launched by the Germans upon our right to exist. We can only join forces with the many others in the world who in their own interest must fight against this world menace. The reign of law seems to be collapsing. But this is only an episode of the fight. Statism will have to give up its pretensions. We hope that it will do so without going through the purgatory of a new world catastrophe.

#### PURPOSE OF THE WORLD JEWISH CONGRESS DISCUSSED

Several delegates contributed their ideas to a discussion of the purposes of the World Jewish Congress.

*Dr. Maurice L. Perlzweig* (United Kingdom) stresses that by creating the Congress the Jews of the world have for ever renounced the pusillanimous doctrine of splendid isolation.

Three main objects have to be achieved by the Congress:

World Jewry should demand for all Jews the full prerogative of citizenship as of right and not on sufferance. The Jews of the world would bring their Jewish heritage to the service of their citizenship.

The Congress should seek to mobilize all the resources of the Jewish people in the struggle against those who have declared war on the Jewish people.

The self-rehabilitation of the Jewish people must be organized through appropriate financial and economic instrumentalities, and the Jewish masses have to be swept up in a great effort for *hachscharah*, for creative economic renewal and a transfiguration of the outworn economic structure of Jewry.

*Abraham Goldberg* (U. S. A.) says that the Congress should create a body representative of the whole of Jewry. All representative groups should be connected with the Congress; the "notables" should not be excluded. Peace should be possible between the different groups and ideologies of the Jewish people.

The Congress should introduce responsibility in Jewish life. We shall have such responsibility in Jewish life only if the Congress

will embrace all Jewish problems, leaving no room for irresponsibility to come into play.

*Dr. E. Sommerstein* (Poland) underscores that the Jewish solidarity to be achieved must not be merely one of defense in times of distress and suffering, but one of constructive effort and the marshaling of all forces for the preservation and advancement of the Jewish people. The Congress should summon the Jews of all countries not only to political action but also to socially and economically constructive work. It must create possibilities of existence for the suffering Jewish communities of Eastern Europe.

*A. Reiss* (Poland) declares that the World Jewish Congress must be the representative of the little men — the poor, starving Jews who struggle for their daily existence courageously, willing to make sacrifices and willing to fight for their human dignity. Their distress cannot be ended by charity but by the constructive abilities and united efforts of the Jewish people.

#### ECONOMIC AND SOCIAL PROBLEMS

In order to enable the constituent assembly to cope with the various problems confronting the Jewish people, the Executive Committee had asked a number of experts to prepare reports for the session clarifying the questions and suggesting measures for a solution. These reports served as guides for the delegates who discussed the various subjects in the ensuing general debate. Summaries of them follow.

*Jacob Lestschinsky* (Poland) reports on "The Situation of the Jews in Central and Eastern Europe." He describes, on the basis of copious statistical and historical data, the gradual elimination of the Jews from the economic, political, and social life of the countries of Central and Eastern Europe, a process which must inevitably lead to their complete expulsion from these spheres of activity.

This process may spread all over the world, since the development of the anti-Jewish forces in the countries dominated by anti-Semitism has forced the Jews, even in the most liberal countries, to restrict their activities. It has resulted in a serious weakening of their intellectual and social endeavors and has culminated in a withdrawal of the Jews from economic and social positions.

Unless checked, this development is bound to lead, in the

final stage, to an exodus of the Jewish masses from Europe and put an end to the leading role which European Jewry has played for centuries in the Jewish world.

The worst affected groups are the small businessmen, the intelligentsia, and the Jewish artisans. The number of Jewish workers has increased, to be sure, but that is because, in their desperation, they do not shrink from the hardest and least attractive chores.

The Congress must not limit itself to the fight for Jewish political rights, but must strive for complete social and economic equality. It must give constructive assistance to the Jewish masses. Emigration is a vital question to the Jews of Eastern Europe and must become one of our major tasks.

*Israel Jefroykin* (France) reports on "The Tasks and the Methods of Jewish Social Assistance." He stresses the fact that generally the state does not take care of the welfare needs of the Jewish population but leaves them to Jewish charity. In consequence, organized Jewish welfare work has become more and more important since the end of the war and has spread throughout the world. The tragic events in Germany and the developments in Poland have added immense numbers to those Jews who are dependent on assistance from Jewish welfare organizations. These organizations have splendid achievements to their credit. But they are clinging to antiquated principles.

Jewish welfare work must no longer be a matter of charity. The ideology of giving and taking must come to an end. A Federation for Jewish Social Assistance should be formed to which all Jewish aid organizations should belong. This federation should establish a permanent fund, to be known as the "Jewish People's Fund for Fraternal Aid." The Fund should receive a certain percentage of the budgets of all Jewish communities and welfare organizations in the world, and should be used to assist needy Jewish groups who are victims of anti-Semitism or international catastrophe.

*Dr. Arieh Tartakower* (Poland) reports on "Emigration and a Policy of Jewish Emigration." He discusses the subject from three points of view: the significance of the problem of Jewish emigration, the meaning of a Jewish emigration policy, and the relation of these questions to the World Jewish Congress.

While, before World War I, an average of 150,000 Jews emigrated annually, most of them to the United States, this number has declined to one-third, the majority of whom now emigrate to Palestine. The reason for the reduced emigration to the United States lies not so much in the immigration quota law enacted by the United States Congress, but rather in the administrative practices of the American authorities.

Because of the prevailing conditions, Jewish emigrants are without their own means and therefore handicapped in building an existence in the country of their new abode. Therefore, the Jewish emigration policy must be based not on giving momentary assistance but on laying a planned and solid foundation for new economic life. Care must also be taken to preserve the ties of the emigrants with the national and cultural life of the Jewish people. Also, an apparatus must be created to deal with the economic and Jewish cultural aspects of the problem.

The World Jewish Congress cannot take over the work of the existing Jewish emigrant aid organizations. But as the representative body of the Jewish masses, the Congress should exercise an influence on the planning of these organizations, and should perform those tasks which at present are decisive for Jewish emigration: negotiations with governments and official bodies for enlarging emigration possibilities; devising ways and means to assist Jewish emigrants in the liquidation of their properties and in transferring the proceeds to their new country; giving a national basis to the work of the Jewish emigrant aid organizations, and making Jewish emigration the concern of an organized Jewry. All these activities should be animated by a realization that for many years to come Jewish emigration will constitute one of the chief problems and tasks of the Jewish people.

*Dr. Roman Zylbersztajn* (Poland) declares that the Jewish economic plight is not caused by ingrained anti-Semitism alone, but has its roots in the unfortunate economic structure of the Jewish people. The Congress should create a permanent commission of experts for economic problems, and its affiliates in the various countries should keep in constant touch and exchange information on economic developments. In this way it might be brought about that articles in great demand on the international market could be manufactured in larger quantities and Jewish workers

could be shifted to branches which need a greater number of employees.

The social assistance given to the Jews in the past has been philanthropic but uncoordinated, and therefore not constructive. There must be created a network of economic organizations which will represent the various Jewish communities and coordinate the efforts to improve and strengthen the economic position of the Jewish masses.

#### ORGANIZATIONAL PROBLEMS OF THE WORLD JEWISH CONGRESS

These problems were discussed by *Dr. A. Leon Kubowitzki* (Belgium), in his report on "The Organization of the Jewish Collectivity."

The speaker finds it necessary to make it clear at the very outset that the Congress has met primarily for the purpose of creating not things but conditions. The Jewish collectivity lacks the prerequisite for any action, the basic instrumentality, a central direction. "There is still no *negotiorum gestor* for the everyday Galuth questions of our scattered people."

"Only the Jewish people can be the instrument of Jewish liberation." The Jewish people must cease to be the passive object of events. The isolated and dispersed Jewish communities in the Diaspora must be welded into a conscious and organized whole. This unification will afford us the strength and means to lay the groundwork for a sound, worthy life of the Jewish people in the Diaspora countries, in the political, economic, and cultural spheres.

Defining the limits of the Congress work, the speaker says: "The sphere of our activity comprises all Jewish political, economic, and social questions, but only insofar as they are common. . . . The competence of the Congress ends where the personal life, the religion, the internal policy of the Jewish communities begin." Within these limits the World Jewish Congress "will institute the reign of responsibility, of control by public opinion."

Dr. Kubowitzki then proceeds to describe the machinery of the World Jewish Congress as envisaged by him.

The basis of the Congress has to be democratic. The boundaries of its constituency coincide with the limits of the Jewish collectivity. The main organ of the Congress is the Jewish people

itself. Basically, therefore, the Congress must come into being as a result of direct elections. However, we must not forget that our collectivity does not consist of individuals only. The countless parties, congregations, societies, and institutions which in the course of generations have imparted their impress to Jewish life must find expression in the composition of the Congress. Historically, the all-embracing kehillah should be the central cell of our organization, but we will have to be satisfied in the initial stages with organizations which come nearest to the desired form.

The work of the Congress is not temporary or for a certain period. "We wish to introduce the concept of permanence in Jewish political life in the Diaspora." The Congress must be able to anticipate events and to prepare in time to cope with them. It must be elected for a number of years, with regular sessions and special sessions. It must appoint an Executive, certain members of which should be in a position to devote themselves exclusively to the work of their respective departments. At least four departments will be necessary: Political; Social and Economic; Organization, Information and Propaganda; Finance.

*The Political Department* will have to achieve the recognition of the World Jewish Congress as the Jewish representation before the outside world. This recognition implies the right of every citizen to be different in the ethnic or cultural sphere but does not mean the renunciation of the ties which bind the Jews to the nations in whose midst they live.

The Political Department "will have to pay particular attention to the economic content of civil equality" and, along with the defense of our economic positions, to raise the question of new immigration possibilities for Jews as an international problem. The fight against Hitlerism will be one of its most important tasks, and it will have "to bring it about that anti-Semitic incitement, which must ultimately lead to pillage and murder, is everywhere and internationally branded a crime." A properly and purposefully organized boycott is one of our few political weapons.

*The Social and Economic Department* can develop only gradually. The World Jewish Congress does not want to fight the existing large Jewish organizations in the social and economic field nor to compete with them. The Congress must aim at cooperating with them, at coordinating and supervising their endeavors.

To achieve coordination, we must contribute our share, which should consist of knowledge and thinking. We should establish an Economic Institute for the purpose of social and economic research, so as to provide the Jewish people with the scientific foundation for a constructive policy in the field of Jewish economy and welfare work, of emigration and colonization, and to enable the Congress to apply itself systematically to cope with the various aspects of the economic crisis confronting us.

*The Organization, Propaganda and Information Department.*

In the organizational field this Department is to embrace the globe, from Estonia to Paraguay. It will "both educate our people to the level of political maturity and stir it to activity in Galuth matters." It will have to establish a network of channels for regular, confidential, and reliable information. "The introduction of voluntary discipline in place of the prevailing irresponsibility and anarchy requires a campaign of education, of strengthening Jewish consciousness." At the same time, the outside world must be given a true picture of the Jew. "Propaganda is today one of the main instruments of foreign policy."

*The Financial Department* will have the task of raising the large means necessary for the administrative expenses as well as for the constructive work of the World Jewish Congress. A committee should be appointed to find ways of raising the sums necessary for Jewish reconstruction other than by collections.

#### ORGANIZATIONAL PROBLEMS DISCUSSED

The debate on organizational matters centered around questions of competence and democratic representation.

*Fritz Jellinek* (Czechoslovakia) stresses that representation before the governments of individual countries should be left to the representative bodies of the Jews in those countries, while the Congress should be empowered to represent Jewish claims before the League of Nations and the International Court of Justice in The Hague.

For the fight against anti-Semitism the Congress should establish two organs, one to inform the world on Jewish morals and ethics, the other to bring about cooperation with those non-Jewish groups which, because of their political and social beliefs, can be gained as allies in this struggle.

*Dr. M. Nurock* (Latvia) declares that the fate of the Jewish people is closely bound up with democracy. Only as long as democracy is strong will Jewish rights be strong. Hence democratic principles must be observed in the World Jewish Congress and the election of delegates to the Congress must take place on a democratic basis. Even those delegates to the present session who were elected by indirect vote hail from constituencies of hundreds of thousands of Jews who also elected them to parliaments and to Jewish representative bodies. They have therefore the right to speak in the name of the Jewish people.

*Berl Locker* (Palestine) finds fault with the fact that in some countries, in spite of the existing democratic institutions, the elections to the Congress did not take place in a democratic way. This applies especially to the Polish delegation, which is composed of representatives of parties, groups, and central committees. These factions, and not the Jewish masses, chose the representatives. The democratic principle of the World Jewish Congress must be expressed first of all in the way elections to it are conducted.

*Louis Segal* (U. S. A.) declares that there is some dissatisfaction with the method by which some of the American delegates were elected. The World Jewish Congress as a world Jewish forum must be able to stand the test of genuine democracy. Two important groups of American Jewry are not yet represented in the World Jewish Congress: the Jewish plutocracy and the Jewish labor movement. The Jewish workers will certainly understand in time that they are part of the Jewish people and so must not be absent from the ranks of the Congress.

*Jacques Pardoff* (Bulgaria) advocates that Jews be organized everywhere on the basis of the unitary Jewish community as it exists in Bulgaria. Only thus will it be possible to lay the groundwork for democratic and national activity and organization of the Jews, first on a local and then on an international Jewish scale.

#### THE QUESTION OF PALESTINE

No less than the persecutions in Central and Eastern Europe, the situation in Palestine, where the Arab riots had been raging for four months, preoccupied all minds. The meeting devoted to the Palestine question was ushered in by a cabled message from David Ben Gurion stating that the Jewish people would never re-

nounce either full equality of rights in the Diaspora or the achievement of freedom in the Jewish homeland.

*Dr. Isaac Gruenbaum* (Palestine) pictures the critical situation which exists in Palestine as a consequence of Arab violence. In the face of murder from ambush, sniping, blowing up of bridges, burning of trees, the Yishuv has preserved self-restraint and limited itself to defense. All the acts of violence have not succeeded in interrupting Jewish development and progress in the Homeland. Immigration has proceeded on schedule; work has begun on the construction of a harbor in Tel Aviv, and the building of new highways has been undertaken.

However, the situation is dangerous in two respects: one danger is that the Mandatory Power, which has set up a Royal Commission of Inquiry, may give in to the Arab terror and stop Jewish immigration while the Commission pursues its labors. Such a decision would mean a premium on murder, prejudice the findings of the Royal Commission, and do tremendous harm to the thousands in Europe who are sitting on their baggage and waiting for a signal to set out for Palestine.

The second danger consists in the attempt of certain British circles to assure the Arabs that the Jews will never become a majority in Palestine, and, in line with this, to limit Jewish immigration to a *maximum* which must not be exceeded. Such a restriction, despite the 1922 White Paper which stated that Jewish immigration should be governed only by the absorptive capacity of the country, would render the solution of the Jewish question impossible. By building Palestine we aim not only to deliver the Jews from anti-Semitism but to rid the whole earth of this shameful thing which demoralizes the nations of the world and hinders their progress.

*Berl Locker* (Palestine) hails the World Jewish Congress as the first Jewish assembly to have the opportunity of taking a stand with regard to the events now happening in Palestine. The Jews appeal to the world not only on the basis of their legal rights but also by virtue of their achievements in Eretz Israel. They are willing and prepared to cooperate with the Arabs on the basis of the principle that no people should rule over another or be ruled by it.

*Dr. Benzion Mossinson* (Palestine) declares that the events in

Palestine should not be called pogroms. The Yishuv fights as a people hindered in the building of its own home. It feels that it has its roots deep in the soil of the land and cannot be swayed by violence. It knows no despair. The latent strength of a people, hidden from the eye, manifests itself in time of peril and stress.

*Gedaliah Bublick* (U. S. A.) expresses the opinion that the hostile attitude of the Arabs is animated by the conviction that they will have the support of the British Government for a change in the status of the Jewish National Home. If the Mandatory Power had made it clear to the Arabs that there would be no change in the mandate and that the doors of Palestine would not be closed to the Jews, there would have been no Arab riots.

*Sholem Asch* (France) tells of his experiences during his visits to Palestine, of the fearlessness of the Yishuv, of the young Jews working in the fields though knowing that they may at any moment be struck down by a murderous bullet. The Yishuv does not fear sacrifices and death because it knows that its sacrifices have meaning and purpose. The Jews of Palestine want nothing but an opportunity to earn a bare subsistence by honest toil. They want peace with the Arabs and with all the nations of the world.

*Dr. Maurice L. Perlzweig* (United Kingdom) states that there are elements in the administration of Palestine which must bear a heavy responsibility for the course which events have taken. The authorities were totally unprepared for the outbreaks in Palestine, although these were the result of the organized circulation of calculated mendacities designed to incite the population. These grave matters demand a full and searching inquiry, because we believe that cordial, cooperative relations between Great Britain and the Jewish people are the indispensable foundation of our work.

*Louis Lipsky* (U. S. A.) holds that the object of the constituent assembly of the Congress is "to consider the problem of Jewish rights and what steps are to be taken to deal with it." Therefore, the Congress is bound to see in the anti-Jewish riots in Palestine "an attack upon an international pact whose implications extend beyond the boundaries of Palestine, which involves well-considered pledges and covenants." After the war, the national aspirations of the Jewish people were to be achieved by virtue of the same international agreement under which the people of Pol-

and were enabled to establish their own Republic, the Czechs and Slovaks set up their own State, and the various Arab States of Iraq, Saudi Arabia, and Syria were constituted.

One also has to take into consideration that in some of the countries, "parties to the Covenant of peace and reconciliation," there have developed organized anti-Semitic movements calculated to compel a Jewish exodus.

The disorders, sabotage, and murders in which the Arabs have lately been engaged in Palestine are "in effect a breach of a covenant that calls for defence on the part of all signatories to the Covenant or those who have profited thereby."

*Dr. N. Barou* (United Kingdom) asserts that the fight against the Yishuv is being conducted not only by the enemies of the Jewish laboring masses but also by the enslavers and exploiters of the Arab peasants and workers. Therefore the objective community of interests of the Jewish and Arab workers should be forged into a unity of struggle and organization against their common enemies.

*David Pinsky* (U. S. A.) describes the state of mind which he found in Palestine on his recent visit there. Instead of expecting consolation from him, the Yishuv gave him solace and encouragement.

#### THE PROBLEMS OF THE GERMAN JEWS

The tragic plight of German Jewry, the steady and progressive deterioration of the legal and material position of a once powerful Jewish community in the heart of Europe, could not but stir deeply the emotions of the Assembly.

*Chief Rabbi I. Rubinstein* (Poland), in a truly prophetic address, is the first to interpret the sentiments of the delegates. He considers Germany the central Jewish problem, a fateful question for the Jewish people.

Tremendous dangers to the existence of the Jewish people stem from the center of venom and hatred which Germany is today. The Jews have waited in vain for the non-Jewish world to raise its voice against this constantly growing menace. It is symbolic and tragic that the Jews now have to discuss this problem from the tribune of the League of Nations, which has remained silent.

The world has borrowed the Ten Commandments from the Jews. But there are no courts which punish murder and robbery committed by one nation against another, by a majority against a minority. The hope of the Jews that the League of Nations would usher in such an international court has been disappointed.

The hand of Germany can be detected in all the acts committed against the Jews anywhere in the world. The Arab riots in Palestine, the pogroms in Przytyk and Minsk Mazowiecki, the propaganda against shehitah in Poland, all these acts have their origin in Germany.

Humanity must know that the virus of hatred cultivated in Germany will spread over the earth and that the whole world will perish of it unless countermeasures are taken. A suggestion was submitted to the League of Nations that it should forbid the dissemination of the poison of Nazism as it forbids the traffic in opium and other narcotic poisons. The President of the Council of the League of Nations, Lord Cecil, promised to consider the suggestion, but nothing has been done.

The nations of the world should realize that their unity and their soul are at stake. "We say to the nations: Our salvation is your salvation, our victory is your victory. The two are inseparable. The triumph of evil will bring about your destruction. The triumph of good will be your triumph and also ours."

*Professor Georg Bernhard* (formerly of Germany, now a delegate from France) deals with the problems of the refugees from Germany. For more than three years the world has been occupied with the problem of these refugees, but the solution to this problem, recognized as an international one, has not been found. About 20,000-25,000 political refugees and about 75,000-80,000 Jewish refugees have left Germany. To this figure must be added 10,000 stateless or foreign Jews who had to leave that country. If we deduct from the number of Jewish refugees the 30,000 who have emigrated to Palestine and 6,000 who have found refuge in the United States, Holland, and England, the number of the remaining refugees is so small that it should be easy to find new homes for them in the countries of the world. But in reality, many thousands of these refugees — Jews and non-Jews — are wandering through the world, without finding a home and without the possibility to earn their daily bread honestly and legally, although

many of them are trained persons, such as engineers, white-collar workers, and skilled workers who could prove useful in every country.

The Jews in the West European countries where the refugees arrived were at first afraid that the influx of additional Jews into their countries might arouse anti-Jewish sentiment or intensify already existing anti-Semitism. The impression was therefore spread that the refugees from Germany would stay in the countries only temporarily and would be able to return to Germany in the near future. This was a false impression, as a result of which the money raised for the refugees was used not for a constructive solution of their problem, but to give them temporary charity.

Moreover, some of the governments refused the refugees permission to work. In consequence, the refugees had to live on the meager means which they had saved from Germany, and after having consumed them they had to work illegally or starve or live on Jewish doles. It would have been more useful if the Jews of these countries had persuaded their governments to permit the refugees to work.

The League of Nations High Commissioner for Refugees was unable to influence the governments to give the refugees permission to work. The intergovernmental conference which discussed the refugee problems in Geneva in July, 1936, dealt only with the question of an arrangement concerning the legal status of the refugees. The vital problem of distributing the refugees among the countries for settlement was removed from the agenda, and no attempt was made to solve the problem of their employment. There is even danger that the new arrangement concerning refugees may induce those governments which have hitherto treated the question liberally to consider the provisions of the arrangement as the *maximum* and therefore reduce the rights granted to the refugees.

Professor Bernhard urges the Congress to support the following demands for the refugees:

1. Expulsion of refugees by administrative order shall be governed by fixed rules, and arbitrary decisions by bureaucratic officials be made impossible; expulsion shall take place only after orderly proceedings in which the representative organization of the refugees has participated in an advisory capacity.

2. No request for extradition of refugees to Germany shall be granted unless it is absolutely clear that the crime for which their extradition is asked is not being used by Germany as a pretext to cover up political objectives.

3. The governments of the countries of refuge shall grant the refugees the right to work. To grant them asylum without giving them the right to earn a living is to doom them to a slow lingering death by starvation.

4. The active collaboration of the refugees in the work of the High Commissioner for Refugees should be enlisted.

On August 10, the High Commissioner for Refugees, Sir Neil Malcolm, addressed the evening session of the Congress. He said that if he could do anything to alleviate the burden of the refugees, "that will be perhaps as much as any man ought to have as his ambition."

#### THE SITUATION OF THE JEWS IN THE VARIOUS COUNTRIES

The Jewish situation in the individual countries was reported quite extensively by the delegates, although the prevailing regimes in Poland, Rumania, and elsewhere made it necessary for the delegates to speak guardedly at the public sessions.

The unfortunate lot of the Jews in Poland was described in the reports of Messrs. Lestschinsky, Tartakower, and Reiss, whose remarks have already been summarized.

*Mrs. Marie Apte* (Poland) asks in the name of the Jewish mothers and children in Poland for the help of the World Jewish Congress to the end that educational facilities be provided and that the reign of terror and the club be excluded from the Polish schools and universities.

*Benjamin West* (Palestine) reports on the situation of the Jews in *Soviet Russia*. He acknowledges the important help given by the Soviet Government in stamping out anti-Semitism in Soviet Russia. But he emphasizes that the Jewish problem continues to exist in that country, although in other forms. The Hebrew language is proscribed and teaching it secretly is a criminal offense. The persecution of Zionists continues unabated, and sentencing them to imprisonment or to detention in concentration camps for years is a common occurrence. Because of governmental ill will toward

Jewish traditions, the assimilation of the Jews proceeds with great strides.

The World Jewish Congress should endeavor to come to an understanding with the Soviet Government in order that the Hebrew language, the Halutzim movement, and Zionism may have the right to exist and develop freely.

*Dr. S. Margoshes* (U. S. A.) declares that the results of Nazi propaganda and Nazi money can be felt to some extent in the United States. Many circles which formerly were not accessible to Judophobia now manifest anti-Semitic leanings. But this anti-Semitism is never official; it exists and operates surreptitiously. That is the difference between anti-Semitism in the United States and in Eastern Europe. If anyone wishes to gain political power in Eastern Europe, he has to make use of anti-Semitism, while in the United States he must publicly repudiate it.

*B. A. Bagnari* (United Kingdom) states that anti-Semitism is not confined to Central and Eastern European countries, but is also on the increase in Britain, where Jew-baiting and attacks upon Jews have ceased to be isolated cases. Fascism and anti-Semitism are synonymous and neither can be separated from the other. The Home Secretary has been moved to declare in the House of Commons that measures will be taken against the anti-Semites, but anti-Semitic provocation is still proceeding and anti-Semitism has even become a main plank in the platform of a so-called political party. For these reasons the organized Jewish Trade Union and Labor Movement has decided to take part in the Congress, in order to contribute toward the solution of these problems.

*Dr. M. Cotic* (Rumania) says that one million Jews in Rumania expect help from the World Jewish Congress in their desperate plight. The anti-Jewish propaganda in Rumania is well planned and supported by a powerful press. The attempt to protect the Jews as a national minority on the basis of the existing minority treaties is officially declared to be an interference in the domestic affairs of Rumania and a violation of her rights as a sovereign state. The Rumanian farmers, who constitute 20 percent of the population, are not anti-Semitic, but by means of unremitting propaganda and even terror they are being taught to believe that they are cheated and taken advantage of by the Jews. The

Rumanian intellectuals and professional men are being told that their Jewish competitors are to blame for the existing crisis.

We cannot dwell in this summary on all reports given by the delegates regarding the situation in their respective countries. But we must underline that a note of pessimism was not sounded in all reports. A great number of delegates reported situations favorable for the Jews. To this category belong the reports of Dr. G. J. Aisenstadt on Estonia, H. M. Caiserman on Canada, Abraham Goldberg on the United States, Elie Gozlan on Algeria, R. Howscha on Latvia, S. Hurwitz on Argentina, Jacques Pardoff on Bulgaria, Dr. Friedrich Pops on Yugoslavia, and Rabbi J. M. Sagalowitch on Belgium.

#### THE RESOLUTIONS

A number of commissions and subcommissions were appointed, and in due time they reported to the Assembly the results of their deliberations in the form of resolutions.

Here are abridged versions and résumés of the resolutions:

In a *Declaration on the Status of World Jewry*, the first World Jewish Congress calls the attention of the League of Nations and of the Governments of the world to the catastrophic position of the larger part of the Jewish population of Central and Eastern Europe. Their constitutionally guaranteed rights of equal citizenship are violated by economic boycotting, by restriction of cultural development, and in many cases by physical violence and terror. The rights guaranteed by the peace treaties are disregarded without any effective action being taken by the League of Nations. As a result, millions of Jews in Central and Eastern Europe have been reduced to appalling poverty and have virtually become pariahs. Young Jews have been driven to despair.

The World Jewish Congress expresses its conviction that it is the primary duty of the Governments and the peoples of the world, and especially of the League of Nations and its organs, not to lose sight of the Jewish question among the other great problems of the day, since it is more and more taking on the dimensions of a world problem and cannot be solved by the Jewish people without the cooperation of other nations. Equality of civil and political rights to the Jews should be safeguarded in practice; the guaranteed minority rights should be effectively pro-

tected; the Jewish National Home in Palestine should be allowed to develop freely and undisturbedly; Jewish emigration to overseas countries should be facilitated.

The Jewish people is determined to carry on the fight for the many threatened and oppressed Jewish communities in a spirit of brotherly solidarity. At the same time it appeals to the other peoples of the world for their support in this struggle, since racial persecution not only menaces the existence of the Jews but endangers the development of the civilization of the twentieth century.

Concerning *Palestine*, the Congress affirms the unity of the Jewish people in their support of the Yishuv's battle for its right to life and labor, and pledges its full support in the task of safeguarding the right of the Jewish people to the widest opportunities for immigration and constructive work in Palestine.

It appeals to the Mandatory Power and the League of Nations not to yield even temporarily to the pressure of terrorism, murder, and sabotage. It reaffirms the determination of the Jewish people to live in peaceful cooperation with their Arab neighbors on the basis of mutual respect for the rights of each.

It concludes by drawing the attention of the Governments to the desperate plight of the Jewish population in many European countries and the consequent need for new possibilities of emigration, especially to Palestine, which has become the most important country of immigration for the wandering Jewish masses.

In reference to the *Protection of Minorities*, the Congress appeals to the states which have undertaken minority obligations to fulfill them as a necessary condition not only for the security of individual countries but for world peace.

It expresses the hope that in the future the admission of new members to the League of Nations or the alteration of the legal status of mandated territories shall be made conditional on their guaranteeing to the Jewish minority, as to all other minorities, at least such rights as are secured by the minorities treaties.

Regarding the *German-Jewish Question*, the Congress warns that the pseudo-scientific racial ideas of National Socialism will destroy all the conceptions of right current in modern civilization. Anti-Semitism is one of the most important items of German policy and is utilized to bring about dissension in the political parties of

the countries and between the nations in order to attain the goals of National Socialist foreign policy. The internal and external peace of all countries is in danger.

"The League of Nations, which has devoted a considerable part of its work to prevent the import of noxious drugs into countries, has so far permitted the poisoning of minds by German anti-Semitic propaganda."

Of the *Fight against Anti-Semitism*, the Congress says that it must be conducted in cooperation with all groups which battle for the equal rights of all men, irrespective of race, religion and nationality, since anti-Semitism "represents an organized onslaught on the principles of equality and liberty."

Anti-Semitic propaganda having assumed an international character, the Jewish people must decide upon a program of common defence against the common enemy. The Constituent Assembly recommends that:

- (a) a Central Bureau be established for information about all questions relating to anti-Semitism;
- (b) legal action be taken against anti-Semitic libels whenever possible, with a view to securing the condemnation of anti-Semitism by the law of the land;
- (c) a special fund be created for carrying out this program.

*Solidarity with the anti-Nazi Boycott Movement* is proclaimed in a resolution declaring that the Jewish people will take up the challenge forced upon it and that the boycott is a spontaneous weapon of defense. The Constituent Assembly calls upon all Jewish communities throughout the world to prosecute with energy the boycott of the goods and services of Nazi Germany within the framework of the legal conditions and regulations of the individual countries.

Concerning the *Refugees Coming from Germany*, the Assembly expresses its appreciation to the former High Commissioner for Refugees, James G. McDonald, who, "although prevented from doing effective work owing to limited powers, furnished proof of the high conception he had formed of his office." It declares that the Provisional Arrangement of July 4, 1936, cannot satisfy the refugees and formulates a series of proposals for the final statute for refugees coming from Germany.

With regard to the *U. S. S. R.*, the Executive Committee of

the World Jewish Congress is instructed to approach the authorities of Soviet Russia with the following requests:

- (a) freedom for instruction in the Hebrew language and for the development of Hebrew literature;
- (b) discontinuance of the repression of Zionism and release of arrested or exiled Zionists;
- (c) facilitation of Jewish emigration, especially to Palestine;
- (d) religious freedom for the Jews.

In a resolution on the problem of *Emigration*, the Constituent Assembly instructs the Executive Committee of the World Jewish Congress:

- (a) to create a special department for emigration questions;
- (b) to enter into negotiations with governments and international bodies with a view to facilitating Jewish migration;
- (c) to take up with the existing Jewish organizations in that field the question of rationalizing the preparation and professional rehabilitation of the Jewish emigrants;
- (d) to explore the possibilities of Jewish colonization in countries where suitable conditions exist or could be created, it being understood that the priority of Palestine is uncontested.

In the matter of *Social Assistance*, the World Jewish Congress proclaims it the duty of the Jewish people to furnish efficient and constructive aid to the Jews of Poland, Germany, Rumania, and Lithuania. It instructs the Executive Committee to plan a vast scheme of assistance to the Jews of these countries, and to contact the existing world Jewish relief organizations to secure uniformity of action.

A resolution is also adopted on *Student Relief Work and Professional Rehabilitation of Jewish Youth*. It declares it necessary that the student relief work be coordinated with the general aims of the Jewish community, and that those technical branches of study be primarily encouraged which are connected with production and will secure a means of livelihood for the students upon completion of their studies. It also recommends that the Executive establish a Youth Secretariat to deal with economic questions affecting the youth, in particular the question of professional rehabilitation, and to unify the student relief work.

An important resolution declares that the Congress is a federation of communities and not an association of parties or factions; that, however, every delegate to the Congress is free to join with other delegates according to ideological, social, economic, or political viewpoints, and no delegate may be bound by an imperative mandate of his national delegation in his attitude and his vote at the Congress sessions.

#### THE CONSTITUTION OF THE WORLD JEWISH CONGRESS

The Constituent Assembly devoted a meeting to a discussion of a Constitution for the World Jewish Congress.

The rapporteur of the Committee on Organization, *Dr. Jacob Hellmann* (Poland), states that the definitive structure of the organization of world Jewry will have to wait for further sessions of the Congress and for more experience. The organization should be coterminous with world Jewry itself so as to permit all parts of the Jewish people to join it. Its name should be World Jewish Congress until world Jewry united in it will give it its definitive appellation.

The present Congress does not yet reflect the relative numerical strength of the various elements in Jewry. The organs will consequently have to be constituted on the basis of an agreement.

It would not be advisable to have the Constitution embody the principle — as advocated by the Mizrachi and by the left wing of the Congress — that cultural and religious questions are excluded from the competence of the Congress. The Constitution should contain only positive principles, and the reservation of these groups be merely recorded in the minutes.

Special difficulties arise regarding the question as to which is to be the organ corresponding to the World Jewish Congress in the individual countries. The Committee on Organization proposes that the Executive should see to it that a representative Jewish body be democratically elected in each country. But until this is achieved, it is suggested that the temporary representative body be composed of delegates to the Congress, members of the World Executive, and members of the Central Council living in that country.

Dr. Hellmann thereupon reads the Preamble proposed by the majority of the Committee: "The World Jewish Congress is the

representative body of the Jewish collectivity in matters relating to Jewish life in the Diaspora."

This definition provokes a heated debate. The American, English, Italian, and Swiss delegations oppose the wording because it is not a statement of fact, since it declares the World Jewish Congress to be the representative body which in their opinion it can only aspire to become. To this the majority of the Committee replies that the Congress as it is has the right to speak on behalf of the entire Jewish people, as it represents "the overwhelming majority of the Jewish people conscious of its destiny." It is decided to refer the Preamble to the Executive with the understanding that the reference to the representative character of the Congress is a goal to be reached rather than a statement of fact.

It is also decided to refer all other provisions of the proposed Constitution to the Executive after the Constituent Assembly lays down the following principles.

1. The sphere of the Congress' activity comprises in principle all common Jewish problems of a political, economic, and social character, insofar as they are apt by their very nature to affect the situation of the Jewish collectivity. It does not extend, however, to religious and cultural problems.

2. The Congress shall regularly meet every four years, but the next Congress shall convene not later than two years after the first.

3. The election of delegates to the Congress shall take place in accordance with the principle of general and democratic elections. However, in countries where there are democratically elected representations of Jewries, the existing representations shall appoint the delegates to the Congress.

#### ELECTIONS TO THE ORGANS OF THE CONGRESS

On the basis of proposals made by the Committee on Nominations (Chairman: Dr. H. Gottlieb), the Assembly elected the principal officers and organs of the Congress.

In appreciation of his services in the defense and safeguarding of Jewish rights, Judge Julian W. Mack was elected Honorary President of the World Jewish Congress. Dr. Stephen S. Wise was elected Chairman of the Executive Committee, Dr. Nahum Gold-

mann, Chairman of the Administrative Committee, and Louis Lipsky, Chairman of the Central Council.

The following were elected members of the Executive Committee: Robert Bollack, Marc Jarblum, Israel Jefroykin, Dr. A. Leon Kubowitzki, Isaac Naiditch, Rabbi Dr. Mordecai Nurock, Rabbi Dr. Maurice L. Perlzweig. One member was to be nominated by the Union of Jewish Communities of Switzerland, which eventually designated Saly Mayer.

The following were elected members of the Administrative Committee: Grand Rabbi Dr. I. Alcalay, Sholem Asch, Dr. N. Barou, Isaac Ben Zevie, Rabbi Meir Berlin, M. Bialopolski, Dr A. Blum, Rabbi S. Brod, Horia Carp, Simon Dubnow, Dr. Mayer Ebner, Rabbi M. Eisendrath, Isidore Epstein, Dr. Josef Fischer, Dr. Leo Garfunkel, Leon Gellmann, Abraham Goldberg, Dr. Angelo Goldstein, Dr. H. Gottlieb, Dr. I. Gruenbaum, Dr. Jacob Hellmann, R. Howscha, Dr. S. Z. Kahane, Prof. Horace M. Kalten, M. Kirszenbaum, Dr. M. Kleinbaum, Dr. M. Kraemer, W. Latzky-Bertoldi, Jacob Lestschinsky, Berl Locker, Dr. Samuel Margoshes, Prof. Jerome Michael, Dr. B. Mossinson, Nathan Perlman, E. N. Prylucki, Anselm Reiss, Dr. H. Rosmarin, Grand Rabbi Isaac Rubinstein, Dr. Isaac Schipper, Dr. Ignacy Schwarzbart, Louis Segal, Dr. Abraham Silberschein, Max Silverstein, Joseph Sprinzak, Rabbi Harry J. Stern, I. L. Szczeransky, M. Szczupakiewicz, Rafael Szereszewski, Dr. Saul Sokal, Dr. Emil Sommerstein, Robert Stricker, Dr. Arieh Tartakower, Dr. Joseph Tenenbaum, Menachem M. Ussishkin, David Wertheim, Dr. Grigory Wolff. One seat each was reserved for the Union of Jewish Communities in Italy and Switzerland and two seats for South America. A seat on the Administrative Committee was also given Prof. Paul Guggenheim, legal advisor to the Executive Committee.

A Financial Committee, consisting of Louis Sturz (Chairman), J. Leichtman, and Henri de Toledo was chosen to cooperate with the Executive Committee in all financial questions.

All organs were granted the right of cooption.

#### THE CONGRESS ADJOURNS

When Dr. Stephen S. Wise and Dr. Nahum Goldmann delivered their closing addresses, they could stress the fact that the

first meeting of the World Jewish Congress had worked not only harmoniously but effectively.

From a historical point of view they could characterize the session as a turning-point in Jewish life, as the end of an era of Jewish division and unconcerted action. The Constituent Session of the World Jewish Congress meant the beginning of a new era in which the masses of the Jewish people would be able to raise their voice, through their democratically elected representatives, both before the Jewish people and before the civilized nations of the world, in defense of Jewish rights and for Jewish existence.

In his farewell message, Judge Julian W. Mack stated that he was leaving "with the confidence that we have laid a deep and sure foundation; that on that foundation we have to erect a structure that will represent all Jewry, in which all Jewry will ultimately be included."

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**PART THREE**

**THE PRE-WAR PERIOD**



## CHAPTER I

# CONSOLIDATION OF THE ORGANIZATIONAL FRAMEWORK

### CENTRAL OFFICES AND DEPARTMENTS

MANY TASKS lay before the World Jewish Congress on the morrow of its first session, all of them important, all of them pressing. None was more essential than the need for a consolidation of the organizational groundwork. A vast venture had been undertaken, the union into one representative body of the scattered fragments of the Jewish people.

This work had to be taken up in a feverish period of history, in an atmosphere saturated with anti-Jewish sentiment, amidst continual political crises culminating in the greatest catastrophe that has ever befallen the Jewish people. It was in the midst of an epidemic of assaults upon Jewish rights in many lands which required its constant vigilance that the World Jewish Congress organization spread from continent to continent.

The offices of the World Jewish Congress were established in Paris and Geneva, since Europe was the continent with the largest Jewish population and since that population was the object of the Congress' most immediate concern. In addition, the New York Headquarters of the American Jewish Congress acted at the same time as the United States office of the World Jewish Congress, so that the W. J. C. had in the United States not only its most influential constituency but also a remarkable technical instrument in the secretariat of the American Jewish Congress.

The main office in Paris embraced the following spheres of activities:

1. Political Affairs (Dr. N. Goldmann and M. Jarblum)
2. Organizational Affairs (B. Zuckerman)

3. Economic Affairs (Director, Prof. Georg Bernhard; Research Associate, Dr. E. Knopfmacher)
4. Boycott Division
5. Youth department
6. Documentation and Information
7. Budgetary Affairs

Mrs. Kate Knopfmacher was the Executive Secretary of the Paris office.

The Economic Division issued a number of standard works which proved of great value in the political activity of the Congress.

- (a) *Der Wirtschaftliche Vernichtungskampf gegen die Juden im Dritten Reich* (later published also in English as *The Economic Destruction of German Jewry by the Nazi Regime*).
- (b) *Le Statut Economique des Juifs dans le Monde* (vol. I.), a survey of the economic situation of the Jews in twelve countries.
- (c) *Pan-Germanism at Work*, a survey of German infiltration, particularly in Latin America. The work was published in French, English, German, and Spanish.

The Division of Documentation and Information was engaged in research and the compilation of data for the various services and affiliates of the Congress, as well as for use in communications to governments and statesmen, and for the information of the Jewish and international press. It analyzed 142 current newspapers and periodicals printed in Yiddish, Hebrew, English, French, German, Italian, Polish, Rumanian, and Russian.

weapons in this era of bitter struggle between powerful opponents.

Mobilization of public opinion was one of the few available. It was indispensable to keep a steady stream of reliable information pouring into the World Jewish Congress offices. Members of the Executive were constantly visiting the danger zones, observers were assigned to important political meetings and they supplied headquarters with first-hand intelligence. The information was passed on in letters and aide-memoirs to diplomatic circles. Monthly confidential reports were forwarded to leading Jewish personalities.

The Boycott Division furnished material to and served as

European clearing house for the Joint Boycott Council in New York.

The Youth Department established by decision of January 31, 1937, was under the direction of M. Jarblum. Its purpose was to win the support of the younger generation for the ideals of the World Jewish Congress and to train them with a view to their future active participation in the tasks of the World Jewish Congress. A Committee of Initiative for the Formation of a World Union of Jewish Youth was set up in Paris with Jacques Jefroykin as Secretary General. It gained affiliates in a number of countries and participated in the Second World Congress of Youth in 1938.

The Geneva Office was the headquarters of the Legal Department. Headed by Dr. Nahum Goldmann, its main task was to maintain contact with the League of Nations. Prof. Paul Guggenheim was its legal adviser, and Dr. G. Riegner its legal secretary. In 1938 and 1939 it published a bi-weekly, *Correspondance Juive*, edited by Dr. Max Beer.

A branch office of the Political Department was established in London under the direction of Dr. M. L. Perlzweig.

#### NATIONAL ORGANIZATION

The organizational structure of the World Jewish Congress grew rapidly. During the first year of its existence, thirty-four affiliates sprang up in twenty-seven countries on five continents. They were:

*Algeria*: a Committee for the W. J. C., presided over by Elie Gozlan.

*Argentina*: the DAIA (Delegacion de Asociaciones Israelitas Argentinas).

*Australia*: a Committee for the W. J. C., headed by B. Epstein.

*Austria*: a Committee for the W. J. C., with Robert Stricker and later Dr. F. R. Bienenfeld as chairman.

*Belgium*: the Brussels Council of Jewish Associations, presided over by Dr. A. Leon Kubowitzki, which was later expanded into a Council of Jewish Associations of Belgium.

*Aden, British Arabia*: a Committee for the W. J. C.

*Bulgaria*: the Consistoire Central des Israélites, official Jewish representative body.

*Canada:* the Canadian Jewish Congress.

*Czechoslovakia:* the Jewish Party of CSR.

*Egypt:* a Committee for the W. J. C. in Cairo, presided over by Dr. Asher Bloom, and a Committee for the W. J. C. in Port Said, headed by Isaie Lourie as president.

*Estonia:* the official Juudi Kultuurvalistra, presided over by G. J. Aisenstadt.

*Finland:* the Jewish Community of Helsingfors, headed by its Chief Rabbi, Dr. S. Federbush.

*France:* a Committee for the W. J. C., comprising, among others, Léonce Bernheim, Sasia Erlich, Marc Jarblum, Israel Jefroykin, I. Naiditch, and André Spire, with Elie Krouker as secretary general.

*Greece:* a Committee for the W. J. C., of which Saby Pelosof was secretary general.

*Great Britain:* the British Section, established on November 26, 1936, by a conference of 350 organizations, with Dr. M. L. Perizweig as chairman, and Dr. N. Barou and Dr. Gabriel Cohen as honorary secretaries.

*India:* a Committee for the W. J. C. in Bombay, presided over by Mayer Nissim; a committee in Calcutta, with Sr. David Ezra as chairman; a committee in Cochin, presided over by S. S. Koder.

*Italy:* the Unione delle Comunità Israelitiche Italiane, the officially recognized Union of Jewish Communities.

*Latvia:* a Committee for the W. J. C., presided over by Dr. M. Nurock.

*Lithuania:* a Committee for the W. J. C., headed by Dr. Grigory Wolff.

*Palestine:* the Vaad Leumi, official representative body of Palestinian Jewry, of which Isaac Ben Zevie was chairman.

*Poland:* an Organization Committee for a Jewish Congress in Poland was established. It comprised the following members: A. Bialopolski, Dr. H. Gottlieb, A. M. Hartglas, Dr. J. Hellmann, Dr. S. Z. Kahane, M. Kirszenbaum, Dr. M. Kleinbaum, Jacob Lestchinsky, Noah Prylucki, A. Reiss, Dr. H. Rosmarin, Rabbi J. Rubinstein, Dr. I. Schipper, Dr. I. Schwarzbart, Dr. A. Silberschein, Dr. Emil Sommerstein, Rafael Szereszewski, J. L. Szcze-

ranski, L. Szczupakiewicz, Dr. A. Tartakower, Z. Warhaftig, J. Weizmann, and B. Zundelewicz.

*Portugal*: the Lisbon Jewish Community.

*Rumania*: besides the Committee for the W. J. C. for the Regat in Bucharest, a number of regional committees, among them a Committee for Transylvania in Cluj, presided over by Dr. Josef Hamburg; a Committee for Bukovina in Cernauti, with Dr. Mayer Ebner as president, and a Regional Committee for Bessarabia in Kishinev, headed by I. Korn.

*Spain*: the Jewish Community of Madrid, of which Prof. Ignacio Bauer was the president.

*Switzerland*: the Schweizer Israelitische Gemeindebund, official representative body of the Jews in Switzerland, headed by Saly Mayer.

*United States of America*: the American Jewish Congress.

*Yugoslavia*: the official Union of Jewish Communities, of which Dr. I. Alcalay was the Chief Rabbi.

In the pre-war years the following additional bodies affiliated with the Congress:

*Holland*: the official Dutch Federation of Synagogues (Permanente Commissie tot de Algemeene Zaken van het Nederlandsch-Israelietische Kerkgenootschap) which delegated Prof. David Cohen to represent it on the Executive.

*Luxembourg*: a Committee for the W. J. C., headed by Edmond Marx, with Chief Rabbi Dr. R. Serebrenik as vice-president.

*Mexico*: the Comite Central Israelita headed by Arturo Wolfowitz.

*New Zealand*: a Committee for the W. J. C., with C. Weinstein as secretary.

Dr. Maurice Laserson was instrumental in bringing about the affiliations in Aden, Egypt, India, and New Zealand.

In 1938, the Polish Organization Committee issued a call for the National Congress of Poland. Although its date had to be postponed repeatedly, and large factions (Agudah, Bund) opposed it, Polish Jewry was swept by the Congress ideals. The Executive of the World Jewish Congress had assigned Baruch Zuckerman

the task of mobilizing the then second largest Jewry on earth. Eight hundred local organizations were founded, and 600,000 voters registered. For internal political reasons, however, the Congress could never be convened.

## CHAPTER II

### THE FIGHT AGAINST THE SPREADING ANTI-JEWISH ONSLAUGHT

Hardly had the Congress been adjourned when the day-by-day resistance to the spreading anti-Jewish onslaught had to be resumed. This time the Congress approach to Jewish defense would have to be tested in a major engagement. The use of influential individuals and their connections would not be neglected. Emphasis would, however, be laid on recourse to the political and juridical bodies of the League of Nations and of the nations themselves, on mobilization of public opinion, on remonstrances backed by the political and economic potentialities of the Jewish masses rallying behind the Congress in all lands and continents. These were the tools and methods of a stateless minority people engaged in a life-and-death struggle.

The defense was divided into two major fields of endeavor: the legal sphere and the realm of public relations on the one hand, and the domain of economic resistance on the other.

The legal fight was focused on the League of Nations. Whenever a government, lured by the "New Order", violated its internationally-assumed obligations by anti-Jewish measures, the World Jewish Congress availed itself of the facilities provided by the League to invoke the provisions infringed upon and to press for effective action on the part of the competent international bodies. These representations were supported by diplomatic negotiations, lobbying, and personal contacts.

In cases where the legal machinery was inadequate and political intervention foredoomed to failure, the battle had to be waged on moral grounds. Recourse was had to an appeal to and mobilization of the ethical forces of mankind, through the press,

through books and pamphlets, and through mass meetings and demonstrations. This was a domain in which the Congress at times fulfilled a historic mission. In situations where a new, bold, and ruthless stroke by the predatory regimes would throw world diplomacy into confusion and still the voices of the Christian conscience, it was the World Jewish Congress that broke the deathly silence and by its protests and adjurations upheld the high ethical values of civilization.

In the economic field, the most noteworthy feature was the boycott movement, a spontaneous reaction of the Jewish and, to a limited extent, also of the laboring, masses to the German assault on the standards of humanity. Born in 1933, it was subject to the ups and downs of a vacillating and irresolute public opinion. The Congress endeavored to coordinate the widespread efforts that were unorganized and lacking in scientific preparation and technical skill.

#### THE RECOURSE TO POLITICAL AND MORAL FORCES

##### *Germany*

When Hitler came to power in Germany, the League of Nations was still a body of authority and influence. In some cases, its regulations had permitted it to retard the introduction of anti-Jewish measures (Upper Silesia, 1933; Danzig, 1935-36). It may even be credited at a later stage with the overthrow of a Nazi-minded government (Rumania, 1938). But an appeal to this international body was possible only if there was legal ground for action, *i.e.*, if the incriminated government was bound by some international legal instrument to respect the rights of its ethnical or religious minorities.

With regard to the German Government, however, there was no clear juridical basis, in the prevailing stage of international law, for an intervention of the League of Nations in its policy of persecution. Except for her commitments in Upper Silesia, which permitted the Comité des Délégations to lay the Bernheim case before the League in 1933, Germany was not bound by any general international obligation to assure full equality to her minorities. The Allied and Associated Powers had contented themselves, on June 16, 1919, with taking note of the declaration wherein Germany had expressed her determination to treat the national

minorities residing on her territory according to the principles which she claimed for German minorities living abroad. Of course, the League could have seen in the German regime of oppression a menace to the concord of the world. According to Art. 11, par. 2, of the Pact, any member state of the League of Nations was entitled to submit to the Assembly or the Council any matter likely to disturb international peace. The burdens imposed upon neighboring states by the influx of German refugees into their territories, and the anti-Jewish campaign fostered by Germany outside her expanding borders, constituted enough substance for an elaborate bill of indictment. Nevertheless, member states failed to raise the question.

In these circumstances, the Executive of the Congress saw itself compelled to rely heavily on the conscience of the world, which it kept reminding incessantly of the existence of the German-Jewish problem and of its implications for the future of humanity.

At the 1936 annual rally of the Nazi Party in Nuremberg, Hitler renewed his vociferous assault on world Jewry, once more identifying Judaism with Bolshevism and charging the Jewish people with responsibility for the spread of Communism. On September 14, 1936, the World Jewish Congress Executive issued a statement condemning these allegations as a deliberate campaign to confuse the minds of the uninformed. This protest was forwarded to the League of Nations and to the diplomatic representatives of various countries in Paris and Berne.

In December 1936, a League committee met to study the application of the principles of the Covenant, especially from the viewpoint of Germany's possible return to the fold of the League. The World Jewish Congress Executive submitted to the committee a memorandum requesting, on the strength of the experience of German-Jewish relations, that no state be admitted to League membership which did not obligate itself to protect and assure equality of rights to its minorities and was not acting accordingly within its boundaries. At the same time, those states which belonged to the League should not be exempted from these responsibilities. All nations, whether already in the League or about to become members of it, should be asked to "accept the obligations concerning the protection and the equality of rights of all ethnic,

religious, and linguistic minorities." It reminded the League of its moral duty to oppose Germany's unrestrained propaganda of racial hatred. "The life of nations is constantly and profoundly troubled by the race doctrine and the implacable fight carried on by a great and highly organized state not only against the Jews of its own country, but against the millions of Jewish citizens of other countries." The memorandum concluded by urging that the "fanatical agitation maintained all over the world against one race" should be denounced as incompatible with the objects and principles of the League of Nations.

The fourth anniversary of Hitler's advent to power was marked in New York on March 15, 1937, by a mass demonstration in Madison Square Garden, organized jointly by the American Jewish Congress and the Jewish Labor Committee. Twenty-five thousand persons crowded into the hall. The meeting provided a platform for such outstanding molders of American public opinion as General Hugh S. Johnson, former NRA administrator; Fiorello H. La Guardia, Mayor of New York City; John L. Lewis, Chairman of the Committee for Industrial Organization; Dr. Stephen S. Wise, President of the American Jewish Congress; B. Vladeck, leader of the Jewish Labor Committee. The speakers emphasized the menace which Hitlerism constituted to the peace of the world. The gathering decided to intensify the boycott of goods from Germany, and to supplement the commercial ban by collective action designed to prevent the granting of credits to the Third Reich.

The murder on November 7, 1938, of the Nazi diplomat Ernest vom Rath by seventeen-year-old Herschel Grynszpan served as a pretext for unleashing an unprecedented wave of violence and brutality against Jews in Germany. Several hundred Jews were killed or driven to suicide; Jewish property was systematically looted and destroyed; over 400 synagogues and places of worship were dynamited and burned; 60,000 Jews were sent to concentration camps, and an "atonement fine" of one billion Reichsmarks (400 million dollars) imposed upon the Jewish population.

World Jewish Congress affiliates throughout the world reacted with impressive demonstrations of solidarity. In a number of countries, non-Jewish leaders joined in these protests. In Belgium, on November 22, 1938, the Chamber of Deputies devoted a special session to condemning the German outrages in which all

parties without exception participated. This action, taken on the heels of Munich by a small state which knew only too well the meaning of German aggression, required considerable fortitude.

The Executive of the World Jewish Congress issued a statement which pointed out that "the isolated attempt which is thus being 'avenged' was not caused by a 'plot of International Jewry', but brought about by the merciless agitation of the National Socialists. The true culprits . . . are those who preach the pre-eminence of force over law, of violence over justice and of hate over love."

A few months before World War II entered upon its apocalyptic career, the Executive of the World Jewish Congress found itself once more compelled to raise its voice against Germany's campaign of vituperation and calumny. It repudiated on February 1, 1939, Hitler's verbal assault on world Jewry, made in his Reichstag speech on the preceding day, and his charge that the Jews threatened the peace of the world, as coming "from a man who in his notorious book *Mein Kampf* vindicates the necessity of war which alone, according to him, is capable of realizing the aim of his policy." It stressed the fact that the Jews had been eliminated from the national life of the Axis states "because their religion, their mentality, their sentiments, and their traditions are opposed to every act contrary to the laws of humanity and the solidarity between men."

#### *German Upper Silesia*

As was related above, the German-Polish Convention on Upper Silesia was scheduled to expire on July 15, 1937, except for the so-called "vested rights" in regard to property and to the practice of some professions. Months before its termination, the World Jewish Congress undertook a new action in behalf of the small community of this region (7,700 by the end of 1936). The task was particularly arduous as the less intolerant of the two partners, Poland, had declared, at a meeting of the Assembly in 1934, that she refused to collaborate any longer with the League in the enforcement of her minorities treaty, which amounted to a unilateral repudiation of international obligations.

During the League Assembly of 1936, Dr. Goldmann learned from Colonel Joseph Beck, the Polish Foreign Minister, that Poland would under no circumstances consent to a prolongation of

the 1922 Convention, but was prepared to use her influence to secure a transitory regime for the Jewish minority. Conversations held by Dr. Goldmann, Marc Jarblum, and Dr. Perlzweig with responsible officials of the French and British Foreign Ministries, as well as with political leaders of both countries, and with Mr. Calonder, President of the Mixed Commission for Upper Silesia, also held out little promise.

In the course of these conversations, a number of legal problems emerged regarding which the World Jewish Congress Executive secured the advice of two prominent international lawyers, Professor Georges Scelle, of Paris, and Professor J. H. W. Verzijl, of Utrecht. Their opinions, together with a memorandum of the Executive, were communicated, prior to the 1937 Spring Session of the Council of the League of Nations, to the Governments of France, Great Britain, Italy and Japan, which as members of the Ambassadors' Conference had in 1922 established the Upper Silesian regime hitherto in force, as well as to the Secretary General of the League and the Geneva representative of the Polish Government. The memorandum demanded the extension of the Upper Silesian minority provisions and the express recognition of the so-called "vested rights" which under the Convention could not be affected by any time limit. Because of the danger of reprisals against the minority population, the creation of a transitory regime designed to facilitate its emigration was suggested. Subsequent representations to the Quai d'Orsay and the British Foreign Office elicited the promise that the French and British Governments would approach the Polish and possibly the German Governments in support of the Congress demands.

However, all their efforts were of no avail. As already stated, fifteen days before the Geneva Convention expired, the Reich issued a decree for the immediate introduction in Upper Silesia of its anti-Jewish legislation.

### *Danzig*

In 1933 the Free City of Danzig, with a population that was 95 percent German, contained some 10,000 Jews. Its Constitution, assuring equality of rights to national or religious minorities, was guaranteed by the League of Nations. A High Commissioner was appointed by the League to represent it in the Free City.

The Government of Germany did everything in its power to draw Danzig into the Nazi orbit.

The Comité des Délégations Juives, predecessor of the World Jewish Congress, had taken energetic steps to safeguard the rights of the Danzig Jews. The World Jewish Congress continued these moves. As a result of its efforts, a Committee of Three, composed of Foreign Ministers Anthony Eden (Great Britain), Yvon Delbos (France), and Richard J. Sandler (Sweden), was set up to deal with the problems of Danzig.

By this time Danzig already had a Nazi Senate that pursued an overt policy of *Gleichschaltung*, against which the reaction of League was rather vacillating and hesitant.

The Executive of the World Jewish Congress made a number of representations during the 1936 session of the League Assembly. Instead of positive action, however, the League merely recalled its High Commissioner, Jean Lester, whereupon a new wave of anti-Semitic terror swept the Free City. In view of these developments, the Congress sent detailed memoranda to the Council of the League of Nations, which met in December, 1936, and January, 1937. Dr. Nahum Goldmann was in constant touch with the members of the Committee of Three. These activities resulted in a change of the League's policy, the Council deciding to maintain the *status quo* in Danzig. A new High Commissioner was appointed in the person of Professor Carl J. Burckhardt of Switzerland, to whom the Congress submitted a comprehensive survey of the Danzig situation.

In April, 1937, the Executive received word of the intention of the Danzig Senate to introduce the Nuremberg Laws in the Free City. It immediately wired a protest to the High Commissioner in Danzig and made representations to the Committee of Three. It also gave the matter wide publicity in the press. These moves proved effective. The Danzig Senate, unmasked by these disclosures, felt obliged to disclaim any intention of enacting Aryan legislation.

However, after the Munich Pact of September, 1938, the Danzig Senate, emboldened by the growing might of the Third Reich, took a decisive step. On November 21, 1938, it adopted the Nuremberg racial laws. The World Jewish Congress brought the matter up at the League session of January, 1939.

Before the opening of that session, representations were made to the Foreign Ministers comprising the Committee of Three. True to its policy of delay and evasion, the Committee of Three was inclined to refer the question to a juridical subcommittee. However, the Executive of the Congress vigorously protested that dilatory tactics would be tantamount to acquiescence by the League in illegal acts, and so the plan was abandoned.

In the intercessions with statesmen and diplomats, the position of the World Jewish Congress was thus explained: By the adoption of the Nuremberg racial laws, the Danzig Constitution had been violated. These laws must therefore be pronounced unconstitutional by the League of Nations. Without such pronouncement, no High Commissioner could represent the League in Danzig. For the League to have a High Commissioner in the Free City, thereby tacitly condoning the Aryan legislation, would create a dangerous precedent for other anti-Semitic countries.

High Commissioner Burckhardt, in the course of a conference with Congress representatives, declared that he fully shared that view and that he would not continue in office under such conditions.

In a communiqué issued on January 19, 1939, the League Secretariat made public the decision of the Committee of Three in the Danzig question. As might have been expected, it was a compromise. It declared that a series of decrees (not specified in the communiqué) were in violation of the Danzig Constitution. The High Commissioner, it said, was taking a regular leave, and final decision would be taken at the next session of the League. The outbreak of World War II, however, put an abrupt end to the Danzig question.

An appraisal of the six-year struggle in defense of the rights of the Danzig Jews leads to the conclusion that, although their disfranchisement could not be prevented, precious time was won by the fight waged in their behalf by the World Jewish Congress. Most Danzig Jews were able to escape before the Nazi avalanche engulfed the Free City.

With the cooperation of Mr. Lambert, assistant to the League High Commissioner, the World Jewish Congress provided a large number of Danzig Jews with visas for the United States and other countries.

*Austria*

On March 11, 1938, there occurred the brutal seizure of Austria by the Third Reich. No protest was made against it in the diplomatic world. Amidst this silence the World Jewish Congress raised its voice.

On March 14, one day after Hitler had proclaimed the annexation of Austria, the World Jewish Congress addressed an appeal to the Council of the League of Nations and to the democratic world asking protection for the Austrian Jews, numbering about 192,000, against whom the Nazi invaders had launched a furious campaign of terror and persecution. In its appeal, the World Jewish Congress pointed out that "having for centuries lived in peace in their homeland, the Austrian Jews are now exposed to the medieval barbarism which the National Socialist doctrines have revived in the countries subject to their domination."

On March 21, the Congress submitted to the Council of the League of Nations a formal petition stressing the ruthlessness with which the Nazis were proceeding against the Jews in Austria, and the violation of the rights of minorities which, as regards Austria, were guaranteed by Articles 62 to 69 of the Treaty of St. Germain of September 10, 1919. The memorandum recalled that these stipulations were placed under the League's safeguard by the resolution of the Council of October 27, 1920. It pointed out, furthermore, that by virtue of Article 88 of the Treaty of St. Germain and Article 80 of the Treaty of Versailles, as well as by virtue of the resolution of the Assembly of the League of Nations of March 11, 1932, the act of violence committed by the Nazi Reich against Austria was not valid and consequently, these guarantees had not been annulled. Requesting the application of the "urgency clause" in this situation, the World Jewish Congress concluded: "Thus, the right and duty of the Council of the League of Nations to intervene without delay in order to restore the full rights of the Jewish citizens of Austria, as well as the right and duty of the World Jewish Congress to address itself to the Council as a petitioner, are incontestable, since all possibility of direct appeal to the Council has been taken from our coreligionists and brethren in Austria. . . ."

On April 13, 1938, an additional petition was forwarded to the Council of the League of Nations calling its attention to the

ever growing terror against Jews in Austria, indicative of a systematic attempt at uprooting and extermination. The speech delivered by Goering in Vienna on March 26 to the effect that all Jews of Austria would have to leave the country, and the fact that almost daily, in the Burgenland, Jews were being robbed of their property and belongings and driven across the frontier, were brought to the knowledge of the Council. Furthermore, the World Jewish Congress urged the League's assistance for the Jews "compelled to leave Austria, but deprived of any financial means and faced by hermetically closed frontiers. . . ."

These petitions were reinforced, as usual, by personal intercessions with the members of the Council and other statesmen in Geneva, Paris, and London.

The Council, however, while it designated the petition of the World Jewish Congress as receivable, took no action on the Austrian situation.

#### *Czechoslovakia*

Before and after the sharp international crisis of August-September, 1938, which culminated in the Munich Pact, the World Jewish Congress made several attempts to protect the rights of the Jews menaced first in the Sudetenland and afterwards in Czechoslovakia. In a total population of about 14,500,000, persons of the Jewish faith numbered 356,830, according to the census of 1930.

During the first days of the XIX Assembly of the League of Nations (September 12-30, 1938), Dr. Goldmann, accompanied by Dr. Stephen Barber, delegate of the World Jewish Congress Czechoslovak Committee, called on Dr. Heidrich, Minister of Czechoslovakia, and expressed the sympathy of the Jewish people for the Czechoslovak democracy. The Jews felt confident, they added, that despite all its difficulties, the Czechoslovak Government would respect the rights of the Jewish minority in any settlement of the nationalities problem. Minister Heidrich gave assurance in his reply that Czechoslovakia was determined to maintain the principle of minorities protection in all parts of the Republic and that the rights of the Jewish minority would be safeguarded.

In the meantime the Czechoslovak crisis became increasingly acute. In connection with the London meeting of French and

British statesmen which preceded Mr. Chamberlain's visit to Berchtesgaden in September, 1938, the Executive Committee of the Congress sent telegraphic appeals to the British and French Prime Ministers, urging them not to disregard the rights of the menaced Jewish minority in their negotiations. When the loss of a large part of Czechoslovak territory was consummated through the acceptance by the Prague Government of the London proposals and the population of Czechoslovakia abandoned itself to profound despair, a message was sent to Czechoslovak Jewry on the eve of Rosh Hashanah by Dr. Wise, as President of the Executive Committee of the World Jewish Congress. The message expressed not only feelings of sympathy with the Jewry of Czechoslovakia but admiration for the Czechoslovak people on the part of world Jewry. ". . . The close ties of deep friendship which link you with the free and peace-loving population of Czechoslovakia do not seem to us fortuitous. They have their origin in the profound kinship which unites the two peoples, both of whom are numerically small and both devoted to great ethical causes."

The lightning-like developments which ensued made it extremely difficult for the Congress to intervene, especially in view of the fact that the Munich Pact was not a clear-cut one, most of the fundamental decisions being left to the Berlin Conference of Ambassadors. The activities of the Congress centered on protecting the interests of the Jewish population in the Sudeten and other territories claimed by Germany. To that end the Congress representatives had a number of interviews with high officials at the Foreign Office in London and the Quai d'Orsay in Paris, to whom they submitted suggestions, statistics, and other relevant material.

On October 11, the delegate of the Czechoslovak Committee of the World Jewish Congress called on Georges Coulon who, in the absence of Senator Henry Berenger, represented France on the Intergovernmental Committee for Refugees. Mr. Coulon was informed of the critical situation of the Jewish refugees from the Sudeten districts. Representations were made and documentary material submitted to Mr. Coulon, who promised to communicate them to Mr. Rublee, Director of the Permanent Bureau of the Intergovernmental Committee in London, as well as to the diplomatic representatives of France in Berlin.

On November 20, 1938, a treaty concluded between Germany

and Czechoslovakia granted a period of three months to those Czechoslovak residents of the ceded Sudeten districts who wished to opt for their former country. This treaty was of benefit also to the Sudeten Jews.

### *Poland*

On the eve of World War II there were 3,300,000 Jews in Poland, out of a total population of 35,000,000. They constituted 9.5 percent of the inhabitants who included 64.8 percent Poles, some 22 percent Ukrainians and White Russians, and 2.6 percent Germans.

The Constitution of 1921 granted full citizenship to the Jews of Poland, while the Minorities Treaty signed by Poland on June 8, 1919, conferred upon them minority rights under the guarantee of the League of Nations. Centuries of anti-Jewish prejudice, however, conditioned the Polish people. Animated by the narrow nationalism which marked many of the newly liberated peoples, the Poles blamed the Jews for their political and economic difficulties. As a result, there were sporadic pogroms as well as anti-Jewish measures in many spheres of activity, especially in the economic and educational fields. To make matters worse, on September 13, 1934, the Polish Government announced that it would refuse to cooperate with the League of Nations in matters pertaining to the system of minorities protection.

In December, 1936, Dr. Nahum Goldmann visited Poland and conferred with the Minister of Foreign Affairs and other political leaders. But undeterred by representations and warnings, the Polish Government secured the enactment of the so-called Shehita Law, which went into effect on January 1, 1937, and which prohibited the Jewish ritual mode of slaughtering animals for food. The object of that law was the elimination of Jewish cattle dealers, the reduction of the quantity of meat allotted to the Jewish population, and the ousting of a large number of Jewish butchers from the trade. The Economic Department of the World Jewish Congress prepared an exhaustive study of the law, surveying all the aspects of the situation and suggesting constructive relief measures. A number of those suggestions were adopted and applied by the Relief Committee for Jews engaged in the Meat Trade of Poland.

From the cold economic war Poland soon passed on to direct action, terrorism, and pogroms (e.g., Przytyk, Brest-Litovsk, Minsk-Mazowiecki, and Vilna). Worse, however, than the excesses was the permanent pogrom atmosphere, which was clearly intended to create an emigration panic among Jews. Dozens of townships witnessed for months attacks upon Jews, with many killed and many more wounded. From 1934 to 1938 more than 500 Jews were murdered, among them 30 Jewish university students; about 5,000 Jews were wounded, 1,000 of them seriously. Simultaneously the Gentile population conducted a relentless economic war against the Jewish merchants. Jewish traders were forcibly expelled from fairs and market places, and Jewish shops were picketed in hundreds of townships, especially on the eve of Christian holidays. On March 19, 1937, the President of the Republic, Ignace Moscicki, declared in a broadcast that the program of the Camp of National Unity embodied his own views and those of Marshal Smigly-Rydz. No Jew was eligible to join the Camp, which reserved the right to influence public affairs to Poles in the racial sense of the word.

In its efforts to defend the then second largest Jewish community on earth, the World Jewish Congress aroused the civilized world by a series of public demonstrations .

On January 31, 1937, the American Jewish Congress convoked in New York a conference on the Polish Jewish situation which was attended by 2,396 delegates representing 835 organizations. On April 6, the British Section of the World Jewish Congress convened a similar conference in London with the participation of 100 delegates speaking for the majority of the religious, Zionist, fraternal, and labor bodies of British Jewry. In the same month the Canadian Jewish Congress staged a number of protest demonstrations. The *Fédération des Sociétés Juives de France* held a protest meeting in Paris on June 1 which was addressed by leaders of Jewry and of French political life. On the 10th of the same month an emergency conference was called in New York by the American Jewish Congress and was attended by 2,462 delegates of 870 organizations. The conference decided to send a delegation of 200, headed by Dr. Stephen S. Wise, to Washington for the purpose of submitting a memorandum to the State Department on the oppression of Jews in Poland. The memorandum

was presented by Dr. Wise on July 12 to Secretary of State Cordell Hull. At the same time 114 non-Jews, most of them outstanding figures in the world of religion, science, literature, and education, issued a declaration protesting the persecution of Jews in Poland.

But Poland persisted in her anti-Jewish course, and rectors and deans of Polish universities tolerated the introduction by Gentile students of special benches (nicknamed "ghetto benches") for Jewish students. The Congress reacted vigorously against this outrage. At its initiative and that of its affiliates, meetings and demonstrations took place throughout the world, and manifestos, signed by many of the greatest names in art and science, strongly condemned this reversion to medievalism by the Polish institutions of higher learning. In Belgium, 70 eminent university professors, writers and social leaders, among them two Nobel Prize winners, addressed statements of solidarity and protest to the Conseil des Associations Juives. In France, a protest was signed by 25 distinguished authors and college professors, and a similar statement was issued by the League for the Rights of Man. Resolutions came from the Polish League of Peace and Freedom in Warsaw; the International League for Academic Freedom, whose protest bore the signatures of 994 college professors, scholars, and Nobel Prize winners; the Institute of International Education, whose denunciation of Academic anti-Semitism in Poland was signed by 59 university and college presidents, 5 Nobel Prize winners, and 107 college deans and professors; the American Student Union, representing 30,000 students in 300 colleges and high schools; the American Federation of Teachers, with a membership of 25,000; the National Intercollegiate Christian Council, speaking for tens of thousands of American students; and 79 members of the Conference on Methods in Philosophy and the Sciences. In England, representatives of 7 university associations met in Cambridge on February 28, 1938, and unanimously adopted a resolution condemning "as barbaric the institution of ghetto benches in the Polish universities." There were also protests by some Polish professors. However, in the end the number of Jewish university students in Poland dropped from 8,425 in 1934 to 4,113 in 1938.

Notwithstanding this worldwide upsurge of public opinion, the Polish Government soon struck another blow at its Jewish

nationals. In 1938 a law was promulgated which provided, among other things, that persons who had spent a minimum of five years in continuous residence abroad after the restoration of the Polish State might be deprived of their Polish citizenship and forbidden to return to Poland. This was aimed primarily at the tens of thousands of Polish Jews living in Germany, Austria, and France. Germany reacted with characteristic ruthlessness. On the night of October 28 (the law was to go into effect the next day), 11,000-12,000 Polish Jews long resident in Germany were arrested and deported to Poland. Only part of these deportees were permitted to proceed to the interior of their native country. Eight thousand were interned by the Polish authorities in a camp at the border town of Zbaszyn.

The Congress intervened with the Polish Ambassadors in Paris and Washington, demanding that the Zbaszyn internees be released and permitted to settle in Poland. As the months dragged on and German police continued to deport Polish Jews and dump them over the Polish border at Zbaszyn, Dr. M. L. Perlzweig proceeded to Warsaw and took up the matter with the Polish Government. He was received by high officials of the Ministries of Foreign Affairs and of the Interior, and given assurances that the demands of the Congress would be complied with.

Before these assurances could be fulfilled, however, the Germans invaded Poland and thereby unleashed World War II.

### *Rumania*

The struggle for the protection of the rights of the 800,000 Jews of Rumania constitutes one of the most dramatic chapters in the annals of the World Jewish Congress.

With her ingrained anti-Semitism and record of anti-Jewish excesses, Rumania was all too receptive to Nazi doctrines. Nevertheless, as one of the victor nations in World War I, she could not disregard, like defeated Germany, international pacts and obligations entered into as a result of that war. For one thing, upon them rested the very existence of the Greater Rumania which Allied victory in that conflict had brought into being. Accordingly, the successive Rumanian governments chose to have recourse to the "legal approach." They strove to deprive the Jews of their citizenship on quasi-legal grounds. Citizenship being, under

Rumanian law, the prerequisite for the right to work, and, even to live, in the country, denationalization would have spelled the economic and social ruination of the mass of Jews.

It was in the field of international law that the World Jewish Congress met this challenge. In spite of the growing confusion in European diplomacy, the Congress, by means of personal contacts, interventions, and legal battles, succeeded in forcing the successive Rumanian governments to respect their international undertakings and the rights of their Jewish minority.

It is no mere conjecture that these efforts of the World Jewish Congress were responsible for the early overthrow of one of the most vicious of Rumanian governments, the one headed by the anti-Semitic Octavian Goga.

In 1936 the Rumanian Government introduced a bill providing for the revision of the citizenship of Rumanian Jews in the newly acquired provinces. After consultations with the local Jewish organizations, the Executive of the Congress interceded with the Minorities Section of the League of Nations, made representations in the capitals of the States which were Guarantors of the Minorities Treaties, conferred with Rumanian Foreign Minister Antonescu during his stay in Geneva on the occasion of the session of the Council of the League of Nations, and publicized the matter in the world press. The Rumanian Government yielded to this pressure and shelved the bill.

In 1937 the Vaida-Voevod government took another tack. It drafted a bill for "the protection of national labor" inspired by the Nazi doctrine of "blood and soil." Under the proposed law only a small percentage of citizens of non-Rumanian ancestry would have been admitted to professional activities and employment in private enterprises. The bulk of Rumanian Jews would have been condemned to unemployment. Intercessions with the French and British Governments as Signatory Powers of the Rumanian Minorities Treaty, as well as with the Rumanian embassy in Washington, had a positive result: the order of Minister Valer Pop in Bucharest directing offices and enterprises to dismiss 75 percent of their Jewish wage workers and 25 percent of their Jewish salaried workers, was declared to be non-obligatory.

The climax of this struggle was reached in 1938 with the

advent of the Goga-Cuza government, whose sole program was the elimination of Jews from the economic life of the country.

On January 20, 1938, Prime Minister Goga declared that, in four waves of immigration, between 250,000 and 500,000 Jews had settled in the country and that they ought to be expelled. Minister of Foreign Affairs Istrate Micescu went so far as to deny that the Rumanian Jews were entitled to minority rights.

A Royal Decree of January 22, 1938, ordered the revision of the citizenship status of all Jews in the country. Simultaneously a secret order forbade the local authorities to issue the documents needed to substantiate the claim to citizenship. This put the Jews in a very critical position.

The Congress undertook to cope with the situation. On December 30, 1937—the very day Goga first announced the policy of his government—a strong protest was dispatched to the French and British Foreign Ministers and to the Secretary General of the League of Nations, invoking the Minorities Treaty of December 9, 1919.

On January 13, 1938, a Petition concerning the situation of the Rumanian Jews was submitted to the Council of the League of Nations. The Petition, covering 12 printed pages followed by 80 pages of annexes full of first-hand information, demanded the application of the Urgency Clause. Micescu, the very astute Rumanian Foreign Minister, launched a diplomatic counterattack. On the eve of parliamentary elections, he argued, the Rumanian Government could not make concessions. He was supported by the Polish delegation to the League of Nations.

Concerted efforts were made to counteract this move. Dr. Perlzweig in London, Marc Jarblum in Paris, and Dr. Kubowitzki in Brussels, made representations to the Foreign Offices of their respective countries. Dr. Goldmann concentrated his attention on influential League circles, while Dr. Wise was in frequent communication with the White House in Washington. On January 25, the 100th session of the League Council opened in Geneva. By that time a number of anti-Jewish decrees had been issued in Rumania, which prompted the Congress to submit an Addendum to its previous Petition to the Secretariat of the League of Nations. At a press conference on the same day, President

Roosevelt's message to Dr. Wise, reaffirming his abhorrence of racial persecution, was distributed to the journalists present.

Members of the Executive conferred with leading statesmen and delegates. The Belgian and New Zealand delegates undertook to intercede with the Secretary of the League, while the British and French Foreign Ministers promised far-reaching support. Rumania's countercampaign was equally vigorous. On January 26, the situation reached a critical point. There were rumors in the press that the Petition of the Congress would not be taken up by the Council. Dr. Goldmann thereupon conferred with Lord Cranborne, the British Undersecretary for Foreign Affairs, after which the latter joined Foreign Secretary Anthony Eden in direct negotiations with the Rumanian Foreign Minister. The British spokesmen offered to make formal concessions if far-reaching assurances were given concerning the rights of the Rumanian Jews. The Rumanian Government, however, directed Micescu not to make any commitments and to warn that Rumania might denounce the Minorities Treaty should her claims be rejected by the Council.

On January 29 the decision of the League Council was made public: The Petition of the Congress was declared receivable, but the Urgency Clause was not invoked; instead, a Committee of Three, to be composed of the British and French Foreign Ministers and the delegate of Iran, would be appointed to deal with the matter before the next session of the Council.

The decision was interpreted as a diplomatic rebuke to the Rumanian Government. Within a fortnight the Petition of the Congress was twice (Feb. 7 and Feb. 14) the subject of interpellations in the House of Commons. Moreover, the British and French Ambassadors in Bucharest interceded several times with King Carol. On February 9 both Ambassadors were received by the Rumanian monarch. The following day the Goga government resigned.

After the fall of the Goga regime, governments headed by the Patriarch Cristea and after him by Calinescu, followed. On February 27, a new Constitution, professing equality of rights for all citizens, as well as respect for minority rights, was proclaimed. The law for the revision of the citizenship of Jews, however, re-

mained in force, and a regulation as to its enforcement was issued on March 10.

Every effort was made to prevent the wholesale denationalization of Rumanian Jewry. To this end representations were made to the Secretary of the League of Nations, memoranda were presented to the Committee of Three (1938-1939), personal intercessions were made with M. Comnen, the Rumanian Foreign Minister, with Mr. Cretianu, the permanent Rumanian delegate to the League, and with Prof. Dragomir, the Director of the Rumanian Minorities Office, during their stay in Geneva. In June, 1939, Dr. Perlzweig visited Bucharest, where he was received by Prime Minister Calinescu, who gave satisfactory assurances with regard to a number of complaints and promised that the wishes of Rumanian Jews would be sympathetically considered.

The hopes raised by this interview were short-lived. After the assassination of the genuinely liberal Calinescu, the situation deteriorated rapidly. In November, 1939, the Rumanian Official Gazette published the results of the revision of citizenship. It showed that 225,223 Jews, or 38.1 percent of Rumanian Jewry, had been denationalized.

In retrospect it seems fair to say that the great majority of Rumanian Jews would have lost their citizenship but for the World Jewish Congress. Thanks to its efforts, two-thirds of the 800,000 Jews of Rumania retained their Rumanian nationality, of which they were not deprived even in the fascist period that followed.

### *Hungary*

In May, 1938, the Hungarian Government submitted to Parliament a bill, accompanied by a statement of reasons, "designed to insure more effectively social and economic equilibrium." The bill provided a quota of 20 percent for Jewish employees in all branches of economic activity, and was intended to reduce gradually the proportion of Jews in commerce and industry. It recognized the racial doctrine in that Jewish converts to Christianity were still considered Jews.

The Executive Committee of the World Jewish Congress, through its members in Washington, London, and Paris, made

representations to the Hungarian Ministers accredited in these capitals and issued a statement about it, pointing out that such a law would infringe on the minority rights which the Hungarian Government had undertaken to respect in signing the Trianon Treaty.

### *Iraq*

Although its attention was focused on European developments, the World Jewish Congress did not neglect to uphold Jewish rights in other continents also.

In connection with the anti-Jewish riots which occurred at Baghdad in November, 1936, the Executive approached representatives of the Iraqi Government in Geneva, London, and Paris, expressing its anxiety over the situation. The latter improved considerably following a declaration by the Iraqi Premier to the effect that the Jewish minority would enjoy the full protection of the Government.

### *Uruguay*

The Uruguayan Government prepared an anti-Jewish bill in November, 1936, which would have prohibited all publications in Hebrew and Yiddish not accompanied by a Spanish translation, as well as lectures, meetings, and public utterances in these two languages. The Executive approached the Uruguayan legations in Washington, Paris and London. At the same time, Dr. Wise made representations to influential personalities in the United States concerning anti-Jewish legislation, such as language and immigration ban, which a number of South American states had enacted. As a result of the efforts of the Executive, the Uruguayan bill was not introduced in the Uruguayan Parliament.

## CHAPTER III

### ECONOMIC RESISTANCE

#### BOYCOTT AND JEWISH UNPREPAREDNESS

The boycott of German goods and services began as a spontaneous and almost universal expression of the Jewish reaction to the first anti-Jewish measures of Hitler's first Cabinet. Had there been in existence in the spring of 1933 a world Jewish organization, equipped to organize and to channel into practical instrumentalities that outburst of Jewish wrath and the will to sacrifice which at that moment animated all Jews, one may be permitted to wonder if the Jewish fate in Europe would have developed as tragically as it did.

However, there existed no adequate world machinery to harness the instincts of the Jewish masses and their will to economic retaliation. Months and years were spent in attempts to coordinate the sporadic boycott endeavors and to devise scientific tools of economic retribution. It is surprising that in the face of a Germany guided by a financial wizard of the caliber of Hjalmar Schacht and marshaling all her economic potentialities, the imperfect and uncoordinated Jewish attempts at economic retaliation succeeded in yielding substantial results.

The Jewish boycott began as a counter-boycott, as a reply to the officially advertised German anti-Jewish boycott planned by a central committee headed by Julius Streicher and aimed against the Jewish middle class and professionals. Boycott Day in Germany on April 1, 1933, bore the character of an official demonstration. Jewish *ad hoc* boycott organizations sprang up everywhere. The American Jewish Congress took the lead in the boycott movement immediately after Hitler's advent to power and eventually set up a Boycott Committee. Samuel Untermyer or-

ganized for the same purpose the American League for the Defense of Jewish Rights, which was later renamed the Non-Sectarian Anti-Nazi League. In Great Britain there was established a Jewish Representative Council for the boycott of German goods and services. In France, the movement was supported by a number of organizations: the Comité de Défense des Juifs Persécutés en Allemagne, the Comité d'Assistance aux Réfugiés Juifs d'Allemagne, and the Comité Central de Boycottage des Produits et Services Allemands. In Poland there arose a Central Committee for Economic Action against Hitler, and in Belgium, the Comité pour la Défense des Droits des Juifs, later replaced in this field by the Comité d'Action Economique. In Mexico, the movement was taken over by the Jewish Chamber of Commerce, and in Canada by the Canadian Jewish Congress.

During the first years of the Hitler regime, there was a sharp division of opinion on this issue between the Jewish masses and their organizations on the one hand, and some important Jewish defense bodies on the other. In the United States the American Jewish Committee and the B'nai B'rith issued joint statements on March 20 and April 28, 1933, warning against "public agitation in the form of boycotts and mass demonstrations." These, they considered, "serve only as ineffectual channels for the release of emotion. They furnish the persecutors with a pretext to justify the wrongs they perpetrate and, on the other hand, distract those who desire to help with more constructive efforts." This attitude, which was also that of the British Board of Deputies, was due to the tragic failure of so many Jewish leaders to understand the true nature of the ruthless fanatics who had taken over Germany. For many years the hope was cherished that the new Germany might be influenced by normal diplomatic methods. Five years were to pass before Dr. Cyrus Adler, head of the American Jewish Committee, declared on March 20, 1938, that force alone could influence Hitler, while the B'nai B'rith waited until August 9, 1939, before forming a boycott committee and instructing its local lodges to engage in boycott work.

During the early years, tragic controversy was also dividing the Zionist ranks. A Palestine corporation had concluded an agreement with the German Government, with the assistance of a Zionist bank, whereby German Jews emigrating to Palestine were

permitted to take along the equivalent of 1,000 pounds in cash, and the balance of their assets in the form of German goods. The supporters of the agreement (known as the Haavara Pact) contended that this was not a breach of the boycott, since Germany would receive no compensation for the exported products. Others felt very keenly that the deal was morally wrong, and that in a movement based on an emotional condemnation of everything German, it would be difficult to explain the niceties of the Haavara Pact. Opinions remained irreconcilable in this matter, and in 1934 the third World Jewish Conference adopted a resolution appealing to the Zionist and Palestinian organizations concerned "to find a solution to the problem of Jewish emigration from Germany to Palestine which will be in conformity with the general boycott movement of world Jewry."

The coordination of Jewish boycott movements made slow headway. The proclamation of the boycott as an official policy of the Jewish people had to wait until the second World Jewish Conference (September 5-8, 1933), which noted "with deepest satisfaction that from the beginning of the Hitler regime and its anti-Jewish laws and acts, the Jewish people instinctively and spontaneously resorted to the one immediately accessible weapon of self defense: the moral and economic boycott. In the spirit of individual and collective self-respect the Jewish people through the boycott affirms that Jews cannot hold any economic or other relation with the Nazi Government of the Third Reich."

The third World Jewish Conference (August 20-23, 1934) "solemnly" confirmed the boycott, and the First Session of the World Jewish Congress in August, 1936, proclaimed "its solidarity with the anti-Nazi boycott movement as a spontaneous weapon" in defense of the Jewish people.

However, neither the conferences nor the Congress succeeded in establishing effective boycott headquarters, and the center of the boycott work was the Boycott Committee of the American Jewish Congress which was organized on September 11, 1933, and which on February 5, 1936, amalgamated with the Boycott Committee of the Jewish Labor Committee and was renamed the Joint Boycott Council of the American Jewish Congress and the Jewish Labor Committee in the United States of America, under the chairmanship of Dr. Joseph Tenenbaum, with Dr. Robert S.

Marcus as secretary. Special efforts were made to win over the labor organizations to the boycott movement. The American Federation of Labor decided at its 53rd Convention on October 13, 1933, to join the movement and cooperate "willingly and un-sparingly" with the Joint Boycott Council. The Brotherhood of Painters followed suit on October 25, 1933. The 6th International Trade Union Congress, when it convened in Belgium on November 8, 1933, proclaimed the boycott. So did the Cutters' Union of New York in December, 1934; the 79th Annual Convention of the International Typographical Union in Montreal in September, 1935; and District 5 of the United Mine Workers of America (Pittsburgh) in March, 1936.

#### BOYCOTT ACTIVITIES

The boycott organizations were confronted everywhere with complex problems. While it was not too difficult to maintain the psychological climate needed for the will to retaliate economically, practical problems soon challenged the knowledge and the skill of the boycott leadership. The Jewish consumer was eager to replace German goods with others if he was in a position to discern the German origin of an article and if he could find a substitute for the German product. For the seller, the problems were of course of much graver consequence. He had to dispose of the stock of German goods in his possession. He had to secure other sources of supply of merchandise of similar quality and price. He had to face the competition of the new purchaser of German wares.

The boycott organization was thus faced with manifold tasks: to enlighten the public on the German outrages, to provide it with information enabling it to distinguish German products from others and to purchase substitutes of equal quality, to assist the dealers in the discovery of new sources of supply, to take action against violators of the boycott, etc.

The boycott organizations were the first in every country to call attention to Germany's plans for economic conquest and military aggression. They warned public opinion against Germany's huge rearmament policy. They alerted it to Germany's economic domination of the weak Southeastern European regions and of certain Latin American countries which might lead to

their political domination by the Third Reich. They pointed out the dishonest trade methods employed by Germany. At the same time, they carried on an unremitting campaign to enlighten the public, through all kinds of mediums about the German atrocities, the persecution of the Church, the destruction of the labor organizations, the degradation of women, and the regimentation of education.

To help the merchants to discontinue their business dealings with Germany, several boycott organizations set up research sections with the twofold task of finding sources of merchandise equal in quality and price to the German goods, and promoting in other countries the production of articles that had been previously manufactured in Germany. As early as 1934, the American Jewish Congress organized an International World Fair at which substitutes for German products were exhibited. In the field of promotion of new industries, the refugees from Germany played a considerable part. Industrialists and experts among them built up new industries in the countries of immigration.

#### THE FIGHT AGAINST GERMAN COUNTERMEASURES

Germany soon realized the danger of the boycott movement to her foreign trade, and resorted to a number of measures in order to defeat it.

In some countries she brought pressure to bear upon the governments to close the boycott offices. In Latvia, the office of the Jewish Boycott Committee was closed in the fall of 1934. In Poland, whose Government had favored the boycott at the beginning but had signed a non-aggression agreement with Germany on January 26, 1934, the office of the Boycott Committee was closed on June 23, 1935. In Lithuania, Jewish boycott activities were hampered by the Government since 1936.

In countries where legislative or administrative measures could not be expected, the German Government resorted to governmental pressure. On August 26, 1934, South African Premier J. B. M. Hertzog appealed to South African Jewry to drop the boycott which, he asserted, hurt the interests of the country. On September 24, 1934, the American Secretary of State, Cordell Hull, expressed his opposition to "a racial or political boycott"

which, he said, resulted in loss of exports for the United States. In both countries, public opinion repudiated the official statements.

The German Government also made use of the debts argument, claiming that the decreased exports hindered it from paying its debts. It established pro-German economic organizations, launching "Buy Christian" or "Buy Gentile" campaigns.

A further means widely employed by German exporters was the false marking of the country of origin on the merchandise. Another was to place the origin markings in such a way that their removal would be easy, or else, counting upon the poor knowledge of German geography abroad, to set down only the name of a German city or province. The Boycott Committees countered by interventions which resulted in strengthening the regulations on the labeling of imported goods.

Still another method was to send nearly finished German goods to a neighboring country in order to complete there an unessential part, and then ship the goods as manufactured in the country of refinishing. Germany's neighbors combated this fraud by special regulations.

Germany built up a whole system of subsidies for her foreign trade, which subsidies were in fact paid by Germany's debtors in the form of German securities held by foreigners, balances owned by foreign banks, etc. The boycott organizations countered by alerting the public to the danger arising for the domestic industries from these manipulations, and succeeded at times in bringing about the introduction or application of anti-dumping measures.

Still another method was the forced export, which tied up the import and export facilities of a country, and bound to Germany the trade of whole countries and regions, closing their markets to other export countries. By this latter method, Germany succeeded in capturing economically the Eastern and Southeastern countries of Europe, as well as some weak Latin American countries.

#### ECONOMIC EFFECT OF THE BOYCOTT

There is a great diversity of opinion as to the extent to which the boycott affected Germany economically, and especially German exports. One must distinguish the first years of the Nazi regime

from the later years. The first and most intensive boycott period began in 1933, and lasted until the end of 1935. At that time the pressure of the boycott was so strong that, according to United States Ambassador Dodd's diary, some German political leaders thought it could bring about the overthrow of the Nazi regime. Albrecht Forstmann, German economist, had to acknowledge that the drop in German exports was due to a great extent to the boycott movement which was "effective in the United States, South Africa, Holland, Poland and the Baltic States."

However, in 1936, Nazi Germany staged a comeback, and Rudolph Hess boasted on October 11, 1936, that the boycott was finally broken.

After the seizure of Austria (March 10, 1938), Germany's aggressive policy became clear and Germany's export trade suffered new setbacks. The official United States report on United States-German trade in April, 1939, and the London *Economist* of February 25, 1939, both attributed the decreased volume of German exports to the boycott.

The great variety of factors which contributed to the decline of German exports, as well as the interdependence of these factors, renders it difficult to state clearly the part which the boycott movement played in producing these results. However, if Germany's share of world exports is compared with that of other industrial countries, it appears that Germany's export trade suffered for specific reasons which did not affect her principal industrial rivals.

While during 1930-1933 Germany's export trade dropped more slowly than that of the whole world in relation to the 1929 level, after 1934 the picture is reversed: the world export index is always in advance of the index for Germany. As stated by Forstmann, "the immoderate strong decline of the German foreign trade . . . shows very clearly that, apart from the obstacles of a general character, there are also such which affect the German exports only."

These special causes may be revealed by an analysis of Germany's exports. The boycott activities could develop freely only in democratic countries not subject to Germany's pressure. The data for eight boycott-friendly countries show a drop in the value of German exports from 2,840 million Reichsmarks in 1932 to 1,760 million Reichsmarks in 1938, or a decrease of 38 percent, or

from 49.5 percent to 33.5 percent of Germany's total exports, whereas Germany's exports increased in friendly countries or countries under her pressure.

An analysis of the figures according to the commodities exported from Germany is even more revealing of the important part played by the boycott movement. The boycott was bound to affect mainly merchandise whose country of origin could be unequivocally identified by the public, especially finished goods. The export of finished or consumer goods suffered most, while the export of capital goods was maintained on a much higher level.

The decline of Germany's export trade undermined considerably her economic structure, since her industry had always been export-minded. Germany's exports had to be artificially sustained by means of an elaborate subsidy system, by the costly adaptation of the industries to new tastes and new fashions. The boycott accelerated the industrialization of former import countries, thus jeopardizing for many years to come Germany's position as an export country.

## CHAPTER IV

### THE REFUGEE QUESTION

The wave of anti-Semitism in Germany and Eastern Europe caused a mass flight of Jews from countries where they had lived for centuries. The wave moved with such sweeping force that some of the countries where only a few months before Jews had hoped to find asylum — namely, Austria, Czechoslovakia, Danzig — soon became centers of new misery, thereby forcing them to migrate once again. As a result, the aid activities of the Jewish bodies seemed like a Sisyphean labor.

In its annual report for 1937-1938 the Congress was forced to acknowledge that "the advance of racial doctrines in certain countries of Eastern and Central Europe resulting from intensive Nazi propaganda and concomitant progress of militant anti-Semitism have brought forth a new wave of pogroms . . . spoliations, and systematic eviction of Jews from every field of activity, and multiplied the ranks of refugees to an alarming and almost unmanageable extent."

*Refugees from Germany.*—The growing seriousness of the refugee problem and the necessity of meeting the increasing needs of the Nazi victims had been among the factors leading to the formation of the World Jewish Congress in August, 1936. Among the resolutions adopted at the constituent assembly of the Congress was one on the refugees from Germany.

In that resolution the Congress asked that the status of those refugees be improved by means of certain amendments to the Provisional Arrangement of July, 1936, concerning the Status of Refugees coming from Germany. It expressed the hope that the refugees would not be "forced to wander illegally from one land to another and exposed to arbitrary decisions of the police authorities." It urged that the refugees be given some measure of

security in their new countries of residence; in particular, that they be assured they would not be forcibly returned to Germany. In order to prevent the abuse of existing legal regulations concerning the extradition of criminals to the detriment of refugees proper, the Congress requested the various Governments to reexamine the extradition treaties they might have concluded with Germany in order to frustrate the pretext used by the Nazis to bring political opponents back to Germany. The Congress insisted, moreover, that there could be no satisfactory solution of the refugee problem unless all refugees were granted the right to work in the countries of residence. The resolution concluded with "an earnest appeal to all governments and legislative bodies to refuse to tolerate any application in their territory of the racial legislation of the Third Reich."

In the fall of 1936, at the initiative of the Congress, the private organizations interested in the fate of refugees, constituted themselves a new advisory body to the League High Commissioner for Refugees from Germany, under the name of the Liaison Committee.

In March, 1937, the High Commissioner made public the preliminary draft of a definitive convention on the status of German refugees. Thereupon the Congress submitted a memorandum to the High Commissioner which contained a critical analysis of the draft convention and suggested various amendments. At the same time, the Congress initiated a thorough discussion of the proposed convention in the Liaison Committee, which resulted in the setting up of a special subcommittee to prepare an alternative draft for the Liaison Committee that could be endorsed by all the member organizations. This was duly done by the subcommittee, whereupon the Liaison Committee named a delegation, which included representatives of the Congress, to lay the Committee's proposals before the Intergovernmental Conference which met in Geneva early in February, 1938, for the purpose of adopting a final convention on the status of refugees from Germany. The principal proposals were:

- (a) Broadening the definition of the term "refugees from Germany" so as to include stateless persons.
- (b) An absolute ban on the deportation of refugees to Germany.

- (c) **Intercession by the High Commissioner for the purpose of obtaining work permits for refugees in the countries of residence.**

In addition, it was proposed that refugees be made eligible for social insurance, relief, educational opportunities, permission to travel within the country of residence, etc.

Most of these proposals were embodied in the Geneva Convention of February 10, 1938, which was signed by seven governments. But before it was ratified by a single government, it was overshadowed and virtually blotted out by startling political developments culminating in the outbreak of World War II.

*Danzig.*—During the session of the Liaison Committee in Amsterdam on December 13, 1937, the representative of the Congress, Dr. M. L. Perlzweig, brought up the question of the status of the refugees from Danzig, whose numbers grew in proportion to the Nazification of the government of the Free City. It was decided to ask the High Commissioner "to recognize the refugees from Danzig as falling within the purview of the refugees coming from Germany." At the same time, as related above, the Congress repeatedly interceded with the League of Nations to see that the Danzig Constitution, assuring equality of rights to national and religious minorities, and guaranteed by the League, was respected by the government of the Free City.

*Austria and Czechoslovakia.*—The same problem arose upon the annexation of Austria by the Third Reich in March, 1938, and again upon the dismemberment of Czechoslovakia in the fall of that year. Following the German seizure of Austria, the Congress telegraphed to the High Commissioner, appealing to him to extend his aid to the refugees from Austria; at the same time, the representatives of the Congress, with the cooperation of the other members of the Liaison Committee, made representations to the President and members of the Council of the League of Nations. The upshot was that the League Council decided to broaden the powers of the High Commissioner so as to cover the care of the refugees from Austria.

After the events of September and October, 1938, which led to the annexation by Hitler of the Sudeten districts of Czechoslovakia, the Congress turned its attention to the plight of the refugees from those districts. It requested the League Council to extend the

competence of the High Commissioner so as to include the new crop of refugees. This the Council did in January, 1939.

*Spain and Portugal.*—The Congress also concerned itself with the plight of the German Jewish refugees residing in Spain, who feared lest they be forcibly repatriated to Germany, and of the Jewish refugees in Portugal, who were threatened with mass expulsion. As a result of its intercession, the Spanish Minister of Foreign Affairs declared in December, 1936, that, in accordance with the Geneva Provisional Arrangement of July 4, 1936, the refugees would be granted full rights of asylum, including permission to work. The answer of the Portuguese Government, given in February 1937, was less positive; it merely disclaimed any anti-Semitic designs or motives.

*Palestine.*—The desperate plight of the Jews in Germany and Poland, the economic and political crises in France, Belgium, and Holland, where Jewish refugees found their first asylum, caused them to turn their gaze toward Palestine. But the British Government continued to hinder Jewish *aliyah*. In August, 1936, immediately following its foundation, the Congress submitted to several European governments its first resolution protesting the curtailment of Jewish immigration into Palestine. The Congress frequently returned to this problem thereafter. In November, 1938, it supported a project, worked out jointly by the Zionist Organization and the Jewish Agency, for the immediate immigration to Palestine of about 40,000 Jewish refugees, mainly young people and children. However, the Vice-President of the Intergovernmental Committee for Refugees, Senator H. Bérenger of France, explained to Marc Jarblum, a member of the Executive Committee of the Congress, that it was difficult for him to intervene in behalf of a scheme which ran counter to British policy and would increase the agitation in the Moslem world.

*The Evian Conference.*—It was the realization that neither through the existing agencies of the League of Nations nor through private efforts could the steadily growing refugee problem be solved which prompted President Roosevelt to call the Intergovernmental Meeting that convened at Evian, France, July 6, 1938. It was attended by delegates of governments of 32 countries which, it was hoped, could assist in finding a way out of the desperate situation. In addition, representatives of many private organizations came

to the Conference, and, although not officially admitted, were welcomed as guests and given an opportunity to express their views before a special subcommittee. Of the 39 private organizations represented, 21 were Jewish. Among the latter was the World Jewish Congress, which had marshaled all its resources in support of President Roosevelt's project.

The Congress sought to have a single, common delegation of all the major Jewish organizations at the Evian Conference; it also advocated that a single, joint memorandum be submitted in the name of all the associations concerned. In both of these endeavors it was defeated by Jewish disunity, rarely more in evidence than on this occasion. It was a sorry spectacle to see each of the Jewish organizations insist on appearing separately before the special subcommittee of the Evian Conference and stating its own views on how to solve the refugee problem, in the space of the three minutes allotted to each delegation.

Having failed to bring about united Jewish representation and action at Evian, the Congress was forced to "go it alone". It submitted its own memorandum to the Conference, while the head of its delegation, Dr. Nahum Goldmann, presented its viewpoint orally before the subcommittee on July 8, 1938. Both in its memorandum and in its oral statement the Congress made certain demands and proposals, among them the following:

It urged the Conference to protest against the anti-Jewish persecutions in Germany and to reaffirm the equal rights of Jews in all countries. It requested the Conference not to confine its efforts to Jewish refugees from Germany and Austria but to consider also the tragic situation of Jewish refugees coming from countries of Eastern Europe, arguing that the definition of "refugee" should apply to any Jew compelled to leave his country because of his being a Jew. It besought the Conference not to limit itself to seeking immigration outlets for refugees but to envisage also the problem of financing mass emigration, and, as a step in this direction, to prevail upon the governments of the emigration countries, particularly the German Government, to permit refugees to take their property with them. Finally, it expressed the hope that the Conference would take into account the special importance of a Jewish National Home in Palestine, capable of sheltering large numbers of political refugees, and that it would "commend

political and financial measures . . . to facilitate Jewish immigration into Palestine.”

The principal result of the Evian Conference was the creation of a permanent Intergovernmental Committee on Refugees. The scope of this Committee's activities, however, was limited to emigrants, actual and potential, from Germany (including Austria), for whom it was to find countries of resettlement. The Intergovernmental Committee at once started negotiations with the German Government to let refugees take along at least part of their property when leaving the Reich. All that the Nazi Government would agree to was to have the emigration of German Jewry financed with 25 percent of the capital of a trust which would take over the whole of the existing Jewish wealth in Germany—this 25 percent, moreover, to consist of German manufactures, such as farm machinery, building materials, and hardware. This scheme was indignantly rejected by Jewish public opinion the world over as an attempt to blackmail German Jewry and to promote Germany's export trade. Thus the Administrative Committee of the World Jewish Congress meeting in Paris in January, 1939, adopted a resolution which declared “that no solution of the German refugee problem can be acceptable to the Jewish people if it rewards the Nazi regime with economic advantages in return for a policy of expropriation and expulsion directed against the Jews.”

*Poland.*—At the beginning of 1939 a wave of anti-Jewish persecution in Poland produced a new crop of refugees. Thereupon representatives of the Congress called upon Sir Herbert Emerson, who held the double post of League of Nations High Commissioner for Refugees and Director of the Intergovernmental Committee, and urged him to extend the scope of the refugee aid work of the League so as to cover the refugees from Eastern Europe. Sir Herbert declared himself ready to consider this demand favorably.

As recounted elsewhere, the Congress also brought direct and indirect pressure to bear upon the Polish Government to permit the Polish Jews whom the Nazi authorities had deported from Germany and driven across the Polish frontier, and who were now marooned in a kind of no man's land near the Polish border town of Zbaszyn, to proceed to the interior of the country.

After the outbreak of World War II the plight of the Jewish refugees changed from bad to worse. It was no longer a question of safeguarding their rights, but of saving their lives. Accordingly, legal defense gave way to rescue work.



**PART IV**  
**THE WAR OF EXTERMINATION**



## CHAPTER I

### THE CONGRESS ADAPTS ITS STRUCTURE TO THE EMERGENCY

THE OUTBREAK of the Second World War on September 1, 1939, created difficulties for the activities of the World Jewish Congress such as had hardly ever faced a Jewish organization before. The ever-growing theatre of hostilities, the occupation of the greater part of the European continent by one power, the impact of total warfare unparalleled in history, and the ruthless anti-Jewish policies of the temporary masters of Europe would have been more than sufficient to disrupt the endeavors of the Congress, which had barely completed the third year of its life.

There can be no greater proof of the soundness of the Congress idea and the vital need for its existence than that the work has never been interrupted for a single day. A large degree of flexibility and adaptability enabled the Congress to shift its center of gravity according to the constantly changing conditions and to put in operation measures which, in the final result, caused it to emerge at the end of the war in a comparatively stronger and more respected position.

Congress work during the crucial years of the Second World War was concerned with maintaining the nerve center of the organization, namely, its headquarters, in a place unaffected by war developments; establishing branch offices and listening posts so situated as to effectively further the far-reaching and varied activities; uniting as many of the free Jewish communities as possible under the aegis of the Congress; finding ways to voice the demands and to represent the views of those Jewish communities which had been silenced in Hitler's Europe, and finally, cooperat-

ing with such agencies as were deemed to be useful for the welfare of the Jewish people.

#### HEADQUARTERS MOVED TO NEW YORK; LISTENING POSTS SET UP IN EUROPE

At the beginning of the war the headquarters of the World Jewish Congress was situated in Paris. Only a few days after the start of hostilities, early in September, 1939, headquarters (with Mrs. Knopfmacher in charge) was removed from Paris to Geneva, which was still regarded as a place not only safe from foreign occupation but at the same time suitable for a concentration of Jewish political work. This state of affairs continued during the course of the Polish campaign and the winter of the "phony war," but changed markedly under the impact of the onrush of the Nazi juggernaut toward the West which, in the spring of 1940, conquered Denmark, Norway, and the Low Countries and finally overthrew the Third French Republic. While it was rightly hoped at the time that Switzerland would be able to continue free from enemy occupation, the situation of that country, completely surrounded by German-dominated lands, was no longer a guarantee for the possibility and effectiveness of Jewish political work on Swiss territory. Accordingly, the Congress Executive decided, after an exhaustive appraisal of the difficulties ahead, to remove the headquarters to the American continent. In July, 1940, offices were opened in New York, seat of the largest Jewish community in the world. At an increasing tempo, distinguished leaders not only of the Congress but of the silenced Jewish communities of Europe arrived in the United States, and most of them remained in the metropolitan area of New York, which, at that time, harbored a good part of the intellectual elite of Europe.

To watch the European scene was the purpose of the establishment of a special office of the World Jewish Congress in London which, under the leadership first of Dr. Maurice L. Perlzweig and later of a closely-knit team composed of Lady Eva Reading, Sydney S. Silverman, M.P., Dr. N. Barou, Alex L. Easterman, and Mrs. Rebecca Sieff, soon assumed great importance. As the British capital at that time was the center of resistance to German domination and the seat of the Allied Governments-in-Exile, special responsibilities devolved upon the British Section. With the exception

of the Swiss Union of Jewish Communities, it remained the only organized European constituent of the Congress capable of serving as the representative of the Executive, and it was accordingly authorized to act as the European headquarters of the Congress. The section thereupon enlarged its governing bodies by the addition of prominent Jewish personalities who had taken a leading part in the affairs of their communities and who had taken up residence in London, such as Dr. Ignacy Schwarzbart, Jewish representative on the Polish National Council, Ernest Frischer, Jewish member of the Czechoslovak State Council, Dr. F. R. Bienenfeld, of Austria, Albert Cohen of France, and Dr. L. Zelmanovits, of Czechoslovakia.

During all the years of hostilities, warring Europe maintained certain neutral zones, not only in its center — Switzerland — but one country in each cardinal sector of the compass: Sweden, Ireland, Spain, Portugal, and Turkey. Closely corresponding to these neutral areas, which offered the best possible opportunities for the establishment of listening posts, a network of emergency branches of the Congress was organized. While in the Northwest, for reasons already mentioned, London remained more important for Jewish activities than Ireland, three of the four other neutral zones were made the seats of Congress offices. The Geneva office, under the direction of Dr. Gerhart Riegner and Dr. Abraham Silberschein, became during the war a focal point of importance not only for watching the situation in Germany, Italy, and the satellite countries, but also for contacts with the occupied territories and for efforts at cooperation with the International Red Cross. In Portugal, Isaac Weisman made use of his presence in that country as a refugee to build in Lisbon a valuable outpost for the Congress which began to function in October, 1941. Similarly, in Northern Scandinavia, an exile from Latvia, Hilel Storch, set out at the beginning of 1942 to establish in Stockholm a base for Congress operations and succeeded in laying the groundwork for a Swedish Section, which played a considerable part during the momentous months before and after the collapse of the Third Reich. It should also be mentioned that Marc Jarblum, member of the Executive, remained in unoccupied France, at great personal risk, until March, 1943, and by September, 1944, he had already reopened the Paris office of the Congress.

Transferred to New York, the headquarters grew rapidly from a small nucleus to a substantial body of Jewish public workers. During the first months of the war a number of meetings of the Administrative Committee of the World Jewish Congress had taken place in Paris; now, after an interruption of only a few months which witnessed historic events of unexampled magnitude, a sizeable number of men who had been in the Congress leadership gathered in New York City and engaged in earnest efforts to salvage the tragic wreckage of world Jewish organization. In the summer and fall of 1940, meetings of the Executive and Administrative Committees took place in New York, where men who had been instrumental in establishing the Congress in 1936 on the other side of the Atlantic met with the Chairman of the Executive Committee, Dr. S. S. Wise, acting as host. In October, 1940, Dr. A. Leon Kubowitzki, Jacob Lestchinsky, Isaac Naiditch, Dr. Maurice L. Perlzweig, and Dr. Arieh Tartakower held a meeting in New York under the chairmanship of Dr. Nahum Goldmann and formed a subcommittee to carry out an emergency program of action. Thus the spadework was done in the establishment of departments which in a few years were to grow into outstanding specialized agencies. It was decided to coopt into the Executive some American and European members of the Administrative Committees residing in New York. Commissions were set up for inter-American problems, European Jewish Affairs, Polish Jewish relations, and for relief.

From New York, the links with Europe were forged anew. The European emergency had caused the Congress immediately after the start of the war to set up a Central Relief Committee in Geneva, which promptly proceeded to establish connections not only with the big relief organizations, for instance, the Red Cross, but with Jewish communities, as well as contacts in the countries bordering on Poland. Subcommittees of the Geneva Relief Office were set up in Bucharest, Budapest, and Vilna and, after the collapse of France, in Toulouse, which was in the Unoccupied Zone. As long as it was possible, contacts were also maintained with the Jewish communities and Congress affiliates in such countries as Bulgaria, Greece, and Yugoslavia, which either joined or were overrun by the Axis hordes.

## MOBILIZATION OF LATIN AMERICAN JEWRY

At the same time, the organizational work in the free parts of the world was tackled with particular determination. In December, 1939, a former leader of Latvian Jewry and member of the Administrative Committee, Dr. Jacob Hellmann, arrived in Argentina as emissary of the Executive in order to enlist the support of the Jewish communities in South America for the political and relief activities of the Congress. A convention took place that month in Buenos Aires, followed by a gathering of Uruguayan Jewry in Montevideo, in January, 1940, and a conclave of Chilean Jewry in Santiago in April of the same year. These organizational efforts resulted in the establishment in Buenos Aires of a Congress office for South America under the direction of Dr. Hellmann which ushered in an important period not only in the life of the Congress but in that of South American Jewry as well. In March, 1941, the Executive Secretary of the European headquarters, Mrs. Kate Knopfmacher, set up an office for Central America in Mexico, while Victor Mitrani visited the Jewish communities of that region and secured their affiliation with the Congress, that of Honduras excepted. Through these two centers in Buenos Aires and Mexico a solid relationship was thus established with the Jewish communities in Latin America.

German conquests had practically severed all relations between the Latin American Jewish communities and the European continent. As a consequence, the visits of Congress leaders during the war years became a source of strength and inspiration for the development of these young communities. In January and February, 1940, Dr. Goldmann visited Argentina and Brazil. In July, 1941, Dr. Goldmann went to Mexico, while Rabbi J. X. Cohen, of the American Jewish Congress, toured South America. Dr. Wise went to Mexico in November, 1942, accompanied by Dr. Goldmann. In 1943, Baruch Zuckerman brought the Congress message and its concern for their growth and prosperity to the Jews of Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Brazil, and Trinidad. He was followed a year later by Dr. Tartakower, who reported on Congress activities and endeavors during several trips to Panama, Peru, Chile, Argentina, Brazil, and Uruguay.

The steps taken to unite Latin American Jewry under the banner of the Congress met with speedy success and resulted in the historic first gathering of the Jewish communities of the Western Hemisphere, which took place in Baltimore, Maryland, in 1941, on the eve of the entrance of the United States into the war. This Inter-American Conference was attended by representatives of the Jewish communities of no less than twenty-one American republics and dependencies in addition to the United States, namely: Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Curacao, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, Trinidad, Uruguay, and Venezuela.

Among the delegates were well-known leaders of Jewish life, such as Nathan Gesang, Dr. Moises Goldman, David Groisman, Dr. Jacob Hellmann, Chief Rabbi Joseph H. Panigel, Dr. M. Regalsky, and Ezra Teubal from Argentina; Samuel Bronfman, H. M. Caiserman, and Rabbi M. N. Eisendrath from Canada; Dr. Aaron Benchetrit from Colombia; Leon Bahar and Victor Mitrani from Mexico; Dr. Isaac Wecselman from Peru; David Resnik and Salomon Tenzer from Uruguay.

Messages of welcome were received from several Governments-in-Exile as well as from Nelson Rockefeller, U. S. Coordinator of Inter-American Affairs, and from Dr. Leo S. Rowe, Director General of the Pan-American Union. The Conference also had the opportunity of listening to important addresses by U. S. Undersecretary of State Sumner Welles and two prominent experts on Latin American affairs, Professor Hugo Fernandez Artucio of Uruguay and Dr. S. Guy Inman of the University of Pennsylvania.

Although the Baltimore Conference ended nearly two weeks before the war, it assumed global dimensions through the events at Pearl Harbor. The resolutions adopted at Baltimore clearly anticipated the basic tenets of the postwar program of the Congress.

The Conference affirmed its faith in the "Good Neighbor" policy and pledged itself to combat all "tendencies and movements using anti-Semitism as an instrument of political expansion and military aggression." It demanded Jewish representation at the Peace Conference and endorsed the preparatory work done by the Executive in cooperation with the Institute of Jewish Affairs. It extended fraternal greetings to the Yishuv and pledged its ut-

most support to the Jewish Agency, the Jewish war effort in Palestine, and the creation of a Jewish Commonwealth. It welcomed the reestablishment of direct contacts with the Jewry of the Soviet Union and expressed the hope that the struggle against the Third Reich "will create conditions enabling Russian Jewry to resume its place within the ranks of World Jewry."

Although at that time there were already numerous reports indicating that the systematic isolation of the Jewish population in the ghettos and its systematic starvation clearly aimed at its physical extermination, the Baltimore Conference earnestly concerned itself with plans for the reconstruction and rehabilitation of large Jewish masses in Europe. No one could possibly have conceived then that a European government would set up a modern technical apparatus in the heart of Europe for annihilating millions of human beings. Still less could anyone have imagined that the Jewish people would in such a case stand utterly alone in its struggle for physical survival.

Thus for the first time in the history of the Congress a well-planned relief program was discussed and adopted, providing for a fund-raising campaign in all Latin American countries for the twofold purpose of assisting Jewish refugees and giving succor to the distressed Jewish communities under the German heel, while avoiding anything that might bring "any help to the Nazi war machine."

#### THE ADVISORY COUNCIL ON EUROPEAN JEWISH AFFAIRS

Simultaneously with the grouping of Latin American Jewry around the Congress idea, another organizational endeavor enabled the Congress to retain its status as spokesman of the Jewish people and prepared the ground for its position in the postwar world. Europe had from the very beginning formed the backbone of the Congress structure and the main object of its activity. When the organization was formed in 1936, Europe, although on the verge of the abyss, was still the center of gravity of the Jewish world. Now, in rapid succession, the lights went out and the historic Jewish communities of the whole continent were silenced. However, from practically all of them refugees and emigrants had come to the United States, from some countries by the thousands, from others only in small numbers, and among those uprooted

newcomers there were a number of men and women who had played a leading part in Jewish life. Some of them carried an express mandate, others a tacit one, to speak on behalf of their enslaved communities. Since European Jewry was reduced to servitude, it was essential that its exiled leaders act as its representatives in fact until the occupied communities would be freed and able to designate their newly chosen spokesmen.

It was toward the end of 1941 that Dr. Kubowitzki embarked upon the venture of bringing together, for the first time since the outbreak of the war and under the aegis of the Congress, the former leaders of European Israel. It was not an easy task. Many of them, in their despair, hesitated to take up again the burden of their mandate. However, most of them decided that no European Jewry should be written off without a fight for its right to survive and to develop. By June, 1942, no fewer than thirteen Representative Committees had been established, which later on grew to eighteen, thus representing the Jewish communities of all the countries under the Nazi heel, namely, Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Rumania, and Yugoslavia.

That is how a unique kind of organizations modeled after the Governments-in-Exile, was set up, namely, special committees consisting of prominent figures of silent Jewish communities who for the duration of the emergency accepted the responsibility of representing their isolated and martyred groups at home. The counsel and the support of the European representative committees permitted the Congress to remain true to its purpose and to act as the spokesman of world Jewry and not merely of the Jewish communities of the free nations. It permitted it also to act specifically in the name of European Jews in questions pertaining to their relief, rescue, and survival. In this way, the danger of a division of the Jewish people into two segments, one of free, active, and allied communities, and the other of silenced and "enemy" ones, was averted. The menace was also precluded of notables making vital decisions about European Jewry without consulting anybody but their inner consciousness and opportunism. This insured that whenever a problem should arise affecting the Jews of occupied Europe, or likely to affect them after the war, no decision would be reached

without the advice of the exiled representatives of European Jewry.

The tasks of the Representative Committees were outlined as follows:

(1) to watch over the interests of the silenced Jewish communities and to express their will when and if necessary;

(2) to assist these communities morally and materially through all possible channels consistent with the conduct of the war;

(3) to enlist the maximum aid of their national groups in the common struggle for democracy;

(4) to establish connections with these groups with a view to mutual understanding and cooperation in the circumstances which might prevail after the war;

(5) to prepare, in collaboration with the Institute of Jewish Affairs, a program of general Jewish postwar demands, as well as specific requests relating to their respective Jewish communities.

All the Representative Committees together formed the Advisory Council on European Jewish Affairs which came into being at the solemn Installation Conference held at the Hotel Commodore in New York June 6-7, 1942. This conference, the first of its kind ever convoked, showed the adaptability of the Congress idea to the most difficult and unpredictable situation. The mere fact that in the middle of a global war, leaders of the Jewish communities of the Allied nations met in a spirit of brotherhood with those of the Axis in the country which was leading the fight for democracy, demonstrated dramatically the truth of the idea of one Jewish people and hence the soundness of the underlying idea of the Congress itself.

The conference was attended by some three hundred delegates, among them the great poet Richard Beer-Hofmann, Prof. Siegfried Altman, Dr. Siegfried Kantor, Dr. Oscar Karbach, and Dr. Saul Sokal for Austria; Rabbi Samuel Brot, Prof. Nico Gunzburg, Dr. Joseph Proujansky, and Numa Torczyner for Belgium; Dr. F. Fried, Prof. Hugo Perutz, Dr. Felix Rezek, and Dr. Armin Weiner for Czechoslovakia; Prof. Jacques Hadamard—one of the foremost mathematicians of the world—the poet André Spire, and the famous attorney Henry Torrès for France; S. Aufhaeuser, Dr. Max Gruenewald, Dr. Jacob Hoffman, Dr. Gerhard Jacoby, Dr.

Hugo Marx, and Dr. Martin Rosenbluth for Germany; Prof. Arturo Castiglioni — author of the *History of Medicine* — Prof. Alexander Pekelis, and Dr. Angiolo Treves for Italy; Prof. Max Laserson for Latvia; Dr. Julius Brutzkus, Dr. Jacob Frumkin, and Dr. Mendel Sudarski for Lithuania; J. Apenszlak, Jacob Lestchinsky, Dr. I. Lewin, former Senator Chief Rabbi I. Rubinstein, L. Szczupakiewicz, former Senator R. Szereszewski, Zorach Warhaftig, and Dr. L. Wulman for Poland; Dr. Salomon Bickel and Jacob Rosenthal for Rumania; Otto Heinrich and Dr. Paul Neuberger for Yugoslavia. In addition, there were the European members of the Executive: Dr. N. Goldmann, Dr. A. L. Kubowitzki, Isaac Naiditch, Dr. M. L. Perlzweig, Dr. Jacob Robinson, and Dr. A. Tartakower.

The conference was opened by Dr. Stephen S. Wise, who said that the creation of the Advisory Council was in itself “the harbinger and the prophecy of such resurrection of the afflicted and oppressed Jewries of European lands as means the resumption of their rightful place in the councils of World Jewry,” and that American Jews were resolved that “we shall not rest in war or in peace until our freedom is shared by Jews in all lands.”

Dr. Nahum Goldmann delivered the keynote address. He declared that “three tendencies and attitudes were primarily responsible for the breakdown of European civilization between the two World Wars: the political principle of absolute state nationalism, the spiritual attitude of national isolationism, and the moral attitude of appeasement with regard to injustice and aggression in international life.” Concerning the postwar problems of European Jewry, he said that “in thinking about the solution of the European Jewish problem, the reparation of wrongs done, the securing of future rights for Jews as individuals and as a collective group, we must tie up whatever formula we may have with the general system which will secure justice and freedom for all peoples and individuals in the new Europe.”

The Belgian Ambassador Georges Theunis, former Italian Foreign Minister Count Carlo Sforza, former Spanish Foreign Minister Julio Alvarez del Vayo, and a number of diplomats from occupied Europe were present in person to express their sympathy for the Jewish cause.

Reports were delivered by J. Lestchinsky, Dr. M. L. Perlzweig, Dr. J. Robinson, and Dr. A. Tartakower.

Dr. Kubowitzki outlined the program of the Council. In his introductory remarks he said that we must bear in mind the shortcomings of the past, that one might wonder whether Jewish sufferings could not "have been avoided if the democratic forces, of which we were a part and might have become the spearhead, had been aroused in time and their resistance organized. . . . The bodies to be established by this Conference should therefore make it their primary talks that our people is not caught unprepared in the future and that its spirit of self-denial, its resources, and its connections are mobilized in time."

The Commodore Conference did not pass without an echo in Germany. On July 26, 1942, a Nazi spokesman, Wilhelm Link, wrote in the newspaper *Danziger Vorposten*: "In New York the Jewish emigrants from Europe have formed an Advisory Council for European Jewish Affairs which, jointly with the World Jewish Congress, demands fulfillment of their aims from the plutocratic powers and — as formerly at the Paris Peace Conference — asks that no peace negotiations should be held without the participation of Jewish representatives. This plan, however, is bound to fail because of a basic error: the Jews forget that their dominance over Europe ended when they perished from this continent. This new World War, the struggle for a new order in the world by the young peoples, will not be closed by Jewish peace dictates."

The Commodore Conference was an important step in the great work of reorganization which the war had imposed upon the Congress. The Baltimore Conference had made the Congress the sole body authorized to speak on behalf of the Jews of the Western Hemisphere as a whole. The Advisory Council on European Affairs renewed the mandate which European Jewry had given the Congress in 1936. Resting upon these conferences, the British and Swiss Sections, the Vaad Leumi (its Palestine affiliate), and the groups it had in the Far and Near East and in Australia, the Congress was in a position to speak with the authority which the situation required.

The Representative Committees retained until the end of the war their status as advisory bodies and concentrated on the tragic tasks and problems of the time. The members served in their

individual capacities and by virtue of their past achievements. They were able to add substantial weight to the moral position of the World Jewish Congress, in its representations to the authorities on rescue matters and in the preparations for the postwar period, as when they signed the first memorandum of the Congress to the UNRRA Conference, which enabled the Congress representatives to bring about important decisions of principle, or when more than seventy delegates from their ranks attended the Atlantic City Conference and thus gave it its global scope and importance.

The "cabinet", or office committee, of the Congress gradually constituted itself as follows for the war period: Dr. S. Wise, chairman of the Executive; Dr. N. Goldmann, chairman of the Administrative Committee; Rabbi I. Miller, secretary general: Dr. A. Leon Kubowitzki, head of the Department on European Jewish Affairs and, since the beginning of 1944, head of the Rescue Department; Dr. Maurice L. Perlzweig, head of the Political Department; Dr. Jacob Robinson, director of the Institute of Jewish Affairs; Dr. Arieh Tartakower, secretary general during the first period of the Congress in New York and later head of the Relief Department; and Baruch Zuckerman, head of the Organization and Campaign Department.

It became possible before the end of the war to establish personal contacts between New York and Europe. Rabbi Miller visited London in March, 1943, Dr. Tartakower in December, 1943, and Dr. Goldmann in January, 1944. When the War Emergency Conference convened in Atlantic City in November, 1944, it was attended by a substantial delegation from London, and by Isaac Weisman from Lisbon, as will be recounted later. On the last day of the conference, a delegation arrived from liberated France, composed of Assistant Chief Rabbi Jacob Kaplan, Judge Leon Meiss, Joseph Fisher, and Baron Guy de Rothschild, followed by Dr. Abraham Silberschein from Geneva.

In December, 1944, Dr. Kubowitzki sailed on a mission to the European continent, being the first Jewish emissary from overseas to arrive in Belgium and Switzerland since the outbreak of hostilities, and one of the first to visit France.

Direct contact between the British Section and the continent

of Europe began in November, 1944, with a visit of the Marchioness of Reading to France and Belgium. She brought back a distressing picture of disrupted families and devastated communities. In March, 1945, Ben Rubenstein and Dr. L. Zelmanovits went from London to Stockholm to deliberate with the Swedish Section on problems of relief and rescue.

## CHAPTER II

### RESEARCH IN CONTEMPORARY JEWISH LIFE

#### 1. *The Institute of Jewish Affairs*

##### ORIGIN OF THE INSTITUTE

IN APRIL 1939, Dr. Jacob Robinson, international jurist and leader of Lithuanian Jewry, submitted to the Executive of the World Jewish Congress, whose headquarters was then in Paris, a plan for the creation of an Institute for Research in Contemporary Jewish Life. He envisaged the task of the Institute to be the scientific investigation of the politico-juridical position of the Jews in the world, their economic situation, the problem of Jewish migrations, and Jewish statistics and demography. By means of such research those facts were to be brought to light which might serve as the basis of a well-defined Jewish policy.

After the outbreak of World War II, the original project was modified to the extent of making the object of the studies to be pursued by the Institute the formulation of the basis on which Jewish rights and a Jewish future might be secured in a post-war settlement of the world. The fundamental aim was international protection of Jewish rights.

On the basis of this revised plan the Executive of the Congress began preparations for the establishment of an Institute staffed by experts in international law to do the research work and the collection of data and of facts that were necessary for the elaboration of a Jewish peace program to be presented before the peace conferences at the end of hostilities.

The Governing Council of the American Jewish Congress "wholeheartedly endorsed" the revised plan and on February

11, 1940, submitted it to the convention of the American Jewish Congress in Washington, where it was unanimously approved.

At the same time the convention endorsed a decision of the Executive of the World Jewish Congress to enlist the cooperation of important Jewish bodies in America and elsewhere in this undertaking so that the Institute might become the instrument of the entire Jewish people for the attainment of Jewish postwar demands, as well as the spearhead of a united Jewish front in the fight for Jewish rights, security, and freedom everywhere. Specifically, the American Jewish Committee, the Alliance Israélite Universelle, and the Board of Deputies of British Jews were invited to join the World Jewish Congress in setting up a Peace Institute in Geneva, Switzerland, for the purpose, as stated above, of preparing a program on behalf of the Jews for submission to an eventual peace conference.

But this attempt to achieve united Jewish action, like so many others before and since, foundered on the rock of Jewish disunity. Thus the American Jewish Committee turned down the invitation mainly on the ground that "it was inadvisable to cooperate in such an undertaking with the World Jewish Congress, since that organization was 'the symbol of the nationalistic Jewish Weltanschauung' with a fundamental position that the Jews are a nation . . . a position which the Committee had consistently opposed."

Accordingly, it was decided to establish the Institute under the sole sponsorship of the World Jewish Congress and the American Jewish Congress. Because of difficulties arising from the war, the Institute could not be set up in Geneva, as originally planned. So, after due preparations, the Institute of Jewish Affairs was founded in New York and began to function on February 1, 1941, under the direction of Dr. Jacob Robinson, with a staff of scholars and researchers who were well equipped for the tasks on which the Institute was embarking.

#### OBJECTIVES, GUIDING PRINCIPLES, AND SOURCES

The purpose of the Institute was formulated as follows:

"To conduct a thorough investigation of Jewish life during the last twenty-five years, in order to establish the facts of the present situation, determine its direct and indirect causes, and outline suggestions on the basis of which

the Jewish rights may be claimed in a postwar settlement.”

The following points were understood to be fundamental:

1. The studies to be pursued by the Institute must concern themselves with a critical reexamination of past attempts to establish a firm basis for the development of Jewish life, especially those made during the Long Armistice (1919-1939).

2. Jewish postwar demands would be greatly affected by the situation of the Jews at the moment when hostilities ceased. In the discussion of solutions of the Jewish problems in Europe and the factors likely to influence the Jewish postwar program, particular stress must therefore be laid upon the factual situation of the Jews at the end of the war.

3. Whatever plans might be drafted for the future, they must in some way be integrated into the general shape of things to come, and since this was rather obscure, planning could only proceed slowly as the outlook gradually became clearer. Owing to the view that the Jewish postwar position would be intimately connected with the general situation in Europe, planning had to be closely bound up with the various schemes for European postwar reconstruction.

A postwar program, obviously, could not be elaborated as a result of abstract thinking unrelated to reality. The reasons for the collapse of Jewish rights in the period since World War I had to be thoroughly investigated, and an explanation found for the alarming phenomenon that most of the positions achieved by Jews in science, art, and culture, as well as the guarantees of civil liberties, of the fundamental rights of man, and of personal and economic inviolability, could be so completely destroyed in the space of a few years. To answer these questions was considered a constructive and distinctive contribution to general postwar planning — constructive, because it would afford statesmen information and guidance as to the principles by which the way could be found out of the disaster which had befallen the world; distinctive, because the basis had to be created for an understanding of the peculiarities and intricacies of the Jewish problem which made the Jewish people not only the first but the hardest-hit victim of the general catastrophe.

The radical change in the Jewish position which took place in the course of 1941-1942 showed the Congress and the Institute

to have been right in their postulate that the factual situation of the Jews after the war should be made the basis of Jewish postwar planning. But this factual situation now took on an ominous aspect which never could have been foreseen. The assumption that, after the war, there would be approximately the same number and distribution of Jews was no longer tenable. The emphasis had to be shifted to a realistic appraisal of a most tragic state of affairs.

A further necessary deviation from, or rather an extension of, the program of the Institute resulted from a shift of emphasis in the activities of the World Jewish Congress as a consequence of wartime developments. After 1941 more and more stress had to be put by the Congress on rescue work. This, in turn, affected the research program of the Institute. The tragic situation which was developing dictated the subjects of research for the immediate political purposes of Congress activities. However, the Institute did not for a single moment discontinue thinking and planning for the postwar period. The Institute never envisaged that period as one of "peace;" it was clear to it that that period would rather be a "postwar situation" or even a "post-hostilities situation."

Inasmuch as current information was meager, vague, and contradictory, the paramount need was to establish the facts. For this purpose the Institute had to devise and organize its own means and channels through which it received the necessary information despite the difficulties and obstacles resulting from the circumstance that nearly all the countries of Europe were in the hands of the enemy. It was decided that the reports should be based as far as possible on Nazi publications, and on confidential material from European listening posts. The character of the World Jewish Congress as a global institution was also to be used to obtain information. Furthermore, it was evident that much of the necessary material was locked up in the archives of the Governments of the individual nations. From 1933 on Foreign Offices all over the world had shown a great deal of interest in Jewish affairs. Since Nazism came to power reports on the situation of the Jews had continually been received from diplomatic and other channels. Again and again the Institute tried to get the Governments to throw open their archives for those working for the Jewish people. Checking the information received and

clearing up contradictory reports became one of the primary tasks. On the basis of such intelligence, conclusions had to be drawn about the existing situation.

To most of the European Governments-in-Exile, the World Jewish Congress gradually became a useful source of information on the basis of the data received and compiled by the Institute. The usefulness of this intelligence was acknowledged by the Governments. Out of these contacts a regular exchange of information developed.

From the foregoing, the relationship between the Institute and the World Jewish Congress becomes clear. The Institute is the research body creating the factual and scientific basis for the political work done by the Congress. Through the Institute Jewish research and Jewish policy have been brought closely together. But policy has remained the exclusive province of the Congress.

In the field of research, the work of the Institute has been conditioned by the daily and the long-term needs of the Congress. No other influence or pressure whatsoever has been exerted on the research activities of the Institute. In conformity with the principles under which the Institute was created, the approach to the problems has been collective and global, in accordance with the Herzlian saying: We are a people, *one* people.

Close relations have been maintained with the British Section of the World Jewish Congress in London and with the office of the Congress in Geneva, Switzerland. Ever since the British Section set up its own research body, there has been a regular exchange of opinions with it.

#### RESEARCH FACILITIES

As a consequence of and aid to its research and fact-finding endeavors, the Institute has built up comprehensive archives. These records comprise collections of thousands of documents, items from the press, and other material, from which the factual and legal situation of world Jewry can be ascertained. The archives are systematized and subdivided in sections according to scientific rules. To give a few examples: The "Facts about the Occupied Countries" section contains in many volumes the tragic material on war crimes and atrocities; the "Anti-Jewish Legislation" sec-

tion is the documentation on Jewish persecution by "legal" means in all the Axis-dominated European countries, mostly in original or photostat; the "Retribution" section includes, among other things, the material on the Nuremberg Trials, trials in the various zones of occupation in Germany, trials before courts in many other countries, and records of war criminals. Some of the other sections are: "Camps under Occupation," "Restoration of Jewish Life in Liberated Countries," "Jews and Refugees in Neutral Countries," "Postwar Problems," "Relief and Rehabilitation," and "Special Problems." A separate section is devoted to "Sources of Information."

Besides the archives, the Institute has established its own library. It consists of two divisions: one dealing with topics of purely Jewish interest; the other, with topics of general interest insofar as they are related to Jewish affairs.

#### ACTIVITIES

When the Institute of Jewish Affairs was founded, it was envisaged that the results of its researches would be published from time to time as deemed advisable. A number of books, pamphlets, and the periodical *Jewish Affairs* have been issued; the most important of these publications are reviewed further on in this chapter.

However, the extent of the activities of the Institute cannot be measured by the number of its publications. In the archives of the Institute there are hundreds of papers — projects, drafts, and ready-to-print manuscripts — which were written as a result of the researches carried on by its staff. A number of them are of a confidential nature and may never be published. Some will have fulfilled their purpose on being used for the activities of the various departments of the World Jewish Congress. Others were submitted to government agencies or other official bodies and thus have already served their purpose. There is yet another group of studies which have been prepared in prospect of future activities of the Institute and the World Jewish Congress and which are ready to be published in due course.

The fields of activities of the Institute may be grouped under three main headings: The Jewish Catastrophe, Special Problems, and Postwar Planning.

The results of these efforts may be summarized briefly as follows:

*Monographs on the Jewish Catastrophe*

Under the heading of *The Jewish Catastrophe* come a large number of monographs dealing with the advancement of the Jewish position before the First World War, the crisis (1914-1933), the catastrophe itself (1933-1945), and the postwar period (1945-1948).

The advancement of the Jewish position in the world was described under several aspects: the Jewish sociological and demographical background; types of Jewish legal and political status; the Jewish contribution to the spiritual life of Europe; Jewish communal institutions in various European countries; the effects of the emancipation of the Jews.

The crisis was considered from the following points of views: preparations for peace after World War I; the situation during the Long Armistice; European Jewry before World War II. A series of papers dealt with the position of the Jews in their countries of residence throughout the world and their relationships with the general population of these countries, among them France (*Jewish Affairs*, No. 2), the U.S.S.R. (*Jewish Affairs*, No. 1), Poland, Rumania, Hungary, and the Baltic Countries. As background to the catastrophe, the Institute dealt with these subjects: anti-Semitism as a weapon of Nazi imperialism; the place of anti-Semitism in Nazi philosophy; the various types of German anti-Jewish discrimination and occupational regimes. As a counterpart, the reactions to Nazi anti-Semitism were studied and described: the Jewish reaction; the anti-Nazi boycott; the reaction of governments and international institutions; the reaction of the various Christian Churches.

Against this background, the successive stages of the elimination and annihilation of European Jewry were traced in detail. The Nazi conspiracy against the Jewish people was exposed as a unique type and the means shown which were used to achieve the evil designs of the conspiracy.

The definite role which systematic mass starvation played in the annihilation of the Jews under German domination was

described in detail in the book *Starvation over Europe* by Zorach Warhaftig (Boris Shub, editor), published in 1943. The book was widely reviewed and commented upon. It was a startling revelation of the biological war waged by Germany not only against the Jews but also against most of Europe. It proved very helpful to the Congress in its representations to the first session of the UNRRA Council held shortly after its publication. And it was used by the International Military Tribunal in Nuremberg as a basic textbook in the preparation of the case against Goering and other leading Nazis.

The Jewish catastrophe, in its stages of annihilation, was surveyed geographically, country by country, in the report *Jews in Nazi Europe* (issued in 1941) and in the book *Hitler's Ten Year War on the Jews* (published, 1943). The latter volume, the joint product of the staff of the Institute and several outside contributors, is a documented survey of what Germany had done to the Jewish part of the subjugated populations of Europe. It is the grim story of Hitler's program of extermination, country by country. The book made a profound impression upon leading figures of the Allied Governments. It served as material for the discussions and resolutions of the War Emergency Conference of the World Jewish Congress in November, 1944, and it was also used as a basic textbook by the International Military Tribunal in the Nuremberg trials.

The sad balance of the Jewish tragedy in Europe was struck in statistical studies and in Jacob Lestschinsky's pamphlet *Balance Sheet of Extermination*, summarizing the Jewish losses during 12 years.

Besides the numerical losses, the situation after the liberation was assessed in several studies. A paper on the Jewish position in Europe was prepared for presentation to the San Francisco Conference in May, 1945. The Jewish situation as it appeared in 1946 was made the subject of a memorandum submitted that year to the Anglo-American Committee of Inquiry on Palestine. The disappointing results of the first year of liberation and peace were pictured in the pamphlet *Unfinished Victory*, by Jacob Robinson. The Book *Uprooted* by Zorach Warhaftig (published, 1946), described the plight of the Jewish DP's and refugees and outlined a number of proposals for a solution of this painful prob-

lem which were presented to the General Assembly of the United Nations in November, 1946. Mr. Warhaftig collected much of the material for this study during his travels in Germany, which began almost immediately after the end of the war. The book was of importance to the Congress in its efforts to bring the tragic situation of the Displaced Persons and its factual and legal consequences to the attention of the various governments and international agencies.

### *Studies on Special Problems*

The series of studies under this heading were undertaken as a necessary preparation for the Institute's major task: postwar planning.

The problem of minorities was studied under various aspects. The book *Were the Minorities Treaties a Failure?* by Jacob Robinson, Oscar Karbach, Max Laserson, Nehemiah Robinson, and Marc Vichniak (published in 1943) discusses the treatment of national and other minorities by the League of Nations and its member states during the twenty years between the two World Wars (1919-1939). It describes the process by which the minorities treaties of the Versailles period were brought into being, the issues which rose under them, and the diplomatic and political backgrounds of these issues and of the efforts to meet or to shelve them.

The volume shows that the system of collective protection of minorities was not a failure, that it was an important factor in the years that followed Versailles. Although the broad aims of the system were not always attained, it produced many notable results and was less faulty than the other methods tried during the same period. On the other hand, the minorities system suffered from certain handicaps such as the absence of machinery to enforce the decisions of the League. The purpose of the book was, among other things, to prepare for the efforts of the World Jewish Congress to extend the international protection of minorities after the war, with such modifications as the conclusions reached in this study would suggest.

The position of minorities to be expected after World War II, was made the subject of other studies. Here mention must be made of the paper on "Minorities after this War" which

appeared in *Jewish Affairs*, No. 9. Special attention was given to the connection between Jewish rights and minority rights.

A number of papers treated of the new type of anti-Semitism and anti-Jewish propaganda originated by the Nazis and exported from Germany to other countries. Consideration was given to the problem of how that propaganda could be counteracted. Extensive studies were made in regard to the question of whether anti-Semitism had played a part in the French disintegration and collapse.

A special study, entitled *Racial State*, by Gerhard Jacoby, (published in 1944) describes the civil, legal, and economic situation in a European state (the Protectorate of Bohemia and Moravia) overrun by German troops, terrorized by the Gestapo, and exploited by the overlords of the German war economy. The common fate of the Jews and the non-Jewish population of the country is established, and it is shown how anti-Semitism is used for purposes very different from the mere destruction of the Jews.

The view expressed in this volume that the aggregation of decrees and ordinances does not produce law if such legislation is but the formal cloak for the worst injustice was accepted by the Tribunals in Nuremberg at the trials of the major German war criminals.

The refugee question is treated in all its aspects in the volume *The Jewish Refugee*, published 1944. The book gives a comprehensive picture of the involuntary migration of Jews, especially since Hitler's advent to power in 1933, as well as of the desperate plight of the Jewish refugees, and offers suggestions for a solution in the postwar period.

After recounting the origin and spread of the contemporary refugee movement, the book describes the ineffectual attempts of governments and intergovernmental bodies to meet this challenge and the remarkable yet necessarily inadequate refugee-aid work of the Jewish private organizations the world over. By way of final solution, the book advocates the creation, after the war, of a new intergovernmental agency, amply supplied with funds, and vested with full power to enforce its decisions, whose function it shall be to solve the refugee problem by means of repatriation, absorption in the countries of temporary refuge, and emigration, preferably to Palestine.

Fittingly, the book was written by two refugees: Dr. Arieh Tartakower, who now holds the chair of Jewish Sociology at the Hebrew University in Jerusalem, and Kurt R. Grossmann, currently in charge of the Relief and Rehabilitation Department of the World Jewish Congress.

Projects of Jewish mass colonization were discussed in *Jewish Affairs*, No. 4, while the transfer of populations under totalitarian pressure formed the subject of several studies.

Finally, certain special problems concerning the Jewish National Home in Palestine and related to the work of the Institute came in for inquiry. Here mention should be made of a comprehensive study on "The Legal Validity of the British White Paper 1939," a study on "The Problem of a Jewish Army" (*Jewish Affairs*, No. 3), a paper on "The Role of Jewish Labor in the Upbuilding of Palestine," and another on "Jewish Aspirations in Palestine and the Charter of the United Nations."

#### *Postwar Planning*

While all the activities described above were going on, the Institute did not neglect its third and major task, indeed, its *raison d'être*: postwar planning.

Obviously, all such planning was predicated on a great number of assumptions, among which the probable condition of the Jews at the end of hostilities was of paramount importance. This necessitated constant sifting by the Institute of its data and information. Much attention also had to be given to developments on the international scene and their implications for the Jewish people, and plans made since the foundation of the Institute had to be continually checked and revised in the light of changing conditions. All of which entailed a vast amount of research and fact-finding.

The circumstances which accounted for the uncertainties in Jewish postwar planning were also responsible for the purely tentative character of whatever plans might have been prepared. This made it imperative to check and redraft plans, drawn up since the establishment of the Institute, in the light of new developments. The time factor, finally, created a situation in which conservative

solutions of the Jewish problems were constantly losing their applicability in favor of dynamic solutions.

It was obvious that the Jewish policies after the end of hostilities could be conducted only on the basis of factual data concerning the situation of the Jews in countries of the catastrophe. For this purpose, the volume *The Jewish Catastrophe* (in Yiddish) by Jacob Lestschinsky was published in November, 1944 as No. 3 of the series *From War to Peace*. The book is a guide for the study of the Jewish situation during and after the end of the Nazi regime and designed to help Jewish research groups in the countries formerly under the control of the Nazis and their satellites.

In 1943 the Institute prepared for the World Jewish Congress a program covering the problems of the eradication of anti-Semitism, relief and rehabilitation, punishment of war criminals, and long-range reconstruction. After its approval by the Executive of the World Jewish Congress, it was submitted by the American Jewish Congress to the American Jewish Conference in September, 1943, and adopted almost verbatim.

In November, 1944, the War Emergency Conference of the World Jewish Congress took place in Atlantic City. Meeting at a time when the war in Europe was nearing its end, the Conference adopted a series of resolutions covering the various aspects of the political, social, cultural, and economic questions affecting the surviving Jews of Europe and throughout the world. It was a comprehensive program of action, and most of what the Congress has done or sought to do since then must be viewed in the light of that program.

The Institute had prepared those resolutions in cooperation with members of the Congress Executive, and otherwise facilitated the work of the Conference, which, before adjourning, expressed to Dr. Robinson and his associates of the Institute "its warm appreciation of the fine scholarship, unremitting labor, and devoted zeal which they have brought to the work of the World Jewish Congress . . . and its thanks for their great contribution to Jewish research and learning."

In the field of relief and rehabilitation, the Institute helped to prepare the five memoranda which were submitted by the World Jewish Congress to the various sessions of the UNRRA Council

(from November, 1943 to July-August, 1946), and which won a number of concessions in favor of certain refugees and stateless persons who originally were not to be included in UNRRA's care. It also published an important work on this subject, entitled *Relief and Rehabilitation: Implications of the UNRRA Program for Jewish Needs*, by Zorach Warhaftig, which appeared in September, 1944. The book scrutinized the rules laid down at the first session of the UNRRA Council and the results achieved there by the Congress, pointed out deficiencies, and made specific proposals for their modification. Some of the suggestions were adopted at the second session of the UNRRA Council, which took place shortly after publication of this volume.

The Jewish migration from the European continent, which was expected as a consequence of the havoc wrought by the war and Nazi persecution, was considered in both its aspects: Jewish emigration from Europe and immigration to other parts of the world. The Institute studied the possibilities of a mass movement of Jews to Palestine in the transitional period and the prospects of the United States and the Latin American countries accepting Jews, as well as the problem of the readmission of alien Jews into the lands which they had been forced to leave. The endeavor of the non-repatriable Jewish displaced persons in Europe to emigrate was studied *inter alia* on the basis of reports made by Zorach Warhaftig. Some of the findings of these studies were published in his pamphlet, *Where Shall They Go?* and in the aforementioned book, *Uprooted*.

In the field of reparation and indemnification, the activity of the Institute was particularly vast and varied, so that only a bare summary can be given here. Suggestions and demands were prepared, to be submitted by the Congress to the Allied Governments for the allocation of a share of the reparations to the Jewish people, for general restitution of property and adequate indemnification where restitution was impossible, and for the use of heirless and unclaimed Jewish property for the rehabilitation of the devastated Jewish communities. In addition, a book was published on this subject, entitled *Indemnification and Reparations: Jewish Aspects*. This volume by Nehemiah Robinson, written and published in 1944 while the war was still on, sets forth a postwar plan for restitution and compensation to Jews and Jewish communities

despoiled by the Nazis and their satellites, and for the realization of individual claims. It gives an estimate of the Jewish wealth in the various countries as it existed before the spoliation, discusses the problems of indemnification under the aspects of international and municipal law and in the light of experience after the First World War, as well as in the territories liberated by the time the book was written, and considers the question of exacting reparations from Germany. The final section contains a number of proposals, among them suggestions for dealing with the problem of absent persons and ownerless property, measures in favor of Jews from Axis countries, and the creation of a Jewish Agency for Reconstruction.

Three supplements to the volume were issued in mimeographed form in 1945 and 1946. Two of them describe the developments in the field of indemnification and reparations since the appearance of the book, and discuss the actual situation and the legislation enacted in the belligerent and neutral countries with regard to these problems, as well as the literature on the subjects. The third supplement deals with the material and legal situation in the American zone of occupation in Germany.

These studies became the basis for steps taken by the Congress in the field of restitution and indemnification.

#### *Contribution to International Organization*

In the sphere of international organization, human rights, and fundamental freedoms, proposals were prepared for the San Francisco Conference of April, 1945, at which the Charter of the United Nations was adopted. These proposals were submitted to the representatives of the various governments by a Congress delegation which included the Director of the Institute, Dr. Jacob Robinson, whose volume, *Human Rights and Fundamental Freedoms in the Charter of the United Nations* appeared a year later. This volume assesses the implications of the United Nations Charter for the guarantee of human rights and fundamental freedoms. It traces the evolution of the language used in the Charter, beginning with the Dumbarton Oaks Proposals, through the various amendments by governments and comments by experts and organizations, until the final formulation of the Charter itself. The author

also examines closely each detailed reference to human rights and fundamental freedoms not only against the background of the objectives of the United Nations, but also in relation to the responsibilities of its organs. He reaches the conclusion that, in the main, and at this stage, it is the sovereign state whose progress in the field of human rights is decisive. However, the combined efforts of world authority, as vested by the Charter in the United Nations, may eventually transform it into international protection of human rights.

In November, 1946, the Secretariat of the United Nations requested Dr. Robinson to assist it, in the capacity of Expert-Consultant, in preparing the first session of the United Nations Commission on Human Rights, scheduled for January 27, 1947. During this session the first steps were taken toward an International Bill of Rights, a measure which the Congress has advocated for years. Later, John P. Humphrey, Director of the Division of Human Rights of the Secretariat, wrote to Dr. Robinson that "a large part of the credit for the success of the meeting certainly belongs to you."

#### *Punishment of War Criminals*

Perhaps the best known service rendered by the Institute was its work in regard to the punishment of war criminals, which is described in the Chapter on the trial of German major war criminals.

As early as 1942, the Institute had begun studying the problem of punishment for the crimes committed against the Jewish people by the Nazis and their satellites. Contacts were made with the United Nations Commission for the Investigation of War Crimes, to which several memoranda were submitted. These discussed the problem of extending the notion of war crimes both *in space* (to cover crimes committed against Jews not only in occupied territories but also in Germany and Austria) and *in time* (to extend the time of commission of such crimes back to 1933, to Hitler's advent to power). Personal interviews took place with leading personalities of the Commission. Demarches were made to the Big Three in the form of memoranda and conferences; to the British Government since 1943, to the United States Government since 1944, and to the Soviet Government since 1945. The notes received by the Governments as the outcome of these conferences

and the memoranda submitted were used for developing further suggestions and proposals.

At the same time, a series of studies were prepared by the staff of the Institute on the legal aspects of the problem of punishment for the crimes against the Jewish people. Special reports were prepared for the United States Office of Strategic Services, the American Chief of Counsels and the Prosecution Offices in Washington and Nuremberg. The most important of the papers submitted was "The Conspiracy Against the Jewish People (An Indictment)," consisting of three parts:

Part I: The Preconceived Plan to Annihilate the Jewish People (with exhibits) containing (1) statistics on Jewish casualties during Axis domination; (2) anti-Jewish legislation in a condensed form.

Part II: The Successive Stages of the Crime Against the Jewish People, with the following charges:

- (1) Persecution of Jewish Religion and Spiritual Life
- (2) Disfranchisement and Stigmatization
- (3) Economic Destruction
- (4) Ghettoization
- (5) Starvation
- (6) Deportation
- (7) Forced Labor
- (8) Mass Annihilation

Part III: The Responsibility of Individuals and Organizations. This part gave a survey of the Nazi organizations and leading personalities and their interrelationship in achieving the criminal purpose.

Twenty-nine dossiers containing a detailed description of the personalities and the criminal activities of the major Nazi criminals accused in Nuremberg, as far as their crimes against the Jewish people were concerned, were submitted to the Prosecution.

Upon the conclusion of the trial of the top Nazis, Justice Jackson expressed his recognition of the Institute's contribution in a letter of November 1, 1946. "The Nazi persecution of the Jews," wrote Justice Jackson to the Institute, "was one of the major phases of the Prosecution's case, and the successful presentation of

that aspect of the case was greatly aided by the contribution made by the Institute of Jewish Affairs." He added that "the planning and research work of the Institute found it, on termination of the war, in possession of a large amount of documentation, carefully sifted and selected," the compilation of which "was a product of prodigious labor and careful research," and praised in particular Dr. Robinson's work in Nuremberg and "his scholarly counsel and advice, his untiring efforts and critical judgment" which he had put at the service of the Board of Review of the U. S. Office of Chief Counsel.

In August, 1946, Dr. Robinson was invited by General Taylor for consultations on the subsequent trials. He had lengthy conversations with Chief Prosecutor Abe Pomerantz on the trials of industrialists.

The verdict of Nuremberg was evaluated by members of the Institute in various publications.

Since August 1, 1947, the Institute has been an integral part of the World Jewish Congress. This has linked the work of the Institute still closer with the activities of the various departments of the Congress, in particular, the Political Department. The research program of the Institute has continued and resulted in several studies on Jewish history during the last thirty years, on Jewish losses under Nazi rule and occupation, on the present Jewish situation in various countries, and on Jewish migration during the last one hundred years.

The punishment of war criminals is still a matter of vital concern in the work of the Institute. Close contact has been maintained with the U. S. Chief of Counsel for War Crimes in Nuremberg and with the leading personalities of the U. S. Prosecution staff in connection with the cases against German war criminals which have been concluded or are still going on in Nuremberg. New material and documentation have been collected and analyzed by the Institute. A comprehensive study of the punishment of war criminals is in preparation. It will deal with the trial before the International Military Tribunal, the 12 cases before the U. S. Military Tribunals, the trials in the British, French, and Russian zones of Germany, and with those in liberated and former Axis countries.

The problem of anti-Semitism in different countries has been considered under its various aspects. Observations and reports have been submitted to departments and interested constituencies of the Congress. An analysis of the legislation against anti-Semitism in European countries has been completed. In addition, the Institute has participated in the work of the World Jewish Congress concerned with the restoration of Jewish rights in countries where they have been taken away under German rule or influence, with an International Bill of Rights, and with an International Convention Against Genocide.

## *2. The Research Department of the British Section*

THE RESEARCH COMMITTEE (later the Research Department) of the British Section of the Congress was formed in July, 1942, at the initiative of Dr. Aaron Steinberg, who assumed its chairmanship, a position he still holds. Dr. Manfred Lachs, and Dr. Lev Zelmanovits discharged at the beginning the duties of Honorary Secretaries.

Some thirty experts voluntarily participated in the research work of this body.

The purpose of the Committee was to investigate problems of legal, economic, and cultural postwar rehabilitation of the Jewish people. It worked in close contact with the Institute of Jewish Affairs in New York within the limitations imposed by war conditions. The Department was composed of three sections: Legal, Economic, and Cultural.

### THE LEGAL SECTION

The Legal Section, under the chairmanship of Dr. F. R. Bienenfeld, dealt with the following problems:

*Restitution and Indemnification.* A comprehensive scheme for restitution was discussed during the war in numerous meetings of the Section with the participation of Jewish experts from various European countries, on the basis of drafts prepared by Dr. Bienenfeld, Dr. G. Weis, and Dr. P. Weis. The suggestions agreed upon were submitted in the summer of 1944 to the Executive Committee, and the general principles outlined therein were accepted by the Atlantic City Conference. The Section later assisted

various European communities in the presentation of their requests in the field of restitution, and in representations regarding the laws on the subject. Nearly all its suggestions relating to claims against the *bona fide* possessor and the protection of the rights of Jews of former enemy nationality were included in these laws. Still, the progress of restitution in many countries is unsatisfactory. Therefore, contact is maintained with European affiliates, and facts and legal documents are collected to be used as the basis for eventual interventions.

Similarly, the problem of heirless property was the subject of thorough study as early as 1943. Dr. Bienenfeld visited the United States during the war to discuss this question with the Institute and with the Jewish Agency. Proposals of the Section were embodied in the paper submitted to the Reparations Conference in Paris. The Section also maintained close contact with the Czechoslovak, Greek, and Italian communities with respect to national legislation in this matter.

Documentation was submitted to the Custodian of Enemy Property in order to have the assets of enemy nationals, confiscated or blockaded in Britain, released from custody. It is expected that assets which were transferred before the war to Great Britain—not on a commercial basis—will be exempted.

*War Crimes.* After the St. James Conference, Dr. Bienenfeld, Dr. F. Kobler, and Dr. Steinberg prepared a memorandum on the legal aspects of international law in relation to crimes against humanity. The principles of the memorandum were incorporated in the study later submitted by the Institute of Jewish Affairs to the Chief Counsel of the United States. In addition, a delegation of the British Section was received by the War Crimes Commission, under the chairmanship of Sir Cecil Hurst, in London on July 20, 1944, and their arguments contributed to the change of attitude of the British Government.

*Stateless Jews.* In July, 1944, the Research Committee published a comprehensive paper on the problems of statelessness by Dr. P. Weis and R. Graupner, LL.B., which inquired into the reasons for the existence of this condition and offered suggestions for a future policy in regard to stateless persons which were later partly accepted by the Intergovernmental Committee on Refugees and PCIRO. The Research Committee worked in close cooperation

with the Intergovernmental Committee, which at that time had its headquarters in London, and actively participated in the reintroduction of the Brussels resolutions on the issuance of travel permits to persons denied the protection of a government.

*Group Defamation.* In September, 1944, the Legal Section published a paper on protection against group defamation, explaining the legal position on this matter in a number of countries.

*Relief and Rehabilitation.* A special subcommittee on displaced persons, under Dr. Zelmanovits, prepared a statement in the latter part of 1944 on a policy regarding displaced persons, with special reference to the Jewish aspects of the problem.

*Human Rights.* The Department drew up an exhaustive commentary on the articles of an International Bill of Rights drafted by the Secretariat of the United Nations, as well as on that approved by the First Session of the Human Rights Commission. On the basis of this commentary, and the advice received from Congress headquarters, Dr. Bienenfeld and Dr. Riegner prepared a memorandum for the Second Session of the Human Rights Commission, which took place in Geneva in December, 1947. The Department also cooperated extensively in the drafting of a memorandum for the Third Session of the Commission.

#### THE ECONOMIC SECTION

The Economic Section, under the direction of Dr. N. Barou, conducted a thorough inquiry into the economic position of the Jews in Great Britain, and their distribution in the country. It assisted the Trades Advisory Council in the investigation of the role of Jewish merchants in certain commercial activities. Statistical data were collected and kept up to date, in spite of the fluctuation of the Jewish population in various countries and its migration movements.

#### THE CULTURAL SECTION

*Cultural Rehabilitation.* A program of Congress assistance in the field of Jewish cultural rehabilitation was worked out in 1943. A comprehensive list was compiled of Jewish libraries that had existed in Europe before the war, and inquiries were conducted as to what had happened to Jewish museums and collections of

cultural valuables. Action was taken to assist certain communities, particularly in Italy, Czechoslovakia, and Hungary, in regaining possession of their libraries.

Dr. Kobler and Dr. Steinberg represented the Congress on the Committee which the Jewish Historical Society set up with a view to rescuing Jewish cultural treasures. The Section worked in close collaboration with Congress representatives in Belgium, Czechoslovakia, France, and Hungary in activities pertaining to this matter.

*UNESCO.* On the basis of facts collected and suggestions submitted by the Section, a memorandum was presented by the Congress on November 7, 1945, to the United Nations Conference for the establishment of UNESCO, with a detailed description of Jewish cultural needs and a program of activity.

*Anti-Semitism.* Dr. I. Zollschan elaborated a detailed plan for practical work on the racial problem. Suggestions were submitted to the Council of Christians and Jews in London, of which the British Section is a member. Information was collected on public sentiment regarding anti-Semitism and fascist movements in Great Britain and other European countries. On the basis of the facts collected, press surveys and news bulletins are published by K. Baum and J. Fraenkel, analyzing the British press from this angle.

## CHAPTER III

### RESCUE ATTEMPTS

EVEN NOW, more than three years after the end of hostilities in Europe, it is not yet possible to draw up a balance sheet of the rescue efforts in which the World Jewish Congress was engaged from the start of World War II. Many years will have to pass before the history of the attempts to rescue the Jews of Europe can be written with some degree of objectivity. Only when the confidential records, not only of Germany but also of the United States, England, and many other countries become accessible, will it be possible to pass judgment on the Congress' exertions and on the tragically inadequate results achieved.

The following pages are no venture into the history of rescue in general. The endeavors to which other agencies applied themselves are outside the purview of this chapter.

#### SUMMARY OF CONGRESS SHARE IN RESCUE WORK

What the Congress was able to do in the field of rescue may be summed up, with due humility but also in all fairness, as follows. The World Jewish Congress was instrumental in:

(a) collecting and ascertaining the authentic facts about the German program to wipe out the Jews;

(b) breaking the wall of silence which enveloped the non-Jewish world for nearly three years in regard to Hitler's war on the Jews and mobilizing public opinion for action;

(c) enlisting support of governments, military authorities, and the International Red Cross and contributing to the creation of the War Refugee Board;

(d) preparing programs of concrete measures of relief and rescue on the basis of reliable information and knowledge of the circumstances;

(e) inducing the Allied nations to include retribution for the anti-Jewish crimes among the major purposes of the war, which pledge had a deterrent effect in certain Axis quarters;

(f) bringing about an abatement of the food blockade by getting the blockade authorities to agree to the shipment of food for interned civilians, even if they were not recognized as assimilated prisoners of war;

(g) obtaining a relaxation of the financial blockade, which enabled rescue and relief agencies to extend their operations to enemy and satellite countries, that is, to those countries from which Jews had to be rescued;

(h) the interventions which prevented the deportation of the Bulgarian Jews to Poland, and led to the rescue of the Jews of Denmark;

(i) helping to secure the Horthy offer of July 18, 1944, which in the end resulted in the survival of some 190,000 Hungarian Jews;

(j) the delivery to the Allied military authorities, without prior annihilation of their inmates, of a number of camps, among them Bergen-Belsen and Buchenwald;

(k) a number of special projects, such as smuggling children out of Axis-dominated countries to safe places, exchange of detained Jews for interned Germans, etc., on which lack of space makes it impossible to expatiate here.

#### RESCUE A NEW TASK

Formally, the Rescue Department headed by Dr. Kubowitzki, with K. R. Grossmann as his assistant, was established in April, 1944. However, the rescue activities of the Congress started at the very beginning of the war, and the Executive Committee, the Political Department, the Relief Department, as well as the Department of European Jewish Affairs, devoted their main efforts to rescue work long before the actual creation of a special department for that purpose. Of course, the full implication of the plight of the Jews in Nazi captivity did not become evident until some time had elapsed.

Up to June, 1941, the Germans had sporadically killed Jews by the scores or hundreds. Therefore when later the whole Jewish population of Poland was concentrated in thirteen ghettos and forty-two townships, most people regarded this action as a move toward segregation and enslavement only. Few suspected it was the beginning of a program of complete annihilation.

The outbreak of the German-Russian war ushered in a new stage in Germany's anti-Jewish course. The complete and swift extermination of Soviet Jewry was an organic part of the German war on Russia, and special detachments of the S.D. (*Sicherheitsdienst*) were attached for that purpose to the spearhead divisions of the German Army. December, 1941, marked a new milestone in the Jewish catastrophe. The unusual cold of the Russian winter, the successful counter-offensive of the Red Army, and the entrance of the United States into the war, made the masters of the Third Reich wonder whether they would be able to win a decisive victory over their numerous and formidable enemies. They decided to proceed immediately with the realization of one of their main purposes: the complete destruction of the Jews.

The Jews of the free countries were unaware of these developments; they could only surmise that something sinister was afoot by certain symptoms, such as the systematic deportation in September, 1941, of the remnants of German Jewry to forced labor camps and penal reservations in occupied Poland and Soviet territory. However, on the ninth anniversary of his accession to power (January 30, 1942), Hitler made the most ominous of his statements on the Jews. He declared: "We know full well that the war can end only with the extermination of the Germanic peoples or with the disappearance of Jewry from Europe. Aryan peoples will not be removed from Europe, and this war will see the destruction of Jewry." There could no longer be any doubt. Germany had resolved to execute her program of biological destruction of the Jewish people of Europe as a whole. From that time on the World Jewish Congress knew no rest in its effort to enlist the various governments and the Jewish people in a bold rescue scheme which would not be impeded by timidity and conventional formalities.

The task was a new one for the Congress. In the past its functioning had depended upon the existence of international standards of law and order which the nations were determined to up-

hold. The rescue work had to be carried out amid the wreckage of international law. Besides, communications were disrupted. As the Germans extended with tragic speed their occupation of Europe, relations with Jewish communities became increasingly difficult. Paris was no longer the center of the Congress movement. Many branches of the Congress had disappeared. New posts had to be built at a time when the Gestapo was vigilant everywhere and the censorship regulations of the friendly nations were rigidly enforced. The Congress had no diplomatic status; no intelligence service. And the enemy it faced was armed with all the resources of modern science.

#### ASCERTAINING THE FACTS

The Congress could not engage in rescue operations without knowing the facts. As related above, it had a listening post, under the able direction of Gerhart Riegner and Abraham Silberschein in Geneva, Switzerland, an island of neutrality in the middle of Nazi Europe. Next came its office in Lisbon, Southwestern Europe, in charge of Isaac Weissman, and its office in Stockholm, Northern Europe, headed by Hilel Storch and Chief Rabbi Marcus Ehrenpreis. Jews everywhere in Europe turned to the Congress outposts as the address of the Jewish people. From these points, from its European headquarters in London, from the Jewish Agency office in Istanbul, reports flowed into Congress headquarters. The Institute of Jewish Affairs sifted and verified the news. It compared this information with that obtained from various other sources: from eye-witnesses who had escaped Germany's deadly grip, from the Nazi press, which in its over-confidence sometimes blurted out revealing facts, and finally from different government and research agencies. This gruesome material, collected at the cost of great and unremitting effort, enabled the Institute to form an early approximation of what was going on behind the German smokescreen, and to make it known in such publications as *Starvation over Europe* and *Hitler's Ten-Year War on the Jews*.

At two critical moments, at least, the Congress listening posts proved to be better informed and more reliable in their judgment than celebrated governmental intelligence services.

Toward the end of August, 1942, the Geneva office of the Congress was able to convey to New York and to London, through

diplomatic channels, that at the Fuehrer's headquarters a plan had been discussed whereby all Jews in countries occupied or controlled by Germany were, after deportation to and concentration in the East, to be exterminated as the final German solution of the Jewish problem in Europe. The Allied Governments, the Soviet Ambassador in London excepted, refused to believe this; they wanted the facts investigated. But their inquiries could only confirm the accuracy of the Geneva reports, and after a delay of almost three months, on November 25, Congress headquarters was finally authorized to release the news to the world.

On April 4, 1944, Geneva cabled that Germany had made special provision for the destruction of 800,000 Hungarian Jews within six months; that the yellow badge and registration were preliminary steps which would be followed by arrests and deportations. Once more, governments were skeptical. Eleven weeks later, the War Refugee Board representative in Geneva reported that 335,000 Hungarian Jews had already been deported to their death.

The Allied Governments were not always eager to facilitate the Congress' endeavors. Former Secretary Henry Morgenthau, Jr., in his Diaries, has accused some U. S. functionaries of having "even suppressed information about atrocities in order to prevent an outraged public opinion from forcing their hand . . . Many State Department officials had small personal sympathy for the humble and downtrodden . . . The horrors of Dachau or Buchenwald were beyond their conception." Morgenthau then recounts how the first report of Hitler's annihilation plan came in August, 1942,

"from a man named Gerhart Riegner, who was stationed in Switzerland as representative of the World Jewish Congress. Through various means Riegner got his story out into the hands of Dr. Stephen S. Wise, President of the American Jewish Congress. Wise checked with Sumner Welles in the State Department, and Welles asked Wise not to release the story until an attempt could be made to confirm it.

"Welles then sent a cable marked for the personal attention of Leland Harrison, our Minister at Berne, instructing him to cooperate with Riegner and to obtain further information about the reported Nazi plans. In November four sworn statements arrived. They fully backed up Riegner's

tale; Welles delivered the documents to Wise and told him to make them public."

Morgenthau then goes on to charge the State Department with "trying to shut off the pressure by shutting off at the source the flow of information which nourished it." He says that a few days after another Riegner cable arrived on January 21, 1943, from Berne,

"a reply bearing the code number 354 went from the State Department to Harrison. Referring specifically to his earlier cable, the reply said in effect: 'In the future, we would suggest that you do not accept reports submitted to you to be transmitted to private persons in the United States unless such action is advisable because of extraordinary circumstances.'"

According to Morgenthau, cable 354 was intended to prevent Berne from sending back for some time "any more stories of atrocities which might provoke more mass meetings and more public protest."

#### BREAKING THE WALL OF SILENCE

From September, 1939 until June 29, 1942, the Jews were the forgotten men of the democratic world. They were victims of barbarities without parallel, but the general public, overburdened with the issues and the incidents of a world conflict fraught with the gravest consequences, was not receptive to reports which it was ready to dismiss as propaganda tales; besides, the facts which would have convinced it were hidden from it, notwithstanding persistent endeavors by the Congress to keep it informed. A wall of secrecy concealed the terrible tragedy.

A first attempt to break this conspiracy of silence was made by the Congress' British Section during the St. James Conference of January, 1942, when eight Governments-in-Exile and the Free French National Committee met in London to confer upon Germany's war crimes. On January 13, 1942, the Conference issued a declaration branding the reign of terror instituted by Germany in occupied countries, the mass expulsions, the execution of hostages, and the massacres. Not one reference was made to the crimes against the Jews. This omission was the more disturbing as German fanaticism had convinced itself that it was assured of impunity and even of humanity's secret gratitude for its "solution of

the Jewish question." On February 18 the Congress made formal representations on this subject to the Conference, asking for a specific statement with reference to the "many and special crimes against the Jews." It was not until almost three months later that General Wladyslaw Sikorski, President of the Conference, finally replied that a specific reference to the sufferings endured by the Jews "might be equivalent to an implicit recognition of the racial theories which we all reject."

The Congress did not accept this evasion of the issue and it was decided to make a determined effort to end the suppression of the truth.

The main difficulty was how to convince public opinion and induce the Allied Governments to act. The battles of World War II raged fiercely on three continents, the onslaught of barbarity was nowhere decisively checked, the democratic nations feverishly tried to overcome their unpreparedness for a conflict of such dimensions. The Governments-in-Exile were chiefly concerned with the sufferings of their nations as a whole.

On June 29, 1942, the British Section convened a conference of representatives of the press of the free world and placed before them the facts of the systematic destruction of European Jewry. The response was immediate. For the first time since the beginning of hostilities the papers told the terrible story of the Jewish catastrophe. The British Broadcasting Corporation relayed the information; indignant voices were heard in the British Parliament; prelates of all churches joined in denouncing German bestiality.

In the United States, the American Jewish Congress brought about the collaboration of all organized Jewish forces in a mass demonstration which took place at Madison Square Garden in New York on July 21, 1942. For the first time since September, 1939, the leaders of the United States and Great Britain spoke up. Prime Minister Winston Churchill, in a message to the meeting, recognized that

"the Jews were Hitler's first victims, and ever since they have been in the forefront of resistance to Nazi aggression."

He recalled the resolve of President Roosevelt and himself to place retribution for the German "butcheries and terrorism . . . among major purposes of this war." This assurance was expressed with

even greater force in a message to Dr. Wise by President Franklin D. Roosevelt, who stated that

“the American people . . . will hold the perpetrators of these crimes to strict accountability in a day of reckoning which will surely come.”

On September 6, the Congress took the initiative to call a gathering of the leading Jewish organizations of the United States, in order to formulate a common plan of action. The meeting organized itself into a Conference on the Jewish Situation in Nazi Europe, and at its request, Dr. Wise assumed the chairmanship of the body. In London, a Consultative Committee was set up of representatives of the Congress, the Jewish Agency, the Board of Deputies, and the Agudas Isroel. The British Section also participated in the National Committee for Rescue from Nazi Terror, consisting of members of both Houses of Parliament, Church leaders, and organizations concerned with refugee questions.

On November 2, the Congress released to the press the collection of authenticated documents from Geneva which verified the reports of the continuing mass atrocities and the fact that two million Jews had already perished, and called, at the request of the Chief Rabbinate of Palestine, for the observance on December 2 as a day of mourning throughout the world. On December 8 a delegation of Jewish leaders headed by Dr. Wise was received by President Roosevelt, who gave assurance “that the United Nations will be prepared, as the American Government would be, to take every step which would end these crimes against the Jews.” Germany’s answer came swiftly in Hitler’s 1943 New Year’s message, in which he confirmed that world Jewry “will exterminate itself.”

As mounting evidence reached the Congress that the annihilation was proceeding at a furious pace, while the Allied nations contented themselves with the promise of postwar punishment, the Executive decided that the time had come for a public and forthright program of action, directed to the United Nations with a view to saving the remnants of European Jews.

On March 1, 1943, a great demonstration, one of the largest ever held in the United States, took place in Madison Square Garden at the initiative of the Congress and under the joint auspices of the American Jewish Congress, the American Federation of Labor, the CIO, and the Church Peace Union. Twenty-two thou-

sand people crowded into the great hall, while 15,000 stood outside throughout the evening listening to the proceedings through amplifiers. The demonstration was addressed by Dr. Chaim Weizmann, Dr. Stephen S. Wise, Governor Thomas E. Dewey, Mayor Fiorello H. LaGuardia, Senator Robert F. Wagner, William Green, and others. The British Section transmitted cable messages from the Archbishop of Canterbury and the late Cardinal Hinsley, whose last public utterance it was before his death a week later. The meeting laid down a 12-point program for the rescue of European Jewry prepared by World Jewish Congress experts.

The effect was immediate. On the following day, Undersecretary of State Sumner Welles declared that a note had already been sent to Great Britain on February 25 offering the cooperation of the United States in organizing an intergovernmental meeting for the study of methods to save "political refugees" in Europe. The meeting came to be known as the Bermuda Refugee Conference and will be dealt with presently.

The conspiracy of silence had been broken to some extent as far as the Allied and neutral nations were concerned. But should not an attempt be made to arouse the populations under Axis rule against these bestialities? Were they aware of the facts? Doubt was warranted since the leaders of the Third Reich were strangely careful not to refer to their policy of annihilation in any terms other than vague circumlocutions.

Consultations were held with representatives of the Office of War Information. They were apprehensive lest broadcast reports of German cruelties to the occupied populations might fill them with terror and thereby serve the German policy of domination through frightfulness. In a memorandum to the Office of War Information, the Congress hinted out that if that apprehension were justified, the German leadership would not refrain so consistently from revealing these atrocities to their populations, nor would the various resistance movements publish these facts in their underground papers. In compliance with the Congress request, the OWI decided in September, 1943, to devote time in future broadcasts to authenticated information concerning the systematic annihilation of the Jews in Europe and to warnings that the perpetrators of the crimes would be severely punished.

Similar contacts were made with various other agencies and departments concerned with psychological warfare.

The effect of this new policy was that even in Germany Deputy Reich Press Chief Helmut Suendermann found himself compelled to take up twice in his conferences with the foreign press the matter of the treatment of the Jews in Europe. In October, 1943, and in July, 1944, he brazenly contended that the Jews had merely been incorporated "in the European production system in accordance with their professional training." At the July, 1944, meeting he even boasted of German humanitarianism as exemplified in Terezin, which had just been inspected by a Commission of the International Red Cross.

#### ENLISTING THE SUPPORT OF GOVERNMENTS AND MILITARY AUTHORITIES

Even if the Jewish people had had the foresight to set up in time a powerfully equipped rescue agency, it could have done little without the most active support of governments and quasi-governmental agencies. A war of apocalyptic magnitude was raging and a private organization could make no move without running up against the thousand and one barriers which military circumspection had devised to restrict and prevent communications and transactions between one country and another.

One of the primary tasks of the New York headquarters and its London office, consequently, was to enlist the good will and cooperation of the American and British Governments. The Bermuda Refugee Conference, the announcement of which came immediately after, and as a result of, the Madison Square Garden demonstration of March 1, 1943, was the first test of Anglo-American understanding of the Jewish catastrophe. The two Powers failed miserably to pass this test.

As soon as the terms of reference of the meeting were made public, it became clear that the question had been changed from that of rescuing the stricken Jews of Europe to an entirely different and much less critical issue: "the refugee problem . . . not . . . confined to persons of any particular race or creed." Admittance to the Conference was denied to representative Jewish bodies, and the Congress had to be content with submitting a

memorandum. In its covering letter of April 14, 1943, signed by Dr. Wise and Dr. Goldmann, the Congress stated that "no attempt has been made on an even partially adequate scale to deal with" the Jewish tragedy. It asked for action that would be "swift, bold, and on a scale commensurate with the gravity and urgency of the situation."

History will record the Bermuda Refugee Conference as a monument of moral callousness and inertia. The Congress had asked that negotiations be initiated with the Axis for the release of the Jews of Europe; the Conference rejected the proposal. The Congress had asked that food be shipped to the ghettos; the Conference did not consider itself authorized to recommend such a measure. With regard to countries of asylum for the "refugees", the United States did not liberalize its immigration policy; Great Britain did not open the gates of Palestine. No report on the proceedings of the Conference and its decisions was ever published other than a brief final communiqué in which it was stated in cold blood that:

"From the outset it was realized that any recommendation that the delegates could make to their governments must pass two tests: would any recommendation submitted interfere with or delay the war effort of the United Nations, and was the recommendation capable of accomplishment under war conditions?"

Jewish reaction to the communiqué was accurately expressed by the World Jewish Congress' *Jewish Comment* of May 14, 1943:

"The truth is that what stands in the way of aid to the Jews in Europe by the United Nations is not that such a program is dangerous, but simple lack of will to go to any trouble on their behalf."

One of the proposals submitted by the Congress to the Bermuda Refugee Conference had been the establishment by the United Nations of "an appropriate intergovernmental agency, to which full authority and power should be given to implement the program of rescue." More than nine months passed without any action being taken upon this demand. Finally, on January 22, 1944, President Roosevelt created the War Refugee Board, whose formation was a direct result of the innumerable difficulties the Congress had encountered, in spite of the support of the Treasury,

before securing, on December 18, 1943, a license for the transfer of rescue monies to enemy countries. The Board owed its existence largely to the initiative of Secretary of the Treasury Henry Morgenthau, Jr., who on January 16 had submitted to the President a Personal Report in which he accused the State Department of having utterly failed to prevent the extermination of Jews in German-controlled Europe, and certain of its officials of having suppressed for some time reports on German atrocities, and of having hidden their procrastination behind window-dressing.

The War Refugee Board consisted of the Secretary of State, the Secretary of the Treasury, and the Secretary of War, and its purpose was

“to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise afford such victims all possible relief and assistance consistent with the successful prosecution of the war.”

John W. Pehle, Assistant to the Secretary of the Treasury, with whom the Congress had been in constant touch during the negotiations for the license, was appointed Executive Director of the Board.

Contact was immediately established and maintained between the Congress and the headquarters of the War Refugee Board in Washington, as well as with the Board's representatives in London, Geneva, Lisbon, and Stockholm. Sincere tribute should be paid to the zeal, daring, and perseverance of its leading officers and workers. However, the authority vested in the Board did not always suffice to overcome the cautiousness and formality which had previously delayed and obstructed rescue efforts in certain governmental circles. It may be regretted that the Board did not consider it advisable to set up some kind of consultative body of representatives of the leading private rescue agencies, in order to share with them its information and experiences, and to benefit from their knowledge and judgment in regular conferences. It may also be doubted whether the secrecy with which the Board screened many of its undertakings even from the leading Jewish organizations was of service to the rescue cause. Having said as much, it should be added that it is the consensus of those who watched the work of the Board that, had it been set up some two years earlier,

it might have spared humanity much agony and saved many, many lives.

The Congress gave the War Refugee Board its wholehearted cooperation and offered it, in the nine months of the Board's existence, an abundance of suggestions, a number of which were accepted and acted upon. The Rescue Department was particularly obliged to those assistants and agents of the Board with whom it was in frequent, sometimes daily, consultation: Lawrence S. Lesser, Dr. Benjamin Akzin, and Paul McCormack.

The Congress also established good relations with the military authorities. However, it was in vain that it endeavored since June, 1944, to have the instruments of annihilation—the gas chambers, the gas vans, the death baths, the crematoria—attacked in force either by the underground fighters or by Allied paratroopers. Neither did the Congress succeed any better in this respect in its negotiations with the Soviet Embassy, nor were E. Frischer, A. Reiss, and Dr. I. Schwarzbart more successful in their conversations with the Czechoslovak and Polish Governments, respectively. The London negotiations centered around precision bombing of the extermination chambers, which the Congress leaders considered possible.

On August 14, 1944, Assistant Secretary of War John J. McCloy wrote to Dr. Kubowitzki regarding a proposal that certain installations and railroad centers be bombed.

“. . . After a study it became apparent that such an operation could be executed only by the diversion of considerable air support essential to the success of our forces now engaged in decisive operations elsewhere and would in any case be of such doubtful efficacy that it would not warrant the use of our resources. There has been considerable opinion to the effect that such an effort, even if practicable, might provoke even more vindictive action by the Germans.”

History will judge whether the Allies were justified in refraining, for instance, from attacking the Auschwitz death installations until the camp was taken by the Russians on January 27, 1945.

#### PRODDING THE INTERNATIONAL RED CROSS

Great were the Congress' expectations regarding the role of vital importance that the International Committee of the Red

Cross (ICRC) could and would play in the rescue of the Jewish victims of the Nazis. However, it battled in vain against two convictions which that body considered axiomatic, and from which it could not be weaned: one, that the International Red Cross was merely a committee of good will composed of a few private individuals which had no power or authority in the face of a powerful state determined to exterminate a race; the other, that any public statement of the International Red Cross on the events in Germany would only serve to jeopardize its other humanitarian activities.

The persistent silence of the Red Cross in the face of the various stages of the extermination policy, of which it was well informed, will remain one of the troubling and distressing riddles of the Second World War.

The World Jewish Congress held the opinion that the Red Cross was in a position to get important results in many fields of humanitarian endeavor whenever it was determined to assert its authority. It repeatedly approached the Geneva headquarters as well as the Washington Delegation of the International Red Cross Committee, stressing that the latter was bound "to carry out the task of relieving sufferings arising out of war, sickness or disaster," and that the agonizing Jewish people had the greatest moral claim to the assistance of the Committee. Later it concentrated its major efforts on inducing the ICRC to secure for the Jews confined in ghettos and labor and concentration camps the status of civilian prisoners of war. Such status would have entitled the Jews to the care of the International Red Cross and could have spelled the physical deliverance of tens of thousands. The Geneva Convention on Prisoners of War had been promulgated in Germany, and the Reich had declared that it would be applied by analogy to interned civilians. The Italian Government, too, had accepted the extension of the 1929 Convention to interned civilians. The Congress wanted the International Red Cross to approach the German Government and demand a justification of the distinction it had established between civilian internees and "detained civilians." It further wanted the Red Cross to make at least a public statement, announcing that it considered the Jews confined in ghettos and concentration and labor camps as civilian internees.

The Congress' viewpoint was made particularly clear in a letter addressed on December 10, 1943, by Dr. Kubowitzki and

Dr. Tartakower to Dr. Marc Peter, Washington Delegate of the ICRC. Negotiations with a view to inducing that body to act on Congress suggestions were carried on uninterruptedly in Washington, Geneva, and London; yet the ICRC stuck to its view that it was in no position to bring pressure to bear upon governments, and that the success of its activities depended on discreet and friendly suggestions.

Finally, on October 2, 1944, when the complete defeat of Germany was apparent to all, the International Red Cross directed an official note to the German Ministry of Foreign Affairs, requesting that all foreigners held in Germany and German-occupied territories be recognized as civilian prisoners of war. Had the ICRC adopted from the beginning the courageous and aggressive attitude which distinguished its activities after Hungary had fallen a prey to Germany and in the final months of the war, it could have written some of the brightest pages in the history of human charity.

The sins of omission of the ICRC during the terrible years of World War II call for reorganization and reform. As a result of an article published by Kurt R. Grossmann in *Congress Weekly* of November 12, 1943, in which he exhorted the International Red Cross to fulfill the testament of its founder, Henri Dunant, Congressman Emanuel Celler urged Cordell Hull to take appropriate action. The Secretary of State answered on January 18, 1944, stating in part:

"The barbarous treatment accorded by the German authorities to certain categories of civilians under their control indicates the desirability of some international instrument similar to the Geneva Convention to set forth the duties of belligerents in respect of all victims of war and oppression and to provide appropriate neutral and international machinery for their protection and relief."

#### PREPARING PROGRAMS OF CONCRETE MEASURES OF RELIEF AND RESCUE

President Roosevelt had assured the Jewish delegation he received on December 8, 1942, that the United Nations and the American Government were prepared to take every step which might end the crimes against the Jews. However, as Secretary

Morgenthau was to say in January, 1944, in his "Personal Report to the President,"

"The matter of rescuing the Jews from extermination is filled with difficulties. Only a fervent will to accomplish, backed by persistent and untiring effort, can succeed where time is so precious."

Unfortunately the Allied Governments did not have that fervent will. When they were confronted with the Jewish catastrophe, they seemed to be overcome by paralysis. It was clearly up to the Jewish organizations to formulate programs of concrete measures of relief and salvation.

On March 1, 1943, the great "Stop Hitler Now" demonstration laid down a 12-point program for the rescue of European Jewry, prepared by World Jewish Congress experts. The program demanded, in particular, that negotiations with the Axis Powers be attempted through neutral countries for the removal to safe places of as many Jews as possible; that arrangements be made with the Germans through neutral countries to permit the feeding of Jews in the ghettos; that support be extended to neutral countries by the United Nations for the maintenance of refugees until their return home after victory, or their emigration to other permanent homes; that the immigration regulations of the United States be adjusted so as to make it easier for refugees to enter; that, regardless of pre-war political decisions, Great Britain open Palestine to Jewish refugees, and that the United Nations establish an appropriate intergovernmental rescue agency.

On March 2, Undersecretary of State Sumner Welles declared that these demands would be carefully considered at the Bermuda Refugee Conference, which, however, as recounted above, rapidly moved from its promising beginning to a disheartening end.

On February 28, 1944, after the President of the United States had set up a War Refugee Board "to rescue the victims of enemy oppression who are in imminent danger of death," Dr. Kubowitzki submitted to the Administrative Committee of the World Jewish Congress a Program of General Measures of Relief and Rescue of Jews Threatened with Extermination by the Enemy, which was accepted as the rescue program of the Congress and presented as such to the War Refugee Board by a delegation com-

posed of Rabbi Isaac Alcalay, Dr. A. L. Kubowitzki, Rabbi Irving Miller, Dr. M. L. Perlzweig, and Dr. Jacob Robinson.

The Program began by stressing that

“if the purpose of the War Refugee Board is to be fulfilled, customary procedures must be superseded. The rescue of Jews from the clutches of the Nazis now falls for the most part within the sphere of underground activity, and commando and guerrilla warfare.”

It then subdivided the plan of action into psychological and diplomatic steps and practical measures. A detailed description of the possible operations was given, and at the same time their urgent necessity and feasibility was demonstrated. The plan called for reiterated warnings to the torturers as well as for appeals to the surrounding populations to succor the victims; for dissemination of the facts of extermination through leaflets and radio broadcasts; for immediate trials of the already captured war criminals; for continued pressure on the satellites and encouragement of the neutral states; for public recognition of the segregated and interned Jews as civilian internees. In the field of practical measures, it asked for temporary camps in free countries for refugees assembled from neutral and enemy-occupied countries; for temporary asylum for Jewish children in neutral countries; for the granting of boats to the International Red Cross for the transportation of food supplies to internment camps; for removal of transit difficulties in Turkey; for a thorough exploration of the possibilities of exchanging Jews under Axis control for certain categories of Axis nationals living in the territories of the United Nations; for relaxation of the blockade on food parcels for the camps; for periodic inspection of the camps by International Red Cross delegates; and for granting adequate financial allocations to the International Red Cross. It finally demanded close contacts and cooperation with the various underground movements and guerrilla units with a view to hiding Jews or to smuggling them out, and requested that contacts be also sought with the Jewish youth leaders in ghettos, concentration and labor camps, who should be provided with weapons.

These demands, most of which the World Jewish Congress had unremittingly pressed in the preceding years, found attentive ears in the War Refugee Board, which incorporated many of them in its own program of action.

PLEDGES OF RETRIBUTION AS A MEANS  
TO HALT MASSACRES

From the outset of the extermination process, the World Jewish Congress emphasized repeatedly the importance of solemn, specific and reiterated warnings. On July 21, 1942, President Roosevelt and Prime Minister Churchill, in their messages to the Madison Square Garden meeting, promised to place retribution among the major purposes of the war. It was felt, however, that the warning would be more impressive if all the Allies joined in the pledge. Consequently, the British Section, in a series of negotiations, requested the United Nations to issue a collective warning dealing specifically with the magnitude of the Jewish tragedy. Such a declaration was published on December 17, 1942, simultaneously in London, Washington, and Moscow, with the assent and support of all the Allied Governments and of the British Dominions. In the House of Commons, the pledge was read by Anthony Eden, Secretary of State for Foreign Affairs, in reply to a Private Notice Question by S. S. Silverman, M. P., at that time Acting Chairman of the British Section. In this statement, the Belgian, Czechoslovak, Greek, Luxembourg, Netherlands, Norwegian, Polish, Soviet, United Kingdom, United States, and Yugoslav Governments, and also the French National Committee

“condemn in the strongest possible terms the bestial policy of coldblooded extermination. They declare that such events can only strengthen the resolve of all free-loving peoples to overthrow the barbarous Hitlerite tyranny. They reaffirm their solemn resolution to ensure that those responsible for the crimes shall not escape retribution, and to press on with the necessary practical measures to this end.”

Some time elapsed before it became clear that the German leaders remained unmoved, vacillating as they were between their conviction that their march toward world domination could not be halted by any power on earth, and their determination, if the war should be lost and they be doomed to destruction, to make the Jewish people share their doom. However, there was much evidence that the warnings were having a salutary effect in the satellite countries. Many instances were reported of hiding and protecting Jews, and of resisting the anti-Jewish policy, which acts derived

their inspiration from broadcasts and leaflets originating in London and New York.

When on March 19, 1944, the German armies occupied Hungary, and Hungarian Jewry was hit with startling suddenness and speed, it was felt that the time had come for a renewed and emphatic admonition. Dr. Wise had been pressing the President of the United States for some time to issue such a warning. On March 24, 1944, Franklin D. Roosevelt, acting with the knowledge and approval of Great Britain and Soviet Russia, branded as "one of the blackest crimes of all history—begun by the Nazis in the day of peace and multiplied by them a hundred times in time of war—the wholesale systematic murder of the Jews of Europe . . ." The statement continued in part:

"It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. . . . That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries."

The notice of retribution was supplemented with a direct appeal to "Germans and others under Nazi domination" to demonstrate their disavowal of the Nazi crimes—and thus prove their right not to be held accountable for sharing "these insane criminal desires"—by specific acts designed to aid and rescue the victims of German barbarity. Foreign Secretary Eden supplemented this in the House of Commons on March 30 with a promise that, just as criminals would be punished, so the "merciful," including both individuals and governments, would be rewarded.

After D-Day, the Congress laid great stress on the use of psychological warfare in order to forestall the slaughter of the Jews by the retreating German armies. It asked that instructions be beamed to the Maquis and other resistance movements, urging them to make a special effort for the protection of the helpless men, women, and children confined in concentration and labor camps. At the request of the British Section, headquarters also pressed for a statement from the highest military authorities. On October 30, 1944, Assistant Secretary of War John J. McCloy wired to Dr. Kubowitzki: "I am glad to report that approval has been secured for issuance by General Eisenhower of a state-

ment." The warning by the Supreme Allied Commander in Western Europe was released on November 7 and read in part:

"Germans, attention! You have in your midst many people in concentration camps and labor battalions. My orders to you Germans are to disregard any orders that you may receive to harm these people, no matter what their religion or nationality . . . Severe penalties will be inflicted on any directly or indirectly responsible for mistreating such people."

#### FIGHT AGAINST STARVATION

To exterminate the Jews, the Germans had devised a number of methods: planned starvation, inhuman forced labor, and outright slaughter. Much time went by before the world realized that Germany was engaged in an all-out food war, aiming at a radical and permanent shift in the demographic balance of power. Much more time went by before it was grasped that Germany had made starvation a frightful weapon for the destruction of the Jews. The Jews in the ghettos received no meats, no fats, no fruits, no vitamin-bearing nutriments. The result was a decimation unparalleled in any other group. Spotted typhus and tuberculosis were rampant; the death rate among Jewish children in the Warsaw ghetto was thirty times as high as among Polish children.

However, in the first years of the war, the blockade was considered the deadliest weapon in the British arsenal. There was widespread belief that every scrap of food sent to Europe would postpone the day of Germany's downfall. Catholic laymen, including six professors of the University of Notre Dame, issued a statement which declared that "any attempt to force the British blockade and feed the conquered populations of Europe, is contrary to the best interest of Christianity and America." So did the Unitarian Service Committee. On March 9, 1941, the British Embassy in Washington reaffirmed "that no form of relief can be devised which would not directly or indirectly assist the enemy's war effort." The State Department contented itself with declaring on September 25, 1941, that "the responsibility and manifest duty to supply relief rests with the occupying authorities." Jewish opinion itself was sharply divided. Little was

known of the true facts; but the sympathy for the sufferers was held in check lest it help the hated enemy.

While the controversy was raging in the United States, Dr. Abraham Silberschein in Geneva did not allow himself to be deterred from his duty. With the assistance of the Congress office in Lisbon, he was dispatching food to the Polish ghettos in 1941 at the rate of 1,500 parcels a week.

In September, 1942, the Congress initiated, in consultation with Czechoslovak Jewish leaders in New York and London, negotiations with the Czechoslovak Government-in-Exile and induced it to agree to a scheme for feeding the inmates of Terezin (Theresienstadt), regardless of their nationality. Subsequently the Joint Distribution Committee applied to the Treasury for a license, which it was granted about the middle of May, 1943, to send food parcels to Terezin.

However, the shipping of parcels to the ghettos and camps in Poland met with considerable difficulties. Licenses for transfer of funds to Lisbon were granted reluctantly and parsimoniously and even the amounts allowed could be used only to a limited extent because of technical difficulties. Besides, many parcels were arbitrarily confiscated by the Germans; others were returned as "undeliverable."

It was obvious that in these circumstances no private initiative could measure up to the immensity of the task. Only a determined effort on the part of the Allied Governments could have some efficacy.

Beginning with July, 1942, the Congress engaged for many long, tragic months in innumerable negotiations with the blockade authorities, the Board of Economic Warfare, the Treasury Department, and the International and American Red Cross. It endeavored to persuade them to agree to some system of feeding the Jews in ghettos and camps, either as part of a general food scheme in behalf of certain oppressed peoples of Europe, or else as a special program for the Jews against whom starvation was being employed as an instrument of extermination.

Later, the Congress' action in this respect proceeded in two directions. It sought to obtain Allied funds for the International Red Cross and to extend the use of the Red Cross food parcel service to Jews in concentration camps.

The Congress realized very soon that the International Red Cross Committee was the only organization capable of reaching the surviving Jews. However, the ICRC complained that it did not command sufficient funds to send to the Transnistria deportees, for instance, more than a limited quantity of food, to procure the pharmaceutical products needed for camps in Slovakia and Yugoslavia, etc.

On September 16, 1943, Dr. Goldmann called the attention of Assistant Secretary of State Breckenridge Long to this situation, and suggested that the Governments of the United States and Great Britain grant the ICRC adequate financial means for its work. On November 26, 1943, Mr. Long declared before the Committee on Foreign Affairs of the House of Representatives that the United States had agreed in principle to underwrite four million dollars for this purpose. Yet for almost a year, the matter seemed to make no appreciable progress. On August 16, 1944, the Congress finally learned from the War Refugee Board that the International Red Cross Committee had been assured that no lack of funds would be allowed to hamper its work.

The battle for the Red Cross food parcels was another episode in the tragic lack of understanding by the Gentile world of the peculiarity of the Jewish plight. The British and American Red Cross standard parcels were, by the terms of the directions given by the blockade authorities, reserved exclusively for recognized prisoners of war and civilian internees. Yet, while the Germans refused to consider officially the segregated Jews as civilian internees, they would sometimes permit food parcels to be delivered to them in certain camps. The Congress requested in vain that full advantage be taken of this de facto situation. Its pleas could not shatter the fetish of Economic Warfare primacy.

In a letter dated May 1, 1944, addressed to the General Counsel of the Foreign Economic Administration, Dr. Kubowitzki cited an example of the senseless inhumanity of this policy. Twelve hundred Jews were interned in concentration camps in Croatia. The International Red Cross delegate was ready to distribute to them Red Cross food parcels out of the abundant stocks in Switzerland. However, the parcels were earmarked for the officially recognized civilian internees, and the International

Red Cross was afraid to give, without permission of the blockade authorities, a few packages to the starving Jewish camp inmates, lest the entire parcel service for prisoners of war and civilian internees be jeopardized.

It took a hundred more days until in August, 1944, the consent of the blockade authorities was finally obtained for a trial period of three months. A first shipment of some 15,000 3-kg. parcels left about August 20 for Goeteborg — the only port available at that time for such shipments — and from there it was sent to the various camps on September 20 and November 11.

In September, 1944, the Congress Committee in Stockholm obtained from the Swedish Government a license for the sending of forty thousand 2½-kg. food parcels to Jews in internment camps. This time navicerts were secured from the blockade authorities without delay, and parcels were dispatched to the camps of Bergen-Belsen, Theresienstadt, Ravensbrueck, and others. Early in 1945, Hilel Storch, in spite of manifold difficulties, managed to secure the shipment of parcels by trucks from Stockholm to Bergen-Belsen.

The result achieved by the Swedish Section made a deep impression in informed circles, and on March 24, 1945, Roswell D. McClelland, War Refugee Board representative in Switzerland, cabled to his Washington headquarters about conferences he had had on this subject, with Congress representatives:

“ . . . Since we had a large unused stock of WRB parcels in Goteborg, which was not moving, it seemed unnecessary to me that WJC should have to purchase still more food. I therefore offered Kubowitzki to release 40,000 WRB “K” (Kosher) 3 kg.-parcels to WJC in Sweden for delivery to Jewish detainees, particularly in Bergen-Belsen, through the satisfactory shipping channels which Storch seemed to have worked out with Swedish YMCA. On March 16, accordingly, with my approval, ICRC wired their Goteborg man authorizing him to turn over 40,000 parcels to WJC.”

Half of this consignment was dispatched by truck from Stockholm to Bergen-Belsen before the end of March and saved many lives. Two years earlier, a more humane attitude on the part of the blockade authorities might have saved tens of thousands of lives.

### RELAXATION OF THE FINANCIAL BLOCKADE

In another field, too, thousands of lives could have been saved had it not been for the callousness of governmental and intergovernmental agencies and errors in judgment on the part of certain Jewish organizations.

By 1943, the rescue of Jews nearly everywhere in German-occupied Europe had become more and more a matter of underground activities, and also of contacts with Gestapo officials who could be bribed and induced either to halt deportation or to extend their protection to already deported or interned Jews.

In Slovakia the expulsion of the entire surviving Jewish community was postponed three times with the help of money; Jews could be smuggled out of Poland, Slovakia, and Hungary with the help of money; and many things could be arranged in Rumania with the help of money.

Congress repeatedly urged Jewish relief organizations to apply to the United States Government for permission to transfer money to Europe for rescue activities in occupied or enemy countries. They refused to do so on so-called patriotic grounds. Were it not for this tragic misconception of the situation and of their duties, thousands of Jews might have been rescued at a time when the German authorities were ready to release them for a consideration.

Secretary of the Treasury Morgenthau has told in his Diaries the story of how the first license to spend money in occupied Europe was granted to the World Jewish Congress. On April 20, 1943, the Geneva office of the Congress advised headquarters through the State Department that broad rescue activities were possible in France and Rumania, and, in particular, that children could be rescued from Transnistria, that ghastly charnel province in which tens of thousands of Jews had perished. One hundred million lei, enemy currency, would have to be spent in enemy territory. The Congress applied to the Treasury for an initial license to forward a modest amount — a precedent which would open the way for other larger actions along similar lines. Eight months were spent in continued negotiations and representations before the license was granted.

While the Treasury Department was from the outset sympathetic to the proposed action, "the State Department did not at first even want to take the initial step of cabling Berne to find out if the financial arrangements could be worked out," and continued delaying tactics even after the Treasury had come to the conclusion on July 15 "that the proposed arrangements for a deposit would prevent the money from helping the enemy."

Dr. Wise then called on the President, who (Mr. Morgenthau relates),

"deeply moved by the situation, could not have been more receptive. The next day Wise wrote Roosevelt summing up their conversation. 'It gave me deep satisfaction,' he said, 'to find while with you yesterday that out of the depth of your understanding sympathy with Hitler's victims you welcome the proposal which is now before the State and Treasury Departments.' "

However, months passed without action. It was not until late in September, 1943 after having asked for and received further information from Dr. Riegner through the American Legation in Berne, that the State Department also decided to act favorably. At this point, however, the British Ministry of Economic Warfare raised definite objections. To Quote Mr. Morgenthau again:

"The license was still held up. Meanwhile the news from Europe was increasingly depressing. Cables from Berne disclosed, for example, that 4,000 children, between the ages of two and fourteen, had been taken from their parents in France and deported in sealed trains, locked in windowless boxcars, sixty to a car, without adult escort, without food, water, or hygienic provisions. We gritted our teeth and kept putting on all the pressure we could.

"But the worst was still to come. On December 17, 1943, the State Department received a cable from London quoting a Ministry of Economic Warfare letter to the Embassy. The Foreign Office, this letter said, is concerned with the difficulty of disposing of any considerable number of Jews should they be released from enemy territory. For this reason they are reluctant even to approve of the preliminary financial arrangements—though these were now acceptable to the Ministry of Economic Warfare. The letter was a Satanic combination of British chill and diplomatic double-talk, cold and correct and adding up to a sentence of death."

The British measures provoked a strong reaction. Secretary Cordell Hull answered that the State Department was

“ ‘unable to agree with the point of view set forth.’ The ‘philosophy set forth’ is ‘incompatible with the policy of the United States government and with previously expressed British policy as it has been understood by us.’ ”

Permission was finally granted on December 18, 1943, and the Treasury indicated that it would accord sympathetic consideration to all further requests for the remittance of funds as needed, and to any amendments to such authorization as would be necessary to facilitate the operations contemplated. The license addressed to the World Jewish Congress, and bearing No. W-2115, begins as follows:

“In order to arrange for the evacuation to places of safety of persons in France and Rumania whose lives are in imminent danger and, pending possible evacuation, to sustain and safeguard the lives of such persons, your representative in Switzerland (including such agents as he may appoint) is hereby licensed notwithstanding the provisions of General Ruling No. 11 to communicate with persons in France and Rumania in any manner he deems necessary or expedient and to take all other appropriate action, including the payment to persons in France of French francs and the payment to persons in Rumania of Rumanian lei for goods and services.”

The license was regarded by the Treasury Department, and in particular by the men who were to become prominent in the activities of the War Refugee Board, as a very important achievement. It was the first of its kind to be granted in wartime to a private organization.

It served as a precedent for all subsequent licenses granted to the Joint Distribution Committee and other relief organizations which had much larger means at their disposal, and similar operations by the War Refugee Board itself. It opened the way for a new type of rescue work.

John Pehle, head of the Foreign Funds Control, had been instrumental in bringing about that result. The five heartrending months of the Treasury's struggle for the license led directly, as stated above, to the establishment of the War Refugee Board.

## CONGRESS ACTION IN BULGARIA AND DENMARK

It was given to the Congress to have its share in the prevention of the deportation of Jews from Bulgaria to Poland. This vital intervention would have been impossible but for the existence of such an international organization with ramifications in many countries in spite of the war. The result was brought about by simultaneous action in Washington, through the State Department; in Stockholm, through Chief Rabbi Marcus Ehrenpreis; in Ankara, through Ambassador Lawrence Steinhardt; in Berne, through the Bulgarian Minister, G. Kiosseivanov; in Cairo, through the head of the Bulgarian Peasant Party, George Dimitrov, and in the Latin American countries through the Sephardic communities there. It was also possible because of the excellent advice and support of the Bulgarian Jewish Representative Committee in New York, led by Jacques Asseoff, Sigmund Rintel, and Vitalis Nachmias.

Ever since June 29, 1942, when the Bulgarian Sobranje had given the Government *carte blanche* to solve the Jewish problem on a racial basis, the Congress had been on the alert and in constant consultation with the members of its Bulgarian Committee. In March, 1943, the Sofia Government began removing Jews from occupied Greek territory to Poland. All Congress contacts were immediately mobilized and the influence of every possible factor at its disposal was enlisted. Representations were made to the State Department, and on April 8, 1943, Undersecretary of State Sumner Welles wrote to Dr. Wise:

“ . . . active consideration is being given to possible measures for saving them (the Bulgarian Jews). Certain definite steps have been taken toward this end . . . ”

Dr. Ehrenpreis, formerly Chief Rabbi of Sofia, availed himself of the relations he had maintained with the Metropolitan Stefan, head of the Bulgarian Church, who protested to the Prime Minister and, shortly before the death of Boris, asked the King to prevent the deportation. Minister Kiosseivanov undertook a trip to Sofia to dissuade his Government from executing their scheme and Dimitrov addressed his countrymen in impassioned radio appeals broadcast from Cairo.

On March 27 the Government was attacked in the Sobranje, and news followed that Jews holding Bulgarian citizenship would not be deported. This was confirmed in a cable from Dr. Ehrenpreis which the Congress received on April 22, and which read in part:

“Deportation Bulgarian Jews according information temporarily postponed. Observing developments, doing my best.”

However, the Bulgarian Government had so far committed itself to the Germans that it was impossible to prevent the expulsion of the Jews from Sofia, and all the efforts had therefore to be concentrated on preventing deportations to Poland. H. Shoemaker, former United States Minister to Bulgaria, broadcast a strong appeal to the Bulgarian nation. A protest from the Bulgarian-American Committee of New York was repeatedly beamed to Bulgaria. The Sephardic communities of Latin America interceded with the Spanish Ambassadors and the Papal Nuncios accredited to their Governments. On May 24, 1943, DNB reported from Sofia that the Minister of the Interior had ordered the Jews to leave the capital for provincial towns. On June 21 the Congress was informed by the State Department that such steps as were possible under the prevailing conditions had been taken in behalf of the Bulgarian Jewish community, and on June 30 Dr. Ehrenpreis wrote that the situation of the Bulgarian Jews had become less alarming. Thus, while it was impossible to save the Bulgarian Jews from dislocation and misery, physically at least they were saved. Instead of being forcibly transferred to Poland, the Bulgarian Jews, in spite of demonstrations of solidarity by non-Jewish crowds, were dispersed in various towns and villages in the country itself. The 40,000 Jews of Bulgaria's old territory survived.

The Congress also had its share in the rescue of Danish Jews. At the end of September and the beginning of October, 1943, the Danish and Swedish peoples reaffirmed the validity of human ideals by rescuing a large part of Danish Jewry.

The Germans had assumed direct control of Denmark late in August, 1943. They immediately proceeded to seize the records of the Jewish population in the country, and arrested prominent Jews together with leading non-Jewish Danes. The German purpose with regard to the Jewish population soon became clear.

The Congress had for several months been in close consultation with the Danish Minister to the United States. On Rosh Hashanah night, 1943, Hendrick de Kauffmann, who had received alarming reports, came to see Dr. Wise in order to confer with him upon a program of immediate action. It appeared that the Swedish Government was prepared to receive the Danish Jews but that the support of the United States Government would encourage it in its resolve to rebuke its powerful neighbor, in spite of Sweden's precarious geographical position. On October 1, Dr. Wise and Dr. Goldmann took up the matter with Assistant Secretary of State Breckenridge Long. The State Department decided to join in the request addressed to Sweden that it aid in the rescue of the stricken Danish Jews. Sweden protested to Germany against the planned deportations, and offered publicly to receive the Danish Jews in its own territory, if Germany would agree to evacuate them. When the Germans began their roundup of Jews for deportation, hundreds of Danish small craft crossed the sea and brought refugees to Sweden, despite the danger from German naval and air patrols. Of three German large vessels waiting in Copenhagen harbor to deport the Jews, two were sunk by efficient sabotage. More than six thousand Danish Jews reached Sweden's hospitable shores.

#### CONGRESS STRUGGLES FOR RESCUE OF HUNGARIAN JEWRY

On March 19, 1944, German armies occupied Hungary, and Hungarian Jewry was struck with a suddenness, speed, and ruthlessness that are unparalleled even in the recent Jewish martyrology. The curtain rose on a major tragedy: Hungary not only harbored the third largest Jewish community in Europe, but had also been for some time the only refuge for thousands of Jews fleeing the persecutions in Poland, Slovakia, and even Rumania. On November 30, 1943, Dr. Silberchein had written to Congress headquarters:

"The tide of escape from Poland and Hungary has increased from day to day. It is already organized now. The problems are always merely of a financial character, for the arrangements of the escape and later for the hiding of the people. I have established good connections in Hungary with governmental circles, and the refugee questions are gradually being settled there in a way which is even more favorable than in Switzerland."

The scales turned in no time. Under German rule, the chivalrous Magyars displayed amazing cruelty and hypocrisy. While Hungarian gendarmes were driving Jews to their death, Hungarian ministers were assuring the world that even the *vexation* of Jews was unworthy of Hungarians. Once more the ominous prophecies of the Congress' Geneva office were received with skepticism by American officials, who, about the middle of June, 1944, were still inclined to think that only foreign Jews would be removed from Hungary.

In Congress' opinion, the first thing to do was to urge Hungarian Jews to avoid the mistakes which had doomed the Jews in Poland, Holland, and other countries. Accordingly, on April 7, Dr. Kubowitzki wrote to the War Refugee Board:

"We know from experience of other countries that the registers containing the lists of the Jewish population, and the yellow badges which the Jews are compelled to wear, are indispensable instruments for the execution of measures of deportation and extermination. May we therefor suggest that the broadcasts beamed to Hungary should urge the Jewish population to abstain from wearing yellow badges and to destroy all registers which may reveal the identity of Jews who are in hiding or who intend to hide. The broadcasts should, at the same time, urge the Gentile population to assist their Jewish neighbors in their efforts to escape persecution."

This suggestion was reiterated on a number of occasions, but it was rejected after consideration by several American governmental departments.

On July 18, the Regent of Hungary granted a reprieve to the approximately 300,000 Jews left in that country. The so-called Horthy offer was brought about by four actions: a United States note to the Hungarian Government, an appeal from the Swedish King to Horthy, representations from the Vatican, and steps by the International Red Cross. The Congress was instrumental in securing all these interventions.

The unprecedented American demarche was the result of a suggestion Dr. Kubowitzki had made to the War Refugee Board on May 31 and repeated in a memorandum which concluded as follows:

"We therefore submit that the United States Government address, through a neutral power, to the Hungarian Govern-

ment, a formal note asking for a statement of its intentions with regard to its Jewish population, since all the preparations in which it is engaged, the segregation and concentration of Hungary's Jews, permit the horrible suspicion that the Hungarian Government is scheming their annihilation."

On June 26, after weeks consumed in efforts to overcome procedural difficulties, the United States Note Verbale was delivered to Hungarian officials. It was couched in the strongest possible terms, and President Roosevelt's warning was attached to it. The Hungarian Government replied in two notes: a lengthy one, which was mainly an elaborate justification of its anti-Jewish policy; and a short one, dated July 18, which declared that Hungary would allow the departure of all Jews having entry permits to another territory, Palestine included, and that the German Government would allow their transit through occupied areas.

At the same time, in Stockholm, Chief Rabbi Marcus Ehrenpreis and Professor Hugo Valentin, both members of the Congress' Swedish Committee, prevailed upon King Gustav V to send an urgent appeal to the Hungarian Regent. In his reply, Horthy promised to do

"everything in my power in the present circumstances to insure that principles of humanity and justice are respected."

Later Horthy claimed that only through the King's letter had he learned the whole truth about the treatment of the Jews.

The Holy See, in an appeal to the Regent by the Pope, also took into consideration certain suggestions the Congress had conveyed to the War Refugee Board. Dr. Wise and Dr. Goldmann had called on Myron Taylor shortly before the latter left for his post at the Vatican. The British Section acted on its part and cabled directly to the Pope asking for a public pronouncement.

On July 15, the Apostolic Delegate in London wrote to the British Section:

"At this moment I have a telegram from the Holy See. The Holy Father has appealed personally to the Regent of Hungary on behalf of your people, and has been assured that the Regent will do all possible to help."

Finally, the action of the International Red Cross was likewise largely the result of the Congress' persistent representations. Between June 23 and July 4, our spokesmen in Geneva, Dr. Riegner

and Professor Guggenheim, had a number of conferences with ICRC representatives, stressing the responsibility resting on the Committee, and the distress in Jewish circles because of the Committee's failure to speak up in behalf of the Jews. On July 6, the ICRC's president, Professor Max Huber, sent by special messenger a handwritten letter to Horthy. On July 18, the Associated Press wired from Bern that the Regent had promised the ICRC that no more Jews would be "transported forcibly out of Hungary."

On July 21, the ICRC delegation in Washington reported that the Hungarian authorities had given the Committee official assurance that the deportation of Jews beyond the Hungarian frontier had ceased and that the International Red Cross Committee was authorized to furnish relief to Jews who were interned or in forced residence in Hungary. The Committee was furthermore empowered to cooperate in the evacuation of all Jewish children under ten years of age who were in possession of visas for reception countries. In addition, all Jews in Hungary holding entrance visas for Palestine would receive permission from the authorities to leave the country.

Now commenced one of the saddest chapters in the sad history of rescue. Had the United States and the United Kingdom taken immediate advantage of the Horthy offer before the Gestapo, which it had thrown off its guard, could recover from its surprise, had they engaged in a bold and speedy action, many thousands of adults and children could have been saved. However, the negotiations between the two Governments soon reached an impasse. The British policy was dominated not by compassion for innocent people faced with imminent death, but by the White Paper obsession. The fear that she might be forced to open the doors of Palestine to great numbers of liberated Jews paralyzed Great Britain's traditional generosity toward the Jewish people.

In the face of the inhuman procrastination of the two Governments, even the International Red Cross dropped its usual caution. On July 25, 1944, Alfred E. Zollinger delivered to the State Department a communication from the ICRC in Geneva regarding the action which it expected the United States to take as evidence of its acceptance of the Horthy offer. The note said, among other things, that "the ICRC feels that the number of emigrant Jews to be admitted to the United States should be substantially

increased, and that the corresponding number of entry permits should be accorded." The message added that "it would furthermore, be desirable if the United States Government would make a public statement on this subject, indicating the number of entry permits accorded." It concluded by stating that "the ICRC reserves the right to issue a communiqué concerning the proposal, which has simultaneously been submitted to the Government of Great Britain."

Three more weeks were spent in acrimonious buck-passing exchanges of notes between America and England before the State Department announced, on August 17, that the two Governments had accepted Horthy's offer for the release of the Jews, and would make arrangements for the care of those who were to leave Hungary. But at the time of its issuance the statement was mere lip-service. The Gestapo had regained the upper hand and was resolved to prevent any Jewish emigration, except for ransom. To conclude this episode, let it be said that without the Horthy offer the great majority of even the 190,000 who did survive in Hungary would have perished.

The possibilities offered by the ransom avenue of rescue can be dealt with here with the utmost brevity only. Suffice it to say that the Economic Warfare argument and Jewish hyper-patriotism spoiled many an opportunity of utilizing the eagerness of Gestapo leaders to derive certain advantages in goods, money, or future personal protection from better treatment of the Jews under their control.

In the Final Summary Report of the Executive Director of the War Refugee Board, issued on September 15, 1945, much praise is bestowed on "the ingenuity and perseverance" of the Swiss representative of the Joint Distribution Committee who employed "every imaginable dilatory tactic" in the negotiations for the release of Jews in Nazi hands against ransom which he conducted with the SS chieftains Adolf Eichmann and Kurt Becher so that "the talks continued for month after month." The Report admits that the SS negotiators gave many tokens of their good faith, as for instance by bringing 1,673 Jews from Bergen-Belsen to Switzerland, but stresses that the Board was determined to refuse under any circumstances to authorize the payment of ransom. The Rescue Department of the World Jewish Congress was unable to agree

in this matter with the Board or with the JDC, nor could it share their view that the protracted negotiations resulted in "the gaining of more precious time." In the opinion of the Congress, precious time and even more precious lives were lost because the War Refugee Board permitted the Economic Warfare argument, which the Treasury had valiantly defeated in the battle for the first license W-2115, to gain the ascendancy in the discussions with the Gestapo. Some 20,000 Jews perished in the first days after the liberation of Bergen-Belsen because their state of exhaustion was too advanced to permit their salvation. Who can say how many of them might have followed the 1,673 who left for Switzerland in the summer of 1944?

A lamentable footnote to the painful ransom drama was written recently by former Secretary of State Cordell Hull, who asserts in his Memoirs that "the State Department did not have the large amounts of money and the personnel to carry out a plan of reaching and bribing the German officials in charge of the extermination program."

Direct rescue from Hungary having thus become almost impossible, the Congress concentrated on securing protection for the Jews in Budapest by obtaining for them Palestine certificates and protective papers issued by the diplomatic representatives of Sweden, Switzerland, and Spain, as well as by the International Red Cross.

A memorable role was played in this extremity by the son of a patrician Swedish family, Raoul Wallenberg, whom the Congress' Swedish Section persuaded to proceed to Hungary to aid in the rescue of the Jews. The Swedish Government granted him diplomatic status. Wallenberg hired extra buildings as official Swedish quarters, where he housed hundreds of distinguished Jews under the protection of Swedish extra-territoriality. Approximately 20,000 Jews received the safety of Swedish protection documents. Unfortunately, Wallenberg disappeared in the midst of this work of mercy, and he has not been heard of since April, 1945.

Considering that the bearers of Palestine certificates also enjoyed some measure of protection, as the Hungarian Government at a certain moment had promised to grant them exit permits, the Congress organized a special service in New York and Buenos Aires to receive relatives of Jews living in Hungary and to register

their applications for Palestine certificates in favor of the latter. Through the facilities of the State Department, lists of Hungarian applicants for Palestine certificates were sent to Chaim Barlas of the Jewish Agency for Palestine, who forwarded them from Istanbul to Budapest. From May 1 to September 1, 1944, fifteen lists comprising 1,588 families, with 6,585 individuals, were dispatched from New York to Istanbul. Many thousands of Hungarian Jews owe their lives to these various protection papers.

#### THE SURRENDER OF THE CAMPS

It had been the fear of the Congress leadership that the retreat of the German armies in the last months of their defeat might toll the hour of doom for the Jewish survivors in the concentration camps. And indeed, the trek of the inmates who were evacuated before the victorious Allied armies is one of the bloodiest episodes in history.

It was with this apprehension in mind that the Congress sent Dr. Kubowitzki to Europe in December, 1944, in order to take up this matter, among others, with the Intergovernmental Committee on Refugees, the War Refugee Board representatives in Europe, and the International Red Cross headquarters. Soon after his arrival in London, the British Section was informed of an order given to the commanders of the concentration camps that in the event of imminent capture by the Allies their occupants should be mercilessly liquidated. Thereupon, on January 18, 1945, Lady Eva Reading and Dr. Kubowitzki cabled the International Red Cross Committee from London, urging that one of its outstanding men proceed at once to Germany and induce the leaders of the Third Reich to spare the remnants of the Jewish people.

On February 20, 1945, Dr. Kubowitzki and Dr. Riegner conferred in Geneva with Prof. Carl J. Burckhardt, at that time President of the International Red Cross. Prof. Burckhardt assured them that he was giving consideration to a suggestion to see Heinrich Himmler, the Gestapo chief, and that while Hitler wanted to take along with him in his downfall the war prisoners, hostages, and all civilian detainees, other German leaders were afraid of such a monstrous crime.

On February 26, at the initiative of the Congress, a meeting of the various national Red Cross delegations took place in Geneva,

and the same day each of the participants handed over in person to the ICRC leadership a most pressing memorandum requesting that a Red Cross delegation go to Germany without delay to negotiate the liberation of all civilian detainees.

On March 3, Dr. Kubowitzki was received in Berne by E. de Steiger, President of the Swiss Confederation, who promised to intervene on its behalf with the German authorities. The same day, he was informed by Prof. Burckhardt that Germany had consented to repatriate civilian detainees of certain nationalities. On March 15, Prof. Burckhardt left for Germany, and got the German authorities to agree that delegates of the International Red Cross should have access to all camps of civilian detainees.

Meanwhile, Hilel Storch, head of the Congress' Swedish office, had established contact in Stockholm with some highly-placed German personalities, among others with Dr. Bruno Peter Kleist, in charge of Eastern Affairs at the German Foreign Office, and General Walter Schellenberg, chief of Himmler's Office of Information, as well as with Dr. Felix Kersten, a Finnish physiotherapist who lived in Stockholm but who had a number of notable patients in Germany, among them Heinrich Himmler.

Through Dr. Kleist, who was exploring the possibility of a separate peace with the USSR, Mr. Storch obtained an order to halt the shooting of Jews evacuated to East Prussia from the Baltic states.

In February, 1945, Mr. Storch drew up a program of action with Dr. Kersten. He asked the latter to use his good offices with Himmler to obtain permission to send food and medical supplies to the camps, to insure the safety of the Jewish inmates, and to secure the evacuation of groups of Jews to Sweden and Switzerland. Dr. Kersten saw Himmler on March 3, and found him in a receptive mood. Germany's final defeat was near, and Himmler was trying to build up an alibi for himself. He promised to hand over all concentration camps intact to the Allies.

On March 21, Himmler wrote a letter to Dr. Kersten in which he, one of the greatest murderers in history, asserted that in his heart he had always been a humanitarian in regard to the treatment of Jews.

"You will be glad to hear [Himmler wrote] that, in the course of the last three months, I have realized an idea

we once talked about. Two thousand seven hundred Jewish men, women and children have been taken to Switzerland by train. This accomplishment is in line with the policy I and my co-workers had been pursuing for years, until the war, and the unreasonable attitude it brought in its wake, made it impossible to continue it. You must surely know that in the years 1936, 1937, 1938, 1939 and 1940, I founded an organization in conjunction with the Jewish-American societies, which did excellent work of the kind. The transportation of Jews to Switzerland is a continuation of this work, which, in spite of very great difficulties, I carried out deliberately in the past."

A month later, through his personal aide, Col. Dr. Brandt, Himmler confirmed in writing his promise to hand over the camps and their inmates to the approaching Allied armies, in spite of his irritation at the way the conditions found in Buchenwald had been publicized. Dr. Brandt's letter of April 24 followed by a few days a most dramatic flight to Germany which Dr. Kersten made in the company of one of the leaders of the Congress' Swedish Section. Dr. Kersten had suggested to Himmler that he should discuss with a representative of the World Jewish Congress the situation of the surviving Jews in Europe. Himmler had promised safe conduct for this emissary, and the Swedish Foreign Office had approved the mission. As Hilel Storch was unable to make the trip, Norbert Masur met Himmler on the night of April 21 at Harzfeld, near Berlin.

Himmler promised that 1,000 Jewish women would be released from the concentration camp at Ravensbrueck, as well as a number of French women according to a list drawn up by the Swedish Foreign Office, and 50 Norwegian Jews interned in Norway. A few hours later, Count Folke Bernadotte, president of the Swedish Red Cross (with whom Dr. L. Zelmanovits had conferred in London in November, 1944, and who had been in constant touch with the Congress' Swedish Section), saw Himmler and obtained a promise that the Red Cross bus convoy would be allowed to take not merely a thousand women, but as many as it could carry. This resulted in the rescue of some 4,500 Ravensbrueck Jewish inmates.

## RESCUE OF CHILDREN AND EXCHANGE OF PRISONERS

This account has concerned itself with the general lines of the rescue work of the Congress. It has not dwelt upon a considerable number of lesser activities which yielded some results at the cost of much effort. However, this chapter cannot omit at least some reference to two endeavors into which the Congress put much of its heart: the rescue of children and the exchange of prisoners.

In October, 1943, Isaac Weissman, World Jewish Congress representative in Lisbon, learned from underground sources that the Germans had decided to hunt out the thousands of Jewish children who were living in hiding and under false names in cloisters, on farms, and in private homes in France. At his suggestion, the London and Algiers radio stations broadcast carefully-worded appeals to the population in order to enlist their help in concealing the children. In February, 1944, Mr. Weissman proceeded to London, where he met with Dr. Goldmann and Dr. Tartakower. A program for the smuggling of children from France to Spain and Switzerland was decided upon. This work was to be done with the help of the Centre de la Résistance in Lyons, of Marc Jarblum, who had arrived in Switzerland, and of M. Croustillon, the Madrid representative of the French underground Zionist movement.

On September 2, 1944, Mr. Jarblum and Dr. Riegner sent to New York headquarters an interim balance sheet in a few terse, modest lines:

“ . . . the following has been done with respect to France: since October 1943, 1,350 children and young people up to 20 years of age both with and without parents or relatives have reached Switzerland; 70 children have reached Spain, while some 700 have been hidden in France. Further, some 700 young people have been evacuated to Spain as well as 200 parents accompanying their children. Our people in France have aided in hiding four to five thousand adults. Such rescue work is necessarily linked with illegal activity of all sorts, especially the procurement of permits, baptismal, and birth certificates monthly. Considerable expenditure has been necessitated by appropriate equipment of armed convoys to the frontiers . . . . Our own participation amounted to more than 18 million French francs.”

The French Jewish Representative Committee in New York made a special effort to provide Mr. Jarblum with part of the

means he needed, through a special campaign headed by Baron Edouard de Rothschild.

On October 24, 1944, Robert C. Dexter, War Refugee Board representative in Lisbon, wrote to Mr. Weissman:

" . . . it was largely, if not entirely, through your initiative that the beginnings were made in bringing both children and adults out of France into Spain and Portugal. It is not your fault that this number was not vastly greater, but the hundreds who did come through, whether under the auspices of your organization or in any other way, owe you and the World Jewish Congress a deep debt of gratitude."

Several thousand Jews in various camps were holders of Latin American passports or visas with which they had been provided by the Congress and other organizations. The German Government, which had become suspicious of the validity of these documents, refused to honor a number of them and subjected the holders to its general treatment of Jews. Upon repeated representations of the Congress, the Inter-American Emergency Advisory Committee for Political Defense decided on May 31, 1944, (1) "to make definite representations to the German Government that the documents issued or the permits granted in their name to these individuals must be respected by that Government;" (2) to work out promptly exchange proposals "on a collective basis for the purpose of liberating such persons."

Pursuant to this resolution, the Congress, through Kurt R. Grossmann, compiled and submitted appropriate lists to the Special War Problems Division of the State Department. It succeeded in having a first group of 826 civilians included in the American exchange scheme. Of this number, 119 were Jews who came from Bergen-Belsen, and 61 from other camps. Early in February, 1945, a new exchange was prepared involving 646 holders of Latin American passports. In general, the Jews provided with such documents received better treatment at Bergen-Belsen and escaped systematic starvation and torture.

#### ATTEMPTS TO EXPLAIN THE RESCUE FAILURE

It was acknowledged at the very outset of this account that the failure of organized Jewry to halt or even to slow down the most terrible catastrophe in Jewish history was almost total. It is

also conceded that, even if it should appear that no human ingenuity could have wrested more eventual victims from the clutches of German fanaticism and lust for murder, there are two factors which must weigh heavily against the Jewish people of the free countries: the tremendous discrepancy between the instruments of death and the instruments of salvation, and the Jewish inability to move the Allies to take any serious chances in order to save European Jews from destruction.

While the full might of a powerful nation and its satellites and accomplices was enlisted for the massacre of defenseless men, women, and children, while factories and engines specially equipped for the work of killing were contrived in order to speed up the pace of death, the Jewish rescue tools remained of another age. The Jewish people had no agency for rescue; it had relief organizations. And years passed before the Congress found receptive ears for its contention that there was a fundamental difference between relief and rescue, between an apparatus intended to distribute alms, food, and clothing in normal times, and machinery aiming at saving human lives from pitiless and powerful killers. Yet if Congress finally was listened to, it never was granted the financial support indispensable for large-scale rescue work.

What explanation is there for this terrible Jewish unpreparedness?

Of course, at the root of the problem one finds the constant cause of so many of our misfortunes: the lack of democratic organization, central direction, and public control in Jewish public life, and the status of monopoly enjoyed by certain Jewish agencies, which are responsible to no one but themselves. However, the explanation is more complex. It is to be found in the incredibility and incomprehensibility to the normal human mind of the German determination to exterminate our people.

The undertaking was so staggering that, until the revelations about the Maidanek camp, a majority of the people in the United States as well as in England dismissed the facts of extermination as "atrocities mongering." The Congress never succeeded in breaking through the crust of skepticism, the refusal to believe that human beings could be so inhuman. People could not be persuaded that the Germans were really bent upon wiping out all the Jews, every one of them, and that they would find accomplices in every na-

tion; that even in Western Europe they would find fellow hunters of little children for delivery to death. Even those Jewish leaders who had followed the progress of National Socialism since its early beginnings, who had warned against the crimes with which it was fraught, had to be convinced in the first years that small food rations were part of a program of *death*; that employment of forced labor in the end meant *death*; that deportation had but one final destination: *death*. Even the Jews of the Warsaw Ghetto refused to believe the reports of their underground press, when the liquidation of the Jews of the Gouvernement General started about Passover, 1942, with the destruction of the Jews of the Lublin district in the gas chambers of Belzec. They knew that there were extermination centers in Belzec, Chelmno, Treblinka, and yet could not conceive that the Warsaw Ghetto would be wiped out. At every moment the incorrigible optimism of the Jewish race asserted itself. And if the Jews reacted that way, why wonder at the Gentile world?

It should be conceded, as extenuating circumstances, that never before in history had states descended to such depths of bad faith, deceit, and treachery as did Germany and some of her satellites in their resolve to murder. In 1942, tens of thousands of Polish Jews volunteered for cunningly disguised "resettlement" and agricultural work in the territories recently conquered by the Germans in the East, and thus entered of their own accord on a road at the end of which destruction awaited them, because letters from deportees, which either had been forged or had been extorted, extolled the new "homes" in Bessarabia, Smolensk, and Minsk. In the month of May, 1944, while the Hungarian gendarmerie was forcing Hungarian Jews into boxcars without room to sit down or even move, nailing each car shut with 80 persons to a car, the Hungarian Minister of Industry, Laszlo Szasz, was busily engaged in multiplying falsehoods and willful perjuries. He said in an address: "Nobody is aiming at the extermination or *vexation* of the Jews. None of the Government's regulations gives any indication of such aims, *which are unworthy of Hungarians*. The Jewish problem cannot be solved by anti-Semitism based on hatred."

The death struggle in which the Jewish people was engaged was not only incredible to the human mind; it was also incomprehensible. As late as July, 1941, a debate was raging in Ameri-

can Jewry as to whether it was permissible to send food to the Jews in ghettos, against whom the Germans were using planned starvation as a weapon of annihilation. For years, Jewish agencies in neutral countries refused every contact with refugees who had escaped from the Nazi hell by crossing the border illegally, while it was their duty to organize these illegal crossings themselves. Until the very end of the war, whenever the possibility offered itself of saving a number of Jewish lives by means of ransom, some Jewish leaders did not realize that their paramount overriding duty was to save the remnants of Israel from annihilation, and permitted themselves to be guided by so-called ethical and hyper-patriotic considerations which might have been proper in less tragic circumstances. That is why years passed before it was plainly perceived that a pattern of normal legality was utterly incapable of achieving any success, and that what was needed to counteract the unparalleled persecution of the Jews was not an enterprise of relief, but one of rescue.

No satisfactory explanation can be offered for the Jewish failure to move the democratic powers to incur any serious risks in order to save the remnants of the Jewish people. To say that the Allies could not permit anything to interfere with the war effort is no answer. For victory is not something abstract, an aim in itself, and a victory which has come too late for "Hitler's first victims" is necessarily devoid of much of its significance and moral inspiration for generations to come.

To those engaged in the rescue effort, the work became a constant source of torment and frustration because at every step they encountered lack of understanding, callousness, and deliberate inactivity. They realized daily the utter helplessness in such an emergency of a people dependent on the good graces of others.

## CHAPTER IV

### RELIEF INTEGRATED INTO CONGRESS PROGRAM

THE PROBLEM of relief always occupied a central place in the life of the Jews in the Diaspora, as persecution was a permanent feature of their existence. It was given weighty consideration by the Constituent Session of the World Jewish Congress, which instructed the Executive Committee to devise a vast plan of social aid and to contact the existing world Jewish relief organizations to secure uniformity of action in the field of assistance.

The outbreak of World War II, which immediately reduced large segments of East European Jewry to utter destitution, made it imperative that a scheme of planned relief be put into effect without delay. Dr. Nahum Goldmann initiated negotiations with several Jewish organizations in Europe and in the United States. However, while some responded favorably to a plan of coordination, the Joint Distribution Committee voiced its opposition to the project, as it could not, it stated, cooperate with an organization having as its dominant purpose political activity. Hence the Congress decided, in view of the emergency, to enter the field of social assistance. A Relief Committee for Jewish War Victims (RELICO) was set up in Geneva, and in April, 1940, Dr. Abraham Silberschein became its head.

#### GUIDING PRINCIPLES

The relief and rehabilitation program of the Congress has from the outset been based on a number of fundamental assumptions which dictated a course of action quite different from that of most other Jewish organizations.

The first premise of the Congress is that, apart from the general causes of poverty, which are familiar to the theoreticians of

philanthropy, there is an additional element in Jewish life which in this sphere may be regarded as primary. In normal times, this factor is anti-Jewish discrimination in the various fields of human endeavor; in times of crisis, it is anti-Jewish persecution. The consequence of this assumption is that methods of social work which may suffice to alleviate poverty among the nations of the world, cannot be mechanically applied in Jewish life, and that Jewish relief must be combined with political action if it is to remedy Jewish want. Another consequence is that the anomaly of the situation of the Jewish people requires specific methods of work, and that the routine mechanics of general assistance cannot be automatically applied to it. The latter consideration explains the pioneer character of the Congress' relief work, why prompt decisions followed by immediate action have appeared to be more important than long investigations and hesitations which might have defeated the very purpose of the work.

A second premise of the Congress is that the relief needs of the Jewish population cannot be the burden of the Jews alone. This concept is not only the conclusion drawn from the inadequacy which the experience since the end of World War I has revealed in the work of Jewish agencies. It is also the result of the belief that it is morally unjustifiable and even unbearable that the Jewish people should have to repair with its own means situations which are to a large extent the result of the attitude or the action of their neighbors. This assumption, too, implies a close link between relief and political action.

A third premise might be called the democratic one. The activities of the Congress however subdivided into different departments are based on the idea that whatever is done for the Jewish people must be done by the people itself and must represent the will of broad sections of the people; that the unity and the solidarity of the Jewish people throughout the world regardless of geographical boundaries must express itself in everyday life; that there exists a fundamental interdependence between the different fields of Congress endeavor.

### THREE PERIODS

The relief work of the Congress during the war may be divided chronologically into three periods.

As the war broke out, a problem of immediate relief presented itself, for which the Jewish organizations in Europe were not prepared. The problem was to feed the Jewish population in occupied Poland and later the Jewish population and refugees in France after the collapse of the French Army. In addition, contact had to be established with the refugees who had fled from the occupied countries, and a bridge had to be built between the Jewish population in Europe and the outside world. The work of the Relief Committee for Jewish War Victims in Geneva and in France created ways and means for substantial help in these domains.

The second period began toward the end of 1941 with the growing realization that the Germans had embarked upon a program of biological warfare against the Jews and that the usual deterioration of the Jewish situation in times of crisis had taken on a catastrophic gravity, which neither ordinary nor extraordinary measures of mere relief could remedy. That is why, although during the first years of the war, relief and rescue were dealt with as two aspects of one and the same problem, the peculiar nature of rescue imposed itself more and more as a specific task requiring that all the usual concepts and inhibitions be thrown overboard, and finally found its expression in the establishment of a separate Rescue Department.

Still, aid for Jews who were not threatened with immediate death continued to be an urgent duty, and the area in which it was required constantly expanded as Jewish refugee groups appeared in various countries in and outside of Europe and formed a new kind of diaspora, a diaspora of transients, internees, and captives. They were confronted with difficult economic and legal problems, and were in several cases confined in internment camps. There also arose the vast problem of hundreds of thousands of refugees, mostly from Poland, who had found asylum in the interior provinces of the Soviet Union.

The remedy was not merely a matter of funds, important though this aspect of the problem undoubtedly was. It was as much a question of initiative, of paving the way through immediate aid for greater relief to follow. Nor was the method of approaching the men and women in need of assistance to be overlooked. Financially, the aid extended by the Congress to refugee groups

in Mauritius, Tangiers, Rhodesia, Tanganyika, and other places, was modest; but what counted was the fact that the Congress was in many cases the first Jewish body to establish contact between these internees and the Jews on the outside, and that it was evident to them that everything in the Congress' power was being done to improve their economic and legal position and to restore their self-respect and their faith in the Jewish people. The same can be said about Congress help to refugees in the USSR. The transmission of food parcels to these refugees was a project initiated by the Congress in cooperation with the Jewish Agency. Quantitatively, other agencies later did more, but the Congress laid the groundwork. It was also the first to establish contact between refugees in the USSR and their relatives in the United States, to whom their whereabouts had been unknown since the beginning of the war; and out of this work of mercy there later developed the enterprise of reuniting the dispersed called the Location or Search Service, of which more will be said further on.

The third period set in with the increasing importance which official agencies took on in the relief work and which they were due to assume in the postwar rehabilitation work. As set forth above, the Congress was of the opinion that governmental and intergovernmental action of broad scope was indispensable to deal with the needs of Jews impoverished and despoiled by persecution. The Congress was the only Jewish organization to send a delegation to the First Session of the UNRRA Council in 1943. It kept up the greatest pressure upon the International Committee of the Red Cross (ICRC), which the Congress urged to give the full measure of its aid to the Jewish victims of war and persecution, and to rise to the height of the dignity assigned to it in the minds of its creators. The Congress was similarly persistent in its efforts to have the American Red Cross widen the scope of its program, as the humanitarian agency of the richest and most powerful of nations. It also voiced frequent criticism of the Intergovernmental Committee on Refugees, distressed as it was to see that agency fall so short of the historic role which events had destined it to play and which could have given it a place of honor in the annals of human mercy.

## BEGINNINGS

In the first weeks of war, Poland was overrun by the German armies and cut off from the outside world, so that no help from abroad could reach the shattered Jewish communities. However, thousands of Jews succeeded in escaping to neighboring countries, namely, the Baltic States, Czechoslovakia, Hungary, and Rumania. The Relief Committee for Jewish War Victims set up branches in those countries and assigned to them as a first duty the reestablishment of contacts between the refugees and their relatives abroad. In the first six months of the war, RELICO forwarded over 10,000 letters, thus reuniting scattered and dispersed families. But there were other tasks.

Several thousands of Jews had escaped to Rumania before the borders were closed. They were not molested, although only a small number succeeded in obtaining visas for other countries. Later, more refugees managed to cross the sealed borders and were imprisoned. Thereupon Anselm Reiss proceeded to Rumania on behalf of the Congress Executive and, in close cooperation with the Jewish Agency, obtained permission for the refugees to remain at liberty in the country until they were able to leave for Palestine. He was also assured that they would be permitted to take to Palestine the possessions they had brought with them.

Vilna was another large center of Jewish refugees from Poland. Thousands, many of them children and Halutzim, badly needed succor, which they were given by the Congress through its Lithuanian Committee of Assistance. A home was established for 75 children, help was extended to rabbinical institutions, legal aid was dispensed, and Palestine certificates obtained for many. A group of 85 children who had been expelled from Germany in 1938, were stranded in the no man's land near Zbaszyn, and, upon the outbreak of war, had fled to Vilna, were brought from there to Palestine with Congress assistance. Polish refugees were similarly aided in Hungary, Italy, and Slovakia. Many of them were assisted in getting to Palestine or to South America.

In France, another problem engaged the attention of the Congress in the first weeks of the war. The French authorities had decided to intern the many thousands of German Jewish refugees

who had been given asylum in France for more than six years. As they were considered enemy aliens, it was felt by the French Jewish community that action in their behalf should be taken by the World Jewish Congress. Dr. Nahum Goldmann went to Paris and conferred with French military and civilian authorities. A procedure was thereupon established whereby refugees with a good record were released from internment. Unfortunately, in May, 1940, when France was invaded, the French Government decided to intern again all enemy aliens, and no amount of representations could prevent this measure from being carried out.

The task of succoring the Polish refugees in other lands was arduous, but that of coming to the aid of the millions of Jews trapped inside Poland was incomparably more difficult. The German occupation brought in rapid succession disfranchisement, spoliation, starvation, physical maltreatment, and murder.

As unnumbered Jewish families were uprooted and in flight from city to city, the first task undertaken by RELICO was to locate those scattered families. Inquiries were conducted in cooperation with the International Red Cross, and contact was re-established in thousands of cases. Simultaneously, the Geneva Committee embarked upon a program of shipments of food and medical supplies. It has been recounted above how this enterprise was viewed with disfavor in the United States and in England because of the widespread belief that the blockade was England's most deadly weapon for the defeat of Germany. However, the Geneva office of the Congress, being close to the appalling realities of Jewish distress in Poland, obtained satisfactory assurances through the International Red Cross that the shipments would reach those for whom they were intended. On June 14, 1940, 14 large cargoes of medical supplies, the first of their kind, were sent from Geneva to the Jewish community in Warsaw. Food packages followed, and a total of over 50,000 such parcels were sent through the Geneva Committee to individuals. Considerable amounts of money were also transmitted during that first period to the territories occupied by the German and Soviet armies and reached the addressees.

After May 10, 1940, tens of thousands of Belgian and French Jews fled to Southern France, which was not occupied by the Germans until November, 1942. By the end of June, 1940, committees of assistance were established in Toulouse and Lyons.

They were provided by the Congress with clothing, food, and medicine; they also dispensed some financial assistance and legal aid, which last was of considerable value in view of the anti-Jewish tendencies of the new regime. The deplorable situation of the German and Austrian refugees interned in non-occupied France was also given attention. Conditions in the camps had become unbearable, and the Congress appealed to the United States Government for intervention with the Vichy authorities. As a result of American representations, the situation in some camps improved.

Successively, large groups of refugees reached Lisbon, Casablanca, and Tangiers, and their arrival led to the establishment of Congress relief offices in these cities.

#### CREATION OF THE RELIEF DEPARTMENT

In July, 1940, the main office of the World Jewish Congress was transferred from Paris to New York. Dr. Arieh Tartakower was appointed Secretary General of the Congress, and at the same time head of the Relief Department. New York thus became the center of the expanding relief work of the Congress.

It is not possible, in this limited survey, to expatiate upon the manifold and complicated situations in which the Congress was able to act by virtue of its international character and its far-flung connections. This account will be confined to a bare enumeration of some salient activities embarked upon. It should, however, be emphasized again that the purpose of the various ventures was constantly the same: to seize the initiative wherever procrastination prevailed, to pave the way for larger and more effective relief work, to dispel the feeling of the uprooted that they were forgotten people, and to provide them with at least the modest means needed to establish their own administration and their instruments of self-help.

The case of the refugee ship *Cabo de Hornas* may be cited as a characteristic illustration. In the early days of 1942 this boat, carrying about 100 Jewish refugees — men, women, and children of various nationalities — sailed from a West African port bound for South America. After a long and difficult voyage, they reached a South American port. The authorities refused to permit the passengers to disembark and travel across that country to Paraguay.

The ship continued to another South American port, where permission to disembark was again refused. A similar fate awaited the hapless refugees at other ports, and no other course remained but to return to Africa — and perhaps Europe. One last possibility of averting this misfortune remained. The *Cabo de Hornas* made for the Dutch Island of Curacao in the Caribbean Sea. If the refugees, now in a dispirited condition, were refused disembarkation here, the return was inevitable. At this point the matter came to the notice of the Executive of the Congress. Urgent representations were made in Washington to secure help. In London, the British Section enlisted the sympathetic interest of the Netherlands Government, which communicated by cable with the Governor. The *Cabo de Hornas* refugees were finally permitted to land and stay in Curacao under satisfactory conditions.

Several thousand Jewish refugees, mostly from Poland, succeeded in making their way through Soviet Russia and reaching Japan with the intention of ultimately proceeding to Palestine, the United States, or Australia. The Congress contributed a substantial share of the assistance which enabled over three thousand of them to emigrate to the above-mentioned countries. Many refugees reached Shanghai, where a relief office of the Congress was set up.

Fifteen hundred refugees were interned in the camp of Beau-Bassin in Mauritius. They had reached the very shores of Palestine, but had not been permitted to land. Instead, they were transhipped to the SS *Patria* for deportation. The boat exploded in Haifa harbor, and many Jewish lives were lost. The survivors were nevertheless deported by the British to far-off Mauritius. The plight of the exiles on that island was most pitiful. They suffered intensely from the outset because of the malarial climate, and the lack of food and medicine aggravated their misery. Repeated requests addressed to the American and British authorities were in vain: the Congress did not succeed in its endeavors to deliver these people from their compound. However, the Congress helped them financially and with needed medical supplies, food, and clothing.

Similarly, the Congress gave material and legal aid to 80 families of refugees interned in Jamaica, to a group of Jewish refugees from France stranded in French Sudan, to thousands of Polish

exiles held at the Soviet-Iran border, to detainees on the Island of Rhodes, and to refugees in Tanganyika.

Within the limits of the Congress' modest means, an effort was made to help organizations whose relief activities seemed deserving. Subsidies were granted in one form or another to aid institutions of orthodox Jewry, the Association of Polish Jewish Refugees, the Association of Lithuanian Jews, and for the relief work in behalf of Jews from Austria and Alsace. Limited as the grants were, they encouraged these groups to pursue and expand the good work in which they were engaged.

### UNRRA SETS A STANDARD

The slow and painful liberation of the territories occupied by Germany began in the winter of 1942-43 from two opposite directions, from the East and the Southwest. It soon became apparent that the civilian population was left by the retreating Teutonic armies in an even worse predicament than had been imagined. The Allies decided to expedite their plan of setting up a special agency to supply the liberated population with food, raw materials, and other articles of prime necessity. On November 10, 1943, an agreement was signed in Washington by 44 nations, establishing the United Nations Relief and Rehabilitation Administration (UNRRA).

On the very next day, the Executive Committee of the Congress submitted to the First Session of the UNRRA, which convened in Atlantic City, an extensive memorandum on the postwar rehabilitation of European Jewry.

After describing the specific features of the Jewish relief problem, such as the degree of privation, the large percentage of victims disabled by inhuman slave labor, and the particular difficulty of economic and spiritual recovery, the memorandum enumerated the special needs of European Jews, stressing (a) the distinctive aspect of the food problem for Jews; (b) the unique character of the shelter and clothing requirements due to the vast majority of Jews being homeless and despoiled; (c) the medical aid necessary after years of disease and starvation; (d) the plight of Jewish children who had suffered the greatest physical and spiritual injuries; (e) the enormous resettlement tasks of decimated

families who had to be readjusted occupationally and given a new lease on life.

A later chapter will set forth the ideological importance of some of the results which were achieved by the Congress at the first UNRRA session. The Congress did not confine its activity in this matter to the submission of a memorandum, but sent Dr. Kubowitzki and Dr. Tartakower to Atlantic City, to negotiate with a number of delegates and with high officials of UNRRA. They concentrated their attention on the Sub-Committee on Policies with respect to Assistance to Displaced Persons. It may be asserted that but for the intervention of the Congress, the majority of the stricken Jewish people in Europe would have remained outside the purview of UNRRA activities.

The following is a summary of the major principles whose adoption was secured:

1. *Jewish Enemy Aliens Assimilated to Allied Nationals.*—The original idea of the Sub-Committee was to leave persons who were not Allied nationals and who had been obliged to leave their homes for reasons of race, religion, or political belief to the care of the Intergovernmental Committee on Refugees, which was an agency for resettlement. As a result, Jews of Bulgarian, German, Hungarian, Italian, and Rumanian origin or nationality, found at the end of hostilities in countries in which they did not formerly reside, would have been left without any official care until the Intergovernmental Committee on Refugees had discovered new places of settlement for them. Thanks to the efforts of the Congress, a resolution was adopted providing that UNRRA would extend its assistance to all persons included in the scope of activities of the Intergovernmental Committee on Refugees; *i.e.*, all victims of persecution because of race, religion, or political belief. Since the military authorities later adopted the UNRRA policy as their own, this Congress achievement made it possible for Jews of former enemy nationality to receive Army and UNRRA supplies in the camps for Displaced Persons.

2. *Repatriation or Return Not Compulsory.*—The idea advocated by British circles that all refugees should be compelled to return after the war to their countries of origin was decisively rejected at this UNRRA meeting. The report of the Sub-Committee

on Displaced Persons laid down the following principles which were of vital importance from the Zionist viewpoint, and eventually resulted in establishing an indissoluble link between the DP's and Palestine:

(a) The case of persons who were obliged to leave their homes for reasons of race, religion, or political belief presents certain features which distinguish them from all other categories of displaced persons.

(b) This category includes not only persons who were obliged to leave their countries of origin but also those who had to leave their countries of *settled residence*.

(c) The repatriation or return of such persons is to be considered impossible not only if practical difficulties *prevent* their repatriation or return, but also if they are not *willing* to return to their countries of origin or former residence.

3. *Not Only Repatriation But Also Return to Places of Former Residence.*—Many European Governments came to the Conference with the proposition that UNRRA should concern itself only with the repatriation of nationals of the United Nations to their *countries of origin*. This would have excluded, for instance, thousands of Polish Jews who had been residents of Belgium, France, Holland, etc. Under the resolutions adopted, UNRRA was entrusted with the task of repatriation *and* return to *places of former residence*.

4. *Favorable Discrimination.*—The Congress had advocated the principle that in the relief and rehabilitation work, formal equality must give way to real equality, which implies that preference should be given to those who suffered most. This principle was adopted in a resolution authorizing UNRRA, in determining the relative needs of the population, to take into account “the diverse needs caused by discriminatory treatment by the enemy during its occupation of the area.”

5. *Liberated But Unsafe Areas.*—The Congress had recommended that a special service be attached to Allied Headquarters to concern itself with the situation of Displaced Persons found in areas of military operation which had been liberated but were in danger of being reoccupied. The First UNRRA Session adopted a resolution, instructing UNRRA's Director General to contact

military authorities with a view to dealing in a uniform manner with such displaced persons.

After that session, the Institute of Jewish Affairs published a study by Zorach Warhaftig, entitled *Relief and Rehabilitation*, which was an attempt to appraise the code of UNRRA in the light of the realities of the Jewish position. The book made a number of proposals in order to eliminate contradictions in the resolutions of the First Session and put forth a planned solution of the difficult postwar rehabilitation problems. Its views were embodied in a memorandum which was submitted to the second Session of the UNRRA Council held in September, 1944. This session adopted a resolution which left no room for any ambiguity, providing that victims of Nazi oppression who were stateless or of enemy nationality should be included among those of whom UNRRA had to take care.

#### WAR EMERGENCY CONFERENCE FAVORS RELIEF

During the war, the controversy over the relief work by the Congress continued within the Congress itself. While there was complete agreement that the Congress should not abandon its duty to do its full share in the field of rescue, there were certain hesitations in regard to relief work properly so called, mainly because of the very limited financial means which the Congress could invest in such activities.

The War Emergency Conference which met in Atlantic City in November, 1944, dealt extensively with this problem. It decided that since "the Jewish people itself out of its own voluntary contributions" would have to take care of many urgent needs of relief and material rehabilitation, "it is the most sacred duty of all the affiliated branches of the World Jewish Congress to strengthen the relief and rehabilitation work, or to initiate such action in accordance with the requirements of this historic hour, and thus to secure for the World Jewish Congress the funds necessary for the work within the frame of its competence in all fields of activity which look to Jewish rebirth."

At the same time, the War Emergency Conference called upon the Congress to make a maximum effort to secure the coordination of the leading bodies concerned with relief problems.

The steps taken by the Congress to bring about this coordination did not succeed, neither did the hopes materialize that the communities affiliated with the Congress would put at its disposal the considerable amounts needed for a vast relief program. However, this twofold disappointment did not prevent the Congress from carrying on a considerable amount of work, not only in the field of political relief, but also in many other domains, as will be recounted later.

## CHAPTER V

### BEGINNINGS OF LEGAL REHABILITATION

Problems of formal restoration of Jewish equality of rights faced the Executive long before the end of the war. Its policy, adopted after much deliberation, was that such redress should be demanded as soon as a territory previously under the occupation of Germany or one of her satellites was liberated and that any attempt to postpone justice until the return of peace should be resisted. Similarly, the Congress later urged the incorporation of abrogative and protective measures in the armistice agreements without waiting for their eventual embodiment in the peace treaties.

French territories were the first to which the Congress had to apply this doctrine. Syria and Lebanon were occupied by de Gaulle forces in June, 1941, and American troops landed in French North Africa on November 7, 1942.

#### RESTORATION IN SYRIA AND LEBANON

The action of the Congress in this field was facilitated by the relations which it had established with General Charles de Gaulle as early as June, 1940. In view of the fact that the so-called autonomous sector of France, with Vichy as its capital, soon joined in the merciless persecutions of the Jews, it was of historic importance that there was a Free France faithful to the principles of 1789. France's artificial conversion to genocidal anti-Semitism implied a threat to the future of the Jewish people that went beyond her boundaries. France, though beaten, still possessed considerable moral influence. If France, with her great achievements in the

realms of philosophy, literature, art, and political thought, had become anti-Semitic without any French dissent, her example might have influenced public opinion in occupied Europe, in certain Latin American countries, and to some extent even in the United States.

The British Section of the Congress was the first Jewish body to offer General de Gaulle the support of the Jewish people. Dr. M. L. Perlzweig saw him soon after the British Government on June 18 recognized him as Chief of the Free French, and while the General refused to commit himself to any view on the structure of the future French Constitution, he was absolutely clear about the question of restoration of Jewish rights in the new France. During the same month, the Executive of the British Section, although they could get little guidance from the Foreign Office at that time, decided to establish formal contacts with the de Gaullist organization. Albert Cohen was appointed Congress liaison officer with General de Gaulle's London headquarters, and later the Executive in New York appointed Dr. Max Beer as liaison officer with the Free French movement in America.

On August 22, 1940, the General wrote to Mr. Cohen that "on the day of victory, in which I firmly believe, liberated France will not fail to see to it that redress is made of the wrongs to which the Hitler domination subjected certain collectivities and, among others, the Jewish communities, which, in the countries temporarily subjugated by Germany, are unfortunately hit by intolerance and persecution."

On November 11, 1940, de Gaulle sent the following message to the Congress' headquarters in New York:

"Be assured that since we have repudiated everything which has been falsely perpetrated in the name of France since June 23rd, the cruel decrees directed against French Jews can and will have no validity in Free France. These measures are no less a blow to the honor of France than they are an injustice to her Jewish citizens.

"When we have achieved victory, not only will the wrongs done in France itself be righted, but France will again resume her traditional place as the champion of freedom and justice for all men, irrespective of race or creed, in a new Europe."

On July 21, 1941, less than a month after de Gaullist forces had entered Damascus, a conference with René Pleven, Director of Foreign Affairs of Free France, was held at the office of the Congress in New York, and members of the Executive asked for the abrogation of the anti-Semitic legislation in Syria and Lebanon.

On August 5, 1941, the Free French Delegation in the United States issued the following communiqué:

"A message from General de Gaulle from Syria notifies the Free French Delegation in the United States that the anti-Semitic and racial laws promulgated by Vichy are considered null and void by the Free French in Syria and Lebanon.

"The Free French only apply those laws which were enacted before June 18, 1940, together with the new ordinances of the Chief of the Free French Forces."

This latter statement was repeated by General de Gaulle in a letter to the World Jewish Congress dated October 4, 1941, on the occasion of the 150th anniversary of the emancipation of the French Jews:

"We consider as null and void the changes in the Constitution and in the French laws by the so-called Government of Vichy, the origin and acts of which are unconstitutional and unlawful."

#### A TEST CASE: THE ABROGATION OF THE CREMIEUX DECREE

While the abrogation of the anti-Semitic laws in Syria and Lebanon was achieved soon after their liberation, in North Africa, particularly in Algeria, the situation proved to be more involved. There, the Executive, in collaboration with the French Jewish Representative Committee in New York and the local Jewish leaders in Algeria, had to wage a long and persistent struggle before Jewish rights were restored.

In Algeria, Jews had since 1870 enjoyed the status of French citizens under the Cremieux Decree. That decree was revoked by Vichy on October 7, 1940. A succession of decrees expelled the Jews of French North Africa from most occupations, and the *numerus clausus* was introduced in the professions and schools. In the spring of 1942, Aryanization of Jewish enterprises commenced in Algeria.

Ten days after the American and British troops landed in North Africa, President Roosevelt asked for the "repeal of all laws and decrees inspired by the Nazi Government and Nazi ideologists." The same day (November 17, 1942) the Chief Rabbi of Algiers, M. Eisenbeth, wrote to Yves C. Chatel, Governor General of Algeria, asking him to abolish the Vichy Jewish Statute of October 3, 1940, as well as the ensuing laws, decrees, and measures which, "aside from inflicting moral wounds upon us, condemned almost the entire Jewish population to ever-increasing misery." On November 18, the Governor General suggested that the Jewish population agree that there should be no general reestablishment of equality of rights, but that specific cases should be dealt with on the basis of their individual merits. After consultation with the leaders of his community, Chief Rabbi Eisenbeth rejected the proposal.

The numerous Vichy-minded officials who continued to hold important posts in Algeria, refused to go back to the laws of the Third Republic. On December 9, 1942, Dr. Henri Aboulker, one of the handful of Frenchmen who had assisted General Mark Clark in planning the debarkation of the Allied troops, appealed to Admiral Jean Francois Darlan and asked for the total abrogation of all decrees promulgated against the Jews since the Armistice. Under pressure of American public opinion, Darlan found himself compelled to issue a statement on December 16, announcing that he had begun "the restoration of rights to those persons from whom they had previously been taken away because of their race," which statement the Algerian Jews, organized in the Algerian Jewish Committee of Jewish Studies, considered unsatisfactory and demanded again of the proper authorities "to repeal without restriction and without reserve all the anti-Jewish legislation now in force against the Jews in Algeria."

After the assassination of Admiral Darlan, General Henri Giraud succeeded him, without the Jewish expectation of deliverance from the Vichy laws being fulfilled. On December 31, Chief Rabbi Eisenbeth found himself forced to write to the new High Commissioner that not only had the discriminatory laws not been abrogated, but they had actually been aggravated by military orders assigning Jewish enlisted men to labor camps or pioneer camps rather than to active military service. The Jewish community was

dumbfounded when, instead of receiving satisfaction, it saw a number of its prominent members arrested, together with other Frenchmen who had helped in the American landing, as suspected conspirators in the assassination of Admiral Darlan, among them Dr. Aboulker. For good measure, General Giraud's Aide-de-Camp wrote on January 13, 1943, that the request for the release of the notables of the Jewish community "could not receive any attention at present."

The Jewish authorities made a new attempt on January 28, in a conference with the new Governor General, Marcel Peyrouton. However, the latter stated that the French people considered the Jews and the Parliamentarians responsible for the defeat, that such abrogation could not be accomplished locally since Algeria was still part of France, and that the solution of the political questions should therefore be postponed until the end of the war.

The details of this unfriendly policy and of these procrastinating tactics were not known at the time in the United States, but the plain fact of non-restoration of Jewish equality was quite evident, and aroused a growing indignation. Members of the Congress Executive, in conversations with State Department officials, had been urged not to press at that time an issue which was considered controversial by the military authorities of the Algerian Theater of Operations, or at least not to lay the matter before the public. However, the Executive Committee, after much soul-searching and deliberation, decided that it could not accept that counsel of expediency. It felt that the toleration of racial laws and of the daily practice of administrative discrimination against Jews under the eyes of American soldiers and the flag of the United States might create a dangerous precedent. So, after all unofficial representations had failed to achieve the purpose, the American and World Jewish Congress issued on February 10, 1943, a statement in which it was said:

"We have remained silent during these months because we have appreciated to the full the difficulties, military and otherwise, of the situation, and because we wished to avoid saying anything which might embarrass those who bear the burden of responsibility. But it has become clear that the principles of human rights and democracy have been suspended, if not waived, in North Africa. It is impossible for us, by our silence, to appear to acquiesce in this policy. . . .

“ . . . We have been asked during these three months to be satisfied with promises of relaxation while the substance of hideous Nazi law and practice remain untouched.

“We ask for the complete restoration of human rights to those who have been robbed of them in North Africa, as a contribution to the defeat of the purposes of the enemy. . . .”

On February 16, General Emile Bethouart, Chief of the French Military Mission in the United States, found himself compelled to reply to that statement, and asserted that General Giraud had adopted two measures of redress and that others would soon follow. But the French Jewish Representative Committee of the Congress published a declaration on February 25, stressing “that the various arguments advanced in explanation of the delay in the accomplishment of an act of elementary justice . . . are actually refuted by the existing . . . situation in North Africa which offers no obstacles to the return to the national traditions of France.” This statement was signed by Henry Torrès, Pierre Dreyfus, Prof. Jacques Hadamard, Baron Edouard de Rothschild, and others.

On March 14, General Giraud finally yielded to the clamor of public opinion in the United States and England. However, he could not bring himself to restore to the Algerian Jews the fullness of their rights. While abolishing the Vichy legislation, he, at the same time, stripped 44,000 Algerian Jews of their French nationality. His statement follows:

“The laws of racial discrimination, imposed on France by the Nazis, exist no more. The order has been promulgated declaring null and void the law of June 2, 1941, and the decrees connected with it.

“The abrogation of these laws and decrees has restored the French tradition of human liberty and the return to equality of all before the law. Without such equality, there exists no French liberty. This solution wipes out that mark of shame that in their work of persecution the Nazis wished to inflict on France by forcibly associating her with their own perversion.

“With the same desire to eliminate all racial discrimination, the Cremieux Decree, which in 1871 established a difference in status between native Moslems and native Jews, is abrogated.”

The last paragraph was so cleverly worded that even Winston Churchill, in a speech in the House of Commons, welcomed it as the "abrogation of all racial distinction between the native Moslem and Jewish inhabitants."

However, the Jews were not taken in by the General's ruse and the Executive of the World Jewish Congress was once more confronted with a delicate situation. Was it wise to embark, in the midst of the war, upon a fight for the restoration of the Cremieux Decree which could so easily be misrepresented as an act of discrimination against the Moslem population of Algeria? The French Jewish Representative Committee was called in for lengthy consultations. The decision was finally reached that any acceptance of a restoration that detracted in the least from the pre-war status would open the way for a diminution of the status of the Jews in the postwar period.

A joint delegation of the American and World Jewish Congress, led by Dr. Wise, called on March 18 on Undersecretary of State Sumner Welles and pointed out that the legal effect of the abolition of the Cremieux Decree was the relegation of the Jews of Algiers to the position of subjects deprived of French citizenship. No longer would they have the right to vote in elections, to be chosen as delegates to the Algerian General Assembly or to the French Chamber of Deputies. No longer would their right to military service be complete, as a non-citizen could only receive a minor rank in the Army. Similar representations were made to the head of the Free French Delegation in Washington and a cable was sent to General de Gaulle.

On March 27, Undersecretary of State Sumner Welles released a letter he had written the same day to Baron de Rothschild in the latter's capacity as President of the Central Consistory of Jews of France and Algeria, as well as to Dr. Wise, stating that only native Algerian Jews were affected by the Cremieux Decree and that "in the near future a procedure will be established whereby native Algerian Jews who desire to become citizens may acquire citizenship." This unsatisfactory answer convinced the French Jewish Representative Committee that it was necessary to prepare an exhaustive historic and juridical study on this complicated question.

On April 22, the Congress drew the attention of the Secretary

of War to official orders issued under the authority of General Giraud giving instructions for the discriminatory utilization of Jewish personnel in the French Army in North Africa. On May 27, Undersecretary of War John J. McCloy answered that on May 15 a note from the headquarters of Giraud's Army was sent to the Army, Navy, and Air Force specifying that "all racial discrimination in matters affecting recruiting, promotion to all grades, classes, and echelons, and assignments and transfers of military or civilian personnel of the armed forces be discontinued immediately."

In the meantime it appeared necessary to bring pressure to bear upon the Free French Movement itself. On April 2, 1943, the Congress was informed by the Free French Delegation in the United States that, "negotiations for unity having begun, the French National Committee and General de Gaulle consider it essential to refrain from any public criticism." Dr. Wise answered sharply that he could not agree that French unity had to be realized at the sacrifice, even if only temporary, of Jewish equality.

On May 15, the French National Committee issued a statement disapproving "the repeal pure and simple of the Cremieux Decree," and declaring that it could not "endorse a measure, which deprives one category of Frenchmen of the rights which the Republic allows them."

On May 20, a delegation of the French Jewish Representative Committee presented to Undersecretary Sumner Welles the remarkable sixteen-page memorandum in which they reviewed the history of Jewish citizenship in Algeria and showed that the abrogation of the Cremieux Decree was illegal under the organic laws of the French Republic. The memorandum explained that "in depriving the Jews of citizenship which they obtained two or three generations ago, a precedent has been established which would be an obstacle to a just and entire emancipation of the Jews." The delegation, which was composed of Henry Torrès, Captain Pierre Dreyfus, Paul Jacob, and Paul Weil, was introduced by Dr. Goldmann. The memorandum was also submitted on July 30 by Alex L. Easterman to Richard K. Law, Undersecretary of State for Foreign Affairs of the British Government.

Still no progress was being made. After the conciliatory meeting between General de Gaulle and General Giraud, the Congress

on July 2 sent them a cable of congratulations and heartfelt wishes "for the achievement of your great task" and expressed its urgent hope that the restoration of the laws of the Republic would be extended and would include the restoration of the Cremieux Decree. But no answer was forthcoming.

In the meantime, the Congress had succeeded in establishing proper channels of communication with the Jewish community and other contacts in Algiers, which kept the Congress fully posted on the situation in North Africa while receiving information from it on the steps being taken in the United States. Every opportunity was taken advantage of to repeat the demand for the restoration of the Cremieux Decree, but in spite of the consummation of the victory over the enemy in North Africa, General Giraud's statement of March 14 remained unaltered.

On September 27, 1943, Dr. Wise received a personal letter from General de Gaulle with the assurance that "in the war for human rights . . . we shall continue . . . to make it possible for all men to participate in the benefits of that victory."

On October 6, 1943, Elie Gozlan, Congress representative in Algiers, reported that the abrogation of the Decree was being maintained by the sole will of General Giraud.

The agitation in the United States resumed with great strength.

Finally, on October 21, the Cremieux Decree was restored and the next day, P. Viénot, on behalf of Free France, wrote the following letter to the Marchioness of Reading:

"On the eve of the opening of the National Conference of the British Section of the World Jewish Congress, the delegates will no doubt have learned that the French Committee of National Liberation has again put into force the Cremieux Decree and has thus restored to the Jews of North Africa their status as French citizens.

"This act of reparation by the French Committee of National Liberation evidences the attachment of the French people to those traditions of religious liberty and human solidarity which form part of the heritage of France and Great Britain."

Specifically the French Committee of National Liberation had decided that the order of March 14 by which "General Giraud, out of consideration for Moslem politics, confirmed the repeal of the Cremieux Decree" was not applicable because no

executory measure had been taken "and that therefore the Cremieux Decree remained valid."

On October 23, the French Jewish Representative Committee passed a resolution conveying "to the WJC the feelings of deep appreciation and affection of the Jews of France who feel that the guidance, authority, solidarity and devotion of the WJC Executive Committee were instrumental in the success achieved." The resolution was signed by Edouard de Rothschild, as President of the Central Jewish Consistory of France and Algeria, and by Henry Torrès and Paul Jacob, for the French Jewish Representative Committee.

On November 11, Elie Gozlan cabled as follows to Dr. Kurbowitzki: "We are happy to inform you of new governmental measures which are clearly democratic and liberal, and which restore confidence and harmony."

After full equality had been restored to Algerian Jews, State Department officials admitted in ensuing conferences that the Congress had been right in the course it had adopted, and that its determined attitude would discourage future attempts of liberated governments to retain in any guise discriminatory legislation introduced in the Hitler era.

#### LIBYA

In August, 1943, the British Eighth Army completed the conquest of Libya, comprising the two Italian colonies, Tripolitania and Cyrenaica, with a Jewish population of some 26,000. The Italian racial laws and regulations had been extended to Libya by a decree of November, 1938. During the war, 1,400 Jews of Tripoli were employed at forced labor, and 2,500 Jews of Cyrenaica were sent to a concentration camp at Giado where 318 of them died of typhus and undernourishment.

The British military authorities decided to discontinue immediately the application of Jewish disabilities. It doubted, however, whether it had the right, under the Geneva Convention, to abrogate the discriminatory laws. Fortunately, it soon appeared that these laws had never come into force because there had been a misprint when they were published and they had to be withdrawn for republication, which never took place. The Jews,

therefore, remained under the legislation which prevailed prior to the anti-Jewish policy of the Fascist government.

In this matter the World Jewish Congress acted in close cooperation with the Senior Jewish Chaplains of the Eighth Army, in particular with Chaplain L. Rabinowitz, who arrived in Tripoli on January 23, 1943, with the advance elements of that Army.

## CHAPTER VI

### THE ATLANTIC CITY WAR EMERGENCY CONFERENCE

The War Emergency Conference of the World Jewish Congress in Atlantic City, New Jersey (November 26, to 30, 1944), may be regarded as a turning point in the thinking of Jewish public workers on the Jewish question of our day and on the relation of the Jewish people to the non-Jewish world.

The Conference was convoked at a time when the Second World War had entered its most sanguinary period, and its technical preparation alone was a task of considerable difficulty. The delegates who gathered in Atlantic City came from many parts of the world, under wartime difficulties bordering on the impossible. The gathering has been rightly described as "the only important international Jewish meeting to be held during the World War or, indeed, any great war."

No fewer than 269 delegates representing the Jewries of 40 countries formed this assembly. In addition to 24 members of the Executive and Administrative Committees of the World Jewish Congress, there were 81 delegates from the United States, 86 from overseas countries, and 76 from the European Representative Committees. Jewish communities of the following countries were represented

Palestine, Algeria, Argentina, Australia, Canada, Chile, Colombia, Costa Rica, Cuba, Ecuador, Egypt, Mexico, Morocco, Nicaragua, Panama, Peru, Portugal, Tunisia, United Kingdom, United States, Uruguay, and Venezuela, while the delegation from France which had just been liberated arrived only after the end of the Con-

ference. The American Jewish Conference as well as the South African Jewish Board of Deputies were represented by observers.

Palestine's Vaad Leumi had sent a delegation composed of Mordecai Bentov, Dr. Bernard Joseph (member of the Jewish Agency's Executive) Dr. Siegfried Moses, and Dr. Oscar Wolfsberg. A nine-man delegation arrived from Great Britain composed of Dr. Noah Barou, Dr. Abraham Cohen, Jack Cotton, Alex L. Easterman, Norman Jacobs, Fred Nettler, Ben Rubenstein, Mrs. Rebecca Sieff, and Sydney S. Silvermann, M. P. In addition, there came from London Ernest Frischer, Jewish member of the Czechoslovak State Council, Anselm Reiss, member of the Executive, and Dr. Ignacy Schwarzbart, Jewish member of the Polish National Council; and from Portugal, one of the rescue representatives in Europe, who had singlehandedly done a great job, Isaac Weissman. From Liberated French North Africa, there arrived a delegation, headed by Algerian Chief Rabbi Maurice Eisenbeth, who had been a courageous spokesman of the Jewish community in the face of the Vichy Proconsuls, and composed of Andre Bakouche, Alfred Ghighi, Elie Gozlan, Benjamin Heler, and Rene Roubache of Algiers; Prosper Cohen, Samuel Levy, and Menachem Murciano of Morocco, and Mathieu Ganem of Tunis. There were also two delegates from Egypt: Adolph Kramer and Moshe Najman.

Latin America delegated some of its most distinguished leaders: Mrs. Berta Gershunoff, Dr. Moises Goldman, Dr. Jacob Hellmann, Rabbi Joseph H. Panigel, Dr. Marcos Regalsky, Dr. Isaac Schtirbu, Hirsch Triwaks, and Dr. Isaac Wolaj of Argentina; Dr. Natalio Berman, Member of Parliament, Mauricio Fainovich, Noy Furman, Dr. Luis Lamas, Robert Levy, Dr. Simon Tannenbaum, and Enrique Testa of Chile; Dr. Aaron Benchetrit, Elias Castel, Joseph Kushelevitch, Abraham Posner, and Solomon Reines of Colombia; Dr. William Berger, Fernando M. Hirscl, Henryk Katz, Aaron Yuken, and Raphael Zilber of Cuba; Abraham Sztern and Jose Zonzinsky of Costa Rica; Dr. Moritz Scharfstein of Ecuador; Leon Dultzin, Moises Glikowski, Dr. Richard Meyer, Teodoro Resnikoff, Manuel Weissman, and Arturo Wolfowitz of Mexico; Jose Retelny of Nicaragua; Dr. Jacobo Isler of Paraguay; Dr. Isaac Weccselman of Peru; Rabbi Isaac

Algazi, Mauricio Cohen, Dr. Samuel Epstein, Herman Schapiro, and Mauricio Veiroj of Uruguay; Fortunato Benacerraf, Alberto Foinquinos, Miguel Rottenberg, and Jaime Zighelboim of Venezuela.

Canada was represented by A. H. Aronovitch, A. B. Bennett, Samuel Bronfman, M. Dickstein, Rabbi Feinberg, Joseph Fine, Michael Garber, K. C., E. E. Gelber, Saul Hayes, Dr. S. B. Hurwich, Rabbi H. J. Stern, M. Sures, and S. J. Zacks.

Australia was represented by Aaron Mushin.

The South African Jewish Board of Deputies sent an observer: Dr. Ellen Hellman.

A delegation from Liberated France arrived the last day of the Conference: it was composed of Joseph Fisher, Deputy Chief Rabbi Jacob Kaplan, Judge Leon Meiss, Acting President of the Consistory, and Guy de Rothschild.

A few days later, another great servant of the rescue work in Europe, Dr. Abraham Silberschein of Switzerland, arrived.

The European Representative Committees, which through their elected delegates participated in the work of the Conference, spoke in the name of the following Jewish communities which at that time were still under the Nazi heel, or, like France, had just been liberated:

Austria, Belgium, Bulgaria, Czechoslovakia, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Rumania, and Yugoslavia.

The participants welcomed with deep emotion the opportunity to meet, for the first time after those terrible years, with Jewish leaders from other countries, to compare their experiences during the period of separation, and to state their views on the present and future position of the Jewish people. A general debate, which lasted for several days, served this important purpose.

Careful preparation and reliable up-to-date documentation were indispensable prerequisites for the success of the Conference. Most of the delegates had been compelled to live practically isolated during a time abounding with radical changes. They now had to find, within the few days of the gathering, a common platform and a basis for appraising the new aspects of the Jewish situation and of the new world in general. The responsibilities

of the preparations weighed heavily upon the organizers of the Conference, especially upon the members of the Executive Committee and the Institute of Jewish Affairs. The reports rendered by the officers and heads of the various Departments performed the essential task of coordinating the sentiments and demands of the various delegations and blending them into one body capable of making joint proposals and arriving at joint decisions.

Dr. Wise, after having read a welcoming message from the United States Secretary of State, Edward R. Stettinius Jr., declared:

"This is not a relief conference. This is not a charity conference. . . . We are met as fellow-Jews and as brothers in order that we may take counsel . . . over our common hopes and our common determination to share our common fate as Jews. . . . Even as we desire that the fullest justice be done to every people on earth, we shall be satisfied with nothing less than the fullest measure of justice to the people of Israel."

After the former Chief Rabbi of Yugoslavia, Dr. Isaac Alcala, had conducted an impressive memorial service for the Jewish victims of extermination in Europe, Dr. Nahum Goldmann said that in a historic sense the democratic nations were responsible for the unparalleled Jewish catastrophe and that theirs was the obligation to repair what could be repaired and to insure that such a tragedy did not occur again.

He then advanced the idea, new at that time, but which had gradually matured in the counsels of the Executive, that heirless Jewish assets should be turned over to the Jewish communities for the purpose of Jewish rehabilitation:

"It would be adding mockery to tragedy, were non-Jewish individuals, non-Jewish communities and governments to become the heirs to this property, which, if not legally, certainly morally, belongs to the Jewish community and must be used for rebuilding Jewish life and a Jewish future."

Turning then to another new approach to Jewish policy, Dr. Goldmann declared that Jewish rehabilitation in the future could not be the exclusive and primary task of Jews themselves, since this would be both economically impossible and morally untenable. As the problem surpassed the capacity of Jewish re-

lief organizations, the same agencies of governments which would assist Europe and Asia after the war must provide the bulk of Jewish assistance.

Stressing the cardinal importance of the problem of prosecution and punishment of those who committed crimes against Jews, Dr. Goldmann said that only thus would the moral balance of the world be restored. An example must be set for future generations; the world must be taught that such crimes cannot go unpunished.

He then pointed out that the Jewish problem existed before Hitler, and that its meaning was homelessness. "We are not pleading for enforced evacuation from Europe," he continued, but every Jew should be given an opportunity to start a new life in a country of his own. The demand for a Jewish Commonwealth was no longer a purely Zionist demand.

Finally, Dr. Goldmann emphasized the importance of Jewish representation in the councils of the peoples of the world. Jews should be granted "recognition and representation in all those conferences and agencies where problems vital to [their] future are under discussion."

At the second session of the Conference, Dr. Arieh Tartakower, head of the Department of Relief and Rehabilitation, explained that as a result of developments before and during the war, Jewish relief and rehabilitation work had become more and more inseparable from political activities in view of the increasing role of governmental and intergovernmental agencies in this field. The relief work of the Congress which began as an emergency effort after the outbreak of hostilities in Poland had produced a flight of Jews over all the roads of Eastern Europe, was continued to alleviate the growing starvation and distress caused by the Nazi biological war against Jews in occupied Europe. While this was true of the first years of the war, it became apparent toward the end of 1942 that the Nazis were resorting to more brutal and direct extermination methods, causing the Congress to devote its special attention to the problem of rescue. At the same time, relief work proper grew more urgent and was carried out with some measure of success in such distant places as the U. S. R., Portugal, Spain, Tangiers, Rhodesia, Tanganyika, and Mauritius. An important field of activities opened up with the strengthening of

the Intergovernmental Refugee Committee and the establishment of UNRRA. Dr. Tartakower closed by stressing the necessity of coordinating the work of Jewish groups dealing with relief and rehabilitation, because not only the communities in Europe but also those in North Africa and the Middle East, must be regarded as in need of attention.

Dr. A. Leon Kubowitzki, head of the Rescue Department, delivered the report on the rescue attempts of the World Jewish Congress. The WJC, he said, wanted to answer the summons of history and give an honest account of what it had endeavored to achieve. The judgment which history would pass on the Congress leadership would depend on its answer to two questions: To what extent was it actually possible to save Europe's Jews from Germany's determination to annihilate them? To what extent did the Congress share in the rescue of those who survived? Neither question, he declared, could at that moment be answered from a full knowledge of the case. He then went on to say that the methods which had led to the rescue of the surviving Jews of Europe, aside from the Allied victories which were a prerequisite of survival, might be summed up as (a) evacuation, including smuggling out of Axis countries to safer regions, (b) hiding, (c) payment of ransom, (d) political activity, and that the Congress had played a considerable part in each of these methods. Evaluating each course of action, he said:

"If we should try to appraise the relative importance of the four above-mentioned methods, I would say that in the little that has been achieved, the political activities were the most effective factor. We may attribute to political action the survival of the remaining Rumanian, Bulgarian and Danish Jews, and of those Hungarian Jews who will survive their present ordeal. Belonging also to the political sphere are the relations with the Jewish and non-Jewish resistance movements established by our Geneva and Lisbon offices, which proved invaluable for measures of protection, evacuation, and hiding. We may consider as quasi-political action the psychological warfare, with its aims to counteract Nazi propaganda representing America and Great Britain as the homes of growing anti-Semitism, to deter the non-German officials, with whose help the policy of extermination is being carried out, and to strengthen the hands of the Gentile population in its efforts to aid the Jews to escape persecution."

After reviewing the specific contributions of the Congress to the rescue work summarized above, Dr. Kubowitzki outlined the problems upon which the Rescue Department was then concentrating, namely, saving the surviving Hungarian Jews in Hungary proper as well as of that "Jewish manpower" which Hungary had placed at the disposal of the Reich, securing the status of civilian prisoners of war for the Jews confined in ghettos, labor and concentration camps, so as to entitle them to the care of the International Red Cross, and finally, urging action to destroy the installations of the murder camps "so as at least to slow down the tempo of these slaughters."

At the morning session of November 27, Dr. Maurice L. Perlzweig, head of the Political Department, submitted a report on the political activities. After describing the structure and functions of the Congress and its attempts to create a united front of all Jewish bodies for meeting war emergencies and postwar problems early in 1940, he spoke about the successful establishment of listening posts and about the reestablishment of a relationship with the Jewry of Soviet Russia. Dr. Perlzweig stressed the important role which the Congress had played in obtaining the Declaration of December 17, 1942, in which the United Nations joined in condemning and pledging punishment for the policy of extermination. The Congress had enlisted the aid of neutral governments in emergency situations, and it was in the forefront of those fighting anti-Semitism everywhere and preparing for postwar reconstruction.

In the debates that followed and at committee meetings there were memorable addresses and briefer remarks by Dr. N. Barou, Captain Pierre Dreyfus, A. L. Easterman, Ernest Frischer, Dr. Moises Goldman, Dr. Israel Goldstein, Dr. Jacob Hellmann, Dr. Bernard Joseph, Isaac Naiditch, Prof. Alexander Pekelis, Anselm Reiss, Dr. Jacob Robinson, Dr. Ignacy Schwarzbart, Sydney S. Silverman, M. P., L. Szczupakiewicz, Mrs. Louise Waterman Wise, Dr. Oscar Wolfsberg, and Baruch Zuckerman.

Mr. Silverman declared in the course of his address that the Congress had obtained for Jews a standing with governments such as no other Jewish body had in two thousand years with the obvious exception of the Jewish Agency for Palestine.

A sense of frustration and poignant grief pervaded the debate every time the Jewish catastrophe was touched upon. Several delegates accused the Executive of lack of militancy in its efforts to arouse the governments. Dr. Goldmann replied by giving a picture of the daily battle of the Executive against the callousness of the Gentile world. Bigger mass demonstrations in the United States would not have changed the attitude of the heads of governments. The strictures leveled at the members of the Executive in New York, he said, should have been directed at the Governments of the United Nations, or to the Jewish people as a whole.

#### RESOLUTIONS

On the basis of the reports, of the statements made during the general debate, and of a thorough discussion in the committees, the War Emergency Conference adopted a series of resolutions, some of which embodied a new view of the Jewish position and constituted a substantial change in the accustomed Jewish approach to the problem of the Jews among the nations. Most of the demands formulated in Atlantic City were later adopted by practically every organized Jewish group in the world.

A *Declaration* embodied the paramount demands emerging from the deliberations of the Conference. It proclaimed that the Jewish people was looking to the United Nations for the establishment of a new international democratic order based on the Four Freedoms and the Atlantic Charter. As essential parts of such an order, the Declaration urged (a) the promulgation of an International Bill of Rights securing full protection of life and liberty for all the inhabitants of all countries; (b) full and unequivocal equality of rights in law and in fact for all citizens in every country and adequate protection of the elementary needs of all its inhabitants; (c) the inalienable right of all ethnic and religious groups to maintain and foster their collective identity; (d) the adoption and promulgation of national laws and appropriate international legal instruments outlawing incitement to racial and religious hatred.

Passing to the specific Jewish needs, the Declaration called for: (1) abrogation of all discriminatory measures directed against Jews and the full restoration of their rights and status; (2) recog-

dition of the particular needs of the Jewish people in the general postwar program of relief and rehabilitation; (3) apprehension, trial, and punishment of the instigators and perpetrators of the crimes committed against Jews as such and the Jewish people since 1933; (4) restitution and reparation for the losses suffered by still existing Jewish communities and the individual Jewish victims of Nazi and Fascist murder and spoliation; (5) recognition of the principle that the Jewish people is entitled to collective reparations for its material and moral losses; (6) establishment of Palestine as a Jewish Commonwealth.

The demands contained in this basic Declaration were enlarged upon in special resolutions.

With respect to *Palestine*, the Conference associated itself with the program of the Jewish Agency and its claim that there must be a definitive and permanent termination of the national homelessness of the Jewish people by the establishment of Palestine as a Jewish Commonwealth.

Regarding the *restoration of Jewish legal rights*, the Conference urged that the abrogation of anti-Jewish legislation and the abandonment of anti-Jewish administrative practices, as well as the full and unequivocal restoration of the legal status of Jews and Jewish communities, should be a pre-condition to the granting of any armistice terms to any Axis countries

Concerning the tremendous problems of *relief and rehabilitation* for the remnants of the Jewish population in liberated Europe, the Conference stated that they "will not be met by the plans now being made to bring relief to the liberated population as a whole," and that "these tasks are clearly beyond the strength of private Jewish organizations, though these organizations will undoubtedly do everything in their power to assist in the work of relief and rehabilitation." Civilized humanity was therefore called upon "to provide, through the international instruments created by the United Nations, the necessary assistance to the remnants of the Jewish population in Europe, and to see to it that this assistance is given in forms which are adequate and appropriate." The resolution expressed the hope that the military authorities, upon whom the responsibility for such relief activity must fall in the liberated countries, would take into consideration the special needs of the Jewish people both from the point of view of their urgency and

distinctiveness. The resolution also called for the opportunity of free departure of the Jewish displaced persons from their places of temporary residence, and freedom to choose between repatriation and resettlement.

Turning now to the Jewish people, the resolution stressed that, without a maximum effort on its part, it would be impossible to rehabilitate the remnants of European Jewry, that Jewish private relief bodies might often be able to act more quickly than international and governmental agencies, and that "this race against time may spell life or death for many of the survivors of the Nazi persecution." The close relationship between relief and political work was emphasized as well as the interdependence of the work of relief, rehabilitation, and reconstruction on the one hand, and the fight for Jewish rights in the Diaspora and for the upbuilding of Palestine as a Jewish Commonwealth on the other. The Conference accordingly approved of the entry of the Congress into the field of relief and rehabilitation and proclaimed it "the most sacred duty of all the affiliated branches of the World Jewish Congress to strengthen the relief and rehabilitation work, or to initiate such action in accordance with the requirements of this historic hour, and thus to secure for the World Jewish Congress the funds necessary for the work within the frame of its competence in all fields of activity which look to Jewish rebirth."

The resolution on relief and rehabilitation also dealt with problems of *cultural reconstruction*. It recommended that a department be created "to take temporary charge as trustee, jointly with other suitable bodies, of cultural property, libraries, books, communal archives, and works of Jewish art which may be recovered."

The *punishment of war criminals* received particular consideration. The resolution which dealt with this matter stated that "Crimes have been committed by Germany, her allies and satellites, which human imagination could not contemplate," and that "These crimes might go unpunished if the existing conceptions of law were not extended to include them." "The most monstrous of these crimes has had as its purpose the destruction of an entire people — the Jews of Europe." Accordingly, the Conference asked for the establishment of international and national tribunals to try war criminals, and for the inclusion in the acts for which they

were to be held responsible of "all forms of persecution of racial, religious, and political minorities committed since January 30, 1933, in the course of and incidental or preparatory to the war." Furthermore, in "the list of crimes made punishable, the annihilation of the Jewish people in Europe, and all acts of violence against Jews in the occupied countries and within the territory of the enemy nations and their satellites, in whatever form, shall find their explicit and proper place."

The problem of *restitution and indemnification* offered perhaps the greatest difficulties in the devising of a common approach. The special commission on that matter was faced with considerable differences of view due to certain aspects of the indemnification problem, particularly the use of heirless Jewish property outside the country where it had been originally located. However, here, too, agreement was in the end achieved.

The Conference urged general reparations for the Jewish people as such. "Special provisions will require to be made to secure reparation for the general damages caused by the Nazi aggressors and their satellites to the Jewish People, this reparation to serve to facilitate the rebuilding of Palestine as the Jewish National Home." It made history with its conception of the problem of heirless property. It asked that "property and rights belonging to Jewish communities, organizations, funds, trusts, and other institutions which have ceased to exist, and to Jewish families considered extinguished," should be declared to belong to an International Jewish Reconstruction Commission, which "shall use all the funds at its disposal . . . for the rehabilitation of European Jews and their communities, and through the Jewish Agency for Palestine for the development of Palestine as the Jewish Commonwealth."

While these resolutions dealt with postwar problems and were supplemented by statements on the position of the Jewish people regarding Germany, on the treatment of Jews from Axis countries, and on statelessness, the resolution on *rescue* was dedicated to an immediate problem: the continuation of a task which could end only "with the last Jew to be saved from German barbarity." (It is known today that tens of thousands of Jews perished during the last winter and spring before the final collapse of the Third Reich.) The resolution set forth several methods of saving the remnants of European Jewry. It appealed in particular to the International

Committee of the Red Cross, which had persistently kept silent on this and other vital matters, to "issue an official statement to the effect that the Jews deprived of their freedom of movement in Germany and German-dominated areas — especially in ghettos, internment, labor and concentration camps — be considered as civilian internees under the terms of the Tokyo Project and the 1929 Geneva Convention, entitling them to the protection and care of the Red Cross," and to "insist on its rights to have all civilian internment, concentration and labor camps visited by its representatives at regular intervals." The Conference expressed its regret "that deplorably little has been done to have Axis civilians under the power of the United Nations exchanged for Jews in ghettos, internment, concentration and labor camps."

While noting with appreciation the relaxation of the food blockade with regard to the unassimilated civilian internees in German-held camps, the Conference demanded a broad program of supply for all Jews deprived of freedom of movement in German-dominated regions. Moreover, a solemn appeal was made to the United Nations to take the necessary steps to destroy without delay the installations and the extermination equipment of the death factories in the heart of Europe.

Finally, the Conference turned its attention to internal problems. It dealt with questions of the representation of Jewish needs before international conferences, councils, and agencies of the United Nations, as well as with a number of organizational problems. It expressed its confidence in the Executive and the Administrative Committees elected by the duly constituted Congress in 1936, commended the members of these committees for "their vigorous and effective administration and leadership of the Jewish people as represented in the WJC," and authorized them to continue their work until a regular session of the Congress might be convened.

Paying tribute to the outstanding leadership and services to the Jewish people of Dr. Stephen S. Wise, the Conference unanimously proclaimed him President of the World Jewish Congress.

#### ATTEMPT AT APPRAISAL

IF THESE RESOLUTIONS ARE EVALUATED IN RETROSPECT, it may be said that they are remarkable for their discarding of old notions which

since the time of the French Revolution had been very dear to Jews everywhere, and for stressing with the utmost clarity the idea of the oneness of the Jewish people of all countries on earth and in far more respects than it had been assumed in former times.

The Conference, faced as it was with the "fantastic, abnormal existence" of the *Shearith Haplatah*, voiced its resolve to formulate the "indispensable principles upon which the Jewish people seek peace, freedom, and equality among the nations in a free, democratic world." The war was still going on in all parts of the Eastern Hemisphere, and Germany was still engaged in the "diabolical plan to annihilate a whole people, men, women and children unexampled in human history," which she continued "by cold and calculated methods of such fiendish quality as to defy description as they transcend imagination." The assembled delegates deeply realized that the clock could not be turned back and that a return to the Jewish past of the last one hundred and fifty years was not within the realm of possibility.

The Atlantic City resolutions therefore proclaimed, in contradiction to the school of thought which had prevailed even during the first years of the war, that the basic principle of the fight for Jewish Diaspora rights in the prewar period, namely, equality in law and in fact as individuals and as groups, was not sufficient to rehabilitate the Jewish people after the catastrophe of the Nazi period. This found its expression in the demand for the recognition of the particular needs of the Jewish people within the general scheme of postwar reconstruction, and in the statement that the distinctive Jewish rehabilitation problems could not be met with the plans being made to bring relief to the liberated population as a whole. Similarly, in making the fulfillment of these special requirements the duty of humanity and of "the international instruments created by the United Nations," the Conference expressly departed from the views held by other Jewish organizations, which not only had refused in the past to apply for assistance from governmental bodies but had offered to subsidize them to meet Jewish needs.

While during the first years of the war many believed it possible to reconstruct the shattered Jewish life in Europe exactly as it had been at the time when Hitler came to power, and branded any other views as racialism and acceptance of defeat, the Atlantic

City Conference admitted that old ties and allegiances would have to be discarded and that a new map of the Jewish Homeland and the Jewish Diaspora would come out of the war. Thus the Conference drew attention "to the paramount importance of the problems of resettlement and to the urgency of taking immediate steps looking to an early solution. It will be impossible for many hundreds of thousands of Jewish displaced persons to return to their prewar places of residence." Furthermore, the Conference demanded that the right of former German Jews to reject German citizenship if it were restored to them be recognized. "No former Jewish citizen of Germany ought ever again to acquire German nationality except at his own direct and personal request."

The same approach inspired certain statements in the resolutions which implied an extension of existing conceptions of law. Thus the Conference demanded that war crimes should be regarded as including "all forms of persecution of racial, religious, and political minorities committed *since January 30, 1933*, in the course of and incidental or preparatory to the war by the enemy and their satellites and collaborators in countries under their control." In the eyes of many, this resolution was unrealistic, yet on August 8, 1945, the Charter of the International Military Tribunal gave the following definition: "*Crimes against humanity*: namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, *before or during the war*; or persecution on political racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, *whether or not in violation of the domestic law of the country where perpetrated*." A courageous and successful attempt had thus been made to extend the conception and the rule of law.

The Conference realized that the new political situation, Germany's misuse of German minorities in other countries, as well as the decline of the Jewish population in Europe, did not admit of the mechanical application to a changed world of the notions of international minorities protection which were supposed to usher in a new era at the time of the League of Nations. It could not, however, renounce its concern for the right of Jewish survival as a collectivity. A new, more flexible concept was therefore adopted by claiming "the inalienable rights of all ethnic and religious groups

to maintain and foster their collective identity under the equal protection of the laws, and with equal assistance of the state where such a system prevails."

Throughout the Conference there prevailed the unanimous, strong, and unequivocal awareness of the unity of the Jewish people all over the world. A common fate, common fears, and common hopes engendered during the tragic years of war, had greatly intensified it. Never before had there been such a strong feeling that there were tasks even in the Diaspora which had to be performed by the world Jewish community as such, and not by fragments of this community, or by the Jewish citizens of each country apart from all others.

As already stated, practically all of these demands have since become household words in the Jewish world, and many of them have been realized. However, it is proper that these features of the Atlantic City Conference be recalled. This first international meeting of surviving Jewry during the war made an honest effort to size up the new Jewish reality and to frame a new Jewish program of survival adapted to the world which was gradually emerging from the shadow of the war.



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**PART FIVE**  
**LIQUIDATION OF THE WAR**



## CHAPTER I

### FIGHT AGAINST ANONYMITY

AS WORLD WAR II was progressing, the peoples of the world were confronted with the inescapable reality that the Jews had been singled out by Germany for complete annihilation, and that while the plight of most inhabitants of the occupied countries was deplorable and, in the case of some, terrible, it could not be compared with the fate of the Jews, whose only destination in the scheme of the Third Reich was cruel death. Yet, for many years, the Allied and neutral governments clung obstinately to the concept that legally the Jews as such did not exist as specific subjects of law, and consequently as subjects of their official policy, diplomacy or strategy. There existed only citizens of the recognized nations: Poles, Czechs, Rumanians, etc. In fact, some officials went so far as to assert that any reference by them to Jews as Jews in a public document would imply that their government endorsed the evil racial doctrine. Their sincere friendship, they said, forbade them to mention the tabooed word "Jew" which might create the horrible suspicion in the minds of their nationals that there was a difference between Christian and non-Christian citizens. As related above, the silence surrounding the massacres of Jews was paradoxically represented as sincere devotion to the gains of the Jewish emancipation and the principles of the French Revolution.

This doctrine of confusion had to be vigorously fought from the very outset of the war. At that time, it was imperative to break the deadly silence enveloping the Jewish catastrophe because the Germans inevitably construed it as indifference. They could not but interpret the hush-hush policy of the governments and the press in regard to their war of extermination upon the Jewish people as

condonation and even approval. It could only serve to fortify them in their conviction that not only were they assured of impunity for their effort to extinguish the Jewish race, but that all nations were secretly grateful to them for such an accomplishment.

How this silence and this professed benevolence were overcome by the Congress has been recounted in the chapter on Rescue. The only conception of their position in the war which the Jews could accept was given by Winston Churchill in his message to the Madison Square Garden meeting of July 21, 1942, when he said: "The Jews were Hitler's first victims, and ever since, they have been in the forefront of the resistance to Nazi aggression." This sentence rightly characterized the Jews of whatever nationality as an allied people of the United Nations. However, much work was needed and many years were to pass before the notion was almost generally accepted that it was adding insult to injury to treat Jews from Axis countries as enemy aliens.

As more American Republics entered the war, as the liberation of some occupied regions took place and the United Nations began planning for the postwar period, the battle for Jewish distinctiveness again assumed immediate importance. It was essential to overcome the ideological dilemma with which Jews were faced. One cannot ask both for equality and for exceptional treatment, it was objected. It was a very cunning argument, whose refutation necessitated an open-minded approach to the new realities.

The object the Congress strove to achieve was a twofold exception to the principle of formal equality: the recognition (a) that in regard to World War II the Jews of all nationalities must be assimilated to Allied nationals, and (b) that their sufferings entitled them to favorable discrimination in the postwar schemes.

The treatment of Jews of enemy or former enemy nationality as enemy nationals by the Allies brought in its wake considerable hardship, particularly for the Jews from Germany, since in many cases they were deprived of their liberty and saw their property confiscated as if they were Nazis. It also implied the risk that Jews of many lands would be denied the benefit of the assistance which the United Nations planned to extend to the nationals of the countries which had been victims of German aggression and occupation.

The Congress' task in this field met with sentimental, legalistic, and economic difficulties.

First, sentiment against Germany ran justifiably high and there was a widespread conviction that all Germans, including German Jews, placed the interest of the Fatherland above all other considerations. Thus it was particularly difficult to have German Jews distinguished from Germans in general. It is known that even in the United States German Jews were, until the end of the war, considered enemy aliens in spite of all the efforts to clear them of that opprobrium.

Next, the legalists saw in Jewish distinctiveness a threat to the very foundation which the Napoleonic Order had laid for the relations between the State and its citizens. Jewishness was religion and religion was a private affair of which the state refused to take cognizance. After the liberation of a certain region of Holland, the military authorities subjected the German-Jewish refugees there to the same strict curfew rules as the other Germans, in order, they explained, not to be unfair to the Germans of Catholic and Protestant faiths.

Lastly, there was the not unimportant question of sources of compensation for German acts of aggression and depredation. For some Latin American countries, the wealth of their German-Jewish refugees constituted a substantial part of the German assets upon which they could lay their hands in order to satisfy their claims against Germany. But the assets of German Jews could be seized only if they were Germans and nothing else.

#### FIRST TEST IN LATIN AMERICA

The first test case came soon after a number of Latin American republics joined the United States in the declaration of war against Germany. On December 29, 1941, Dr. Wise, in a letter to Undersecretary of State Sumner Welles, informed him that in Costa Rica and Panama a wholesale roundup of German nationals had taken place, "without discrimination between Nazis and their victims," and that in Panama, "in addition to German nationals, citizens of Czechoslovakia, Hungary, Poland, and Rumania are also being arrested on the ground that their countries are in Nazi occupation." He appealed to Mr. Welles to take the opportunity

of the forthcoming Inter-American Conference at Rio de Janeiro to exert the influence of the United States to bring about the adoption of a generous and understanding policy.

In his reply on January 6, 1942, Mr. Welles acknowledged that with respect to many refugees from Nazi oppression "certain injustices have been committed," and expressed his willingness "to keep this problem in mind at the forthcoming meeting in Rio" and "to take suitable opportunity to talk informally with the representatives of any country which may appear to be continuing an unduly restrictive and severe control over bona fide refugees."

Many steps were still necessary before that policy was changed. A note submitted to Sumner Welles on February 18, 1942, by Dr. Goldmann, Dr. Perlzweig, and James W. Wise stated that "with rare exceptions the Latin American Governments have followed a policy of wholesale internment or have taken measures which have made it impossible for refugees who are technically enemy aliens to continue to earn their livelihood." The note praised the liberal policy followed notably in Guatemala and reported that in the meantime the majority of the refugees had been released in Panama.

Gradually, a more liberal policy was adopted in most Latin American countries and the bank accounts of the refugees were unfrozen. Still, a definite restoration of rights has not yet taken place everywhere. In Brazil, for example, the property of Jews of enemy nationality is still frozen up to 30 percent on the basis of the Decree Law 4166 of March 12, 1942, while assets belonging to German nationals including Jews who do not reside in Brazil are frozen in their totality. In the fall of 1947, the Juridical and Constitutional Committee of the Brazilian Chamber of Deputies prepared an amendment to Decree Law 4166 providing for exempting from all restrictions all persons of former German, Italian, or Japanese nationality who had lost their nationality through legislative action before March 12, 1942. This amendment will shortly come up for the final reading in the Brazilian Chamber. In Cuba, all possessions of Jews from former enemy countries are still blocked and frozen. In July, 1947, Dr. Kubowitzki was received by the President of Cuba and submitted a memorandum on the treatment of Jewish nationals of former enemy countries. Subsequently, Jews of former German national-

ity were granted Cuban citizenship. However, no change has come about in the status of the property of those still aliens.

### THE 1943 UNRRA RESOLUTIONS

The First Session of the Council of the United Nations Relief and Rehabilitation Administration (UNRRA) in Atlantic City offered the World Jewish Congress another opportunity to expound the distinctiveness of the Jewish position, this time in the field of relief and rehabilitation. The Congress Executive submitted to the session a memorandum dated November 11, 1943, and delegated Dr. Kubowitzki and Dr. Tartakower to go to Atlantic City. The Congress representatives were confronted upon their arrival with the prevailing sentiment that UNRRA should limit its assistance to nationals of the United Nations only, as it could not be its purpose to help enemy subjects, and with the refusal to distinguish between Jewish and non-Jewish enemy subjects. The feeling with regard to German Jews was so outspoken that extreme caution had to be observed in the wording of the Congress representations on this subject.

In their letter of November 24, 1943, to Sir George Rendel, Rapporteur of the Sub-Committee on Policies with Respect to Assistance to Displaced Persons, the Congress' representatives said in part:

"We need not call your attention to the fact that the victims of Nazi Germany include a great number of non-nationals of the United Nations, that Bulgarian and Rumanian Jews have been deported to Poland, that according to the latest reports 15,000 Italian Jews are sharing their fate. It is even our opinion that German Jews should not be assimilated to persons of enemy or ex-enemy nationality, being themselves victims of Nazism."

Sir George Rendel, in his reply of November 25, 1943, wrote:

"... Meanwhile the report yesterday underwent considerable revision and I hope that when it appears in its final form you will find that the points you make are sufficiently covered ..."

Furthermore, Director General Herbert H. Lehman wrote in the same vein in his letter of November 27, 1943:

"With regard to your suggestions concerning the problem of displaced persons, I understand that the final report

of the Subcommittee which is dealing with this subject incorporated the points which you raise in your letter."

The negotiations with delegates and high officials of the Administration produced substantial results, two of which follow:

(1) The Council approved the report of the Sub-Committee on Policies with Respect to Assistance to Displaced Persons, which imposed upon UNRRA the duty to assist all victims of persecution coming under the jurisdiction of the Intergovernmental Committee. The Intergovernmental Committee, as is known, was at first established for the specific purpose of caring for refugees from Germany and Austria, which later became enemy countries; and, after the Bermuda Conference of April, 1943, its care was extended to victims of persecution from all countries regardless of their nationality.

(2) While the Administration stressed the importance of the clauses against discrimination in the distribution of relief which it had submitted to the Council, the Congress representatives emphasized, as had been done in the Congress memorandum, that this principle was inadequate, that formal equality should give way to real equality, which implied that *discrimination* should be made in *favor* of those who suffered most. The Council adopted a resolution stating

"that, in determining the relative needs of the population, there may be taken into account the diverse needs caused by discriminatory treatment by the enemy during its occupation of the area."

This resolution was interpreted as meaning that UNRRA was granted the authority to give priorities in supplies to those who had been singled out for special discrimination by the Nazis, particularly the Jews.

The importance of these resolutions is due to the fact that they not only governed the policy of UNRRA but became the pattern for the policies later adopted by the American military authorities in occupied Germany.

#### THE ARMY ADOPTS UNRRA PRINCIPLES

The World Jewish Congress had insisted since the beginning of the Italian campaign that the Civil Affairs Division of the War Department should give special consideration to the problems

of the Displaced Persons found in the liberated countries. After the first session of the UNRRA Council had decided to establish contact with the military authorities with a view to dealing with the Displaced Persons, in a uniform manner, the Congress again approached the War and State Departments. On January 8, 1944, Secretary of State Cordell Hull wrote to Dr. Kubowitzki:

" . . . I wish to advise you that the Department of State has officially recommended to the War Department the observance by the military authorities of the recommendations made by the Council of the United Nations Relief and Rehabilitation Administration at the session at Atlantic City so far as such recommendations bear upon the question of cooperation between the military authorities and the Administration in connection with assistance to displaced persons and other matters.

"The Department of State is prepared to assist in the development of these relations in any appropriate manner."

The UNRRA resolutions on assistance to Displaced Persons became the policy of the military authorities. On April 16, 1945, regulations were issued by SHAEF (Supreme Headquarters Allied Expeditionary Forces) whereby stateless persons and persons of enemy or ex-enemy nationality were to be treated in the same way as Displaced Persons of Allied nationality if they were victims of persecution because of their race, religion, or activities in favor of the United Nations.

Still it was not easy for the Army to get accustomed to these rules. In the first months following the liberation, Jews who were nominally German citizens or former German citizens were usually considered enemies. On the ground of violation of the non-fraternization rule, an American soldier was court-martialed for visiting German Jews, found guilty, and demoted. However, a very serious effort was made to remedy the situation.

On October 4, 1945, the War Department transmitted to Dr. Tartakower the following reply from the European Theater to his representations:

"1. German Jewish civilians who have been persecuted are not treated as 'Germans.' Special directives have been issued to implement this policy.

"2. Property is being restored to German Jewish civilians in accordance with Military Government policy.

"3. Arrangements are being made for them to receive

food, clothing, and various services through special centers for Jews and for the organization of special teams to render them assistance.

"4. A Supreme Headquarters Allied Expeditionary Force directive, still in force, permits attendance by German Jewish civilians at Allied Military religious services and it has been confirmed that many avail themselves of this opportunity."

The letter concluded as follows:

"In instances where policies governing the care of German Jewish civilians have not been observed, specific corrective action has been taken and every effort is being made to be sure that they receive priority treatment over the German population."

In this connection it will not be amiss to report here about one of the many measures which the World Jewish Congress asked and obtained for the Jewish Displaced Persons on the ground of the distinctiveness of their position.

At the suggestion of Chaplain Robert S. Marcus, who had single-handedly mobilized considerable assistance for the camp survivors in the first few weeks following their liberation, and knew from personal observation how much they were in need of specific care and understanding, Dr. Wise on August 3, 1945, cabled from London to General Dwight Eisenhower:

"There is urgent necessity to assign liaison officer to Headquarters G5 for the purpose of coordinating activity of Jewish displaced persons. Such officer would aid in establishment of all-Jewish camps . . . and help frame policy covering these people."

The immediate reaction of the military authorities was unfavorable and was motivated once more by the Jewish taboo.

"This Headquarters," read the answer dated August 10, 1945, "does not agree that the assignment here of a Liaison Officer for Jewish displaced persons would materially assist such persons and regrets that it cannot accept the proposal. Liaison Officers attached to this Headquarters are selected on nationality basis and it is considered undesirable on many grounds to have one specially designated for Jews.

"The interests of those displaced persons of Jewish faith who have United Nations nationality are looked after by the appropriate Allied Liaison Officer."

The Congress pressed the matter further, and its representations, supported by the American Jewish Conference, brought about the creation, in October, 1945, of the office of Adviser on Jewish Affairs to the Commander-in-Chief of the U. S. Forces in Germany. Federal Judge Simon S. Rifkind was the first to occupy this post and was followed by Rabbi Philip S. Bernstein, Judge Louis E. Levinthal, and Prof. William Haber, the present incumbent.

The battle against the camouflage of the Jewish question was not confined to the cases related above. The reader will find other instances in various sections of this account. Tragically, the greatest success in this respect was achieved in the war crimes trials of Nuremberg, where no attempt was made to conceal the Jewish case under a cloak of generalities. Unlike other state papers, the documents of the International Military Tribunal speak specifically and unequivocally of Jews and the unexampled Jewish catastrophe.

## CHAPTER II

### PEACE TREATIES WITH THE SATELLITES

ON FEBRUARY 10, 1947, the peace treaties with Bulgaria, Finland, Hungary, Italy, and Rumania were signed in Paris. Thus one phase of the long-protracted process of peace-making after World War II was virtually completed. The treaties with the satellites included a number of clauses of great interest to Jews.

#### REASONS FOR JEWISH INTEREST IN THE PEACE TREATIES

Jewish concern with the peace treaties was an outgrowth of a number of factors.

First of all, in four out of the five ex-enemy countries (the exception being Finland), the Jewish population had been subjected to the Nazi-devised policy of extermination. The policy did not succeed completely; but in all these countries the legal status of the Jews had been shaped in accordance with the Nazi pattern, and property had by various devices been taken away. To a certain extent, the legal effects of the anti-Jewish course had been undone by the terms of the armistice. However, the armistice agreements regulated only transitory situations; besides, they did not cover all the consequences of the anti-Jewish policy. There was ground for hope that certain evils could be remedied by the peace treaties.

The second factor which influenced the Jewish approach to the peace settlement was the degree of the unfriendly attitude toward Jews in certain ex-enemy countries. Italy, since the establishment of the kingdom and until 1938, had an almost uninterrupted record of amicable relations between Gentiles and Jews. After the establishment of the tripartite Axis, the new racist policy

brought great suffering to many Jews in Italy. Yet the Italian people in its overwhelming majority did its utmost to help them. During the war, Italy was a haven for Jews fleeing from Yugoslavia, and her military government in Southern France protected Jews of every nationality.

Bulgaria's record, too, was a decent one. There had been no anti-Jewish persecutions in Bulgaria before Germany's pressure began to be exerted, and the Bulgarian people strenuously opposed the anti-Jewish measures which were introduced under foreign prompting.

The situation in Rumania and Hungary was quite different. Rumania had an unbroken eighty-year record of anti-Jewish policies, and of violating international pledges like those assumed under the Berlin Treaty of 1878 and the Minorities Treaties of 1919. Between the two World Wars, Rumania had been in the forefront of the anti-Jewish countries, and she tried to outdo the Nazis during her alliance with Germany.

In Hungary the anti-Jewish trend began with the Peace Treaty of Trianon and the short-lived regime of Bela Kuhn. The tremendous changes in the structure and economy of the country and its general orientation toward "revisionist" states brought her early within the orbit of Germany. After German troops entered the country on March 19, 1944, the rapid annihilation of some 550,000 Jews was carried out with the zealous complicity of Hungarian officials and of a part of the Hungarian people.

#### INDIVIDUALIZED APPROACH

The nature of the relations between Jews and non-Jews in the satellite countries was bound to influence the Congress' views on the peace settlement. Guided by the needs of the local Jewish populations, the Congress ignored the Finnish treaty, did not press energetically for any considerable changes in the draft treaties for Bulgaria and Italy, and was mainly concerned with Hungary and Rumania.

This approach contrasts with that of 1919. After the First World War, the Comité des Délégations Juives thought that a uniform solution could be found for the Jewish question in Eastern Europe. The purpose of the identical draft minorities treaties was

to accomplish emancipation on the international plane before it could be achieved by constitutional methods on the national plane. The Wilsonian era was fraught with hope for one world, and it was believed that the essentially legal problem of individual and group equality could be solved everywhere by the same provisions. In 1946, the Congress was faced with Jewries which after diverse destinies before 1919 had recently undergone different experiences in the policy of persecution. The demographic basis for ethnic and cultural autonomy had been tragically narrowed down. The conception of minorities rights had been discredited by Germany's misuse of it. The approach to the peace settlements had of necessity to be individualized.

There was another divergence from 1919. Of the five countries in question four found themselves within the so-called Soviet sphere of influence. The regimes established in these countries were under Communist and Socialist direction, and some were inclined to see undeserved mistrust in the Congress' demands. However, while the sincerity of the governmental circles in the repudiation of anti-Semitism was beyond any doubt, the impact of their new attitude on popular sentiment was not always equally strong. Besides, the excellence of a regime is no guarantee of its durability nor of the continuity of its policies. The Congress' Executive could not therefore accept the contention of certain delegations and of certain Jewish groups that the existence of certain regimes was in itself a guarantee which made Jewish demands for special clauses not only superfluous but even offensive.

#### ACTIVITIES OF JEWISH ORGANIZATIONS

Jewish activities regarding the peace treaties with the satellites may be divided into three periods: the period of planning by the World Jewish Congress; the period of joint efforts by the Congress, the American Jewish Conference, and the Board of Deputies of British Jews, parties to the so-called Tripartite Agreement; and finally, the period of action in Paris and in New York when six more organizations joined the tripartite group, some of which had previously been working independently on the same problems, while others engaged for the first time in such a venture.

It was at the War Emergency Conference of the World Jewish Congress (November, 1944) that the basic principles for Jew-

ish demands in forthcoming peace settlements were first formulated. As already recounted, the Atlantic City resolutions exercised a great influence on the thinking and the work of other Jewish bodies. The World Jewish Congress itself, in the elaboration of its fundamental ideas, gradually developed a certain number of essential demands to be inserted in the peace treaties.

In the spring of 1946 consultations were begun between representatives of the Congress and the American Jewish Conference in New York. In June, after Dr. Alex Easterman and Dr. Perlzweig had met in Europe with Jewish spokesmen of the enemy countries in order to learn their views, representatives of the World Jewish Congress, the American Jewish Conference, and the Board of Deputies met in London and agreed on a final document which was submitted on June 28 to the Council of Foreign Ministers in Paris. The demands contained therein, which in essence were the same as those set forth in the later memorandum of the nine cooperating organizations, called for the following:

1. Abrogation of all discriminatory legislation and the disabilities arising therefrom.
2. Enactment of legislation outlawing anti-Semitic and racist activities and similar acts of incitement to racial and religious hatred and discrimination.
3. Punishment of those who had committed crimes against the Jews.
4. Securing of human rights and fundamental freedoms for all persons without discrimination as to race, sex, language, religion, or place of birth.
5. Right of the Jewish communities to maintain and foster their collective ethnic, religious, linguistic, and cultural identity and institutions.
6. Restitution and reestablishment of Jewish private, communal, and institutional properties, rights, interests, and positions, and indemnification for all losses not compensated by restitution.
7. Transfer of heirless property of Jews who were murdered or had died as a result of Nazi and Fascist persecution to an appropriate Jewish body for purposes of Jewish reconstruction, rehabilitation, and resettlement.

8. Granting to Jews the same right to opt for nationality as might be granted to any other section of the population in the event of territorial changes.
9. Right to emigrate and to transfer possessions and assets to new places of settlement.
10. Safeguarding of the foregoing provisions through supervision by an appropriate international authority.

The Paris Peace Conference which opened in August, 1946, attracted numerous Jewish organizations besides those of the Tripartite Agreement. One international, the Agudas Isroel, and the others national, namely, the Anglo-Jewish Association, the Alliance Israélite Universelle, the American Jewish Committee, the Conseil Représentatif des Juifs de France, and the South African Jewish Board of Deputies. Some spoke on behalf of great numbers; others of small groups. The World Jewish Congress was represented by Dr. Wise, Dr. Goldmann, Dr. Kubowitzki, Rabbi Miller, Dr. Perlzweig, and Dr. Jacob Robinson, of the Executive; Prof. Alexander Pekelis, of the American Jewish Congress; Dr. N. Barou and Alex L. Easterman, of the British Section; Saul Hayes, of the Canadian Jewish Congress; Dr. Sylvain Cahn-Debré and Dr. Gerhart Riegner, directors of the Paris and Geneva offices, respectively, as well as by delegates of the Congress affiliates in Bulgaria, Hungary, Italy, and Rumania.

The danger was real that the Peace Conference might be burdened with a plethora of Jewish memoranda. It was felt that an effort should be made to avoid a new Evian spectacle and the resultant confusion in the minds of non-Jewish diplomats. Although the establishment of a so-called united Jewish front would give a status of equality to minor Jewish groups, condone their separatist attitude and penalize unjustly the main affiliates of the Congress for their discipline in acting not independently but through a representative body of world Jewry, this was considered to be the lesser evil. First a working committee of the various delegations was set up and charged with the preparation of the proposals. After a long series of meetings and deliberations, a plenary session of representatives of the nine Jewish organizations met on August 18 at the Hotel Royal Monceau, and agreed on the text of a joint memorandum.

The document, entitled "Statement Submitted to the Paris Conference," was presented on August 20 to the Secretary General of the Peace Conference and to the delegations of the 21 participating countries. It was signed, on behalf of the World Jewish Congress, by Dr. Wise and Dr. Goldmann for the Executive, Alex L. Easterman for the British Section, Isaac Ben Zevie for the Vaad Leumi in Palestine, and Samuel Bronfman for the Canadian Jewish Congress.

The special position of the World Jewish Congress during the whole process was brought home to Jews and non-Jews by the fact that, while other organizations spoke for Jewries in individual Allied countries, the Congress was the only one which had the right to speak on behalf of Jewry as a whole, as well as on behalf of the local Jewries concerned. In fact, the representatives of of Bulgarian, Hungarian, Italian, and Rumanian Jewries sat in on the meetings as part of the World Jewish Congress delegation. The most numerous group was the Rumanian. Two of them, Dr. Ernest Marton and Dr. Theodore Fischer, had left Rumania some time before; Dr. Arnold Schwefelberg, as well as Chief Rabbi Alexander Shafran and Misu Benvenisti who later joined him, arrived directly from Rumania. From Palestine, Dr. Misu Weisman came on behalf of the Rumanian Jews there. On September 5, two more delegates appeared: Leopold Filderman, on behalf of the Rumanian Social Democratic Party, and M. Maxy, on behalf of the Rumanian Communist Party. Bulgaria was represented by David Jeroham, Member of Parliament, and Mr. Greenberg; Hungary, by Dr. Siegfried Roth; and Italy, by Dr. Raffaele Cantoni, president of the Union of Italian Jewish Communities. At an early stage the principle was adopted that chief consideration be given to the views and demands of the local Jewish communities. It may be stated in passing that their representatives introduced into the discussion both realism and idealism which combined to produce a document of historic importance.

The purpose was achieved: world Jewry spoke with one voice, and yet the Congress made no compromise of its convictions or its program. The others acceded to the views of the Congress, some with reservations, some without, but all of them satisfied that its position represented that of all of the Jewries affected.

## JEWISH DEMANDS TO THE PARIS CONFERENCE

What were the Jewish demands to the Peace Conference? As explained above, no demands were formulated with regard to the settlement with Finland. The Congress' paper on Bulgaria, while expressing the belief that the Bulgarian Government would recognize — as it had done before — freedom of emigration and would treat its Jewish nationals living abroad, in regard to restitution, on the same footing as those living in the country, did not make any specific demands for inclusion in the peace treaty. This was due not only to Bulgaria's Jewish record in the past, but also to the fact that the draft peace treaties, as they emerged from the third session of the Council of Foreign Ministers, already contained certain clauses which were justifiably considered as aiming, among other things, at the protection of the Jewish population. It should be added that the armistice agreements had also included provisions of value to the Jewish population.

The draft peace treaties, as submitted to the Paris Conference, contained the following stipulations of Jewish interest:

A commitment on behalf of the country concerned to "take all measures necessary to secure to all persons under [its] jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion, and of public meetings."

A commitment to complete "measures to set free, irrespective of citizenship and nationality, all persons held in confinement . . . because of their racial origin."

A commitment "to repeal discriminatory legislation and restrictions imposed thereunder," "to complete these measures and in future not to take any measures or to enact laws which would be incompatible with the objects and purposes mentioned in this Article."

And a fourth commitment not to permit in the future the existence and activities of organizations of a fascist type "which have as their aim denial to the people of their democratic rights." Since fascism is usually

associated with anti-Semitism, the provision may be interpreted as implying the duty of outlawing organized anti-Semitism.

The Italian Peace Treaty does not contain the second and third of the provisions enumerated above. Needless to say, this omission cannot be construed to mean that Italy was not bound to repeal discriminatory legislation or is not prohibited from enacting such legislation in the future.

However, there was no provision made in the drafts to guarantee supervision and enforcement of the treaties, nor was there any mention of an international forum to which aggrieved parties could appeal. There was nothing in the drafts to insure restitution of property or indemnification for losses. Specific questions, such as the prerogative of Jewish communities to enjoy the collective rights that might be accorded to similar groups, were not touched upon.

The Jewish demands in regard to Rumania and Hungary were identical insofar as they aimed at bringing greater clarity and precision into the articles already adopted by the Council of Foreign Ministers, as well as in their request for inclusion in the peace treaties of stipulations concerning restitution of Jewish assets and transfer of masterless property for purposes of Jewish relief and rehabilitation. In this the Jewish organizations had the support of the British and American delegations. The British Government felt that the equality provisions, as adopted by the Council, were inadequate for Rumania and Hungary, and insisted on a more comprehensive formula, providing that the laws of the ex-satellite countries should neither in their content nor in their application discriminate between classes, sections, or categories of persons on grounds of race, sex, language, or religion, whether in reference to person, property, business, or financial interests, state, civil, or political rights or any other matter. This broad statement was designed to respond in part to the demand that collective or group rights of the Jewish communities in those countries be safeguarded. The amendment was passed by a majority vote in Paris and finally adopted by the Council at its New York Session. On the other hand, the Government of the United States took the initiative in inserting in the peace treaties with Rumania and Hungary a clause providing that the masterless and

unclaimed property of victims of racial and religious persecution should not escheat to the state but be turned over to the International Refugee Organization, or any other organization designated by the Economic and Social Council of the United Nations, for purposes of relief and rehabilitation within the countries concerned. The American initiative was passed by a majority vote in Paris and finally adopted at the New York session, after the United States had agreed to eliminate the IRO as trustee, to whose designation the U.S.S.R. was opposed.

All the other Jewish demands, including the very comprehensive ones concerning the status of Jewish communities, the problem of linguistic and cultural rights, school autonomy, freedom of emigration, and freedom of transfer of assets to the new countries of settlement, were ignored.

It is commonplace to say that substantive stipulations in treaties are of no value if there is no adequate and efficient machinery for their implementation. The Jewish organizations felt that the methods of enforcement set forth in the draft peace treaties were neither adequate nor efficient.

In the drafts, two methods for the supervision of the peace treaties were provided for, one for the political clauses and one for the economic clauses. The political provisions were to be under the surveillance of a group composed of the heads of missions in the capital of the defeated countries representing the Big Three or Four or Two, as the case might be with each individual treaty. There was no accord about a method of settling disagreements between the heads of missions. This question was decided at the New York session, and, according to the final version, such disagreements are to be resolved by special arbitration. No procedure is provided giving Jews in the ex-enemy countries some status in informing the heads of missions about violations of the peace treaties in matters affecting their persons or property. Nor is there any provision of immunity for such complainants where the danger exists that local governments may consider their action an unfriendly act and treat them accordingly. The final version of the substantive provisions will therefore have to be tested in practical life before their value is appraised.

## JEWISH ANONYMITY MAINTAINED

The text of the so-called specific Jewish Clauses follows:

"Rumania [only in Rumanian and Hungarian treaties] further undertakes that the laws in force in Rumania shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Rumanian nationality on the ground of their race, sex, language, or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civil rights or any other matter."

"Rumania [only in Rumanian and Hungarian treaties] undertakes that in all cases where the property, legal rights or interests in Rumania of persons under Rumanian jurisdiction have, since September 1, 1939, been the subject of measures of sequestration, confiscation or control on account of the racial origin or religion of such persons, the said property, legal rights and interests shall be restored together with their accessories or, if restoration is impossible, that fair compensation shall be made therefor.

"All property, rights and interests in Rumania of persons, organizations or communities which individually or as members of groups, were the object of racial, religious or other Fascist measures of persecution, and remaining heirless or unclaimed for six months after the coming into force of the present treaty, shall be transferred by the Rumanian Government to organizations in Rumania representative of such persons, organizations or communities. The property transferred shall be used by such organizations for purposes of relief and rehabilitation of surviving members of such groups, organizations and communities in Rumania. Such transfer shall be effected within twelve months from the coming into force of the Treaty, and shall include property, rights and interests required to be restored under paragraph 1 of this Article."

It should be noted that the word *Jew* does not appear in any of the so-called Jewish provisions. Jews are described as "victims of racial and religious persecution."

The Jewish delegations had no formal representation at the Peace Conference. They were denied participation in its deliberations and were unable to contribute to the discussion in any official way. They were outsiders. They received the unrestricted documentation, but had no source of news as to the happenings within the commissions. There was a general lack of interest on

the part of the non-Jews in those aspects of the Jewish problem which relate to international protection of Jewish rights in the peace treaties.

On August 6, 1946 the organizations of the Tripartite Agreement wrote to Paul Henri Spaak, Chairman of the Rules Committee, over the signatures of Dr. Wise, Louis Lipsky, and Prof. Brodetsky, asking that the Jewish organizations be given an opportunity to present their views with respect to the draft peace treaties under consideration. They wrote:

"It is observed with great surprise that no provisions are contained in these Rules concerning communications with non-governmental agencies. We believe that this is probably due to an oversight. It would constitute a serious retrogression from a long-standing tradition in international conferences. The Versailles Conference of 1919 had such rules and indeed non-governmental agencies, as for example the Committee of Jewish Delegations, were given a hearing before a group of the Conference."

On August 8, the United States Secretary of State, James F. Byrnes, answered that "the Rules Committee has concluded its work without taking any specific decision with respect to the communications from non-governmental organizations;" that, however, "the Secretary-General of the Conference could no doubt make any communication which you wished to present known to the members of the Conference." He concluded his letter with the following paragraph, which revealed the limited place which at that time was, in the opinion of the Big Powers, to be granted to the Jewish question in the peace treaties:

"As you are aware, the United States Delegation has consistently advocated the inclusion in the draft treaties of provisions establishing the principle that all persons shall enjoy the fundamental freedoms and human rights without distinction as to ethnic origin, sex, language, or religion, thus incorporating the principles of the Charter of the United Nations in all of the treaties."

On September 3, the nine organizations addressed a plea to the Big Four, urging that they consider the Jewish proposals. The communication, reminding the Big Four of the past pledges to secure Jewish rights in Europe, expressed deep concern and disappointment at their failure to give effect to these oft-reiterated dec-

larations. As a result of this renewed plea, the American and British delegations sponsored the amendments which were cited above.

#### DOMESTIC ACTION ON JEWISH DEMANDS

As was explained above, the very fact that the existing governments in the ex-enemy countries could be described as friendly placed Jewish organizations in a very delicate position. The argument that provisions had to be made for a possible change of regime was countered with the argument that such a change would imply a revolutionary reversal of the whole situation and thus the peace treaties would be of no avail. Formal and public statements were issued by the Rumanian and Hungarian delegations which contended that the Jewish requests could be met by domestic legislative and administrative action. Their stand was supported by the Soviet delegation.

On August 27, the Soviet Deputy Foreign Minister, Andrei Vishinsky, received Dr. Goldmann and Mr. Easterman, and on October 3, after the delegation of the Soviet Union had opposed certain amendments applicable to Jews, they wrote to him as follows:

“Should Your Excellency still feel unable to reconsider your decision on the amendments which have been adopted in the Commissions, may we respectfully suggest that your Delegation state in the course of the Plenary Session the reasons which Your Excellency was good enough to express to us during our interview, viz., that it is unnecessary to insert in the Peace Treaties specific clauses safeguarding Jewish rights because these rights are protected by the United Nations Charter and anti-Semitic policies and activities cannot be regarded as falling within the domestic jurisdiction of any state and may, therefore, be stopped by the intervention of the United Nations.”

At the New York session of the Council of Foreign Ministers, the Soviet delegation gave its assent to the so-called Jewish provisions after certain modifications had been made.

However, some of the effects of the proposals benefiting Jews made themselves felt even before the adoption of the final text by the Foreign Ministers. In Paris, meetings had been held between the Hungarian and Rumanian delegations and Congress

representatives, at which the former expressed the readiness of their Governments to meet the Jewish requests by national legislation. Steps for the restitution of Jewish property were subsequently taken in both Rumania and Hungary in anticipation of and as a result of the clauses in the peace treaties. In Hungary a body was set up to deal with heirless and unclaimed Jewish property in accordance with the treaty provisions. In Rumania, restitution laws were enacted which, at least to some extent, carried out some of the objectives of the treaty.

On August 7, 1947, a law on the prosecution of war criminals and crimes against humanity was adopted in Rumania which stipulated that judges for such cases should be chosen from civil courts, the reason being that military judges had shown themselves too lenient to the criminals, especially when the victims were Jews. On the same day, a law was enacted providing for the dissolution and banning of political, terrorist, military and para-military fascist or pro-fascist organizations. The law also prescribed the disbandment of organizations manifesting anti-Semitic tendencies.

On January 17, 1948, the Rumanian Government amended Art. 327 of the Penal Code by declaring incitement to national, religious, or racial hatred a criminal offense, even if it did not result in action.

The recently adopted Rumanian Constitution contains specific guarantees for the equality of all citizens regardless of sex, nationality, race, or creed. Following adoption, a decree was issued by the Government recognizing the Jewish population as a national entity. Previously the Jews did not come under the provisions of the statute of minorities. Today Jews receive state funds to maintain schools in their own language, and other institutions; in towns with a Jewish population of over 30 percent of the total, Yiddish is an officially recognized language.

In Hungary, the Minister of Education, in conformity with the equality clause of the Peace Treaty, annulled in December, 1947, a provision which had been in force since 1890 prohibiting Yiddish plays of more than one act. Furthermore, a program to eradicate anti-Semitism and racial prejudice in Hungarian schools was launched for the first time last year by the Government. Dependents of victims of racial persecution were granted the same benefit as dependents of war victims.

### CHAPTER III

## THE TRIAL OF MAJOR GERMAN WAR CRIMINALS

IN THE EARLY DAYS of January, 1942, representatives of nine Governments-in-Exile met at St. James's Palace in London to confer upon the enemy's war crimes against the peoples of Europe and the punishment of the perpetrators. The American and British Governments participated in this conference as observers.

#### FIGHT FOR REFERENCE TO ATROCITIES AGAINST JEWS

On January 13, 1942, the conferees issued a joint declaration denouncing the crimes as a "violation of laws and customs of land warfare," declaring their determination to punish them, and their intention to set up appropriate machinery of investigation. The crimes against the Jews, the greatest and most grievous sufferers from German barbarity, were not considered specifically by the conference, nor were they referred to in the declaration. Consequently, on February 18, the Congress, through the British Section, made formal and detailed representations to the conference, pointing out that the atrocities committed against the Jews were of a particular character and magnitude, and requesting the inclusion in the declaration of a specific reference to the anti-Jewish crimes. General Wladyslaw Sikorsky, president of the conference and Polish Premier-in-Exile, in a formal reply to the Congress on behalf of the nine participating Governments, explained that there was no reason to mention specifically the anti-Semitic outrages because neither race nor religion "constituted an element susceptible of modifying the criminal nature of the acts of cruelty,"

and that express mention of the sufferings endured by the Jews "might be equivalent to an implicit recognition of the racial theories which we all reject."

It has been repeatedly set forth in these pages why the Congress considered this theoretical position fraught with danger to the survival of the Jewish population of Europe and why it labored ceaselessly to obtain pledges from the Allied Governments that they would secure the apprehension, trial, and punishment of those responsible for devising and carrying out the plan to annihilate the Jews of Europe. On July 21, 1942, President Roosevelt and Prime Minister Winston Churchill, at the request of the Congress, issued statements containing explicit condemnation of German atrocities against the Jews. The Prime Minister referred to "our resolve to place retribution for these crimes among the major purposes of the war," and President Roosevelt, in a letter to Dr. Wise, promised that the American people would "hold the perpetrators of these crimes to strict accountability in a day of reckoning which will surely come."

On December 17, 1942, the United Nations, as a result of the effort of the Congress, released simultaneously in London, Washington, and Moscow, with the assent and support of all Allied Governments and the British Dominions, a declaration in which they "condemn in the strongest possible terms this bestial policy of cold-blooded extermination" and "reaffirm their solemn resolution to ensure that those responsible for the crimes shall not escape retribution and to press on with the necessary practical measures to this end."

#### CONGRESS CONTRIBUTION TO WAR CRIMES LAW AND TRIAL

In the fall of 1942, a United Nations' Commission for the Investigation of War Crimes was established in London. In memoranda presented to the U. S. Department of State and War and to the Commission, and in discussions with its first Chairman, Sir Cecil Hurst and later with his successor, Lord Wright, as well as with leading personalities of the Commission, such as the Belgian representative, General Marcel de Baer, and the American representative, Herbert C. Pell, and with government representatives, the Congress voiced its concern over the limited purview of the

Commission and pressed for the inclusion of the following basic ideas in its terms of reference:

(1) The guilty should be prosecuted not only when they committed acts of violence in an occupied country, but in the homeland of the perpetrators as well.

(2) The guilty should be held accountable not only if the victims were citizens of Allied countries, but also if they were nationals of the countries ruled by the criminals themselves.

(3) Such deeds should be declared criminal not only if they were committed during the war, but also in the pre-war period.

(4) Legislation which was based on racist ideology and which deprived an entire people of the right to live and promoted its annihilation, should be considered criminal.

In addition, the British Section submitted a memorandum to the International Commission for Penal Reconstruction and Development set up to report to the Allied Governments on the nature of war crimes and the legal processes for their punishment. A delegation composed of Professor E. J. Cohn, A. L. Easterman, participated in the proceedings of the Plenary Session of the Commission held in London on July 29, 1943.

The views of the Congress concerning the punishment of the atrocities were summarized in the relevant resolution of the Atlantic City War Emergency Conference. The Congress was the only Jewish agency to occupy itself with this problem and most of its suggestions were adopted either by the War Crimes Commission or later by the Prosecution.

The basic thesis of the Atlantic City resolution was that the crimes committed against the Jewish people were part of a general German conspiracy to wage a war of aggression. In addition, there were elements of a specific conspiracy designed to destroy the Jews irrespective of nationality. The conspiracy and the acts committed in consequence of it began the day Hitler gained the power in Germany, *i.e.*, January 30, 1933. It was an indivisible crime notwithstanding the years which separated the starting-point from the tragic denouement and the different territories in which the criminal acts took place. The prosecution of those responsible for these crimes should be under the jurisdiction of tribunals set up by the United Nations.

Long and difficult discussions and arguments ensued over these concepts submitted to the authorities concerned. At first, and for a considerable time, few of the Allied legal and political experts were inclined to accept them; but, gradually, opposition was overcome. When the announcement was made of the intention of the Allied Governments to put on trial the major war criminals, and of the appointment of Justice Robert H. Jackson of the United States Supreme Court as American Chief of Counsel and principal Prosecutor, the Congress redoubled its efforts. The Institute of Jewish Affairs prepared several papers and special reports for the United States Chief of Counsel and the Prosecution Offices in Washington and Nuremberg, followed by an extensive discussion between Dr. Jacob Robinson and Justice Jackson on the problems involved. Judge Nathan Perlman and Alex L. Easterman attended part of the consultations.

At the beginning of the Nuremberg Trial, Dr. Jacob Robinson, at the invitation of the United States Chief of Counsel, visited Nuremberg and helped to prepare the brief on the Jewish case presented to the Tribunal by Lt. Col. William F. Walsh.

During the trial, numerous suggestions concerning legal questions and factual problems were submitted to the Court. Upon the conclusion of the trial Justice Jackson expressed his recognition of the Institute's contribution in a letter which was partly quoted above. Alex L. Easterman, and S. S. Silverman, M.P., attended sessions of the Nuremberg Trial of major war criminals as observers for the Congress.

On June 7, 1945, Justice Jackson submitted a report to the President on his accomplishment since his appointment as Chief of Counsel for the United States in prosecuting the principal Axis war criminals. In this report, he freed himself from the limitations which characterized earlier attempts to codify war crimes. First of all, he announced that, with regard to the major defendants, the case would be "concerned with the Nazi master plan, not with individual barbarities," and with "what we are convinced was a grand, concerted pattern to incite and commit the aggressions and barbarities which have shocked the world." Regarding the fundamental tests of criminality, he said: "We propose to punish acts which have been regarded as criminal since the time of Cain." Undisturbed by the lack of precedent for the inquiry he proposed

to conduct, he stated: "Unless we are prepared to abandon every principle of growth for International Law, we cannot deny that our own day has its right to institute customs and to conclude agreements that will themselves become sources of a newer and strengthened International Law."

All these ideas were in a greater or lesser degree reflected in the Charter of the International Military Tribunal. The Charter recognized that the Tribunal had jurisdiction not only over crimes committed against citizens of the Allied countries in the occupied area, but over all violence against any inhabitants of any country in which the Germans had ruled, including Germany herself. In the second place, the Charter did not limit the time in which the crimes were committed, and stated that crimes against humanity fell within the province of the International Tribunal if they were perpetrated in preparation for or in connection with aggressive war crimes.

#### THE JUDGMENT

The International Military Tribunal did not agree with the view of the indictment that not only crimes against peace but also war crimes and crimes against humanity entered into the conspiracy or common plan. The determination of a causal connection between racial persecutions and the various stages of aggressive war seemed more essential to the Court than to the Prosecution, which based its argument on the existence of a single general conspiracy. Consequently, the Tribunal, being of the opinion that it had not been satisfactorily proved that the persecution of Jews before the war was done in execution of or in connection with a crime within its jurisdiction, refused to "make a general declaration that the acts before 1939 were Crimes against Humanity within the meaning of the Charter." It held, however, that the acts committed after the beginning of the war constituted such crimes.

Whatever reservations there may exist in regard to certain legal points made by the Tribunal, it is only fair to say that the Court was fully aware of the magnitude of the Jewish tragedy and of the criminality of those responsible for it. This realization found expression both in the punishment inflicted upon the accused individuals and in the statement outlining the course followed by National Socialism.

The most convincing expression of the Court's recognition that the German plot against the Jews was an essential element in the whole criminal conspiracy is to be found in the Court's conviction of, and the judgments it pronounced upon, the men chiefly responsible for the Jewish tragedy. The majority of them were sentenced to death, among them Herman Wilhelm Goering, who was characterized by the Court as the "creator of the oppressive program against the Jews . . . at home and abroad;" Joachim von Ribbentrop, who had played an important part in Hitler's "final solution" of the Jewish question, especially outside Germany; Wilhelm Keitel, who had planned the liquidation of the Jews in Poland; Ernst Kaltenbrunner, Himmler's aide, whose *Reichssicherheitshauptamt* (Main Security Office of the Reich) had been instrumental in the "final solution" of the Jewish question by the annihilation of 6,000,000 Jews; Alfred Rosenberg, who had "helped to formulate the policies of extermination of the Jews . . . and whose directives had provided for the segregation of the Jews"; Hans Frank, who had systematically and brutally murdered the bulk of Polish Jewry; Wilhelm Frick, who had placed the Jews outside the pale of the law and had been responsible for the deportation of Jews from Bohemia-Moravia to concentration camps for extermination; Julius Streicher, who was the only defendant having no other criminal record than his anti-Jewish activity; Martin Bormann, who had taken an active part in the persecution of Jews not only in Germany but also in the conquered countries; and Arthur Seyss-Inquart, who was responsible for the deportation of 105,000 of Holland's 140,000 Jews to Auschwitz.

In deciding the guilt of the organizations accused, the Tribunal took note of their anti-Jewish activities. Discussing the responsibility of the Leadership Corps of the Nazi Party, the Tribunal stated that the corps was implicated in the economic and political discrimination against the Jews and later in the process of extermination. The Gestapo and SD (*Sicherheitsdienst*) were held responsible for deportations and wholesale massacres of Jews in Eastern Europe. The SS (*Schutzstaffel*) was found guilty of having played a particularly heinous role in the persecution of the Jews, whose evacuation from occupied territories had been carried out under the direction of the SS with the assistance of SS police units. The SS was also found to have been responsible for such

“special projects” as the experiments on human beings and the “final solution” of the Jewish problem.

### THE AFTERMATH

The Charter of the International Military Tribunal was in the nature of a special law. One of the primary tasks of the Allied Control Council in Germany was to regulate the trial and punishment of war crimes and crimes against humanity committed within the boundaries of the Third Reich. On December 20, 1945, it issued Decree No. 10, which, enumerating the criminal acts subject to punishment, dealt particularly in Article 11 (1) with crimes against humanity and included among them persecutions on political, racial, or religious grounds committed against any civilian population, whether or not in violation of the domestic laws of the country where perpetrated.

The Allied Control Council thus discarded the requirement that a connection had to be established between crimes against humanity and preparation for waging of an aggressive war. It recognized them as criminal acts *per se*. On April 8 and 9, 1948, in pronouncing judgment in the case of the Einsatzgruppen, the United States Military Tribunal stated that Decree No. 10 “is not limited to offenses committed during war, it is also not restricted as to nationality of the accused or of the victim, or to the place where committed.”

CHAPTER IV  
INDEMNIFICATION AND  
REPARATIONS

1. GENERAL LINES OF ACTION AND ORGANIZATION

THE PROGRAM of the World Jewish Congress in the fields of indemnification and reparations is based on the two main theses which guide the work of the Congress: the distinctiveness of the Jewish position and the oneness of fate of all Jewish communities.

The Congress could not be satisfied with the circumstance that Jews, nationals or residents of Allied countries, would as such receive a part of the reparations to be exacted from Germany. The Germans had waged war against the Jewish people as a whole, and the Congress considered the Jewish people to be no less entitled to a special share of the reparations than any of the nations which had been the object of German aggression. A similar consideration determined its approach to the question of Jewish properties which had become, or were expected to become, ownerless. That hundreds of thousands of Jews had died heirless was the result of the atrocities perpetrated upon Jews as Jews and not as nationals or residents of a given country. Hence the Congress demanded that all such properties be constituted a special fund, assigned to a Jewish Reconstruction Commission, and used, regardless of their location, for the rehabilitation of European Jewry and the building of the Jewish National Home in Palestine.

These approaches guided all the activity of the Congress in these fields, with such modifications as were imposed by the situation prevalent after the war.

The general lines were laid down at the War Emergency Conference. The resolutions adopted urged the United Nations

to secure reparation for the damage caused to the Jewish people by the Nazi aggressors and their satellites, this reparation to serve to facilitate the rebuilding of Palestine as the Jewish National Home, while part of the interim reparation fund would be used for the benefit of economically uprooted Jews. It asked for the enactment and implementation of proper legislation to right the material wrong inflicted upon Jews by Axis barbarism. It called for the utilization of Jewish ownerless assets for the rehabilitation and resettlement of surviving Jews in the war areas.

In view of the complexity of the tasks involved, the Congress set up on February 1, 1946, an Office of Indemnification under the direction of Dr. Nehemiah Robinson. The task assigned to it was to gather and disseminate useful information, to institute and promote international and national action, to prepare necessary documents and draft appropriate legislation, to make recommendations relating to proposed legislation, to assist affiliates in their endeavors for the enactment and implementation of necessary laws, and to keep them abreast of the developments everywhere.

In pursuance of its duties, the Office of Indemnification has published four series of Information Sheets relating to restitution of property, war damage legislation, the problem of missing persons, and the status of Jews of former enemy countries in Allied lands. To supplement these surveys of the existing legislation, a publication called *Current Information on Indemnification and Related Subjects* deals with the latest data on such matters as drafts of laws in preparation, various decrees and regulations, extension of deadlines for filing claims, and so on. These papers were preceded by Dr. N. Robinson's primer *Indemnification and Reparations: Jewish Aspects* (Institute of Jewish Affairs, 1944) and three supplements which gave brief summaries of the progress in reparations, restitution legislation, court practices, and results achieved, as well as reviews of the literature dealing with these problems.

The Office of Indemnification has also assisted large numbers of individuals in cases where assistance and advice were sought and has provided information to government officials in the United States and abroad.

To obtain first-hand information on the progress of restitu-

tion and compensation, and to assist Congress affiliates in their activities, Dr. Robinson went to Europe and from December, 1946 to March, 1947, visited France, Belgium, Holland, Germany, Austria, Czechoslovakia, and Great Britain.

## 2. REPARATIONS

The official policy of the Allies toward reparations from Germany was enunciated in the Joint Report of the Anglo-Soviet-American Conference, Crimea, 1945 (the Yalta Conference) released on February 11, 1945. The Big Three declared that they had considered the question of damage caused by Germany to the Allied nations and "recognized it as just that Germany be obliged to make compensation for this damage in kind to the greatest extent possible." It was resolved to establish a special commission to consider the question of the amount and methods of indemnification.

The World Jewish Congress prepared a memorandum concerning Jewish claims and presented it to the American representative on the Commission. However, the Commission did not start actual work, as the war soon came to an end.

The policy proclaimed in Yalta was further elucidated in the Joint Report of the Anglo-Soviet-American Conference, Berlin, 1945 (Potsdam Agreement) released on August 2, 1945. Section IV of that report stipulated that the reparation claims of Russia (including those of Poland) be met by removals from the zone of Germany occupied by the USSR, by 25 percent of all surplus capital equipment to be removed from the Western parts of Germany, and by German foreign assets in Bulgaria, Finland, Hungary, Rumania, and Eastern Austria. The claims of all other countries entitled to reparations were to be met from the Western zones of Germany and from German foreign assets in countries other than those mentioned above.

The foregoing statements and decisions referred to damage caused by Germany to "Allied" (or "United") *nations* only, and thus seemed to eliminate the possibility of reparations to the Jewish people as such. Nevertheless, the Congress was determined to present a Jewish claim and in October, 1945, established, together with the Jewish Agency, the American Jewish Conference, and the

Board of Deputies of British Jews, a Joint Committee to deal with this question. On October 19, 1945, a delegation of the Joint Committee submitted the Jewish views and proposals in regard to reparations to Undersecretary of State Dean Acheson and other high officials of the State Department.

*The Final Act of December 21, 1945*

In November, 1945, a conference of the Allied Powers — other than Russia and Poland — convened in Paris to decide upon the distribution of the German assets to be made available to them under the Potsdam Agreement. The World Jewish Congress sent an observer to the conference (as did some other Jewish organizations) in the person of Dr. Jacob Robinson, who was able to take up with some delegations the problem of a Jewish share in the reparations. The United States representative had submitted to the Conference a memorandum in which he proposed that a special fund be created for the immediate assistance of stateless persons. Under the impact of criticism from the Jewish organizations, which pointed out that this definition would cover hundreds of thousands of persons who did not suffer under German persecution, this formula was changed to "true victims of Nazi persecution." Furthermore, the purpose of the action was changed from "immediate assistance" to "rehabilitation and resettlement." Again, the American memorandum had implied that through payment of this fund all claims of the persons benefiting from it would be covered. Instead, it was now decided that individual claims which German refugees might have against Germany should not be considered prejudiced except to the extent that the individual benefited personally from the amounts allotted to the group.

Thus, the signatories of the Final Act of the Paris Conference on Reparations dated December 21, 1945, did not accept the view of the Jewish organizations that a share should be set aside for the Jewish people as such. However, they agreed on a compromise. They admitted that there were a large number of persons who had suffered grievously at the hands of the Germans and were in dire need of aid, but who could not count on the assistance of any of the governments receiving reparations in accordance with that agreement. Accordingly, the Governments of the United States, France, Great Britain, Czechoslovakia, and Yugoslavia were

charged, by virtue of Art. 8 of the agreement, to work out, in consultation with the Intergovernmental Committee on Refugees (or its successor organization) a plan for assistance to these persons. The amounts to be allocated to these victims of German action were to consist of three items: (a) all non-monetary gold found by the Allies in Germany; (b) a sum not exceeding 25 million dollars from the proceeds of German assets in neutral countries; (c) assets in neutral countries of victims of Nazi action who died and left no heirs. These funds were to be used to further rehabilitation and resettlement, especially in case of emigration.

The Final Act, it will be noted, laid down general lines only, without specifying when and how the amounts would be made available and what proportion would be used for Jews. The Office of Indemnification prepared proposals for the implementation of the agreement, including the immediate convocation of a conference of the five afore-mentioned states, setting aside the allotted 25 millions from the first proceeds of German assets in neutral countries, and the participation of Jewish organizations in the different phases of this task. These requests were discussed with representatives of the State Department and the United States representative to the Five Power Conference.

#### *Implementary Agreement of June 14, 1946*

It was not until June 14, 1946, that the implementary agreement was reached. On the eve of the Five Power Conference, the Congress, together with the American Jewish Conference, had urged the State Department and the American representative to the conference, to designate a Jewish Advisory Board consisting of representatives of the Congress, the Jewish Agency, the Joint Distribution Committee, the American Jewish Conference, and the Board of Deputies, to function in connection with the implementation of Article 8 of the Final Act of Paris.

The implementary agreement took into consideration the specific plight of the Jewish victims of German persecution and the origin of the heirless funds, and allotted to Jews 90 percent of the 25-million-fund and of the non-monetary gold and 95 percent of the heirless funds. It further provided that the amount of 25 million dollars would be considered a priority on the

proceeds of the liquidation of German assets in neutral countries. The Jewish demand for special representation in connection with the implementation of Article 8 was met only in part: the agreement stipulated that the Jewish portion of the non-monetary gold and proceeds of German foreign assets should be made available to Jewish field agencies when they had submitted practicable programs for the rehabilitation and resettlement of Jewish victims, and more direct participation by Jewish organizations was provided in the case of heirless funds.

The allocation of the amount of 25 million dollars was conditioned on the availability of proceeds of German assets in neutral countries, in the first place in Switzerland and Sweden. The understanding between the Allied Governments and Switzerland of May 25, 1946, resulted in the consent of Switzerland to permit the Allies to draw immediately up to 50 million Swiss francs on the proceeds of liquidation of German assets, to be devoted to the rehabilitation and resettlement of non-repatriable victims of German action. Similarly, the accord reached in July, 1946, with the Swedish Delegation on German assets in Sweden provided that the Swedish Government should contribute 50 million kroner to the Intergovernmental Committee on Refugees for use in rehabilitation and resettlement of non-repatriable victims of German action. Unfortunately, owing to technical difficulties, only portions of these amounts have been transferred to the Preparatory Commission for the International Refugee Organization (PCIRO) and thus made available for Jewish projects. Part of the non-monetary gold was transferred at the end of 1947 to the PCIRO for the above-mentioned purpose; the rest is still awaiting assignment.

#### *Assets in Latin America*

The problem of German reparations was only in part solved in the Paris Agreement. The Latin American countries did not participate in it and the fate of the German assets there was left for separate action by the governments concerned. It was estimated by American sources that Argentina alone possessed 350-600 million dollars worth of German assets while her claims against Germany were insignificant. On July 19, 1946, the Congress (together with the American Jewish Conference) submitted to the

State Department a request that a sufficient portion of the surplus of German assets over claims be used for Jewish purposes. By letter of August 12, the State Department gave assurance that these views would be considered in consultations about the disposition of German assets in the American Republics.

A special Pan-American Committee was established in 1946 to deal with the disposition of German property. The Committee consisted of delegates of Brazil, Chile, Haiti, Mexico, and the United States. According to reports, it was agreed that the total of German assets and deposits, after the claims were satisfied, would be used through the intermediary of the Inter-Allied Reparation Agency for assistance to countries devastated by the war. The World Jewish Congress is negotiating with the State Department and, through its affiliates in the other countries and representatives of the latter in the United States, with Brazil, Chile, Haiti, and Mexico to have a portion of the surplus allotted for Jewish purposes.

### 3. PROPERTIES OF JEWS FROM ENEMY NATIONS IN ALLIED COUNTRIES

Connected with the problem of reparations (from Germany and the satellite nations) is the question of the status of properties belonging to Jews from Germany, Rumania, and Hungary in Allied countries, especially in the United States, Great Britain, and Latin America.

All these properties were blocked as enemy assets. Ordinarily, persons of enemy citizenship, origin, or residence were considered enemy nationals. Hence even the deprivation of German Jews of their nationality by the Nazis did not free their assets. In the United States this problem was solved through General License 42, which released the properties of individuals who on October 5, 1945, were resident in this country or in any non-blocked foreign country. There remained, however, the case of those who did not come under this general license. To give the Alien Property Custodian the possibility of returning their assets to victims of persecution, the Congress of the United States enacted in March, 1946, and August, 1946, Public Laws 322 and 671, respectively, which provide that the competent authorities may release from seizure any property otherwise vested in the Alien Property Custodian,

if the owner had at no time since December 8, 1941, enjoyed full rights of citizenship under the laws of the country of his residence. This law came about through action of several Jewish organizations, among them the American Jewish Congress working in cooperation with the World Jewish Congress.

The aforesaid laws did not yet solve the problem of possessions blocked by the Treasury Department (in the main, bank deposits and similar assets), since they referred to properties vested in the Alien Property Custodian. Thanks to the intercession of the Congress, the Treasury Department in its letter of December 19, 1946, agreed to apply to those funds the same rules as provided in Law 671. The Department was supplied with the pertinent legislative acts to prove that the Rumanian and Hungarian Jews come under the definition of the law. Action is now being taken in London in regard to the two last categories.

The Control Council Law on Vesting and Marshaling of German External Assets of October 30, 1945, which is applicable to neutral countries, specifically exempts from seizure properties belonging to persons outside Germany who were persecuted by the Nazis.

The situation in Latin American countries is still fluid. Special attention was given (in cooperation with the Congress' German Jewish Representative Committee in New York) to Cuba and Brazil (two countries with considerable assets belonging to German Jews), by means of discussions on the spot and memoranda submitted through the diplomatic representatives of those countries, as well as to the Department of State. Recently, the Finance Committee of the Lower Chamber in Brazil approved a bill to exempt properties of German Jews from seizure. On July 29, 1947, a memorandum was submitted to the State Department, suggesting that this problem be solved through an Inter-American convention. The Inter-American Committee on German Assets referred to in the section on Reparations will also deal with this question, and assurance has been given by the State Department to the Congress that its draft for a solution of this problem favors the release of properties of persecutees.

In connection with the preparation of the Peace Treaties with the satellite nations (Bulgaria, Hungary, Italy, and Rumania), the Congress and the cooperating organizations made a determined

effort to have assets belonging to Jewish citizens of those countries excluded from seizure by the Allies for reparations. These efforts failed because the Allies claimed it would be contrary to the spirit of equality permeating the Treaties.

Action in behalf of German and Austrian Jews was also taken by Congress affiliates in various countries. By the Decree-Law of January 13, 1947, Belgium granted German Jews a special status in regard to their assets.

#### 4. MASTERLESS PROPERTIES

The Congress program in the matter of heirless property has not yet been fulfilled in its entirety. However, important precedents have been established.

##### *The Paris Reparations Conference*

The first official recognition by the Allies that masterless Jewish properties should not escheat to the state of their location was given in the Final Act of the Paris Reparation Conference. Art. 8 of that document provides, as stated above, that funds in neutral countries which became heirless through the death of victims of Nazi action be used for the rehabilitation and resettlement of the survivors. To implement this decision the Agreement of June 14, 1946, provides that the neutral powers shall be asked to make 95 percent of these funds available to appropriate Jewish field organizations (the Jewish Agency for Palestine and the Joint Distribution Committee). They shall also be asked to facilitate the identification, collection, and distribution of these assets. As a reason for this departure from the traditional assumption that heirless property belongs to the state of their location, the Agreement refers to the "unique conditions in international law and morality" which resulted in this status — virtually a repetition of the thesis of the World Jewish Congress that the existing laws did not envisage the wholesale murder of a human group, and that no state is morally entitled to enrich itself in consequence of such action.

During the discussions in Washington, which led to the accord of May 29, 1946, concerning German assets in Switzerland (where the bulk of such funds are located), Dr. Nahum

Goldmann made representations to the Swiss delegation, while Dr. F. R. Bienefeld conferred repeatedly both with the competent authorities in Switzerland and with the Intergovernmental Committee on Refugees. Suggestions were submitted for the solution of the complicated legal and practical problems involved. However, despite all intercessions, as well as representations by the Allies, Switzerland has not enacted the necessary legislation upon which the availability of the funds is predicated. Even less progress has been made in Sweden.

*Peace Treaties with Hungary and Rumania;  
Draft Treaty with Austria*

The second action on an international level was more successful. It has already been told that one of the main demands of the Congress and the cooperating Jewish organizations was that the peace treaties with Hungary and Rumania contain explicit provisions to the effect that all masterless properties of Jews be assigned to representative Jewish organizations for the benefit of the surviving Jews in those countries. No such request was made in regard to Bulgaria and Italy; in the case of the former because the Jews of that country had escaped extermination, and in the case of the latter because the extent of masterless Jewish properties was comparatively small, and it was anticipated that Italy would assign them for Jewish purposes of her own accord.

It has also been told how at first this request found no response amongst the Great Powers, and was vigorously opposed by the Hungarian and Rumanian Governments, which claimed that they would solve this problem by domestic measures. Finally, the United States delegation sponsored a clause which, with certain modifications, was inserted in the Rumanian and Hungarian Peace Treaties and became, after their ratification, a binding provision upon these states. It reads as follows:

"All property, rights and interests in Rumania (Hungary) of persons, organizations or communities which, individually or as members of groups, were the object of racial, religious or other Fascist measures of persecution, and remaining heirless or unclaimed for six months after the coming into force of the present Treaty, shall be transferred by the Rumanian (Hungarian) Government to organiza-

tions in Rumania (Hungary) representative of such persons, organizations or communities. The property transferred shall be used by such organisations for purposes of relief and rehabilitations of surviving members of such groups, organisations and communities in Rumania (Hungary). Such transfer shall be effected within twelve months from the coming into force of the Treaty, and shall include property, rights and interests required to be restored under paragraph 1 of this Article."

The precedents of Rumania and Hungary were followed by the Big Four in drafting the treaty with Austria. In January, 1947, the World Jewish Congress presented through Dr. N. Robinson, who was then in Vienna, a memorandum on this treaty to the American military authorities in Austria; the document was also submitted to the Foreign Ministers. Later the Congress joined with a number of other Jewish organizations in common comments and proposals concerning the draft of the treaty as tentatively agreed upon in Moscow. It requested that masterless Jewish assets should not be combined with other such property and used for common purposes (as the draft treaty provided), but be singled out, assigned to a special Jewish body representative of Jews in and outside Austria, and used for the purposes of rehabilitation and resettlement of Jewish survivors both within Austria and abroad.

It is intended to submit similar proposals to the Foreign Ministers in regard to Germany.

#### *National Legislation in Greece, Italy, Hungary, and Rumania*

Parallel with action on an international scale, the Congress endeavored to have masterless Jewish properties made available for Jewish purposes through national legislation. The first case of a domestic law to this end was the Greek Law 846/1946, promulgated on January 18, 1946. (The promulgation was due to the efforts of the Greek affiliate of the Congress, the Central Board of Jewish Communities, and especially its chairman, Asher Moïssis.) The law established the principle that the property of Jews who disappeared during the war because of racial persecution by the enemy should not escheat to the Greek state, but be assigned to a legal institution to be created by royal decree,

which institution should use the property for the assistance and rehabilitation of the Jews of Greece. As the law could not go into effect without the implementary decree mentioned therein, the Congress prepared and submitted to the Central Board of Jewish Communities lengthy observations on the contents of such a decree. Despite repeated representations by Greek Jews and the Congress, the Greek Government delayed enactment of the decree. Recently, the whole project was in jeopardy, there being a move afoot either to scrap it altogether, or to make it inoperative through the imposition of heavy taxes on the transfer of the property to the successor organization. After repeated intervention by the Congress directly and through A. L. Easterman, who visited Athens in regard to this question, the Greek Government issued an order providing for the transfer of the administration of abandoned Jewish properties (which till then had been in the hands of governmental bodies) to the Board of Jewish Communities. This was the first step toward a liberal implementation of Law 846/1946. In January, 1948, the Greek Government finally adopted an implementary decree necessary for the total execution of the above-mentioned law. Its promulgation, however, has again been held up, despite vigorous interventions by the Congress.

The Italian affiliate of the Congress, the Union of Jewish Communities, began to work quite early, with the assistance of the Congress, on a law similar to the Greek. Dr. Kubowitzki conferred with the Union on this matter during his visit to Rome in September, 1945. Dr. Pekelis discussed it with the Italian Government in the fall of 1946. The first drafts of the law were not wholly satisfactory and were changed in part because of criticism by the Congress. Owing to continual changes in the Italian Government, the law was not promulgated until May 27, 1947. It provides that estates of Jews who died as a result of acts of racial persecution after September 8, 1943, are to be transferred gratuitously to the Union of Jewish Communities. The transfer of each property is to be accomplished on the basis of a decree of the Treasury at the request of the Union, to be filed within two years from the date of the ratification of the Peace Treaty, or else from the date of the declaration of the presumed death of the person concerned, if such a declaration was made after ratification.

Action in Hungary started early in 1946 through discussions between the Congress and Hungarian Jewish organizations on the one hand, and the Hungarian Government on the other. The Hungarian Government, while agreeing that masterless Jewish properties should not fall to the state, intended to establish a general fund which would embrace all estates reverting to the state between June 26, 1941, and December 31, 1950. The proceeds thereof would be used for assistance to persons in need who had been persecuted because of their religion or origin, and for relief organizations working in their behalf. A delegation of the Congress consisting of Dr. Kubowitzki, Dr. Perlzweig, and Dr. Schwarzbart conferred in New York on June 8, 1946, with the Hungarian Ministers Nagy and Gyongyosy about this problem and presented a memorandum to them. The Congress also submitted detailed observations and suggestions in regard to this law on later occasions.

After prolonged negotiations, the Hungarian Government acceded to the Jewish demands, and the Hungarian Parliament adopted Law XXV/46, stigmatizing Jewish persecution and providing for the alleviation of its consequences, which was promulgated on November 8, 1946. Under this law, properties in Hungary and abroad belonging to persons who lost their lives between June 26, 1941, and December 31, 1946, because of persecution based on their Jewish religion or origin, or in consequence of wounds and health injuries resulting therefrom, are to be assigned to a special Fund. The proceeds are to be used for assistance to needy Jews who were persecuted on account of their religion or origin, as well as for institutions working in their behalf. The Administrative Board of the Fund is to consist up to one third of persons appointed by the Prime Minister, and two thirds selected by the legal representative organizations of Hungarian religious Jewry. Decree 3,200/47, dated March 5, 1947, implemented the provision of the law as to the appointment of the members of the Board and the functions of the Fund. Meanwhile, the Peace Treaty became operative and there arose the necessity of adapting the existing legislation to its provisions. The main problem was the transfer of the jurisdiction over heirless and abandoned properties from the Abandoned Property Bureau to the Jewish Rehabilitation Fund. On November 27, 1947, the Minister of Justice issued a proclamation ordering the transfer.

Nevertheless, the Fund has not yet begun functioning as the rules to govern its activities have yet to be approved by the Government and some organizational problems still remain to be solved. Repeated attempts by Hungarian Jewry to bring about a solution of these difficulties have not resulted in positive action.

In Rumania, most of the masterless properties are situated in Transylvania. Preliminary action on a local basis was taken to comply with the provisions of the Peace Treaty, but no final solution has so far been found. The Bucharest Office of the Congress has prepared bills providing for the limitation of inheritance in Transylvania (to divert property from distant relatives to the Fund), which became Law 50, promulgated on February 27, 1948, and for the mode of administration of heirless assets.

#### *Legislation in Germany and Austria*

In Germany, the main efforts of the Congress (and of the cooperating Jewish organizations) were directed toward the solution of this problem in the U. S. zone. Dr. N. Robinson dealt with this question during his presence in Germany in January, 1947.

The cooperating organizations adopted the view that masterless Jewish properties should be assigned to a Jewish agency representative of Jews in Germany and abroad, and created for this purpose the Jewish Restitution Commission, incorporated in the State of New York. In November, 1946, General Lucius D. Clay, U. S. Commander in Chief in Germany, expressed his support of the transfer of Jewish masterless properties to a Jewish body. However, in the discussions which took place in 1947 between the occupying powers on a quadripartite (and bipartite) level, this question proved a stumbling block, since the Russians wanted masterless properties to be assigned to the state, the French wished to create a common fund from the masterless properties of all victims of Nazism, and the British were inclined to follow the French lead. The Restitution Law of the U. S. Zone, which came into force on November 10, 1947, provides that the Military Government is to appoint a successor to heirless estates of private persons and dissolved communities and organizations. Repeated interventions with the State and War Departments have resulted in the

formal appointment of the Jewish Restitution Commission as the successor organization.

The pending restitution decree in the French Zone does not make specific provision for Jewish heirless property: it stipulates only that such property and the income from despoliated assets shall be assigned to a special fund in every state. Efforts are being made to change this provision. A memorandum on this subject was submitted on January 21, 1948, to the French Ambassador in Washington.

In Austria, the problem of masterless Jewish properties arose early in 1946 in connection with the draft of the indemnification law prepared by the Austrian Bar Association. The World Jewish Congress proposed, in its submission to the State Department and the American Military Government in Austria, the creation of a special Jewish fund instead of a common pool, as suggested in the draft. Oral discussions about this question were conducted by Professor Altmann and Ernst Stiassny during the summer of 1946, by Dr. Bienenfeld on various occasions, and by Dr. N. Robinson with representatives of the Austrian Government in December, 1946. Since then, the Congress has been in almost constant touch with the Austrian Government, and its representatives have repeatedly conferred on this question with the Ministers in charge. The attitude of the Austrian authorities is that a common fund is preferable to a purely Jewish one since in the latter case the former distinction between Jews and non Jews would again be introduced.

#### *Situation in Other Countries*

Activities of the Congress and its affiliates in other countries have not yet resulted in a solution of this problem. In France, the decree of April 21, 1945, provided that properties not claimed within a specific time should be taken in custody by the Government. A special decree was to provide for the disposition to be made of these assets, insofar as they were not restored in accordance with a claim filed before the deadline. Despite repeated representations to the competent authorities, no action has been taken in regard to claimed properties, nor has anything been done to dispose of unclaimed assets, although their disposal was apparently envisaged during the debates concerning the adoption

of the decree in the Assembly. The Congress initiated a Jewish interorganizational bureau to deal with this and certain other problems, but no definite action has been taken, despite the efforts of Dr. Sylvain Cahn-Debré, owing to the reluctance of the French Jewish organizations to deal effectively with these questions. In view of the recent expiration of the deadline, the problem will soon be taken up again.

A provision similar to the one above is also contained in the Dutch decree of September 17, 1944. There, too, the Congress took the initiative to propose a solution in accordance with its program. However, the deadline for filing claims has not yet expired, and the Jewish organizations are still pondering whether there will be enough masterless property to warrant such action nor has a study of the amounts involved been made.

Almost the same situation prevails in Belgium. Notwithstanding the support promised to Dr. Kubowitzki on September 8, 1945, by Justice Minister Marcel Grégoire, and the efforts of the Congress, no agreement could be reached among the Jewish organizations on the desirability of a special Jewish fund. The contemplated study to determine the extent of such property has not yet been undertaken.

Nothing positive has been done in Poland, despite some attempts to bring the question to the fore.

In Czechoslovakia, the restitution law of May 16, 1946, contains a reference to future legislation relating to unclaimed property. On July 2, 1947, the Constituent Assembly passed a law relative to a Currency Fund which would have included properties that cannot be restored to persons entitled to restitution. As a result of vigorous representations by the Congress in Prague (though Mr. Easterman, who went there in July, 1947), and to Czechoslovak embassies and legations abroad, the Czechoslovak Government issued a statement giving assurance that the problem of masterless Jewish properties would be decided in full harmony with the relevant international agreements to which Czechoslovakia adhered. The competent authorities were instructed to prepare a draft of a bill which would be in accord with this declaration, and the local Jewish community prepared, in cooperation with representatives of the Congress, a draft to be submitted to the Government.

Special attention was paid to the United States and Great Britain. In 1946, Congress headquarters, in cooperation with the American Jewish Congress, prepared a bill for submission to the New York Legislature. The draft provided for the assignment to a special fund of properties located in the State and belonging to victims of Nazi persecution which were not claimed by their owners or heirs within a specified period to be shorter than the one of fifteen years specified in the "Abandoned Property Law." Subsequently, the matter came within the purview of the five organizations cooperating on Germany (World Jewish Congress, Jewish Agency, Joint Distribution Committee, American Jewish Committee, American Jewish Conference). The question was first taken up with Governor Thomas E. Dewey, but no solution was found at that time, mainly because the banks were opposed to shortening the period within which such property might be claimed. The Congress then proceeded to deal with the matter on a Federal basis. Negotiations with the State Department led to a provisional agreement that first the fate of assets vested in the Alien Property Custodian should be settled and later that of property blocked by the Treasury. It is contemplated that Law 671 (referred to above) will be amended so as to grant a successor organization the right to claim property of persecutees for which no request has been filed by August 8, 1948. A bill to that effect was introduced in the Senate on May 27, 1948, by Senator Robert Taft.

In Great Britain, preliminary discussions have been held and suggestions made to the Custodian of Enemy Property by Dr. Bienenfeld as a basis for a solution. This is also true of Palestine.

In view of the difficulties involved in a domestic solution of the problem, the Congress has proposed that it be dealt with on an international basis. Two methods are envisaged: a convention initiated by the Economic and Social Council of the United Nations, or an agreement between the countries where masterless properties are located. The first step toward such a solution was taken by means of a memorandum which Dr. Robert S. Marcus submitted to Dr. Willard L. Thorp, the USA representative in the Economic and Social Council, in August 1947.

## 5. INDEMNIFICATION

The systematic looting initiated by the Nazis in Germany and extended to each and every region where Germany obtained direct or indirect sway called for remedy whenever the German grip on a country or region concerned was broken.

During the war the Governments-in-Exile enacted a number of laws and decrees and issued declarations the purpose of which was to make known their determination not to recognize as valid acts of confiscation and forced sales made under the German occupation. There were also declarations by the Allies aimed at satellites and neutrals, the most salient of which is the Inter-Allied Declaration of January 5, 1943.

These acts were of a general nature and touched only in general terms upon the special treatment meted out to Jews in regard to their property. To deal with the wholesale spoliation of millions of Jews, the Congress conducted during the war extensive studies on the methods and extent of the plunder. It enunciated, especially through resolutions adopted at the Atlantic City Conference, its demands for remedy of all kinds of losses suffered by Jews: loss of property, vocation, and income; loss of life, limb, and health; losses sustained through the imposition of special taxes, and other damage.

### *Restitution in Allied Countries*

With the end of the war the Allied as well as the former satellite nations initiated legislative measures to repair, at least in part, the losses suffered under the discriminatory regime to which Jews had been subjected. In most cases these measures were taken by the governments concerned of their own accord or at the request of the local Jewish communities and affiliates of the World Jewish Congress. Representatives of the Congress repeatedly visited Europe, studied the situation on the spot, and discussed with the affiliates proposals for remedying inadequacies in restitution matters. Special attention was paid to France, Belgium, Holland, Czechoslovakia, and Poland. Inter-organizational bodies to deal with the problems were proposed and measures to solve still open questions were submitted. Among these were the repayment of the anti-Jewish levy and the extension of the deadline for filing claims under

the restitution law in France, the problem of valuables deposited by Jews with Gentiles there and in Belgium, and assistance to absentee claimants in Czechoslovakia. In regard to Poland, the Congress elaborated a plan for the creation of a special body to claim, administer, and liquidate properties of Jewish absentee-owners, and presented it to the competent authorities. It also requested an extension of the deadline for filing claims, which had been set for December 31, 1947, but which, thanks to its efforts, has been extended for another year, and intervened, on behalf of Jewish DP's in Germany and of claimants abroad generally, with regard to fees and taxes levied by the Polish Government on such claims. Close contact is being maintained with the Central Committee of Jews in Poland and the Central Committee of Polish Jews in Munich. In his letter of May 29, 1948, the Polish Ambassador in Washington reported that a favorable decision had been taken in Warsaw on the question of fees, and that an appropriate ruling would be published in the official bulletin of the Ministry of Foreign Affairs.

The Congress has also rendered assistance to individual claimants in regard to restitution. This is done by means of information sheets on the pertinent legislation and information bulletins dealing with all questions relating thereto. Furthermore, advice on claims in all countries is given by letters and through personal contact.

#### *U. S. Zone in Germany*

Direct action was, however, necessary in regard to Germany and Austria, due to the specific character of the spoliation in these lands and their status as occupied countries after the war.

One of the main preoccupations of the Congress in this regard was the U. S. Zone of Germany. The struggle to have a law enacted there was long and difficult, owing to the different tendencies prevailing and the various authorities involved.

In the spring of 1946, a conference took place between Congress' representatives and officials of the War and State Departments. The State Department soon adopted an attitude of understanding and sympathy.

The actual preparation of a law for the U. S. Zone was begun early in the summer of 1946. At first, drafts were prepared separ-

ately for Bavaria, Hessen, and Wuerttemberg. They were sketchy, contained few useful elements, and dealt not only with restitution, but also with compensation for various losses. The Congress Office of Indemnification submitted to Rabbi Philip S. Bernstein, Jewish Adviser in the U. S. Zone, comments on these drafts and suggestions for amendments, which were used by him in his dealings. Soon the task of securing the enactment of the law was taken up by the five cooperating Jewish organizations, and Max Lowenthal (who was succeeded later by Irwin Mason) went on their behalf to Berlin to handle the matter on the spot. Again it was the Congress which prepared the necessary material and suggestions for him and kept in close touch with him on all developments. On October 18, 1946, a draft of a restitution law was prepared by the Laenderrat-Committee. The Jewish organizations submitted proposals, some of which (among them those referring to a stronger presumption of duress, exemption of restored property from inheritance taxes, etc.) were adopted at once and were to be incorporated in the draft. Of those not accepted, the most important were submitted to the State Department and discussed with Gen. Clay during his visit to New York in November, 1946. Thereupon the State Department, with the concurrence of the War Department, granted its support to most of these specific demands, including such important clauses as the assignment of masterless Jewish properties to a Jewish successor organization, the creation of a military board of review, the appointment of proctors to supervise the activity of German restitution authorities, and special treatment of the most important bearer instruments.

These and other changes were incorporated in January 1947 by the Legal Division of the OMGUS, with the collaboration of Dr. Nehemiah Robinson (at that time in Germany), who discussed the amendments with Gen. Clay and his aides, and participated in a decisive meeting of the Property Control Office of the Laenderrat. The amendments were adopted in substance by the Property Control Office and embodied in the draft of March, 1947.

However, the Laenderrat practically refused to enact the law, insisting that such a law should cover the whole of Germany, and objecting mainly to what they regarded as the too far-reaching character of the provisions dealing with annulment, and the lack of sufficient discretion granted the German courts. Faced with this

situation, Gen. Clay decided to submit the whole problem to quadripartite discussion, but it soon became evident that the chances of the law's adoption on a quadripartite basis were very slim. The five cooperating Jewish organizations thereupon urged the State Department and Gen. Clay to enact the draft as a Military Government law, which was done, after many more negotiations, on November 10, 1947.

There still remains the question of the technical implementation of the law, especially as regards the competence of the Board of Review to hear appeals from decisions of the local courts; the exact competence, powers, and status of the successor organization; the filing of claims; the status of properties restituted under the laws of occupation; the export of restored goods, and many others. The Congress, in cooperation with the other organizations, has prepared suggestions for complementary decrees to be issued regarding these matters, and submitted them to Berlin.

#### *British and French Zones*

Parallel with the action to secure a restitution law in the United States Zone, the Congress also negotiated for such legislation with the British and French authorities. A representative of the Congress discussed this problem with the British authorities in Berlin and the British Section dealt with it repeatedly in London. Constant touch was maintained with the Legal Adviser on Jewish Affairs in the British Zone. The promulgation of a law is expected within a few months, and the work on it is being closely followed by the British Section. As a preliminary measure, the British have issued General Order 10 requiring all possessors of spoliated property to register it, and all claimants to file a claim for restitution.

In the French Zone two drafts of a restitution law were prepared during the later part of 1946. The Congress drew up detailed comments which were discussed by Dr. Cahn-Debré with the General Commissariat on German Questions. On November 14, 1947, the French Military Authorities promulgated Decree 120 which is in many respects (presumption of duress, repayment of usufructs, procedure, assignment of masterless property, etc.) unsatisfactory. The Congress has prepared detailed criticism of the draft, as well as suggestions for alleviating many of the defects

through implementary ordinances. On January 20, 1948, the five cooperating organizations submitted a memorandum on this matter to the French Ambassador in Washington. The reply was not satisfactory and further action will be taken to remedy the law.

The zonal laws do not cover the City of Berlin, which is legally not part of any of the four zones. Efforts are being made to extend the American zonal restitution law (as well as possibly the others) to the American (or other Western) sector of Berlin. At the same time a draft for a special law in Berlin is under discussion and the Congress is helping to shape the law by submitting its observations and suggestions.

### *Restitution in Austria*

Direct action to secure restitution legislation was also taken in Austria.

Early in 1946, the Austrian Bar Association prepared a draft of a law on indemnification which was very inadequate, especially insofar as Jewish interests were concerned. This draft was discussed in Washington with a representative of the State Department and the Chief of the Legal Division of the American Military Government. On the basis of this discussion, which resulted in agreement on important points, a detailed memorandum containing criticism of the draft and a new version of most of the provisions of the draft was prepared by the Congress and submitted by it jointly with the American Jewish Conference to the State Department and the American Military Government in Austria. The draft of the Bar Association was later dropped as the basis for discussions and the Austrian Government embarked on the enactment of a series of laws dealing with the various categories of property. The Congress submitted observations in New York and London, paying special attention to the enactment of the Third Restitution Law, which deals with "duress" property. Dr. Bienefeld repeatedly urged appropriate action in conferences with representatives of the Austrian Government and in memoranda submitted to it. In December, 1946, Dr. Robinson discussed the whole problem of restitution, and specifically the then pending draft of the Third Restitution Law, with several Austrian Ministers and high officials as well as with American military authorities and

spokesmen of the Austrian Jews, and submitted a memorandum and requests for amendments to them as well as to the Austrian Parliamentary Commission. When the law was discussed in the Allied Council for Austria, the British Section made representations to the British Element of the Council protesting against certain inadequacies of the law. The American and British representatives did not veto the law, but recommended that the aforementioned proposals be included by the Austrian Government in an implementary decree.

The Congress also submitted its views on the drafts of the Fourth Restitution Law (dealing with reestablishment of firm names) and the Fifth (concerning premises). The first draft of the Fourth Law has been dropped and new drafts are under consideration. Observations were likewise conveyed to the Legal Division of the American Element of the Allied Council for Austria which have been transmitted to the Austrian Government as official observations of this Element.

#### *Special Problems of Indemnification*

The Congress has given attention to other means of indemnification in addition to restitution.

It has prepared and submitted a draft of a general compensation law for Germany to be enacted on a quadripartite or zonal basis, and is dealing with the various preliminary measures taken in the U. S. Zone. The corresponding legislation in Austria is also being commented upon as occasion arises. In like manner, corresponding suggestions for alleviation of the consequences of persecution are being submitted to other countries.

An important problem in this connection is the payment of war damages, whereby many of the losses incurred during the war could be repaired. The Congress has dealt with the war damages in Poland and succeeded in having the deadline for filing claims extended and in bringing about a large registration of claims. It has also dealt with the extension of the war damage provisions to foreigners, especially Polish nationals, stateless persons and former enemy aliens, in France, Belgium, and Holland. In regard to Polish citizens in these countries negotiations are now going on with the Polish Government.

## CHAPTER V

### POSTWAR RELIEF ACTIVITIES

#### 1. DISPLACED PERSONS

IN APRIL, 1945, as the Allied Armies were sweeping across Germany, the savagery of the German terror was revealed in all its horror by the overrunning of the death and concentration camps of the Third Reich. The first sight of the Bergen-Belsen camp, on April 11, 1945, shocked the civilized world; ten thousand corpses were lying unburied. Thirty thousand men and women were dying of starvation and disease. Thousands of emaciated human beings were packed like animals in overcrowded huts. Later came Dachau, Buchenwald, Gross-Rosen, Mauthausen, and others.

The British Government at once sent a Parliamentary delegation to Buchenwald and Dachau. S. S. Silverman, M.P., Chairman of the British Section, was a member of the delegation and was a signatory to the report published as a white paper. Thus was established the first contact between the Displaced Persons and the Congress.

The Congress considered it one of its main duties to establish as soon as possible a relationship of equality with the Displaced Persons and to invite their committees to join the organization in order to give them a sense of belonging and of regained dignity. On July 25, 1945, a first convention of delegates of the survivors of concentration camps took place at the St. Ottilien Hospital near Landsberg, and Dr. Robert S. Marcus, who was at that time an Army chaplain attached to the American Air Force, extended to the gathering the greetings of the World Jewish Congress. One of the resolutions of the meeting called for the setting up of a central committee for all the surviving Jews in Germany.

In September, 1945, Alex L. Easterman and Sydney S. Silverman represented the Congress at the first convention of the Jewish Displaced Persons in the British Zone of Occupied Germany. They addressed the gathering, and discussed in many conferences with the leaders of the liberated Jews the problems affecting their wellbeing. As a result of representations made to the authorities, important improvements were secured, the armed Polish guards and the barbed-wire fencing surrounding the camps were immediately removed, and greater facilities were provided for the leaders of the Jewish Central Committee in the discharge of their administrative tasks.

Contacts of a particularly close nature were eventually established between the Bergen-Belsen Central Committee and the British Section. Regular communications and consultations were maintained between the two bodies, and the Jewish Displaced Persons of the British Zone looked to the Congress as their spokesman in all matters concerning their welfare and future.

In January, 1946, the first conference of Jewish Displaced Persons in the American Zone took place, at which the Marchioness of Reading and Dr. Schwarzbart represented the Congress. Besides addressing the gathering and conferring with the leaders, they visited a number of assembly centers and drew up a detailed report on the conditions in those camps and on the needs and desires of the inmates.

In August, 1946, General Joseph T. McNarney, American Commander in Chief in Germany, invited representatives of leading Jewish organizations to his headquarters in Frankfurt and informed them that the War Department had decided to maintain the open-border policy in Germany. At this conference the Congress was represented by Dr. Wise, while Dr. Goldmann appeared on behalf of the Jewish Agency. The same month Dr. Kubowitzki conferred with the Central Committee in Munich on the problems of the Displaced Persons, visited a number of camps, and presented a number of suggestions to General Lucius D. Clay in Berlin. In February, 1947, the second congress of liberated Jews of the U. S. Zone was held in Bad Reichenhall and the World Jewish Congress was represented by Dr. Jacob Hellmann. Ernest Stiassny represented the Congress at their third gathering in March, 1948.

*Activities in Behalf of DP's*

The continued confinement of some 240,000 Jewish refugees in Germany, Austria, and Italy is one of the great moral problems of our time. The Congress has done its share in actions aiming at their resettlement in Palestine and in other countries. It was also essential, until permanent homes would be found for them, to create tolerable conditions for them in their present surroundings. The results achieved in this field may be summarized as follows:

(1) Assimilation of Jews of former enemy nationality to Allied nationals. This was obtained through the adoption of resolutions at the First and Second Sessions of the UNRRA Council and through the regulations issued on April 16, 1945, by the Supreme Headquarters Allied Expeditionary Forces, as already related.

(2) Appointment of a Special Adviser on Jewish Affairs to the Commander in Chief of the U. S. Forces in Germany, which was due to the initiative of the Congress, as recounted above.

(3) Establishment of separate camps for Jews, a policy which was advocated as early as November 13, 1944, by Dr. Tartakower in a communication to Maj. Gen. J. H. Hilldring, at that time director of the Civil Affairs Division of the War Department.

(4) Assignment of Jewish police to the assembly centers in the U. S. Zone. While the British Section succeeded in having the Polish guards removed from the camps in the British Zone, Dr. Wise, after incidents which occurred in Stuttgart on March 29, 1946, urged Judge Rifkind, first Jewish Adviser in the U. S. Zone, to request that "under no circumstance should the presence of German policemen be inflicted upon the survivors." Judge Rifkind replied that General McNarney had acted with "commendable promptness in suspending the authority of German police to enter Jewish Displaced Persons' centers," and that at his suggestion Jewish police had been appointed.

(5) The gradual recognition of the Central Committees in the various zones as the official spokesmen and representative bodies of the Jewish Displaced Persons, a step which the Congress had requested in a series of representations.

(6) The open-border policy in the U. S. Zone, urged with

particular energy in numerous conferences with the American authorities after the July 4, 1946, pogrom in Kielce had caused a stream of Jews from Poland, who were returning to that country from the U. S. S. R., to crowd the camps in Germany, tripling their population in a relatively short period of time. In spite of the opposition of the British Government, which pressed for a policy of repatriation, the United States maintained the open-border practice from March 7, 1946, when it was formulated, until April 21, 1947. Though the authorities decided to cease providing camp facilities for infiltrees after the latter date, still a number of refugees continued to find asylum in the American Zone. The favorable attitude of the United States was to no small extent due to the efforts of Judge Rifkind and Rabbi Bernstein.

(7) The introduction of a work program for the rehabilitation of the Displaced Persons. Vocational training or retraining was from the outset considered by the Congress to be of special importance for the uprooted Jews, who had been ousted from their former positions and would to a large extent have to seek new occupations and new economic positions. In communications to the Congress, the Central Committee in Munich also stressed the need for a sound retraining program. Such a program was worked out at the request of the five Jewish organizations cooperating on Germany and forwarded to the Central Committee and the JDC.

The five cooperating organizations are the World Jewish Congress, the Jewish Agency for Palestine, the Joint Distribution Committee, the American Jewish Conference, and the American Jewish Committee. The appointment of a Jewish Adviser made it necessary that there be cooperation in all matters involving representations to the United States Government.

Regarding the assistance given in relief and cultural supplies, they will be dealt with in another section of this chapter.

#### *Endeavors through the International Refugee Organization*

It is in place here to mention some activities of the Congress relating to the International Refugee Organization (IRO).

The problem of the refugees and Displaced Persons was one of the first tasks to confront the United Nations. At the beginning

of 1946, it established a special committee to find ways and means of solving this question.

In April, 1946, the World Jewish Congress, together with the American Jewish Conference and the Board of Deputies of British Jews, presented a memorandum to this special committee requesting

- (a) that the new body or agency to be established have a special department working in consultation with representative Jewish organizations;
- (b) that the Jewish Agency for Palestine be invited to assist by organizing the transfer of Jewish refugees to Palestine; and
- (c) that special funds be made available for resettlement of the Jewish DP's and refugees.

When the General Assembly of the United Nations met in November, 1946, to deal with the creation of a specialized agency of the United Nations, to be known as the International Refugee Organization, the World Jewish Congress, the American Jewish Conference, and the Board of Deputies of British Jews submitted a memorandum, signed by Dr. Stephen S. Wise on behalf of the Congress, asking for modifications of the draft constitution of IRO which would take into consideration the distinctive needs and problems of the uprooted Jews of Europe. The following recommendations were proposed:

- (a) that the constitution of the IRO expressly define the status of Jewish Displaced Persons and refugees as being eligible for resettlement;
- (b) that Jewish orphans not be subject to repatriation to their countries of origin;
- (c) that proper means be provided for IRO to enable it to carry out its purposes;
- (d) that Jewish representation be provided in questions of administration arising from the special status and distinctive needs of Jewish DP's and refugees.

These problems were discussed by Dr. Kalman Stein, Secretary of the Relief Department and its Acting Director after Dr. Tartakower's departure for Jerusalem, in many conversations with various delegations. While there were deep differences of opinion between the Western democracies and the East European bloc con-

cerning the chief purpose of IRO (repatriation or resettlement), agreement was reached with the East European countries on the issue of considering the Jews an irrepatriable group. This constituted a major success, since the Jewish DP's and refugees were thus assured of the right to seek new places of resettlement, principally in Palestine.

The second important problem raised was the repatriation of Jewish orphans, of whom there were thousands among the refugees and DP's. Some measure of success was achieved in this case, too. The East European countries recognized the special position of the Jewish children, and during the discussions the representative of the Polish Government made a statement that his Government would not demand that Jewish children be returned to their countries of origin.

Satisfactory results were not obtained in regard to the demand for Jewish representation on the IRO setup; but the distinctiveness of the Jewish problem was generally acknowledged.

On July 1, 1947, UNRRA's work for refugees and DP's was taken over by IRO. However, the latter could not start functioning before its constitution was signed by at least 15 member states and 75 percent of its budget was secured. In the interim a Preparatory Commission (PCIRO) functioned in its stead.

The Congress established contact with PCIRO. It protested against its decision that the DP's should not receive more calories than the general population surrounding them in Germany and Austria, invoking the surveys made by the PCIRO itself which showed that many DP's displayed signs of malnutrition, due to the lack of certain foods over long periods of time. It also objected to a directive prepared by PCIRO whereby refugees who entered Italy would not be eligible for admission to IRO camps there if they came from countries where they had been adequately cared for. The reasons given by W. Hallam Tuck, Executive Secretary of the Organization, were that operating costs varied considerably in different areas and PCIRO could not condone the movement of refugees from low-cost to high-cost areas. The Congress replied that if the refugee was thus able to accelerate his departure for a place of resettlement where PCIRO would no longer have to assist him, the latter would in the end gain financially from the movement it was opposing.

The discriminatory immigration policy of certain Latin American countries in regard to the DP's was the object of a great number of communications from the Congress to PCIRO. Early in 1947, the Intergovernmental Committee on Refugees signed agreements with some Latin American countries concerning the admission of DP's. On May 16, the first group of immigrants from DP centers arrived in Rio de Janeiro, Brazil, on the SS *General Sturges*. The religious composition of the immigrants was approximately as follows: 45 percent Roman Catholics; 16 percent Greek Catholics; 30 percent Greek Orthodox; and 9 percent Protestants. The Congress protested against this obvious discrimination against Jewish DP's, and declared that in its opinion the Intergovernmental Committee on Refugees could not escape its share of responsibility for this flagrant injustice since it was a party to the agreement reached with the Brazilian authorities. A note was also forwarded to PCIRO, and Mr. Tuck, in a letter to Dr. Stein dated August 26, 1947, declared that "the final selection of displaced persons as immigrants rests entirely with the representatives of Governments charged with this responsibility." He assured the Congress that "insofar as the operations of this Organization are concerned, they are carried on absolutely without discrimination as to race or creed. We shall continue, as in the past, to do everything possible to ensure that Jewish refugees receive exactly the same opportunities to volunteer and appear before Country Selection Missions as refugees and displaced persons of other creeds."

On the occasion of the PCIRO session in May, 1948, a memorandum was submitted by the Congress urging that gathering

- (1) To call for an open-door policy in Palestine as the only practical solution of the problem of the Jewish DP's.
- (2) To end the unrealistic and harmful practice of depriving of IRO care those Jewish DP's who entered the occupation zones after April 21, 1947.
- (3) Not to commit the mistake of forcing Jewish DP's to work for the benefit of the German economy.
- (4) To organize voluntary agencies in an advisory body with responsibility in certain fields in which these agencies specialize.

## 2. REUNITING THE DISPERSED

One of the most poignant tasks arising from the flight, deportation, and annihilation of European Jewry, was the tracing of the dispersed survivors and their reunion with relatives in Europe and elsewhere. Their strong family sentiment and attachment had been the undoing of tens of thousands of Jews, who preferred deportation in common to fleeing to safety separately. It was felt that the great appeal of this sentiment should be used to mobilize family help and solidarity among Jews for those who had weathered the terrible storm.

The Location Service in New York was established in the second half of 1942 under the direction of Chaim Finkelstein. Dr. Jacob Hellmann, Dr. G. Riegner, and Hilel Storch soon set up similar machinery in Buenos Aires, Geneva, and Stockholm, respectively. The Search Department in London entered upon its work on March 1, 1945, and was later expanded to become the European Tracing Office of the Congress by the transfer to London of the Fichier Central of Geneva and the European Search Agenda of New York. It is headed by Karl Baum.

During the time of the activities of the Location Service in New York, some 25,000 families were reunited, over 150,000 letters were received from inquirers, and no fewer than 50,000 persons visited the office in New York, and other tens of thousands the local branches of the Congress in the United States and elsewhere. The European Office handled over 200,000 letters and traced a total of 24,629 persons during a period of 34 months ending December 31, 1947. Since 5,827 persons were traced from London in 1947, this means that, in the third year after the end of the war, 25 persons were still being traced daily, the overwhelming majority of them survivors who were being reunited with their relatives.

Summarizing the work of the Congress in this field it may be said that its offices handled over 275,000 inquiries about missing Jews. Nearly 85,000 were traced and some 50,000 survivors were reunited with members of their families in all parts of the world.

In July, 1945, the European Tracing Office started a Central Index of Jewish survivors, which, by the end of 1947, com-

prised 566,505 cards. The transcription, filing, and maintenance of roughly 900 cards a day was made possible by the assistance of a panel of devoted voluntary workers.

As in other instances, the events themselves forced that new task upon the Congress. The tracing machinery of the reconstituted Jewish communities developed very slowly. Inquiries addressed directly by residents of other countries to Jewish organizations abroad seldom resulted in any answer. Language was also a frequent barrier. On the other hand, the non-Jewish organizations were neither ready nor equipped to handle Jewish searches, and in numerous cases, the International Red Cross in Geneva, the national Red Cross organizations, and various UNRRA teams referred Jewish requests to the Location offices of the World Jewish Congress as a matter of course.

While it was a very grateful task, it was also a most tragic and difficult one. Tragic, because, in so many cases, the answer was a message of death; difficult, because the constant migration of Jewish survivors from one town to another resulted in additional queries and investigations. It was one of the saddest and at the same time one of the most edifying experiences to be at the Congress offices on Sundays and watch men and women, who worked on weekdays, coming early in the morning, some of them remaining until closing time, scanning every name on the lists, and feeling rewarded for having given up their day of rest if they discovered a familiar name of their home town which might serve as a clue to the whereabouts or fate of their loved ones.

Messages of appreciation and gratitude poured in daily. UNRRA Headquarters wrote: "Various families were so delighted with your locating their relatives so quickly that we are now calling upon you again to help others." The UNRRA Austrian Mission in Bad Gastein stated: "It is hard to say what your help in locating the relatives of the small number of those who survived the horrors of concentration camps has meant to us. . . . Your unusual interest in our cases and real understanding of our problems have strengthened our faith in human good will and our hope for a better future." The American Red Cross wrote: "We are deeply appreciative of the very great service you are rendering to the American Red Cross."

Of the Jewish organizations with which the Location offices

have worked in close cooperation, mention should be made of the Jewish Agency for Palestine, the Central Committees of Liberated Jews in Munich and in Bergen-Belsen, the Central Committee of Polish Jews in Warsaw, the Fédération des Sociétés Juives in Paris, and the S.E.R. offices in Paris and in Belgium. Contact was also established with the Soviet Red Cross; 14,000 tracers were forwarded to Moscow, and a substantial number of answers were received.

### 3. OVERSEAS RELIEF SUPPLIES

If it was possible to distribute relief funds almost immediately after World War I because purchases could, to some extent, be made on the spot, after World War II the primary need was for relief supplies, particularly clothing and food, which it was impossible to get in the destroyed and plundered countries even for a considerable amount of money.

The World Jewish Congress was the first to realize this new aspect of the problem of assistance. Upon the arrival of refugees in Jamaica, Rhodesia, and Tanganyika, it began to provide them with medicaments for the sick and infirm and with modest libraries. When contact became possible with the Polish Jews in the USSR, the transmission of clothing and food packages to them was organized, and parcels were supplied to 3,200 families, among them well known public figures and outstanding intellectuals. This was pioneer work, which was later taken over and expanded by other relief agencies.

In 1944, the Relief and Rehabilitation Department, in cooperation with the Women's Division of the American Jewish Congress, began a clothing drive and by February, 1945, about 400,000 pounds had been collected. Apart from contributions made from this amount to the United States National War Relief Clothing Drive, the Russian War Relief, and the Yugoslav War Relief, shipments were sent to Mauritius, Tanganyika, Switzerland, and North Africa for the Jewish refugees there. In March, 1945, the Department launched a campaign for medicaments and food, with the most gratifying results. The work, initiated by Dr. Tartakower, took on such dimensions that it was considered necessary to set up a Committee for Overseas Relief Supplies, affiliated with the World Jewish Congress and the American Jewish Congress. The

President's War Relief Control Board approved its registration on June 21, 1945. The late Mrs. Louise Waterman Wise, who was the soul of the project, shared the chairmanship of the Committee with Dr. Wise. Kurt R. Grossmann became its director, while Mrs. Sonia Shatz assumed the chairmanship of the supplies campaigns.

The main source of supplies, besides the United States, were the South American countries, where Dr. Jacob Hellmann enlisted popular interest and help for the Congress' relief work. Goods were distributed through Congress affiliates abroad to needy communities and groups according to their requirements. Up to May 15, 1948, the Relief Department shipped abroad clothing, food, and medicaments valued at \$5,775,000. A detailed statement follows.

SHIPMENTS OF THE COMMITTEE FOR OVERSEAS  
RELIEF SUPPLIES FROM MAY 1, 1945, TO MAY 15, 1948

Countries	Clothing	Food	Medicaments
	In lbs.	In lbs.	and Misc. In dollars
Austria .....	58,403	54,866	\$ 5,382.00
Belgium .....	29,222	33,903	15,987.00
Bulgaria .....	16,662		4,679.00
China .....	31,389	610	6,579.00
Czechoslovakia .....	43,311	40,818	9,172.00
France .....	110,258	98,683	9,479.40
French Colonies .....	21,113	1,428	
Germany .....	298,513	118,887	17,605.10
Greece .....	61,666	35,012	4,500.00
Holland .....	20,228	8,200	2,500.00
Hungary .....	62,221	39,136	13,750.00
Italy .....	39,669	55,688	5,739.46
Luxembourg .....	11,906		3,362.00
Palestine (incl. Cyprus) .....	25,855	79,327	
Poland .....	257,500	212,879	29,858.00
Rumania .....	197,516	204,994	10,026.00
Sweden .....	305	6,000	
Tanganyika .....	985		
Tripoli .....	7,790	2,584	1,386.00
U.S.S.R. ....	75,864	18,920	3,500.00
Yemen (Aden) .....			2,286.56
Yugoslavia .....	59,490	2,883	8,482.00
	<u>1,429,866</u>	<u>1,014,818</u>	<u>154,273.52</u>
Plus 1943 and 1944 .....	875,000		
	<u>2,304,866</u>		

On May 8, 1946, the Committee for Overseas Relief Supplies was honored by the Netherlands Government with a commemorative plate and certificate in recognition of its aid to the victims of war and persecution. The JDC was the only other Jewish organization upon which such a distinction was conferred. On June 21, 1946, the Belgian War Relief Society awarded to the Committee a certificate of merit "in recognition of the outstanding work which you have done in the cause of Belgian relief."

In many cases the shipments of the Committee were the first consignments of supplies to reach the liberated communities; for instance, the shipment of 20,000 pounds of clothing and 5,000 pounds of food to Bergen-Belsen in December, 1945, which prompted UNRRA's Director General, Herbert Lehman, to send to the Committee a warm letter of commendation, in which he said in part: "We both know full well the desperate plight of these people and the blessing that every contribution brings to them."

Lack of adequate funds compelled the Congress to reduce considerably the amount of its relief shipments after July 1, 1947.

#### 4. RETURNING THE CHILDREN TO THE FOLD

The interest of the Congress in the specific problem of the surviving Jewish children first expressed itself in the smuggling of children from France to Switzerland and Spain, as has been recounted. During the war, the Congress established in picturesque Weggis on the Lac des Quatre-Cantons, Switzerland, a home for little Jewish refugees from Italy. Under the direction of Astorre Meyer, the home developed splendidly, with an excellent program of studies modeled after that of the Italian *gymnasium*, and much attention was devoted to the Hebrew language and the Jewish traditions.

No sooner had the Allied armies started the reconquest of occupied Europe than the Congress began to receive alarming reports about the situation of the surviving Jewish children. The majority of them were without adequate care, and thousands had been placed in non-Jewish homes and institutions, where they lived the life of *Marranos*.

During the first months following the liberation, Jews were concerned primarily with the physical care of these children, and

there were even social workers who advocated that many of them be left in their Gentile environment so as not to confront them with the problems which would result from their restoration to a Jewish milieu.

It was the view of the Congress that the Jewish people who had been cruelly bereft in this war of between 1,600,000 and 1,700,000 children (up to the age of fourteen) could not afford to lose the few tens of thousands who had escaped annihilation. It was also its conviction that leaving these children with Gentile foster parents and in convents would not only fail to solve their psychological difficulties, but might on the contrary greatly aggravate them.

From liberated Europe, in the spring of 1945, Dr. Kubowitzki sent reports on this poignant problem to the Executive, which decided to initiate action for the return of the surviving children to the Jewish fold. As it was essential to obtain the assent of the Catholic Church to the release of those it had sheltered during the years of persecution, Dr. Kubowitzki conferred on this subject on March 12, 1945, with two Catholic priests in Belgium, Father André and Father Brunot, who had been heroically instrumental in the rescue of many young people. Subsequently, on September 21, 1945, he was received in private audience by Pope Pius XII and, while expressing the gratitude of the Jewish people to the Church for having mercifully hidden many little victims of German ferocity, he pleaded that no obstacles be placed in the way of their return to the community of their perished fathers. He was given assurance that a most humane policy would be followed in this delicate matter.

The obstacles of a religious nature had been removed to a large extent, and still thousands of youngsters continued to be reared in a faith which was not that of their martyred brethren, so that every day that passed estranged them further from their people. One of the major remaining difficulties was that many Gentile adoptive parents who, in the spirit of human kindness, had saved Jewish children at the risk of their own lives and freedom and had become very attached to them, refused to part with them unless they were assured that the standard of care and education which they might expect in their new environment would not be inferior to what they were receiving in the foster homes.

Mrs. Louise Waterman Wise took this matter particularly to heart, and it was owing to her initiative that an American Committee for the Rehabilitation of European Jewish Children (ACREJC) was established, which was to receive most of its funds from the Women's Division of the American Jewish Congress, of which Mrs. Wise was the President. Louis Levine became the Chairman of the Committee, of which Dr. Robert Marcus later assumed the direction, while Mrs. Sophie Herske took over the chairmanship of the Foster Parents Plan of the Women's Division. The purpose of the Committee was to establish in Europe, wherever necessary, homes for Jewish children, to finance and improve existing homes, as well as to place orphans and half-orphans with relatives wherever such could be traced. The Committee operated through the Relief Department of the Congress headed by Dr. Tartakower, with Miss Ellen Hilb and Mrs. Catherine Varchaver in charge of its Child Care Division.

A thorough study of the behavior and the mental attitude of the children had revealed that they were beset by a sense of insecurity—for even the little ones had realized full well that they were persecuted—by a feeling of inferiority because they had had to conceal their Jewishness, and by a sense of not belonging, as many of them were orphans or semi-orphans. It was therefore felt that it would not suffice to return the children to a Jewish environment, that it was no less essential to provide them with foster parents who would correspond with them and send them gifts on festive occasions.

That is how the child care work of the Congress received its special feature: individualized rehabilitation instead of mass relief, which expressed itself in direct personal relationship between the foster father or mother in the Western Hemisphere and the children in Europe. In addition, the Congress homes for children, as well as private families with which they were placed, had to obligate themselves to fulfill certain basic requirements of Jewish tradition and education.

In December, 1945, Miss Ellen Hilb left for war-torn Europe to set up or adopt homes for the Congress. After innumerable difficulties, many beginnings and untimely endings, eleven homes in four countries were secured, of which seven were still functioning in the beginning of 1948. They were: the Villa Sylvia in Tatranska

Lesna (Slovakia), the Rinah Home in Malmaison (France), the Anna Szenes Home in Verneuil (France), the Mizrachi Home in Vésinet (France), the Louise Wise Home in Budapest (Hungary), the Henrietta Szold Home in Rome (Italy), and the Franca Muggia Home, near Rome. In these institutions, Jewish customs and traditions are not only part of the educational curriculum, but an integral element of the general atmosphere. The Sabbath and Jewish holidays are days of rest, the dietary laws are observed, and in some homes the children receive *Hachsharah* training.

Some of these homes are model institutions. The Villa Sylvia in Tatranska Lesna is situated in the high mountains, where the best children's homes of the Slovak state are located, and owns a large garden and a wood of about 800 square meters. The Anna Szenes Home is a castle built in Renaissance style situated on a hill 35 kilometers west of Paris, is surrounded with an immense park of 25,000 square meters, and has an artificial lake. The Louise Wise Home consists of two buildings situated in a splendid park of about 18 hectares in area, with large, sunny terraces. The Franca Muggia Home is a beautiful modern country house dominating the Via Cassia and has a big garden, a swimming pool, a terrace, and a roof garden.

Besides the 370 children living in homes, the Congress subsidized through its *Foster Parents Plan* 632 children living with one or another surviving relative in Belgium, France, Czechoslovakia, or Hungary. In many cases, the youngsters were still in a non-Jewish environment, but the subsidies of the Congress and the moral support given by the Foster Parents Plan enabled the surviving members of the families to bring the little *Marranos* back to a Jewish atmosphere and a Jewish community life.

When in 1947, the American Jewish Congress joined the United Jewish Appeal, the Joint Distribution Committee assumed the financial responsibility for the child care activity of the World Jewish Congress, while the latter retained the supervision over the educational and social standards of this work. Most of the foster parents continue to write to the children and to send them parcels.

While Miss Hilb was installing children's homes, Mrs. Var-chaver built up the *Correspondents' Service*, which became a valuable instrument in the therapy for the readjustment of the chil-

dren. The need for affection and emotional security of the children who were not included in the Foster Parents Plan was satisfied by correspondents in the United States and other countries, who also supplied many of the material needs by continually sending individual parcels. Here mass relief was supplemented by an individualized form of rehabilitation.

This personal contact meets the basic needs of young people who for many years were deprived of childhood and did not experience normal family life or community life. The most crying need of the children is still for love, affection, and acceptance. This acceptance they find in the Correspondents' Service through personal contact with more fortunate children and adults.

The response has been admirable, as the need of Jews in the free countries to give and to help was as great as the need of the children overseas to receive. This service grew out of the World Chanukah Celebration Project which was initiated in October, 1945. A lady from Nebraska wrote to the Child Care Division: "I did not realize at the time I asked for the names of Jewish children that their letters would bring such an extremity of pleasure and enjoyment to me and would contain such warm and sincere friendship. I am sure they are my best friends. I sincerely hope that I have given them as much pleasure and encouragement as they have given me. And again, many, many thanks to you for giving me their names and addresses, and the privilege of writing to them."

The number of American children and adults corresponding with Jewish children amounted to 10,880 as of April 30, 1948. The children live in eleven European countries: Austria, Belgium, Czechoslovakia, France, Germany, Greece, Hungary, Italy, Poland, Rumania, and Yugoslavia. The work in the United States was accomplished through Hebrew and Yiddish schools, Jewish Community Centers, youth organizations, and other groups. It was extended to Australia, Brazil, Canada, England, Palestine, Peru, and the West Indies. The Child Care Division keeps a careful record of each European and American correspondent, and by means of various follow-up procedures, makes sure that a correspondence is not only begun, but continued.

Many correspondents expressed their desire to take care of a family rather than of individual children. Accordingly, a special

project was devised, called *Adopt a Family Plan*. The techniques for carrying out this plan are almost the same as those used for the children. Through this project, 1,682 families in sixteen European countries have been taken care of.

As a matter of fact, whether a child or a family is assigned to a correspondent the result in the end is the same and the care is extended to the entire family. As the combined membership of the two projects comprises about 12,500 units, it is estimated that more than 36,000 children and adults are being served by these projects, and the value of the parcels shipped to them amounts to about one million dollars a year. A Bulletin of the Correspondents' Service provides the sponsors with needed information and instructions.

Chanukah celebrations were organized in 1945, 1946, and 1947. In 1945, 7,420 Jewish children in European countries received special Chanukah gift packages, and in 1946, besides many thousands of packages sent directly to the children and children's homes by individual American correspondents, an additional 3,089 children in nine European countries received special Chanukah parcels. The 1947 campaign for Chanukah presents was even more successful.

Thus, the Congress not only succeeded in taking out hundreds of Jewish children from their Gentile environment, but set a pattern in Jewish child care work, a pattern of love, belonging, and Jewish continuity. The ideas for which it fought—the priority of child care in the field of relief and the importance of psychological therapy and national values in the readjustment of the children—have been universally accepted by Jewish aid organizations.

**CORRESPONDENTS' SERVICE**

**AMERICAN CHILDREN AND ADULTS CORRESPONDING WITH EUROPEAN JEWISH CHILDREN**

AS OF APRIL 30, 1948

Students at 54 Hebrew and 17 Yiddish Schools .....	2,927
Members of 48 Jewish Community Centers and 98 Youth Organizations .....	2,268
Members of various Chapters and Women's Division of the American Jewish Congress and 59 other miscellaneous groups .....	1,269

## UNITY IN DISPERSION

1670 individuals (adults and children) .....	2,153
Groups and individuals outside of the U. S. A. ....	1,654
Former foster parents .....	609
<b>TOTAL .....</b>	<b>10,880</b>

CHILDREN IN EUROPE CORRESPONDING WITH  
AMERICAN CHILDREN AND ADULTS

SEPTEMBER, 1945 - APRIL, 1948

September, 1945 - March, 1946		<b>Total</b>	<b>4,467</b>
April, 1946 - April, 1948	Austria	35	
	Belgium	733	
	Czechoslovakia	929	
	France	1,168	
	Germany	53	
	Greece	415	
	Hungary	1,917	
	Italy	319	
	Poland	361	
	Rumania	380	
	Yugoslavia	103	
			<u>6,413</u>
			10,880

**PART SIX**  
**THE CHANGED JEWISH WORLD**



## CHAPTER I

### THE CONGRESS AND THE UNITED NATIONS

THE WAR EMERGENCY CONFERENCE had laid down the principles which the Jewish people considered indispensable for a world of peace, freedom, democracy, and equality after the war and the destruction of Hitlerism. It had called upon the United Nations to establish a new International Order based on the Four Freedoms and the Atlantic Charter and embodying a number of provisions which were outlined above.

It was clear already at that time—since the Dumbarton Oaks conversation on the plans for an international organization to maintain peace and security had been completed on October 7, 1944—that the League of Nations, which had fallen as one of the first victims of World War II, would be followed by a new World Security Organization which would be the organizer and protector of the new International Order.

Therefore, when the War Emergency Conference set forth the demands of the Congress in regard to the restoration of Jewish legal rights, urging the “retroactive abrogation of all anti-Jewish legislation, the abandonment of anti-Jewish administrative practices, and full and unequivocal restoration of the legal status of Jews and Jewish communities under the provisions of municipal or international law,” it urged that no nation should be admitted to or continued in membership of the new World Security Organization unless it accepted these conditions and gave assurance of its readiness to enforce them.

After the Atlantic City Conference, the Political Department of the World Jewish Congress and the Institute of Jewish Affairs began to formulate amendments to the Dumbarton Oaks Propo-

sals. Dr. Maurice L. Perlzweig, head of the Political Department, embarked upon a series of discussions with representatives and officials of various United Nations to find out how the demands of the Conference might be embodied in the official proposals. Several drafts were worked out in which particular attention was given to the preservation of those gains which the Comité des Délégations Juives and the World Jewish Congress had secured under the League of Nations. It was the understanding that sooner or later the new World Organization would take over from the League of Nations such powers and such obligations as might be considered appropriate. Therefore, it was essential that the new organization should assume the protection of minority rights under the various instruments which had been devised after the First World War.

The demand was also voiced that the provisions for refugees as they existed under the League of Nations should be elaborated and extended and given their proper place in the Charter of the new World Organization.

The condition recommended by the War Emergency Conference as a qualification for membership in the new World Organization was in conflict with the drafted provisions of the new Charter. This document was based on the idea of universality of members: it intended that as many "peace-loving states" as possible should be admitted to the organization. Love of peace was thus to be the only criterion for eligibility to the organization. The question whether a state whose laws discriminated against Jews could be considered "peace-loving" was left to the discretion of the Security Council and the General Assembly. Consequently, the new organization would be open to a number of states which were not prepared to apply the principles of the protection of human rights in their domestic affairs.

In view of the general inclination to limit the requirements of membership, the Congress decided to abandon the empty gesture of pressing a demand doomed to failure and to concentrate on improving the Jewish position within the framework of the proposals formulated at Dumbarton Oaks. Chief emphasis was laid on the request that the purposes and principles of the Charter state clearly that it was one of the aims of the organization to protect human rights and not merely to promote respect for them.

Furthermore, it was asked that the task of protecting such

rights be entrusted to the Security Council, which alone would wield any effective power in the new organization.

Other requests were: the establishment of a Commission on Human Rights armed with adequate and appropriate powers to perform its functions; the protection of minority rights in accordance with the provisions existing on the basis of the agreements after World War I; the protection of refugees and stateless persons.

The prepared drafts were communicated to the affiliated bodies of the World Jewish Congress throughout the world and the constituents were requested to explain the Jewish demands to their respective Governments and to enlist their support for these claims.

The delegation of the World Jewish Congress which went to San Francisco was headed by Dr. Maurice L. Perlzweig and Dr. Jacob Robinson. The other members of the Congress delegation were as follows: United States—Dr. Simon Federbush, Rabbi Irving Miller, and Dr. Arieh Tartakower; Canada—A. H. Aronovitch, A. B. Bennett, Samuel Bronfman, Saul Hayes, and S. J. Zacks; Great Britain—A. L. Easterman; Argentina—David Groisman; Mexico—Leon Dultzin. An agreement had been reached with the American Jewish Conference and the Board of Deputies of British Jews for cooperation in vital Jewish issues. There was also close cooperation with the delegation of the Jewish Agency, headed by Dr. Nahum Goldmann, whom Dr. Wise joined later. It should be noted here that the United States Department of State had invited the American Jewish Conference, the American Jewish Committee, and the Jewish Labor Committee to designate each a representative to serve on a body of consultants to the American Delegation at San Francisco.

The proposals contained in the draft of the World Jewish Congress were based on the assumption that the San Francisco Conference would both frame a Charter for the new United Nations Organization and provide for the latter to take over certain duties and responsibilities of the old League. However, before the Conference started, it became clear that the Conference would deal exclusively with the draft of a new charter. Thus, the scope of the Congress activity at the San Francisco Conference was limited to strengthening the important provisions for human rights and fundamental freedoms contained in the Dumbarton Oaks Proposals.

After thorough discussions and consultations within the dele-

gation of the World Jewish Congress and with the collaborating organizations, it was decided, in view of the restricted program of the San Francisco Conference, to revise the prepared memorandum and to omit those parts of it dealing with the preservation of minority rights and the status of stateless persons.

On April 25, 1945, the Joint Committee of the World Jewish Congress, the American Jewish Conference, and the Board of Deputies of British Jews, as the representatives of the great majority of Jews throughout the world, agreed on a Joint Memorandum which was signed by Dr. Stephen S. Wise, President of the World Jewish Congress; Dr. Israel Goldstein, Louis Lipsky, and Henry Monsky, co-Chairmen of the American Jewish Conference; and Professor Selig Brodetsky, President of the Board of Deputies of British Jews. The Joint Memorandum, based on the Congress proposals, was presented to the United Nations Conference on International Organization assembled in San Francisco and to the delegates and their advisors.

The memorandum contended that one of the functions of the Social and Economic Council, as stated in the Dumbarton Oaks Proposals, was to "promote respect for human rights and fundamental freedoms," but that this fell short of safeguarding or establishing protection of those rights and freedoms. The memorandum maintained that

"protection involves concrete obligations by the States concerned since only detailed and clearly defined obligations can be either guaranteed or violated. It has, therefore, always been held that only a clearly stated catalogue of human rights and fundamental freedoms can guarantee their international observance, as only their enumeration in a domestic act makes them effective on the national scene."

The progress of Fascism and Nazism was attributed in the Memorandum to the lack of an international guarantee of human rights, and the war in Europe was said to have started not with the attack on Poland, but with the abolition of fundamental freedoms in Germany. In order to provide the proper safeguards for human rights and fundamental freedoms, the memorandum suggested that the Dumbarton Oaks Proposals be amended in two ways:

- a. by replacing the words "promote respect for human rights and fundamental freedoms" with the words "protect (or safeguard) human rights and fundamental freedoms";
- b. by enlarging Chapter I by explicit inclusion of international protection (or safeguarding) of human rights and fundamental freedoms.

The memorandum further suggested that the implementation of this policy should be the function of the Security Council, or failing that, of the Economic and Social Council. It asserted that if the implementation was to be entrusted to the Economic and Social Council, that body should be vested with adequate authority to carry it out. The memorandum also proposed the creation of a Commission on Human Rights and Fundamental Freedoms, on a par with the Economic and Social Commissions. It requested a hearing for the representatives of the three organizations at which their views and recommendations might be fully presented.

It was urged, moreover, that the International Court of Justice which, according to the Dumbarton Oaks plan, would become a part of the United Nations Organization, be authorized unequivocally to deal with all violations of human rights and fundamental freedoms "if the procedures or methods of adjustment recommended by the Security Council or the Economic and Social Council do not bring necessary relief."

The proposals of the Joint Committee were summarized as follows:

- a. That human rights and fundamental freedoms be clearly and unequivocally enumerated;
- b. That the observance of these rights and freedoms be mandatory for all members of the Organization;
- c. That this matter be, by a change in the wording of the Dumbarton Oaks Proposals, explicitly recognized as one of the purposes of the Organization;
- d. That, by amending the text of the Proposals, the General Assembly be given authority in this matter;
- e. That, by explicit stipulations in the Charter, the task of effectively safeguarding these rights and freedoms

- within the member states of the Organization be entrusted to the Security Council;
- f. That, if the Security Council cannot be charged with these duties, they be entrusted to the Economic and Social Council and its functions and rights defined;
  - g. That the International Court of Justice and the Secretary General of the Organization be given competence in this matter;
  - h. That the Conference create a special subcommittee on the problem of human rights and fundamental freedoms, charged with the preparation of amendments to the Proposals.
  - i. That the United Nations give the Joint Committee an opportunity to present its views and proposals;
  - j. That the Organization create a special commission on human rights and fundamental freedoms, similar to the commissions mentioned in Chapter IX, Section D (1).

While the memorandum, in consequence of the situation described above, limited itself to the problem of human rights and fundamental freedoms, it set forth in the introduction those other problems which were of the utmost concern to the Jewish people.

It stated that the reconstruction of Palestine as a Jewish Commonwealth was of prime importance for the future of the Jewish people as a whole, and that an affirmative solution of this question was the *conditio sine qua non* for Jewish rehabilitation, especially after the horrors and tribulations of the last decade. Therefore, the memorandum gave unqualified support to the memorandum which the Jewish Agency for Palestine was submitting to the Conference, and urged the Conference to adopt the demands and recommendations of the Agency concerning any proposed changes in the Mandatory system which might affect the rights, status, and interests of the Jewish people.

Finally, the introduction placed on record the substantial Jewish interest in the existing multilateral treaties concerning protection of minorities and the status of stateless persons. It pointed out that this interest arose out of the realization that the legal, cultural, and religious positions of several Jewish communities in Europe

had depended, to a considerable extent, on the enforcement of the treaties concerning protection of minorities. It also maintained that at that time there were some two hundred thousand stateless Jewish persons in Europe, whose fate might be seriously affected by the lack of international protection. The document declared that the joint organizations would in due course submit their observations and suggestions on these subjects.

On May 4, 1945, the Governments of the United States, the United Kingdom, the Soviet Union, and China proposed amendments to the draft of the Charter. Thereupon the Joint Committee presented a new memorandum, dated May 10, 1945, to the members of the competent working committee of the United Nations Conference.

The second submission noted with satisfaction that the new amendments sought to incorporate the promotion of human rights and fundamental freedoms in the Purposes of the Organization and to empower the General Assembly to assist in the realization of human rights and basic freedoms for all and to recommend measures for the peaceful adjustment of situations resulting from actions contrary to the Purposes. The document also expressed gratification over the amendments proposed to authorize the Economic and Social Council to make recommendations for promoting respect for human rights and fundamental freedoms and to establish a special commission for that purpose.

But the memorandum voiced its concern over certain changes in the previous wording of the draft in relation to the principle of domestic jurisdiction which tended to impair the gains achieved by the joint amendments of the four governments. Therefore, it proposed a change and some additions to these amendments.

Considering the *future* work of the United Nations after the framing of the Charter, the cooperating Jewish organizations deemed it necessary to draw the attention of the United Nations gathered in San Francisco to the present tragic plight and the future of the Jewish people in the light of the catastrophe which had befallen the Jewish people in the last twelve years and brought death to six million of their number. Therefore, in a joint statement of April 29, 1945, preceding the second memorandum, the World Jewish Congress, the American Jewish Conference, and the Board of Deputies of British Jews had presented a common program to

the United Nations concerning the needs of the Jewish people based on the resolutions adopted at the War Emergency Conference of the World Jewish Congress and the sessions of the American Jewish Conference.

The ten proposals contained in the resolutions were summarized in the statement of the three cooperating Jewish organizations as follows:

1. The promulgation of an International Bill of Rights.
2. Immediate restoration to Jews in Europe of all rights formerly guaranteed by national legislation and international treaties.
3. Outlawing of anti-Semitism as an instrument of national and international policy.
4. Punishment of criminals for crimes whenever and wherever committed by the Axis powers and their satellites against the Jewish people.
5. United Nations' aid in relief and rehabilitation of Jews in recognition of their distinctive needs and on a basis of complete equality.
6. Elimination of statelessness.
7. Indemnification to Jews—individuals and communities—for losses caused by the Axis, and reparations to the Jewish people for general damages.
8. Assistance from governmental and intergovernmental agencies in the resettlement of displaced Jews.
9. Opening of the doors of Palestine for unrestricted Jewish immigration and its reconstruction as a free and democratic Jewish Commonwealth.
10. Recognition by the United Nations of the justice of the Jewish demand for representation, for the purpose of advice and cooperation, on agencies that have been and will be set up by the United Nations to deal with the problems of relief, rehabilitation, resettlement, and other aspects of postwar reconstruction.

The Charter, as it was finally adopted in San Francisco, was far from satisfying the claims presented by the World Jewish Congress and the cooperating organizations. When Dr. Goldmann,

Dr. Robinson, and Dr. Perlzweig reported to the meeting of the Administrative Committee of the World Jewish Congress in New York on July 2, 1945, on the outcome of the San Francisco Conference, the shortcomings of the Charter were clearly pointed out. For one thing, the Charter contained no enactment, no supervision, and no enforcement of human rights, nor did it provide any procedure or jurisdiction for such purposes; for another, it had not accepted the principle of *protection* of human rights and fundamental freedoms. However, it did affirm, in Article 1, paragraph 3 of the Charter, as one of the purposes of the United Nations, the achievement of international cooperation in *promoting and encouraging respect* for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion. It pledged the member governments in Art. 55 and 56 "to take joint and separate action in cooperation with the Organization" for the promotion of "universal respect for, and observance of, human rights and fundamental freedoms." In Article 62, it charged the Economic and Social Council of the United Nations with making recommendations for that purpose, and, in Article 68, with setting up a *Commission* for the promotion of human rights.

Despite these provisions in favor of human rights, it must be added that, in the absence of the "test of membership" recommended by the Congress, fifty nations automatically became members of the United Nations, among them a number of states which were continually violating human rights. New members were only required to prove that they were "peace-loving." In view of the wording of Art. 1 (3) and Art. 6, it is doubted by some that the violation of human rights could be construed as sufficient ground for the expulsion of a member state. Moreover, the non-intervention clause of Article 2, paragraph 7, of the Charter provides that "nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the Charter." An exception of the principle of non-intervention is made only for the enforcement measures decided upon by the Security Council against threats of peace, breaches of the peace, and acts of aggression. However, certain authors (e.g., René Brunet) interpret Articles 56 and 62 to mean that "all questions involving the safeguard of hu-

man rights were removed by the Charter from the sphere reserved to the individual governments and placed under the direct protection of the United Nations. Consequently, a state haled before the U.N. in connection with a matter touching human rights cannot escape the intervention of the U.N. by invoking the exception of domestic jurisdiction."

It is also known that, commenting on the Charter, the British Prime Minister stated in the House of Commons on August 22, 1945, that serious anti-Jewish excesses were a matter that transcended mere domestic jurisdiction of a state.

In spite of its insufficiencies and imperfections, one must therefore hail the Charter as an important international achievement. The thousand-year-old longing of the Jewish people for peace and security among men and its abhorrence of war could not but be gratified by the Charter's provisions for the prevention of threats to peace and the suppression of acts of aggression. Besides, by bringing the International Organization into existence, the United Nations created an instrument without which there would have been no basis or starting-point for the preservation of human rights. The idea of fundamental freedoms has been acknowledged, woven into the Charter, and a foundation laid on which the machinery of the defense of human rights can be built. Later developments have shown that there is a slow but continuous effort to permit the gradual expansion of the United Nations into an effective protector of these rights. In the meantime, the November 14, 1946, resolution of the General Assembly on religious and racial persecution and discrimination, its resolutions of December 11, 1946, and November 21, 1947, on genocide, and the preparatory work of the Commission on Human Rights have produced a moral climate which may exert a beneficent influence upon the course of human history.

The Charter is also to be commended for having made formal provision in Article 71 for consultation with non-governmental organizations. In this respect the Charter goes beyond what was customary in the past, and further than the League of Nations. The question of the relation of private organizations to intergovernmental bodies had arisen in the past. The constitution of the International Labor Organization provides for representation of national

employer and employee organizations at the General Conference, but this innovation was not followed by others.

Since there was no prospect for the Jewish people in the Diaspora to be recognized as a national entity entitled to membership in an organization composed of States, the Congress resorted to Article 71 for some kind of cooperation with the United Nations.

## 2. THE CONGRESS IS GRANTED CONSULTATIVE STATUS

AS RELATED ABOVE, the Congress and the two cooperating organizations submitted to the San Francisco Conference a request for Jewish representation on United Nations agencies dealing with problems or relief, rehabilitation, resettlement, and other aspects of postwar reconstruction. The Charter, which restricted membership in the United Nations Organization itself to states, did not provide that its organs should comprise entities other than nations, either. This precluded the possibility of the Jewish people participating as such in the tasks devolving on United Nations organs and agencies. However, a limited representation was made possible by Article 71 of the Charter, which empowers the Economic and Social Council to make suitable arrangements for consultation with non-governmental organizations interested in matters within its competence, *i.e.*, international, economic, cultural, educational, health, and related matters (Article 62). Article 71 has mainly in view international organizations, but admits also national bodies after consultation with the respective member states.

As soon as the Charter of the United Nations was ratified, the World Jewish Congress began to weigh the question of applying for consultative status with the Economic and Social Council that would give the organized Jewish communities of the Diaspora the possibility of cooperation with that organ of the United Nations, which is concerned with most of the problems of Jewish interest. The actual field of activity of non-governmental organizations under Article 71 was not known until the Council prepared and approved arrangements governing the admission and prerogatives of the non-governmental organizations referred to in that Article. This was done on June 21, 1946, when the Economic and Social Council approved the Report of the Committee on Arrangements

for Consultation with Non-Governmental Organizations. Later a standing committee called Committee on Arrangements for Consultation with Non-Governmental Organizations was set up to consider applications from such organizations and to make recommendations to the Council on the eligibility of the applicants.

The conditions laid down for admissibility included, among other things, the requirement that the organization be concerned with international economic, social, cultural, educational, health, and related matters; that its aim be in conformity with the Charter; that it be of recognized standing and represent a substantial portion of the organized persons within the particular field in which it operates. Three categories of organizations were differentiated:

- (3) They may engage in a full exchange of views with a committee appointed by the Council for the purpose.
  - (a) those having a basic interest in most of the activities of the Council;
  - (b) those having competence but concerned specifically with only a few of these activities;
  - (c) those primarily interested in public opinion and information.

There seemed to exist little hope that the Congress would be ranged among the organizations under (a), and so it was decided to apply for consultative status of category (b). The following are the privileges accorded to organizations of this class:

- (1) they may send observers to the public meetings of the Council;
- (2) their written statements and suggestions are placed on a list by the Secretariat, and on request of any member of the Council are reproduced in full and distributed as official documents.

Usually, the operations of such an organization are related to particular commissions concerned with their field of endeavor; consultation takes place either through the medium of the commission as a whole or through the medium of a committee established for the purpose. Article 68 of the Charter stipulates that the ECOSOC shall set up commissions in economic and social fields

and for the promotion of human rights, and such other commissions as may be required for the performance of its functions. Thus, organizations granted consultative status with the Economic and Social Council can play a useful part in almost all the activities of the Council by submitting their views and proposals to the Council and its commissions and, since committees appointed by commissions perform very essential functions, by participating in the deliberations of those committees.

The work of applying for Jewish representation started well ahead of the arrangements described above. However, it took quite a long time before the relationship between the World Jewish Congress and other Jewish groups in this respect crystallized sufficiently.

Obviously, the logical course to follow was to have a single world Jewish representation accredited to the Economic and Social Council to speak for all the Jewish communities of the Diaspora. At the same time, the Jewish representative bodies of the major Jewish communities would apply for *national* consultative status. Since there existed no other international Jewish organization concerned with the whole range of the Jewish interests in the Diaspora (the scope of the World Agudas Israel is limited), the Congress might have hoped that its prerogative to be granted international consultative status would not be questioned. However, a number of national Jewish bodies did not want to concede the Congress such a position. Organizations which in the recent past had opposed Jewish interterritorial cooperation or had favored united action only for certain specific and limited projects, established *ad hoc* committees for the sole purpose of consultative membership in the Economic and Social Council. Thus the American Jewish Committee, the Alliance Israélite Universelle, and the Anglo-Jewish Association set up a Consultative Council of Jewish Organizations, while the American Jewish Conference, the Board of Deputies of British Jews, and the South African Jewish Board of Deputies joined in a Coordinating Board of Jewish Organizations.

When it appeared that it was impossible to avoid simultaneous applications by several Jewish bodies, the Congress presented on March 3, 1947, an official request for Consultative Membership in the Economic and Social Council. The application, signed

by Dr. Stephen S. Wise, stated that many grave and urgent problems created by the present state and conditions of large numbers of Jews must come within the purview of the Economic and Social Council, and particularly its Commission on Human Rights, and that in dealing with these matters, it would be advantageous to the Council to be in consultation with the Congress, which would render effective help because of its international composition, representative character, and experience.

The work of preparing the ground for recognition started in May, 1946, through consultations and discussions, notably by Dr. Perlzweig in New York and Alex L. Easterman in London, with representatives of the Secretariat, members of the Committee on Arrangements for Consultation with Non-Governmental Organizations, members of the Economic and Social Council, and representatives of the governments concerned, mainly the United States, Great Britain, Russia, and France. Consultative Status B was granted to the Congress at the March, 1947, session of the Economic and Social Council, thus creating the legal basis for its cooperation with the ECOSOC and its various commissions.

### 3. HUMAN RIGHTS

In January, 1946, the Economic and Social Council established the Commission on Human Rights provided for in Art. 68 of the Charter. The Commission was assigned the task of submitting proposals, recommendations, and reports to the Council regarding an International Bill of Rights; international declarations or conventions on civil liberties and related questions; the protection of minorities; the prevention of discrimination on grounds of race, sex, language, or religion; and other matters relating to human rights.

The problem of human rights and fundamental freedoms played a considerable part in the work done by the Congress prior to and during the discussions relating to the preparation of the Charter of the United Nations. However, the Congress was unable to contribute to the activities of the Commission on Human Rights until it was officially granted consultative status, *i.e.*, until March, 1947. Yet indirectly the Congress did take an active part in the evolution of the ideas relating to human rights. This was done

firstly through the publication in May, 1946, of the volume *Human Rights and Fundamental Freedoms in the Charter of the United Nations* by Dr. Jacob Robinson, which described and interpreted for the first time the functioning of the United Nations in regard to the much-debated protection of the rights of man. Again, in December, 1946, Dr. Robinson was invited by the U. N. to serve as special adviser in connection with the first session of the Human Rights Commission (held from January 27 to February 10, 1947), and was responsible for the preparation of the session, especially of the draft outline of an International Bill of Rights presented to this gathering.

The meeting appointed a drafting group, later enlarged to a Drafting Committee, to frame a preliminary draft of an International Bill of Rights to be submitted to the next session of the Commission, and to consider certain other questions, among them the Australian proposal for the establishment of an International Court of Human Rights.

On the occasion of the first session which the Drafting Committee of the Commission on Human Rights held from June 9 to 29, 1947, the World Jewish Congress submitted on June 16 a memorandum signed by Dr. Perlzweig. The adoption of a Bill of Rights by fifty-five nations of varying traditions and at different levels of development will require considerable time, the document stated, while there are immediate needs which could be met before such a general consensus is reached. As the Charter contains in its Arts. 1 (3), 55 (c) and others ample reference to the equality of all, positive action on the implementation of this equality could be taken before agreement on a Bill of Rights is achieved. Accordingly, the Drafting Committee was urged to submit to the General Assembly a draft-resolution which, as a first step toward a Bill of Rights, should affirm the obligation of all members to assure equality before the law for all inhabitants without distinction as to race, sex, language, or religion; request them to enact appropriate legislation to implement this equality and to take action designed to insure it, through specially designated state organs. The draft-resolution should furthermore provide for the right of aggrieved persons or groups to petition the Human Rights Commission, as well as for the right and obligation of the Com-

mission to communicate these petitions to the governments concerned, to report to the General Assembly and the Economic and Social Council on action taken by member states, and to publish reports thereon. Finally, the memorandum proposed that a resolution of the General Assembly request the member states to assume the obligation of communicating to the Commission their observations on the petitions.

As a result of the work of the Human Rights Commission and its Drafting Committee two more papers were prepared, viz., Draft Articles for a Convention on Human Rights, and Suggested Articles for an International Declaration of Human Rights. The second session of the Human Rights Commission was convened at Geneva on December 1, 1947, to discuss the whole range of the problem and to adopt a report to the Economic and Social Council. Prior to this session, a meeting of the Sub-Committee on the Prevention of Discrimination and the Protection of Minorities, established by the Economic and Social Council, was held on November 25 to draft a report on its findings to the session.

The Congress sent representatives to these meetings and presented to the session a second brief memorandum, wherein it requested that priority be given by the session to the problems of safeguarding human rights through international machinery and of establishing effective protection of equality for all, in law and in fact. The memorandum stressed that the creation of the proposed machinery was the most important and most urgent task before the Commission; that the right of individuals and groups to appeal to the Commission on Human Rights must be established, and that a procedure for the submission of petitions be laid down, conferring upon organizations granted consultative status with the Economic and Social Council the right to submit such petitions. It was urged, furthermore, that equality not be confined to a mere declaration of non-discrimination, but that protection be given to the equal exercise of political activities and functions, public offices, professions and employment, cultural and educational pursuits. The prevention of the dissemination and teaching of racial or religious intolerance and hatred was advocated, and it was recommended that freedom of speech, press, and assembly not be misused for this purpose and that education serve to combat the spirit of intolerance and hatred toward groups.

The Congress memorandum also reviewed the clauses of the three papers of the drafting committee referred to above and suggested certain amendments. The most important was to secure that all laws and other enactments, as well as judicial and administrative acts, be in strict conformity with the purpose and aims of the United Nations. Other proposals referred to freedom of movement, slander and libel against groups, and the right of asylum for persecutees and stateless persons.

During the Geneva session, the Congress representatives, Dr. F. R. Bienenfeld, Alex L. Easterman, and Dr. G. Riegner, addressed sub-committees of the Human Rights Commission and gave oral explanations of the memorandum. They urged the adoption of additional clauses providing

- (a) that activities aiming at the destruction of human rights and fundamental freedoms should not be protected by the provision of the Bill of Rights relating to freedom of speech, freedom of spreading political and religious beliefs, and other freedoms;
- (b) that the clause establishing the non-applicability of *ex post facto* legislation should not prejudice trial and punishment of persons for the commission of acts which, at the time of commission, were criminal according to the general principles of law recognized by civilized nations;
- (c) that education should be directed toward the moral development of the human personality, strengthening respect for human rights, and combating intolerance and hatred;
- (d) that the Article of the Declaration dealing with freedom of religion should mention expressly freedom of religious observance;
- (e) that non-governmental international organizations be authorized to submit petitions on human rights to the competent organs of the United Nations.

The Congress representatives also recommended that the validity of the Yalta Agreement for the protection of minorities be investigated.

All these suggestions, as well as those contained in the memorandum relating to the right of asylum, freedom of movement, etc., were moved by members of the Human Rights Commission and the Sub-Committees, carried by great majorities, and embodied in the draft of the International Bill of Rights as prepared in Geneva.

The second session of the Drafting Committee of the Commission convened at Lake Success on May 3, 1948. On April 28, the Congress submitted to this Committee a memorandum, signed by Dr. Kubowitzki and Dr. Marcus, dealing with two of the most important aspects of the Bill of Human Rights and its implementation in the light of the existing drafts. Therein it is stressed that Art. 4 of the Draft Covenant, which grants the states the right to abrogate human rights and fundamental freedoms in time of war or emergency "to the extent strictly limited to the exigency of the situation," permits them to determine the existence of such an emergency and makes them the sole judge of what restrictions the exigency warrants. Instead of a progressive step in the development of human rights in time of war and emergency, the Bill of Rights would thus become a step backward, since it allows unilateral abrogation of rights and makes no exception for existing treaties and generally recognized rules of international law. It is admitted that a state of war or other emergency may warrant limitations on the exercise of certain rights and freedoms; still, there are many rights which are so fundamental that they should not be abrogated under any circumstances, as, for instance, the right to life, the right not to be mutilated or tortured, freedom from slavery, the right not to be discriminated against, etc. Other rights may be restricted to a certain extent, but limitations of these rights are already included in the Draft Bill of Human Rights, e.g., liberty of movement, freedom of religion, assembly, and association. The memorandum suggests therefore, that the right of abrogation shall not apply to a number of human rights and fundamental freedoms, among them those enumerated above, and that any abrogation of rights shall be suspended if the United Nations disapproves of it, in whole or in part. It is also recommended that such abrogation be reviewed human rights resulting from existing treaties or from principles

of the law of nations and the laws of humanity shall not be limited by the provisions of the Convention.

Finally, the specific importance attached to the implementation of international protection of human rights is emphasized. A system of petitions is advocated, not only for cases involving infringement of the Covenant, but also those of the Charter of the United Nations, especially the rule of equality laid down in the Charter.

The Congress was represented at the meetings of the Drafting Committee by Dr. F. R. Bienenfeld and Dr. N. Robinson, who discussed the proposals contained in the aforementioned memorandum, as well as questions which came up during the deliberations, with the members of the Committee, and submitted a number of suggestions for the redrafting of clauses, especially those relating to equality and religious observance.

#### 4. GENOCIDE

On December 11, 1946, the General Assembly of the United Nations unanimously adopted a resolution affirming that genocide is a crime under international law for the commission of which the principals and accomplices are punishable, it being irrelevant whether the crime was committed on religious, racial, political, or any other grounds. The member states were invited to enact the necessary legislation for the prosecution and punishment of this crime, and it was recommended that international cooperation be organized with a view to facilitating speedy prevention and punishment of the crime. To this end, the Economic and Social Council was requested to undertake the necessary studies with a view of drawing up a draft convention on genocide to be submitted to the next session of the General Assembly. Accordingly, on July 7, 1947, the Secretary General transmitted a draft convention to the members of the United Nations, and by resolution of August 6, 1947, the Economic and Social Council called upon these members to submit their comments as soon as possible. However, very few states complied with this request.

As soon as the draft was prepared, the Congress communicated with its affiliates and correspondents in the 18 countries having representation on the Economic and Social Council. Attention

was called to the necessity of speedy action, enlightenment of public opinion in the countries concerned, and securing the support of the respective governments for early action on the draft. It was pointed out that one of the major reasons for delay had apparently been the inclusion of political groups among those to be safeguarded and it was therefore urged that this reference be deleted in order to eliminate controversies and insure speedier action. Cooperation was also established with influential non-Jewish organizations to expedite the matter.

On July 30, 1947, the Congress submitted to the Acting President of the Economic and Social Council a memorandum signed by Dr. Robert S. Marcus, stating that deficiencies of existing international law called for action by the United Nations; that however helpful domestic legislation on genocide might be, it could not prevent its commission and would rarely lead to punishment. The memorandum therefore requested that the convention make the crime of genocide punishable by an international authority and that no difference be made between war and peace time. It suggested that the provisions should not overlap into the field of human rights; that they should apply to the destruction of racial, religious, national, and linguistic groups only; that the systematic policy of separating children from their parents should be outlawed; that the United Nations should make suitable arrangements for the suppression and punishment of genocide occurring in territories which were not parties to the convention, and that the immunity of heads of states and the defense of "superior orders" should not be applicable in such cases.

As mentioned above, the General Assembly adopted a resolution on November 21, 1947, declaring that genocide is an international crime entailing national and international responsibility on the part of individuals and states. It requested the Economic and Social Council to continue working on the genocide convention without awaiting the receipt of observations by all members, and to submit a report and the completed convention to the third regular session of the General Assembly.

The question of the convention on genocide was included in the agenda of the sixth session of the Economic and Social Council which met on February 2, 1948, at Lake Success.

In connection with this session the Congress on February 5, 1948, submitted to the President of the Council a memorandum signed by Dr. Kubowitzki and Dr. Marcus outlining the position and the proposals of the Congress. The document indicated that genocide was taking place at present in various parts of the world and cited, among others, the recent anti-Jewish outbreaks in Moslem countries. It emphasized that international means must be employed to prevent such acts and that the matter was a very urgent one which could not wait for the codification of international penal law. It also pointed out the significance of international agreement for the prevention of action by iniquitous governments, citing the example of the Upper Silesian Convention of 1922 between Germany and Poland, and contended that the proposed convention must deal mainly with preparatory acts leading to the commission of the crime of genocide.

In its observations on the draft before the Council, the memorandum accentuated the primary importance of provisions for the *prevention* of the destruction of racial, national, linguistic, religious, or political groups of human beings. This destruction, it said, could be prevented only by *international* action. It suggested that, in addition to the action of competent organs of the United Nations, the convention establish a supervisory body for cases which might not come under the competence of these organs. Specifically, the proposed agency should concern itself with the functioning of domestic courts, call the attention of the signatories to cases of non-compliance with certain provisions, point out organizations aiming at or advocating the commission of acts of genocide, disseminate information and advise the member states on effective means of forestalling this crime.

The submission also indicated ways and means to strengthen the effects of domestic law on the matter. Among these were the duty of the states to disband organizations conducting genocide propaganda, and to dismiss officials participating in such activities, as well as to enact measures for the prevention of genocide as an international obligation.

In its final section the memorandum proposed amendments to various articles. It advocated the restriction of the protection of political groups to such cases where they are identical with racial, religious, or linguistic groups. It pointed out that the provision

enumerating acts which might result in the destruction of a group was not complete, and it suggested the inclusion therein of a number of acts of a subtle nature not envisaged in the draft. Finally, the document recommended that the obligation of the parties to extradite persons guilty of genocide for trial by the International Court must be supplemented by their obligation to enforce such extradition and to implement the decisions of the International Court.

In the absence of reactions from member governments, the Economic and Social Council was unable to deal with the proposed convention during its Sixth Session. On March 3, 1948, it decided to transmit the draft to an Ad Hoc Committee for the purpose of preparing a new version, taking into consideration the old one. This Ad Hoc Committee met on April 4, 1948, at Lake Success. In anticipation thereof, the Congress submitted a request for an oral hearing, which was granted. On April 6, 1948, Dr. Marcus appeared at the first session of the Committee as the only representative of a non-governmental organization called upon to make a statement. He described the specific interest of the Congress in this matter and the experiences it possessed in matters involving the security of endangered groups. He stressed that, however effective special procedures established to punish perpetrators of acts of genocide might be, this was only an emergency remedy, and that it was necessary to lay down in advance rules guaranteeing the basic rights of human beings. The United Nations must establish international law and international machinery to secure effectively the life and existence of weaker human groups against attacks by stronger groups. Acts of genocide must be described in such a way as to exclude possible justification of self-defense or national defense or of alleged genocide action by the group subject to destruction. In conclusion, the great urgency of action was stressed.

#### 5. STATELESS PERSONS

ON FEBRUARY 12, 1948, the Congress addressed to the President of the Economic and Social Council a letter signed by Dr. Marcus, dealing with the large number of individuals deprived of nationality. These stateless persons do not enjoy the protection of any government, are regarded by all countries as foreigners, and

thus are subject to various restrictions. Remedial measures had been adopted by the League of Nations; these, however, applied to certain groups only, and the agreements concerned had been ratified by only a few states. The letter stated that in most countries the status of stateless persons was now regulated by domestic laws which were in all instances inadequate, and that there existed no appropriate international rules covering the issuance of travel papers.

The Congress emphasized the grave urgency of the matter, pointing out that there were thousands of Jews in Europe who were stateless and thus without protection of any government. This situation, highly detrimental to themselves, was not beneficial to the states in which they lived since it entailed unnecessary restraints on the activities of useful men and women who wished to contribute to the building of a stable postwar world.

The Congress urged the Council to adopt a resolution calling upon the Secretariat to prepare a Draft Convention based on the following general principles:

1. Stateless persons should be granted in the country of their residence the enjoyment of all civil rights to the same extent as citizens thereof, and thus be exempt from the disabilities of alienage in regard to protection by courts, acquisition of property, economic pursuits, compensation for damage, etc.

2. The United Nations should undertake to accord protection to all *bona fide* stateless persons, through a specialized agency.

3. Special identity and travel documents issued by the authority of the United Nations should be granted to all *bona fide* stateless persons and be honored in the same manner as passports issued by governments. These documents should entitle the holder to travel and be admitted into signatory states on no less favorable conditions than are customary in the case of foreigners enjoying the protection of a government.

4. Persons born in a country of *bona fide* residents or unknown parentage should *ipso facto* become citizens thereof unless they acquire another nationality by birth.

5. The countries where stateless persons reside in good faith should undertake to naturalize them within a reasonable period of time.

## CHAPTER II

### POLITICAL WATCHFULNESS

THE CONGRESS never indulged in the illusion that the victory of the United Nations would by itself solve the fundamental difficulties which had characterized the Jewish question during the last thirty years, and which had been so tragically aggravated by Germany's war against the Jewish people. It realized, moreover, that the uprooting of European Jewry and the loss of its economic, cultural, and social positions had produced a decisive and lasting change in the demographic, geographical, and social components of the Jewish world. It could be foreseen that even those countries which before 1933 had adhered to a democratic order and had remained faithful to the achievements of the 19th century, would be unable to eliminate in a short period of time the evil effects of racist doctrines and propaganda. It was also felt that numerous governments would have to face strong opposition, political unrest, and considerable economic difficulties, which would prove fertile ground for anti-Semitism. Finally, within the Jewish people itself a certain conception of its position among the nations and of the course it had to pursue for its survival had to come to a head.

The Congress was anxious to make its contribution to the endeavors of the Allied nations to solve the problems created by the decade of terror and lawlessness. The restoration of rights, abrogation of discriminatory legislation, restitution of property, indemnification, disposal of ownerless property, political relief, spiritual and cultural rehabilitation, were undertakings of vital importance. However, the Congress never permitted itself to forget that, because of the catastrophe which it had passed through, Jewry faced after World War II issues and decisions of transcendent im-

port, which would leave their impress upon Jewish history for generations to come. Jewish history bears witness that laws and treaties are of little consequence unless there exist living social forces willing and able to carry out the intent of the written word or to impose its implementation, and that in moments of crisis the Jewish question has to be solved in part by emigration and resettlement.

#### GUIDING PRINCIPLES AND PREMISES

The principles and premises which have guided the Congress in the political field after World War II may be summarized as follows:

1. The new world order to be established after the victory of the United Nations must include as an integral element the solution of the homelessness of the Jewish people through the realization of the ultimate objective of the Balfour Declaration.
2. The situation of the Jews in the Arab countries may be aggravated by the difficulties involved in the settlement of the Palestine problem.
3. European Jewry will for many years be morally and physically in a state of flux, and the benevolence of democratic regimes will not suffice to revive in it the sense of security of which it was robbed by the great catastrophe.
4. The Jews have severed their former connections with defeated and unrepentant Germany, and any movement toward resettlement of Jews on German soil should be discouraged.
5. The young Jewish communities in most Latin American countries are not yet deeply rooted in their new environment, and economic and political upheavals may entail hardships of a most serious nature for them.
6. To the Jewish people the division of the world into two irreconcilable blocs can spell only misfortune. The Congress must be careful at all times not to appear to tie up the protection of Jewish rights with the interests of any of the powers which are at grips in the struggle to restore world equilibrium.

The Congress did not derive its information about the new Jewish realities from papers and documents only. Before the end of the war, direct contact was established with the surviving rem-

nants of European Jewry as well as Jewish groups throughout the world. Congress leaders have been constantly on the move so as personally to survey the new Diaspora and to have a first-hand knowledge of the problem. It is characteristic of the new Jewish dispersion, which has never before been so extended in space, that Sydney Silverman was asked in February, 1946, to proceed from London to Bombay in order to take up with the local authorities the fate of Jewish refugees from Afghanistan who had found asylum in India.

The matters reported in this chapter have been the responsibility of the Political Department, directed until September 15, 1947, by Dr. M. L. Perlzweig, now chairman of the Political Commission. Dr. Robert S. Marcus took charge on July 15, 1947, as Acting Director. A. L. Easterman has continued to discharge the duties of Political Secretary for Europe.

#### PALESTINE

Since its inception, the World Jewish Congress has given its support to the building of the Jewish National Home in Palestine as the ultimate solution of the homelessness of the Jewish people with its attendant ills of refugeeism, anti-Semitism, inequality, discrimination, and violence. At its Constituent Session in Geneva in August, 1936, the Congress unanimously affirmed its pledge of "full support in the task of safeguarding the right of the Jewish people to the widest opportunity of immigration and construction work in Palestine," and for "the hope and efforts of the Jewish people for the rehabilitation of their National Home."

On the occasion of the Evian Conference on Refugees convoked in July, 1938, the Congress submitted a memorandum, stating that the Jewish refugee problem could not be considered without taking notice of the immense possibilities which Palestine offered as a haven of refuge for Europe's wandering Jews. After outlining the unparalleled progress made by the Jewish National Home, the Congress declared: "We take the liberty of wishing that the Conference may take into account the special importance of the Jewish National Home in Palestine, capable of sheltering large numbers of political refugees, and that it may commend political and financial measures to facilitate Jewish immigration to Palestine."

In all its representations and declarations of policy relating to Jewish problems arising out of the war and in particular to the destruction of European Jewry and the reconstruction of Jewish life, the Congress has asserted that no plan can adequately meet the necessities of Jewish rehabilitation without the fullest political and economic development of Palestine, culminating in the establishment of a Jewish State. This view was embodied in the representations made by the World Jewish Congress to the Bermuda Conference on Refugees in April, 1943, and in the memoranda submitted to the various sessions of the UNRRA Council and of PCIRO.

The War Emergency Conference of the World Jewish Congress at Atlantic City in November, 1944, unanimously adopted a resolution declaring that it "associated itself with the program of the Jewish Agency for Palestine and its claims that, in the new democratic era assuring peace, freedom, and equality among nations, there must be a definite and permanent termination of the national homelessness of the Jewish people by the establishment of Palestine as a Jewish Commonwealth."

At the San Francisco Conference in April, 1945, the World Jewish Congress, in association with the American Jewish Conference and the Board of Deputies of British Jews, submitted a joint memorandum stating *inter alia* "that the reconstitution of Palestine as a Jewish Commonwealth is of prime importance for the future of the Jewish people as a whole, and an affirmative solution of this question is the *conditio sine qua non* for Jewish rehabilitation, especially after the horrors and tribulations of the last decade."

The special European Conference of the World Jewish Congress held in London, in August, 1945, unanimously resolved that it "fully endorses the demand that the Palestine White Paper of 1939 should be immediately abrogated and that the gates of Palestine should be opened to unrestricted immigration and urges that the United Nations should without delay give their approval for the establishment of a Jewish democratic State in Palestine."

Following the statement on Palestine by Ernest Bevin, the British Secretary of State for Foreign Affairs, on November 13, 1945, making a distinction between Zionists and "Jewry as a whole," the World Jewish Congress issued a statement disavowing

this view and declaring that "the World Jewish Congress, speaking for Jewish communities and organizations in more than 32 countries, and expressing what is without question the attitude of the great majority of the Jews of the world, completely repudiates the existence of any such distinction. The World Jewish Congress and Jews everywhere will continue to give to the Jewish Agency for Palestine . . . their fullest support in its battle for the rights of the Jewish people with regard to Palestine. We declare and feel it our duty to affirm that any such attempt to shatter the unity of the Jewish people in this hour is not only indefensible but it will utterly fail." Most of the affiliates of the Congress cabled similar messages to Mr. Bevin.

Upon the announcement of the appointment of the Anglo-American Committee of Inquiry on Palestine, the Executive of the Congress delegated the British Section to present a statement and to give testimony on behalf of the Congress during the Committee's session in London. This statement was presented on January 25, 1946, and was followed by oral evidence submitted on January 31, 1946. The Congress was represented at the hearing by Sydney S. Silverman, M.P., Dr. Noah Barou, and A. L. Easterman.

When in June, 1946, members of the Executive of the Jewish Agency for Palestine were arrested by the British authorities, the Executive of the Congress passed a resolution condemning the arrest as an act of aggression against the entire Jewish people and a crime against international law. The resolution was cabled to Congress affiliates, who made appropriate representations to their Governments.

Beginning with April 15, 1947, representatives of the Executive of the Congress took part in meetings of major Jewish organizations called by the Jewish Agency for Palestine in New York with a view to coordinate action in connection with the submission of the Palestine question to the United Nations. These consultations resulted in a united Jewish front with regard to the major issues of the future of the Jewish Homeland.

On May 1, 1947, the Congress addressed a telegram to Mr. Oswaldo Aranha, President of the General Assembly of the United Nations, on behalf of its affiliated communities, strongly supporting the application of the Jewish Agency for Palestine for the right

to participate in the proceedings of the Special Session of the United Nations General Assembly dealing with Palestine.

In July, 1947, the Congress repeatedly protested against the return to Germany of the Palestine-bound DP's aboard the *Exodus*, and Dr. Noah Barou went to Bremen to witness the forced disembarkation of the passengers and to convey to them a message of solidarity on behalf of the Congress Executive.

On August 6, 1947, the Executive submitted a memorandum to the United Nations Special Committee on Palestine calling for the establishment of a Jewish State in Palestine. It based its plea, in particular, on the unbearable plight of the Jewish DP's and on the deteriorating position of the Jewish minorities in the Moslem countries. Similar memoranda were addressed to UNSCOP by Congress affiliates, such as the Central Committees of Liberated Jews in Germany, Austria, and Italy; the Council of Jewish Associations in Belgium, the Hungarian Section, which was able to obtain the approval of all Jewish organizations of Hungary for a joint memorandum; the Union of Italian Jewish Communities, and others.

In February, 1948, the American Jewish Congress mobilized its members and affiliates for the enlistment of American support for the Partition Plan. In the course of this action, a petition signed by more than 160,000 individuals, protesting the United States arms embargo and requesting the dispatch of an international police force to Palestine, was submitted by a delegation of the Brooklyn Division of the American Jewish Congress to Norman R. Armour, Assistant Secretary of State for Political Affairs.

#### JEWES IN ARAB COUNTRIES

The first attack upon Jews in the Arab countries after the war occurred in Tripolitania, which had for thousands of years harbored Jews and Arabs living peacefully together until the Italian administration was replaced by the British. On November 4-7, 1945, fierce anti-Jewish riots took place which, according to the official report of the Jewish Community of Tripolitania, caused the loss of 130 Jewish lives, the wounding of several hundred others, and the destruction of much Jewish property.

Immediately after receiving a cable from the Community requesting the assistance of the Congress in view of the inefficiency, or worse, of the local authorities, who had permitted the pogrom to rage unchecked for 48 hours, Dr. Perlzweig intervened with the United States Department of State, asking that an impartial inquiry commission be appointed to ascertain the facts. At the same time, the British Section made vigorous representations to the British Government, pressing for an impartial investigation, for protection of the Jewish community by British European troops, the punishment of those guilty of murder and looting, and compensation to the Jewish victims of the disturbance.

A reply to Dr. Kubowitzki from Loy W. Henderson of the State Department's Office of Near Eastern Affairs, dated January 18, 1946, emphasized that a careful investigation had been made pursuant to the appeal of the Congress.

A report from the Jewish Community of Tripolitania, submitted in March, 1946, stated that a few of the rioters had been tried by the British Military Court and that two death sentences and one prison sentence had been handed down, as well as one acquittal. Other cases were still pending. The bulk of the looted property was returned to the Community and distributed to the rightful owners. At that time, some 186 homeless persons were still sheltered in a camp, while other emergency camps originally set up for Jews driven from their homes had been liquidated. The community still had to support a great number of the Jews hit by the pogrom.

It was, however, only after the United Nations decision on partition on November 29, 1947, that the fate of 800,000 Jews in the Moslem countries (outside of Palestine) became increasingly a matter of most serious concern. The unrest engendered in that part of the world made it one of the main danger spots on the present Jewish map.

#### *Interventions with American and British Governments*

In December, 1947, the Congress undertook the first of a series of interventions with the United States and British Governments for the purpose of protecting the Jewish populations in the Moslem lands.

*Aden.* On receipt of a cable from the Jewish Emergency Committee in Aden on December 8, 1947, concerning widespread violence which resulted in the death of more than 75 Jews, with many more wounded, the Political Department took up the matter with the United States Secretary of State, the British Ambassador in Washington, and the British Governor of Aden, urging that adequate steps be taken for the safety of the Jewish community. In addition, the United States Government was requested to rush supplies to the destitute Jews from the nearest military and war surplus supply depot. Assurances that appropriate measures had been taken to provide for the security of the survivors was given by the United States Government. The British Section, too, was assured by the Colonial Office that the Jews in Aden would be safeguarded from further violence, and that indemnification for the losses suffered in the December riots was receiving earnest consideration.

*Lebanon and Syria.* The Political Department took up with the American State Department the circumstances surrounding the anti-Jewish riots which occurred in Aleppo on December 1, 1947, as well as the renewed anti-Jewish disturbances in that town in April, 1948. Further representations dealt with police regulations which made it necessary for Jews to obtain special permission to travel in Lebanon and Syria, the expulsion of Palestinian Jews from these countries, the refusal to grant transit visas to Jews, and the looting and burning of several Jewish shops in Beirut. Verbal assurances were received that the United States Government was using its influence to check this anti-Jewish trend.

*Egypt, Iraq, and Saudi Arabia.* On January 1, 1948, information was furnished to the U. S. Secretary of State to the effect that the above-mentioned states had approved the text of a law drafted by the Arab League which would make all Jews in those lands "citizens of the Jewish minority state of Palestine" and actual hostages. A reply was received from the State Department that the situation was being carefully watched and that it had been assured that adequate protection would be accorded to the Jews. In May, 1948, anti-Jewish violence in Baghdad was brought to the attention of the State Department and the Iraqi Ambassador in Washington.

*Iran.* Acting upon intelligence received that anti-Jewish outbreaks were feared in certain localities in Iran, the Political Department requested the United States Secretary of State to impress upon the Iranian Government the necessity for taking effective measures to prevent disorders. Reports of disturbances in a number of towns were taken up with the Iranian Ambassador in Washington, who denied that there had been any violence.

*Bahrein.* The British Ambassador in Washington and the State Department were contacted in connection with information received that a pogrom had occurred in Bahrein, British Protectorate on the Persian Gulf, in December, 1947, and that the entire Jewish community there was in danger of extermination. Assurances were given that necessary security measures had been put into effect and that there would be no recurrence of such incidents in the future.

*Pakistan.* Upon receipt of news from India about Moslem assaults on Jewish homes in Peshawar, Pakistan, last December, resulting in many casualties and in a threat to the safety of the entire Jewish community, representations were made to the Pakistan Ambassador in Washington, as well as to the United States State Department. The report was denied by the Pakistan Government which claimed that there had been but one death, which was the result of an attempted robbery. However, word received directly from Peshawar, as well as from the Central Jewish Board in Bombay, indicated that the entire community was being evacuated to Karachi.

On May 5 Dr. Marcus discussed with the Pakistan Ambassador the fact that several hundred Jews had left Karachi for Bombay and expressed his concern over the reasons for this mass exodus. The Ambassador declared that this movement from Pakistan was not due to anti-Semitic violence and that his Government would not countenance any activity directed against the Jews of his country.

#### *Activity before the United Nations*

The Congress felt that it could not content itself with the interventions made with the American and British Governments and that since the Arab countries were professing their devotion to the

principles of the United Nations Charter and some of their representatives had been active in the Human Rights Commission, the United Nations was the proper forum where they should be summoned to justify the treatment of their Jewish nationals. As the Security Council was preoccupied with the Palestine problem, and it seemed appropriate to treat anti-Jewish persecution and discrimination in the Arab countries as a matter involving respect for human rights, it was decided to approach the Economic and Social Council.

On January 19, 1948, a first memorandum, signed by Dr. Kubowitzki and Dr. Marcus, was submitted to the Acting President of the Council. The document stated that all Jews residing in the Near and Middle East faced extreme and imminent danger in consequence of the open defiance by Arab States of the United Nations decision to partition Palestine; that the Political Committee of the Arab League had drafted a law which would make the Jews in the countries of the Arab League actual hostages of the state; that there had been anti-Jewish incidents in Aleppo (Syria), Peshawar (Pakistan), certain towns in Iran, the Bahrein Island (Persian Gulf), and Aden, resulting in the loss of many Jewish lives, synagogues, property, and homes.

The memorandum stated that these acts were clear-cut cases of persecution and discrimination against a racial and religious group contrary to Article 1 (3), 13 (1b) and 55 (c) of the Charter, the resolution of the General Assembly of November 14, 1946, and the Draft International Covenant on Human Rights adopted by the Second Session of the Human Rights Commission; furthermore, that these acts were contrary to the resolutions of the General Assembly on Genocide, unanimously adopted with the approval of the states within whose jurisdiction the acts alleged in the memorandum were being perpetrated. The submission therefore concluded that the provisions of the Charter and the resolutions mentioned above created a legal and moral international responsibility on the part of member states. It declared that the Economic and Social Council was competent to deal with the matter and requested that it immediately undertake a study of the situation in order to make appropriate recommendations to the respective states for the prevention of discrimination against and

possible destruction of the Jewish communities living in those lands.

The memorandum, coming as it did from a non-governmental organization of Category B, was transmitted to the Council's Committee on Arrangements for Consultation with Non-Governmental Organizations (NGO Committee), which considered it on February 13 and decided to grant a hearing. On February 16, Dr. M. L. Perlzweig submitted orally the views of the Congress and suggested that a committee of three be appointed by the Council to investigate the facts and make a report to its next session. Upon request, concrete suggestions were submitted in writing on the same day (second memorandum). The papers and proposals put forth were subsequently discussed by the NGO Committee, which decided to transmit to the Council without recommendations a summary thereof (UN Document E/710).

As it appeared that in these circumstances the Council might take no action on the Congress submission except at the initiative of members of the Council, some delegates promised to intervene when the matter came up for consideration by the Council. At the same time, in order to strengthen the Congress position, a third memorandum embodying new developments was submitted to the President of the Council by Dr. Kubowitzki and Dr. N. Robinson on February 26. In it the Congress set forth further information received from the Near East indicating that the very survival of the Jewish communities in certain Arab and Moslem countries was in danger unless preventive action was taken without delay. Cases were cited of anti-Jewish violence and economic discrimination which had occurred in Egypt, Iraq, Lebanon, Syria and Bahrain, and which entitled the Council to take up the matter as one of immediate international concern. A summary of this memorandum, too, was circulated among the members of the United Nations.

The reports of the NGO Committee of the Council were on its agenda for three days as Item 37. They appeared as Document E/706 (comprising a number of recommendations to the Council) and Document E/710 (containing a summary of the Congress' memoranda and suggestions without recommendation). On March 5, Document E/706 was disposed of and it was expected that

Document E/710 would come up next for discussion. However, the chairman stated that the Council had considered all recommendations of the NGO Committee and proceeded to the next item on the agenda. None of the delegates raised any objection.

The Congress representatives felt that Document E/710 had been discarded by a tactical maneuver, and stated as much in conferences with Dr. Charles Malik, Chairman of the Council, and representatives of the Secretariat, and in a wire to the Chairman of the NGO Committee. A certain uneasiness developed also among the delegates over the manner in which the question had been circumvented. On March 11, Julius Katz-Suchy, the Polish representative, requested that the matter of Document E/710 be reconsidered, and was joined by the representatives of Byelorussia, France, and the U.S.S.R. All of them contended that a precedent damaging to the prestige of the Council would be created if no action was taken. Upon the proposal of Pierre Mendès-France, the French delegate, the Council adopted by 15 votes to 1, a resolution to transmit the summary record of the discussion to the NGO Committee and to request it to submit to the next session of the Council (July, 1948) any recommendations it deemed useful.

Although the resolution did not mention explicitly the substance of the memorandum, it was made clear that the recommendations related to the procedure to be followed by the Council as well as to the substance of the World Jewish Congress memorandum. The one dissenting vote was cast by the representative of Lebanon, who said that, in his opinion, this resolution "prejudiced" action against Arab countries.

#### FLUCTUATING EASTERN EUROPE

One of the most distressing realizations after World War II was that the virtually total annihilation of Polish Jewry and the sufferings of the Polish people themselves had not eradicated the deep-seated anti-Semitism which had characterized Poland before the war. The presence among them of a few scores of thousands of Jews, pitiful remnant of a pre-war community of more than three million persons, was resented by large segments of the Polish people.

The year 1946 was marked by physical attacks on Jewish life and property, so that the Polish Jewish refugees whose repatria-

tion from the USSR to Poland began in February were confronted with the fact that, in spite of the good will of the Polish Government, a life of security had become impossible for them in their former homeland even if they wanted to stay on a soil where they had not even found the ashes of their murdered kin. The anti-Jewish violence reached its peak with the Kielce pogrom of July 4, 1946, and the emigration of those who wished to leave the country assumed the proportions of a mass exodus.

The Congress made repeated representations to the Polish Government. A Congress delegation composed of Dr. S. Margoshes and Louis Segal visited that country. After its findings had left no room for doubt about the postwar ordeal of Polish Jewry, the Congress prevailed upon the Polish Government to permit emigration of those who for physical or psychological reasons found life in that country unbearable, while urging greater protection for those who chose to remain. At the same time the American Military Government in Germany was persuaded by the major Jewish organizations to permit the infiltration of Jewish persecutees and UNRRA was induced to extend aid to them.

In February, 1946, Prime Minister Edward B. Osobka-Morawski promised Congress representatives that all difficulties for Jews desiring to leave Poland would be removed, and that those wishing to remain would receive every opportunity for economic and social advancement. Later, following renewed anti-Jewish violence, the Polish Ambassador to the United States, Oscar Lange, assured the Congress that his country would impose the death penalty upon those found guilty of terroristic acts against national, racial, or religious groups. He emphasized that tribunals had been set up by special decree to try perpetrators of such crimes, and that the Jews remaining in Poland would be accorded every opportunity to develop their own cultural and religious institutions.

Stern measures were indeed taken by the Polish Government after these outrages, and anti-Jewish unrest was thus greatly reduced.

In February, 1948, the Political Department took up with the Polish Ambassador in Washington, the provisions of a proposed law which would deprive of certain legal rights all Polish nationals who failed to return to Poland within three months of its promulgation. It was pointed out that the bill was couched in

such general terms that it could be applied to all Polish citizens who left the country and were unable to return within the specified three-month period, regardless of the motives for their departure. Jews who had left Poland because of threats to their security arising from the hostile attitude of certain elements, or those who could not bear to remain in communities where their families and homes had been destroyed, would thus be included in the provisions of the proposed law. The Ambassador declared that he would bring the problem to the attention of his Government, stating that he was sure "of its sympathetic understanding of this matter as well as of any questions relating to Jews."

In Rumania, too, in spite of the existence of a government well disposed toward its Jewish citizens, there is a trend toward emigration, and it is assumed that from April 21, 1947, to February 23, 1948, some 19,500 Jews from that country entered the United States Zone of Austria.

There are some 410,000 Jews in Rumania. After the liberation, they found themselves in utter destitution, and the Rumanian Section of the Congress, assisted by the International Red Cross took the first steps to alleviate the distress of the survivors and to reunite disrupted families. The latest Rumanian legislation puts Rumanian Jews on an equal footing politically with all other citizens. However, although properties have been restored to a certain extent, hardly any indemnity for damages suffered during the time of persecution has been forthcoming.

Economically the outlook is dark. Only a part of Rumanian Jewry is gainfully employed, and a good deal of retraining will be necessary in order to integrate the majority into the new economy of the country. The economic situation is one of the reasons for emigration, the Jews fearing that economic difficulties will lead to popular violence against them, to which must be added fear of the effects of the disappearance of the middle class. Above all, there is the loss of faith on the part of most Jews in Eastern and Central Europe in the surrounding nations which results in the irresistible drift from the countries of that area.

Thus, in spite of the victory over the forces of racism, a considerable number of Jewish survivors in Europe feel the urge to leave the place of their former and present residence and seek opportunities for building up a new life elsewhere.

The Congress could not overlook this fact. While supporting with all its strength the struggle for the creation of such conditions in Palestine as would open the doors for great numbers of Jewish immigrants, it also took action to find temporary havens of refuge for the uprooted. Dr. Kubowitzki, Marc Jarblum, Rabbi Nurock, and Sydney Silverman conferred with heads of states and governments and urged that Jewish refugees be received in Belgium, France, Norway, and Sweden, while the American Jewish Congress put its weight behind bills for admission of Displaced Persons to the United States. These efforts yielded no insubstantial results, without, however, solving the problem of Jewish DP's in Germany, Austria and Italy, whose definite resettlement can be effectuated in Palestine only.

#### SETTLEMENT WITH GERMANY AND AUSTRIA

The Congress has repeatedly pointed out that the democratic world has failed to understand the extent of Germany's biological victory in Europe and the strength of her attachments to anti-Semitism.

When in the summer of 1947, the Joint Chiefs of Staff issued a new directive to the Military Government of Germany, the Congress demanded that strong and positive measures be taken to safeguard the interests of the Jews. Declaring that the development of self-government in Germany was understandable, as a means of accelerating the growth of democracy, it was emphasized that "we must make certain that government agencies are in the hands of those who believe in and practice democracy." The statement pointed out that the denazification program had lagged and that a moral climate which would destroy anti-Semitism, still rampant among the Germans, would have to be developed. After dealing extensively with measures to improve the situation of the Jewish DP's in Germany, the Congress called for a proper program to orient the occupation forces to the problems of the Displaced Persons and to indoctrinate them against the virus of anti-Semitism injected into them through contact with the German population.

In March, 1947, the Congress submitted to the Big Four a statement on Germany containing the reasons for and an outline of

the clauses to be included in the Peace Treaty with Germany. Among the latter were recognition of German guilt against the Jewish people, payment of reparations to a Jewish agency, restitution of property and compensation, assignment of masterless Jewish property for Jewish purposes, abrogation of discriminatory legislation, protection of human rights, and exclusion of Jewish DP's from German jurisdiction.

In May, 1947, the task of preparing a memorandum on Germany was undertaken by the organizations which had cooperated in Paris, augmented by the Council for the Protection of the Rights and Interests of Jews from Germany and the Federation of Jews from Austria. A Working Committee prepared a draft memorandum and held a number of meetings to discuss it. However, no final paper was drawn up owing to the complete breakdown of Allied negotiations on Germany.

With regard to Austria, a Congress memorandum containing tentative Jewish demands was presented in January, 1947, to the American military authorities in Vienna, and a more comprehensive document was submitted the following month to the Council of Foreign Ministers. At the same time action was taken both in New York by Dr. Perlzweig and in London by Dr. Bienefeld and A. L. Easterman to secure the adoption of the suggested clauses.

As the draft treaty with Austria prepared in Moscow by the Foreign Ministers did not cover many of the Jewish requests, the Jewish groups, which had cooperated in Paris, met in New York in May, 1947, to draft joint comments and proposals. The main defects of the tentative Moscow draft were: lack of compensation for non-restitutable Jewish properties, insufficient safeguards for the exclusive use of Jewish masterless properties for Jewish purposes, lack of precise provisions for the participation of outside Jewish groups in the administration of those properties and their use outside Austria, as well as insufficient guarantees that Jewish properties (especially in Eastern Austria) would not be used for purposes of reparations.

After a series of meetings of the Working Committee, a final Memorandum dated September 10, 1947, was prepared and submitted to the Council of Foreign Ministers when it met the same month in London. This paper dealt with a number of political clauses (guarantee of human rights, war crimes, nationality, re-

admission to Austria, status of DPs) and economic clauses (mainly those mentioned above) and the problem of implementation and enforcement of the proposed Treaty.

To expedite action on the submission, the cooperating organizations communicated on April 29, 1948, with the representatives of the Big Four, who were still meeting in London. Nothing positive, could, however, be achieved as the Allies had not yet agreed on a number of controversial issues, among them the disposition of German assets in Eastern Austria.

#### LATIN AMERICA

Anti-Semitism is a recent development in the Latin American parts of the Western Hemisphere. It acquired most of its doctrines and techniques through the direct influence of Nazi and Fascist propaganda. Still, this area must be regarded as a potential danger zone for Jews. The frequent recurrence of revolutionary changes in a number of Latin American republics is likely to affect the security of the Jewish communities, either by utilization of anti-Semitism as a weapon in the struggle for power, or by infringement upon fundamental freedoms not directly aimed at the Jews.

On the occasion of the recent Inter-American Conference held in Bogota, Colombia, in April, 1948, the Congress called upon the gathering to establish an inter-American body to implement the provisions of its proposed Declaration of the Rights of Man. In a memorandum submitted to the Conference and signed by Dr. Marcus, the Congress stressed that "such a body would be of great assistance in achieving uniform application and interpretation of the Declaration and serve to strengthen the ties between the American republics." The document also urged the inclusion of provisions in the Declaration "to guarantee the equality of all in the enjoyment of all rights without regard to race, religion, sex, origin and political creed," and to make clear that "none of the freedoms set forth in the Declaration shall be exploited to disseminate racial, religious or similar forms of hatred." Acknowledging that there might be times when the exercise of certain human rights might have to be restricted in order to maintain public order and security, the note declared that "certain human rights must never be derogated even in emergencies, these being the right

to equality, the right to life, to liberty and to a fair trial. It also advocated the inclusion of special provisions to grant nationality as a human right to children of unknown parentage, and especially to persons legally admitted to one of the American countries and residing there for a prescribed period of time.

*Argentina.* Ever since June, 1943, there has been much concern among Jews throughout the world about the future of the largest Jewish community in Latin America. Some of the supporters of Colonel Juan Peron, Vice-President in the Farrell Government, were avowed anti-Semites, and their bands frequently staged anti-Jewish manifestations, creating unrest in the Jewish neighborhoods. In February, 1946, Col. Peron was elected President of the Republic. The Congress delegated Dr. Kubowitzki to study the situation on the spot. During his stay, he was received, together with Dr. Moises Goldman, President of the DAIA, by the Minister of the Interior, Gen. Felipe Urdapilleta, who minimized the incidents as the acts of a small group of hotheads, promised that measures would be taken to prevent the recurrence of anti-Jewish demonstrations, and gave assurances that Argentina would remain a land of equality for all her citizens. In June, 1947, fresh anti-Semitic incidents took place, and a delegation headed by Dr. Moises Goldman was assured by A. Bertollo, Chief of the Federal Police, that perpetrators of anti-Jewish acts would be dealt with severely. After President Peron's inauguration on June 4, 1946, the Argentine Government made a determined effort to reassure the Jewish community. Newspapers supporting the Government outspokenly condemned the anti-Semitic incidents.

*Bolivia.* On December 19, 1947, Dr. R. S. Marcus took up the matter of anti-Semitism in Bolivia with the Bolivian Ambassador in Washington. The following facts were called to his attention: During the last few months a substantial amount of anti-Jewish material appeared in the press of Bolivia which caused great distress to the Jewish community there. The National Chamber of Commerce made slanderous allegations about foreign firms of recent origin and its *Bulletin* published veiled attacks upon Jewish concerns. The public statements of former Minister of Finance, Senor Alcides Molona that "Jews are unproductive and consumers only," and that, "it is necessary to eliminate this Semitic element which is non-agricultural and vicious," were also recalled. In the

early part of December, an anti-Jewish campaign was conducted by a radio station in Cochabamba with the support of local newspapers, and a "Liga Boliviana Anti Judia" was founded there for the purpose of inciting the populace against the Jews. Assurances were received subsequently from the Bolivian Government that the Jewish inhabitants of that country would be protected in the enjoyment of equal rights guaranteed to them under its constitution and that their persons and property would be secure.

*Costa Rica.* The small Jewish community in this country (some 700 souls) has for years been living in a state of uneasiness due to the struggle between rival political factions. Leaflets and posters, widely and systematically distributed, called for an anti-Jewish boycott, and a Committee for National Defense has circulated much inflammatory literature, including the Protocols of the Elders of Zion. In July, 1946, Mr. Pinchas Szeinwaks was received by the President of Costa Rica, the Archbishop, and the Rector of the University, who promised to counteract energetically the anti-Jewish agitation.

A recent uprising brought about a change of government in the country. On that occasion, cables were sent by Dr. Wise to the Ambassadors of the United States, Mexico, and Panama in that country who were members of a diplomatic committee seeking to end the civil war there. They were urged when considering suggestions for restoring internal peace to make certain that appropriate measures were taken to check any attempt to utilize the disorders for racial or religious persecution, discriminatory actions, or attacks on the economic resources of the Jews in Costa Rica. This step was prompted by appeals for protection that reached headquarters through neighboring Jewish communities. Reassuring answers were received from both Ambassadors. On April 15, 1948, the American Ambassador declared that there was no cause for concern with regard to the situation of the Jews and that he hoped matters would be adjusted in such a manner as to preclude any persecution. The Mexican Ambassador reported on April 24, 1948, that, upon the intervention of the diplomatic committee, the lives and properties of inhabitants were assured of protection. However, recent reports indicate that the Jewish Center of San Jose was damaged and that Jewish residents of the city of Carthago had their shops looted. The facts are now being investigated.

*Ecuador.* Francisco Yllescas, Ambassador of Ecuador in Washington, has also assured Congress representatives that "Ecuador is a people with a tradition of freedom which has been incorporated into its legal bodies," and that the Ecuador Republic would not embark upon any policy of discrimination, not excluding the granting of citizenship to aliens.

*Peru.* The Jewish population of Peru (4,200) constitutes only .05 percent of the total population. Most of the Jews reside in Lima, are mainly businessmen, and have introduced new industries in the country. There is no legal discrimination of any kind in Peru and Jews who are Peruvian citizens enjoy the same rights as other citizens. However, because of its natural wealth, Peru was one of the chief targets of the German economic offensive in Latin America and a good deal of anti-Semitic propaganda was thus funneled into the country. In 1942, a few hundred Axis nationals were arrested and interned, but the seeds of their propaganda have taken root. In addition, the opposition party, the Alianza Nacional, uses anti-Semitism as one of its main weapons. Many of the Nazis formerly interned are now at liberty and are making use of their prominent economic position to foster anti-Jewish feeling.

These matters have formed the basis for interventions in Lima as well as for conversations in Washington with the Peruvian Ambassador. In October, 1947, the Peruvian Foreign Ministry declared that there was no trace of racial discrimination in Peruvian legislation. It added, however, that it was unable to halt the anti-Semitic propaganda conducted by a certain radio station and part of the press.

### CHAPTER III

## CONGRESS ENTERS THE REALM OF CULTURE AND EDUCATION

AT THE Constituent Session in 1936, it had been agreed that cultural activities should not be included among the functions of the Congress. The intention was to spare the young organization controversies of a particularly delicate nature, such as were certain to arise over the religious and linguistic aspects of the educational problem. However, when Jewish leaders from many countries convened eight years later at the War Emergency Conference in Atlantic City, they realized that Congress could no longer limit itself to protecting Jews against attacks from the outside, but that it was no less its duty to strengthen the Jews from within by fostering the collective identity of the Jewish people, preserving and developing its spiritual values, and cultivating a sense of continuity and belonging to a great tradition. The problems of cultural rehabilitation which would soon face European Jewry delivered from German tyranny, and of cultural survival which would confront the Jewish people so depleted in numbers, would be so vital that the Congress could not escape the obligation of devoting part of its energies to them. The Atlantic City Conference accordingly adopted a resolution in which it extended the duties of the Executive to include concern for the reconstruction of the spiritual life of Jewish groups in the liberated countries, the recovery of cultural treasures and communal archives, and the strengthening of the intellectual foundations of Jewish communities in the Western Hemisphere and of the Sephardic communities in the Mediterranean and Latin American areas.

As a result of this resolution, the Executive set up in March, 1945, a Department of Culture and Education, with Dr. Simon Federbush as its head.

## BOOK SUPPLY SERVICE

The first activity undertaken by the Department was the creation of a Book Supply Service for the *Shearith Haplatah* in Europe, and for isolated and impecunious Jewish communities all over the world.

In general, the Congress approach to the problem of the liberated Jews and the Displaced Persons was that they were no less in need of spiritual rehabilitation than of food, clothing, and medicaments, and that caring for their moral and psychological necessities might be a surer way to their reintegration into the community of free men than the mere satisfaction of their material requirements. The Army Chaplains who had been the first to come in contact with the Jews delivered from the camps had reported how starved and emaciated Jewish men and women had thrown themselves upon the few books they had with them, as if they had to hold a book in their hands in order to regain the dignity of a human being.

That is how the Congress came to initiate book drives which have already yielded some 260,000 volumes in the United States and 15,000 in Great Britain. National organizations, local communities and congregations, Congress branches, and private individuals have generously and zealously participated in these collections.

To date, 235,000 volumes have been shipped overseas from the United States. A list of European beneficiaries follows:

<i>Country</i>	<i>Number of Books</i>
Austria	6,000
Belgium	6,500
Czechoslovakia	5,000
Great Britain (for Halutzim groups)	3,000
France	38,000
Germany	48,000
Holland	4,000
Hungary	9,000
Italy	18,000
Poland	8,000

<i>Country</i>	<i>Number of Books</i>
Rumania	10,500
U.S.S.R.	2,500
Yugoslavia	3,000

The Swedish Section, realizing that many among those who had been saved were deeply religious, printed a prayer book under the supervision of Chief Rabbi Marcus Ehrenpreis and distributed it in 50,000 copies.

Shipments were also made from the United States to the Sephardic communities in North Africa and to scattered Jewish colonies in distant countries to strengthen their ties with the Jewish people everywhere. Particular attention was given to remote Jewish communities in India, which were supplied with prayer-books, textbooks, Jewish songs and calendars, and all kinds of literature which might enlighten them on Jewish life in the past and present. The same applies to small communities in Japan and refugee groups in Shanghai. A beginning has been made to supply small Jewish communities in the Western Hemisphere, such as the Dominican Republic, British and Dutch West Indies, and Ecuador.

Stricken Jewish communities in France, Holland, and Yugoslavia have received Torah scrolls, forty-six having been shipped to date.

From many countries, numerous expressions of appreciation and thanks have come to the Department, testifying to the great help thus rendered to devastated or destitute Jewish communities. The Pest (Hungary) Kehillah wrote: "The dreadful times we went through have brought on destruction of the Jewish libraries, including the private ones of our rabbis . . . and this weighs very heavily on Hungarian Jewry's spiritual and cultural life . . . all are indebted to the Congress for this rare cultural deed, which is a logical link in the task of safeguarding Jewish interests." An American Army Chaplain in Germany declared: "Believe me, the present situation of the DP world makes the Department of Culture and Education a primary factor in the reconstruction of the life of the *Shearith Haplatah*." The Union of Jewish Communities of Italy stated: "Professor David Prato, the Chief Rabbi, is greatly thankful to you for the books in Hebraic language, as they are very much needed in the library of the Rabbinical College, the

entire old library having been carried away in the persecutorial time by the Nazis."

And from Karachi, Pakistan, a teacher wrote: "We must thank you so much for sending us Bibles, grammars and textbooks. The children of the Jewish Welfare Group pray for you day and night for helping us."

#### CULTURAL MISSION TO THE DP CAMPS

Guided by the same conviction that it was essential to revive in the Displaced Persons a feeling of equality on a spiritual plane after the terrible humiliation to which they had been subjected, the Congress decided to send to them a cultural mission composed of the great Yiddish poet, H. Leivick, a distinguished Hebrew poet and scholar, Prof. Israel Efros, and a talented interpreter of Jewish songs, Mrs. Emma Schaver.

The delegation left New York on April 10, 1946, and arrived in Munich ten days later. They visited eighteen DP camps and addressed more than 30,000 Jews. Everywhere mass meetings, lectures, and seminars were arranged, and wherever they went they were received with deep feelings of gratitude. Their visit had the hoped-for result of uplifting the morale and intellectual life of the Jewish Displaced Persons, and made a lasting contribution to their spiritual rehabilitation.

Upon their return, H. Leivick and Prof. Efros recounted their impressions and experiences in a series of articles in the Hebrew and Yiddish press. They also published books in Yiddish on the subject: H. Leivick, under the title: *Mit der Shearis Hapleitoh* (New York, 1947) and Prof. Efros under the title of *Heimloze Idn* (Buenos Aires, 1947). Mrs. Schaver brought back partisan songs and chants of the ghettos and concentration camps and published them in a collection of records under the name of *I Believe*.

In his volume, Leivick thus describes his first encounter with the DPs in Garmisch on April 22, which was the seventh day of Passover: "I never had been so afraid of words, of a speech of mine, as I was afraid now — of words which we, Efros and I, coming from the United States, will have to address to those Jews. Emma Schaver sang *Kol Nidre*, with deep feeling, with much heart. . . . It was not incongruous to sing *Kol Nidre* on a night

of Passover." And Efros gives his impression as follows: "In my distraction I couldn't think of what to say, but when I heard my name from the lips of the chairman, a voice within me said, 'Put off thy shoes from thy feet . . . for this is holy ground,' and I spoke of the sanctity of sorrow."

### SCHOOL ADOPTION PLAN

European Jewry had had a flourishing network of schools, and thousands of devoted and inspiring Jewish educators. All this had to be rebuilt, and yet it was not within the financial means of the Congress to undertake such a task. However, in its School Adoption Plan, the Department of Culture and Education found a way to make a substantial contribution toward this end.

The purpose of the plan was twofold: first, to establish a personal relationship between the Jewish pupils in Europe, who for years had been isolated from their people, on the one hand, and their overseas fellows on the other, so as to give both the personal feeling of belonging to one Jewish community; and second, to induce the prosperous Jewish schools in the United States to aid each an adopted school in Europe by providing it with textbooks and supplies and by sending gifts to the children on various festive occasions.

The School Adoption Plan has met with a great deal of enthusiasm. In the school year 1946-47, there were 102 Jewish schools in various European countries which had been adopted by corresponding Jewish schools in the United States. The following year, the number increased to some 200. Eighteen of the schools cooperating with the Department have been awarded certificates of merit by the Commission for International Cultural Reconstruction in Washington.

### RECOVERY OF JEWISH CULTURAL PROPERTY

Germany's war on the Jews was directed not only against their physical survival but also against the spiritual values of Judaism. Jewish libraries, museums, and archives were mercilessly looted or transferred in their entirety to Germany. Valuable books, manuscripts, and documents, objects of art, and religious articles

are now stored in Czechoslovakia and in the custody of the American military authorities in Germany.

Since the discovery of the cultural treasures stolen by the Germans, the Congress has made every effort to regain them and restore them to the Jewish people. A Committee for the Recovery of Jewish Cultural Property was established at the initiative of the Department of Culture and Education. It comprised prominent representatives of Jewish intellectual life everywhere. On June 23 and August 30, 1945, memoranda were submitted to the United States Department of State suggesting the establishment of a trusteeship which would be in charge of the transfer of the books and dispose of the masterless cultural property in favor of Jewish institutions of learning, in particular the Hebrew University in Jerusalem.

As a result of negotiations between Dr. Federbush and representatives of other Jewish organizations on the one hand, and the Department of State and the office of the Military Government on the other, a membership corporation was formed under the name of Jewish Cultural Reconstruction, Inc. The object of the Corporation is to locate, identify, salvage, catalogue, and determine the disposition of Jewish books and manuscripts, as well as Jewish cultural and religious objects in general, looted by the Germans, and to prosecute claims for the recovery of these treasures.

The Jewish Cultural Reconstruction, Inc. has been recognized by the State Department in its capacity of agency of the Jewish Restitution Commission as a successor organization for Jewish cultural property, and will shortly assume direct charge of these treasures in Germany. The Congress is represented on the Board of Directors of the Corporation by Dr. Federbush, who is one of the vice-presidents, and Dr. Kubowitzki.

The Congress was also active in this field in other countries.

In Czechoslovakia, large collections of books stored by the Germans in Theresienstadt and elsewhere had been transferred to Prague. After protracted negotiations between the Hebrew University, supported by the Congress, and the Czechoslovak Government, the latter agreed to turn over the volumes to the Hebrew University. The books will be shipped to Palestine before long.

With the cooperation of the Central Jewish Committee in Poland, a Congress affiliate, and the support of the Polish Government, a shipment of 100,000 books will soon be sent to Palestine with a view to serving primarily the needs of the Chair in the History of Jews and Jewish Culture in Poland to be established at the Hebrew University in Jerusalem.

## U N E S C O

Since the inauguration of the Conference of the Allied Ministers of Education formed during the war in London, which became the nucleus of the new international agency usually referred to as UNESCO, the British Section has closely followed the proposals advanced by various governments concerning cultural reconstruction in the postwar period. A special Jewish interest in this matter developed with the expressed intention of the United Nations to cleanse the moral atmosphere of Europe, which was infected with the virus of race hatred.

A resolution was adopted by the special European Conference of the World Jewish Congress which met in London in August, 1945, prior to the convening of the Constituent Assembly of UNESCO, stressing the urgent need for Jewish representation on the various organs of the proposed agency.

Subsequently a memorandum was submitted to the delegations of 42 states participating in the Assembly, suggesting a series of amendments to the draft constitution. Dr. A. Steinberg, observer for the Congress, attended the meetings of the Assembly as well as a number of sessions of its various committees.

The final text of the constitution of UNESCO met many of the requirements of Jewish educational and spiritual recovery. In view of the possibilities of Jewish cooperation with the Organization, questionnaires were sent out by the Department to the Congress' constituencies in the devastated countries of Europe regarding the damage done to cultural establishments and the immediate needs of reconstruction.

On the basis of these inquiries, a report was presented to the first General Assembly of UNESCO held in Paris in December, 1946, at which the Congress was represented by Mrs. A. Klausner. The interventions of the Congress in this and other meetings of

UNESCO convinced that body of the necessity for full support for the Jewish requests in the sphere of general and Jewish educational and cultural reconstruction. Mrs. Klausner also represented the Congress at the second General Assembly, which took place in Mexico in November-December, 1947. It was due to her efforts that a resolution was adopted to include DP children in UNESCO's reconstruction plan, and to invite private international organizations to participate in the work of the Social Science Section of UNESCO.

At the invitation of the UNESCO Secretariat, Dr. Steinberg, as representative of the Congress, participated in the first conference of TICER (Temporary International Council for Educational Reconstruction), held in February 1947. A resolution submitted by him, urging UNESCO to give its full support and assistance to the surviving Jewish communities in Europe in their struggle for cultural and educational rehabilitation, was embodied in the minutes of the conference. At the last session of the TICER, held in Paris in March, 1948, a motion by Dr. N. Barou was accepted whereby UNESCO will support in all countries the principle that education should be directed to the full spiritual, moral, and intellectual development of the human personality, to promoting respect for human rights and fundamental freedoms, and to combating the spirit of intolerance and hatred for other national racial, or religious groups.

The Congress is also the only Jewish body represented on the Interim Committee of Experts of the TICER. Dr. Steinberg was elected a member of the Interim Committee, and Dr. Barou a member of the Committee of National Councils of TICER.

#### LATIN AMERICA

The need for planned and systematic work in the field of Jewish culture and education in Latin American countries has engaged the attention of the Congress since the Baltimore Conference of November, 1941.

The efforts of the Department were directed first toward supplying various communities with qualified teachers and rabbis. The Department has succeeded in mobilizing a group of zealous rabbis and teachers willing to do pioneer work in the new Jewish

settlements in Latin America. Some difficulty has arisen from the need of a knowledge of the Spanish or Portuguese language. The conclusion is inescapable that the critical shortage of Hebrew teachers in Latin America can be remedied only by the expansion of the teachers' seminary in Buenos Aires, or by the establishment of additional ones.

The Department has also enlisted a group of outstanding educators, cultural workers, and men of letters, who are willing to visit Latin America for short periods of time and serve there as lecturers and educators.

An important task in the field of culture and education is the organization of the Jewish youth. The Department has given aid and advice in the effort to organize the Jewish youth in Latin American countries; in particular, the Department has supplied youth groups with suitable literature and syllabi.

The Department has provided outlying communities with Hebrew and Yiddish literary works and textbooks for school children. These books have been of substantial help in the conduct of cultural activities in these remote settlements.

#### WORLD UNION OF JEWISH STUDENTS

At its first postwar convention in Paris in December, 1945, the World Union of Jewish Students resolved to affiliate with the World Jewish Congress and to cooperate closely with its Department of Culture and Education.

The World Union endeavors to coordinate the activities of the various Jewish student organizations, to defend the rights and interests of Jewish students wherever they are threatened, and to promote among them Jewish cultural activities. It has affiliates in Palestine, in all European countries (except USSR), in South Africa and in a number of lands of the Western Hemisphere.

The Department has made efforts to bring about the affiliation to the World Union of more Jewish student organizations in the Americas, thus strengthening the ties between the future Jewish intellectual elite all over the world. As a result of its endeavors, associations in Brazil, Colombia, and Mexico have joined the ranks of the World Union.

The Department is cooperating with the Union in its efforts to gain admission for Jewish students of Europe to universities in

the United States and some Latin American countries. It has placed the machinery of the Congress at the disposal of the Union in its relief work, which aims to establish clubs and libraries for Jewish students and to grant subsidies and loans to needy undergraduates. At the Initiative of the Department, drives were conducted during the school years 1946/47 and 1947/48 at several American universities and colleges for textbooks and scientific equipment for Jewish students in Europe. Valuable books and apparatus were collected and shipped to Europe. At Columbia University, the World Union has been included among the organizations which will receive financial allotments from the General Appeal.

The World Union is conducting every year a summer camp which may develop into a very stimulating meeting-place for Jewish students from everywhere. The Department has urged student organizations in all the affiliated communities to send representatives to this camp in order to establish closer contacts with Jewish students the world over.

## CHAPTER IV

### ENCOMPASSING THE GLOBE

IT MAY BE SAID without exaggeration that, except for the World Zionist Organization (or the Jewish Agency), no Jewish association can compare in representative character and range of affiliation with the World Jewish Congress as it is constituted on the eve of its Second Session. Since it was established in 1936, as successor to the Comité des Délégations Juives, the Congress has grown steadily and has come very close to its goal of being the representative body of the Jewish communities of the world for Diaspora affairs. This is due in no small measure to the initiative, vigor, and perseverance with which the Organization Department has endeavored during the last two years to encompass the globe for the World Jewish Congress.

In Europe today there exist only three Jewish communities which neither wholly nor in part are affiliated with the Congress: those of Soviet Russia, Turkey, and Denmark. The position of Soviet Russia's Jewry is part of the general problem of the relationship between the peoples of that vast country and groups outside its borders. Still, contact has been established with the Jewish Anti-Fascist Committee of the U.S.S.R., as well as with the Jewish community in Moscow, regarding concrete problems such as relief and reunion of families. There has also been an exchange of views and information between the Congress and the Anti-Fascist Committee on other Jewish matters. Turkish Jewry has declared its readiness to affiliate with the Congress and has asked the Government of Turkey for permission to do so.

On the American continent, only the Jewish communities of Jamaica and Haiti and sprinklings of Jews in some smaller is-

lands are not federated with the Congress. Of course, mere affiliation does not always imply effective cooperation. There is room for improvement in the organizational relationship and in the follow-up of suggestions for action. Yet, headway is steadily being made in this direction.

As for Asia, there is no community on that continent where the Congress does not have a strong foothold, and most Jewish communities there are affiliated with the Congress in their entirety. Due to the present uneasiness in certain regions of that continent, direct contacts with them have of late been infrequent. Still, care has been taken to insure that they are not interrupted.

Seven Jewish communities on the African continent are affiliated with the Congress. However, two important Jewries in South Africa and three in North Africa have as yet not joined it, although relations have been maintained with them.

As for Australia, the entire Jewish community is affiliated with the Congress, while efforts to have New Zealand join the Congress are in progress.

A list of the present Congress affiliates follows. In principle, the Congress aims at achieving the adherence of the central body representing all the Jews of a country; but if no such entity exists, and in many countries there is none, it accepts the association of the organization that comes closest to its purpose—regional federations or local communities.

## THE PRESENT ORGANIZATIONAL SITUATION

(As of May 15, 1948)

### EXPLANATION OF CATEGORY LETTERS

*The letters denote the following categories of WJC affiliates:*

- A=the entire Jewish community of a country.
- B=other central representative Jewish bodies speaking on behalf of the whole or almost the whole of the Jewish population of a country.
- C=sections and national bodies which represent a considerable part of the Jewish community.
- D=communities which, by formal decision, have become nuclei of the World Jewish Congress in their respective countries.
- E=central DP organizations which are to be considered of a temporary nature.
- F=youth organizations.

## EUROPE

No.	Country	Jewish Population		Organization (* means affiliated after World War II)	Category
		1939	1948		
1.	Austria	60,000	8,000 (resident)	*Union of Austrian Jewish Communities, Hqs., Vienna	A
				*Jewish Community of Vienna	E
				*Jewish Central Committee for the American Zone of Austria, Headquarters, Salzburg,	E
				*International Committee for Jewish Refugees and Former Concentration Camp Inmates, Hqs., Vienna	E
2.	Belgium	90,000	35,000	Conseil des Associations Juives de Belgique, Headquarters, Brussels	C
3.	Bulgaria	55,000	48,000	Consistoire Central des Juifs de Bulgarie, Headquarters, Sofia	A
4.	Czechoslovakia: Bohemia and Moravia	76,500	18,000	*Council of Jewish Communities of Bohemia, Moravia and Silesia, Hqs., Prague	A
5.	Slovakia	40,000	22,000	*Union of Jewish Communities of Slovakia, Headquarters, Bratislava	A
6.	Eire	4,000	5,000	Jewish Representative Council of Eire, Headquarters, Dublin	A
7.	Finland	2,500	1,700	Central Committee of Jewish Communities in Finland, Headquarters, Helsinki	A
8.	France	300,000	250,000	Délégation du Congrès Juif Mondial en France (Fédération des Sociétés Juives de France and Union des Juifs pour la Résistance et l'En-tr'aide) Headquarters, Paris	C

## UNITY IN DISPERSION

## EUROPE (Continued)

No.	Country	Jewish Population		Organization (* means affiliated after World War II)	Category
		1939	1948		
9.	Germany	297,407	18,000	*Landesverband der Juedischen Gemeinden in Rheinland, Westfalen, Headquarters, Duesseldorf, British Zone	A
				*Landesverband der Juedischen Gemeinden von Rheinland-Pfalz, Headquarters, Koblenz, French Zone	A
				*Oberrat der Israeliten Badens, Headquarters, Freiburg, French Zone	A
				*Juedische Kultusgemeinde Saar, Hqs., Saarbruecken	A
				*Arbeitsgemeinschaft der Nordwestdeutschen Gemeinden in Bremen, Headquarters, Bremen, British Zone	A
				*Central Committee of Liberated Jews in the American Zone of Germany, Headquarters, Munich	E
				*Central Committee of Liberated Jews in the British Zone of Germany, Headquarters, Bergen Belsen	E
				*Central Committee of Liberated Jews in the French Zone of Germany, Headquarters, Constance	E
10.	Great Britain	300,000	400,000	World Jewish Congress British Section, Headquarters, London	C
11.	Greece	75,000	10,000	Central Board of Jewish Communities of Greece, Headquarters, Athens	A
12.	Hungary	450,000	160,000	*World Jewish Congress Hungarian Section, Headquarters, Budapest	C

## EUROPE (Continued)

No.	Country	Jewish Population		Organization (* means affiliated after World War II)	Category
		1939	1948		
13.	Italy	75,000	31,000	Unione delle Comunita Israelitiche Italiane, Headquarters, Rome *Organization of Jewish Refugees in Italy (Merkas Hapleitim), Headquarters, Rome	A E
14.	Luxembourg	5,000	1,000	Consistoire Israélite de Luxembourg, Headquarters, Luxembourg	A
15.	Netherlands	150,000	28,000	Dutch Advisory Committee of the World Jewish Congress, Amsterdam	D
16.	Norway	3,000	1,000	*Jewish Community in Oslo *Jewish Community in Trondheim *World Jewish Congress Norsk Section	A A
17.	Poland	3,300,000	90,000	*Central Committee of Jews in Poland, Headquarters, Warsaw Organizational Committee of Religious Jewish Associations in Poland, Hqs., Warsaw	A
18.	Portugal	3,500	2,000	Comunidade Israelita, Lisbon	A
19.	Rumania	850,000	400,000	World Jewish Congress Rumanian Section, Headquarters, Bucharest	C
20.	Sweden	7,000	7,000	World Jewish Congress Swedish Section, Headquarters, Stockholm *Jewish Community of Malmoe *Central Committee of Liberated Jews in Sweden, Headquarters, Stockholm	C E

## UNITY IN DISPERSION

EUROPE (*Continued*)

No.	Country	Jewish Population 1939      1948		Organization (* means affiliated after World War II)	Category
21.	Switzerland	25,000	28,000	Schweizer Israelitischer Gemeindebund, Headquarters Zurich	A
22.	Trieste, free territory of	5,000	1,600	*Jewish Community, Trieste	A
23.	Yugoslavia	75,000	12,000	Fédération des Communautés Israélites en Yougoslavie, Headquarters, Belgrade	A
				*World Union of Jewish Students, Headquarters, Zurich (an international body, membership from countries in and outside Europe)	F
				*Scandinavian Youth Federation (Regional body comprising youth groups from Sweden, Denmark, Norway and Finland)	F
NORTH, SOUTH, AND CENTRAL AMERICA					
24.	Argentina	340,000	370,000	Delegacion de Asociaciones Israelitas Argentinas (DAIA), Headquarters, Buenos Aires	B
25.	Bolivia	3,800	4,000	Central Committee of Jews in Bolivia (composed of Circulo Israelita, and Comunidad Israelita de Bolivia), Headquarters, both in La Paz	B
26.	Brazil	100,000	110,000	Centro Hebreu Brasileiro, Rio de Janeiro Centro Hebreu Brasileiro, Sao Paulo	C
27.	British West Indies	350	400	Barbados Jewish Community Committee of the WJC, Port of Spain	B
28.	Canada	170,000	190,000	Canadian Jewish Congress, Headquarters, Montreal	B

NORTH, SOUTH, AND CENTRAL AMERICA (*Continued*)

No.	Country	Jewish Population		Organization (* means affiliated after World War II)	Category
		1939	1948		
29.	Chile	27,000	30,000	Comite Representativo de la Colectividad Israelita and Federacion Sionista, Headquarters, both in Santiago	B
30.	Colombia	7,000	9,000	Comite Interino del Comite Central Hebreo de Colombia, Hqs., Bogota, representing local affiliates Asociacion Israelita Montefiore, Bogota Union Federal Hebreo, Cali Comite Central Hebreo, Baranquilla	B
31.	Costa Rica	800	1,000	Centro Israelita Sionista, San Jose	B
32.	Cuba	9,000	11,000	Consejo Central de Sociedades Israelitas de Cuba, Hqs., Havana	B
33.	Dominican Republic	300	600	Parroquia Israelita, Trujillo	B
34.	Dutch Guiana	800	1,000	Central Committee for Jewish Affairs, Paramaribo	B
35.	Dutch West Indies	450	700	Nederlandsch Israelitische Gemeente, Aruba Jewish Community, Curacao	B
36.	Ecuador	3,200	4,500	Centro Israelita, Guayaquil	B
37.	El Salvador	180	200	World Jewish Congress Committee, San Salvador	C
38.	Guatemala	650	800	Sociedad Israelita "El Comite", Guatemala	B
39.	Honduras	100	130	Centro Israelita en Honduras, Tegucigalpa	B
40.	Mexico	17,000	20,000	Comite Central Israelita de Mexico, Hqs., Mexico City	B
41.	Nicaragua	150	200	Union Israelita, Managua	B

NORTH, SOUTH, AND CENTRAL AMERICA (*Continued*)

No.	Country	Jewish Population		Organization (* means affiliated after World War II)	Category
		1939	1948		
42.	Panama	630	750	Centro Israelita Cultural, Colon Beneficencia Israelita de Panama, Panama City	B
43.	Paraguay	2,500	3,000	Congreso Judio Mundial, Asuncion	C
44.	Peru	1,500	3,500	Asociacion de Sociedades Is- raelites del Peru, Hqs., Lima	B
45.	United States	4,900,000	5,250,000	American Jewish Congress, Hqs., New York	C
46.	Uruguay	34,000	37,000	Comite Central Israelita del Uruguay, Hqs., Montevideo *Nueva Congregacion Israelita de Montevideo Congreso Judio Mundial, Montevideo	B
47.	Venezuela	3,000	4,000	Centro Israelita de Caracas, Caracas Centro Social y Cultural "Is- rael", Caracas Asociacion Israelita de Vene- zuela, Caracas	B

*Note:*—Since there are no Jewish communities recognized by law as collective representation of the entire Jewish population in the countries of the Western Hemisphere, there are no affiliates of Category A among them.

## AFRICA

48.	Algeria	120,000	140,000	*Fédération des Communautés Israélites d'Algérie, Hqs., Algiers	A
49.	Belgian Congo	1,200	1,425	*Communaute Israélite du Katanga, Hqs., Elizabethville	A
50.	Cyrenaica	4,200	4,000	*Jewish Community of Cyr- enaica, Hqs., Benghazi	A
51.	French Morocco	170,000	200,000	Comité Marocain du Congres Juif Mondial, Hqs., Casa- blanca	D

## AFRICA (Continued)

No.	Country	Jewish Population		Organization (* means affiliated after World War II)	Category
		1939	1948		
52.	Kenya	650	1,000	*Board for Kenya Jewry, Hqs., Nairobi	A
53.	Tangiers	9,000	10,000	*Communauté Israélite de Tanger, Tangiers	A
54.	Tripolitania	24,000	22,000	*Jewish Community of Tri- politania, Hqs. Tripoli	A
ASIA					
55.	Aden	4,000	10,000	*Council of the Jewish Com- munity, Aden	A
56.	China	18,000	12,000	World Jewish Congress China Section representing the: *Shanghai Ashkenazi Jewish Communal Association, Shanghai *The Tientsin Hebrew Asso- ciation, Tientsin *The Hankow Hebrew Asso- ciation, Hankow *Tsingtao Hebrew Associa- tion, Tsingtao	B
57.	Hongkong	90	100	*Jewish Community of Hong- kong	A
58.	India	24,000	25,000	Central Jewish Board of Bom- bay, Bombay *Jewish Association of Cal- cutta, Calcutta	A
59.	Iran	79,000	80,000	Committee of the World Jew- ish Congress, Teheran	C
60.	Israel Palestine	630,000	750,000	Vaad Leumi, Hqs., Jerusalem	A
61.	Lebanon	5,000	6,650	Conseil Communal Israélite, Hqs., Beyrouth	A
62.	Philippines	250	1,000	Jewish Community of the Philippines, Hqs., Manila	A

## ASIA (Continued)

No.	Country	Jewish Population		Organization (* means affiliated after World War II)	Category
		1939	1948		
63.	Syria	18,000	11,800	Conseil Communal Israélite, Hqs., Damascus	A

## AUSTRALIA

64.	Australia	30,000	35,000	*Executive Council of Aus- tralian Jewry, Hqs., Mel- bourne	A
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From these charts the following picture of the organizational structure of the World Jewish Congress emerges: 30 countries all over the world belong to Category A; 21 to Category B; 11 to Category C; and 2 to Category D. The World Jewish Congress thus has affiliated bodies in 64 countries.

In addition, the entire Jewish DP population listed under E is affiliated with the World Jewish Congress, while one international and one regional Jewish youth organization are listed under F.

## ORGANIZATIONAL STRUCTURE ANALYZED

In May, 1946, Dr. Ignacy Schwarzbart became head of the Organization Department. He succeeded Baruch Zuckerman, who at the beginning of that year had left for Palestine on a Congress mission: to help in the erection of the Yad Vashem Memorial to the annihilated Jewry of Europe. Some other changes had taken place in the composition of the Office Committee. After the War Emergency Conference, which named Dr. Wise president of the Congress, Dr. Goldmann was elected chairman of the Executive Committee. In July, 1945, Dr. A. L. Kubowitzki became Secretary General of the organization, with Dr. Oscar Karbach as his assistant, while Rabbi Miller assumed the chairmanship of the Administrative Committee.

When Dr. Schwarzbart took charge of the Organization Department, the Jewish world had begun to emerge from the shadows of the war and persistent and untiring efforts were necessary in order to group the scattered Jewish communities around a central body. As soon as the highways were again opened for civilian communications, members of the Executive Committee and of the London and South American offices were sent to survey the new Diaspora and bring the dispersed communities into the fold

of the Congress. From headquarters a stream of letters, suggestions, instructions, and information went to local leaders and organizations. In the majority of cases the exchange of views resulted in the future associates of the Congress accepting the invitation to share in the struggle of the Congress for Jewish dignity, security, and survival. That is how the number of affiliates has increased since the end of the war by 60 percent.

In its endeavors the Congress considered it essential not to leave outside the organized Jewish world the small sprinklings of Jews which are isolated from the great avenues of Jewish life and which are doomed to disappear gradually unless they are included in the universal concern about the Jewish future and unless tools are given them with which to keep alive institutions of Jewish solidarity and culture. It is from this viewpoint that the Organization Department initiated contacts with small Jewish communities such as Albania, Gibraltar, Malta, Batavia (Indonesia), Karachi (Pakistan) and Singapore.

*Prompting the creation of central bodies.* In a country where several communities operated without any permanent link between them, the Organization Department took the initiative in bringing about the creation of a central body. Jewish consciousness and readiness to sacrifice can only come to maturity when separate groups in a country join together in one living organism. That is why the Department was instrumental in calling a national conference of Jewish communities in Brazil, which took place on May 29 and 30, 1948, in the presence of Dr. Simon Federbush, and established the Confederation of Brazilian Jewry. It also initiated a conference of Tunisian Jews, which was held in February, 1948, and took preparatory steps in unifying the eighteen Jewish communities of Tunisia into the Tunisian Jewish Council. The formation of a federative body is expected shortly in the new state of Hindustan, and similar endeavors are in progress in regard to New Zealand (where the four Jewish communities have not yet coordinated their activities), Morocco, and China. In the last-named country, the Congress Section in Shanghai takes the place of a central body. Thus the Organization Department unites nationally the scattered fragments of the Jewish people before integrating them into the world organization.

*Provincial branches.* The Department has persistently advocated that wherever possible provincial Congress branches or committees should be set up for the purpose of imparting to the Jewish community information about the activities of the Congress and its aims in ways appropriate to local conditions. The Department is opposed to a purely declaratory affiliation of the central bodies and wants the widest possible circles drawn into the actual responsibility for the fate of the Jewish people. There is, however, no direct contact between the provincial branches and Congress headquarters in New York. They remain wholly under the authority of the affiliate.

Provincial and regional branches have been established in Belgium, Czechoslovakia, Finland, Great Britain, Hungary, Italy, Norway, and Rumania. As for the Western Hemisphere, the American Jewish Congress has a number of chapters in the province and is organized on the basis of regional chapters. There is also a network of regional chapters affiliated to the Canadian Jewish Congress, and there are provincial sections of the DAIA based usually on the *Chevrá Kadisha*, which is the Argentine form of the Jewish community. The idea of the Congress needs popular support to be fruitful. This conviction guides the Department in its endeavors to widen the foundation of the organization.

*Interterritorial affiliates.* The basis of the organizational structure of the Congress is territorial. Still, there also exists a group of associates of the Congress which are interterritorial in character. In December, 1945, at its postwar convention, the World Union of Jewish Students affiliated with the Congress and elected Dr. M. L. Perlzweig as its Chairman. On March 21, 1948, the European Conference of the Maccabi World Union convened in Basle and decided to recommend to its World Executive to join the Congress.

Dr. Schwarzbart has also resumed the endeavors for the integration of the Jewish youth into the Congress framework which was interrupted by the war. For no movement can carry on without assuring its continuity by winning the interest of the youth for its aims and ideals, and by introducing new generations within the orbit of its practical day-by-day work. The British Section in January, 1948, elected a special Committee for the realization of this idea in Great Britain.

Another aspect of the problem of non-territorial organizations is that of the Sephardic Jewries, the scattered fragments of Jews from Germany, and the various Landsmanschaften with sections in several countries. The Department has considered it necessary to counteract the isolationist trends of some of these groups.

The Sephardic world comprises a million Jews, the majority of whom live in Moslem countries, with colonies in a number of lands of the Western and Eastern Hemispheres. They represent nearly 9 percent of the Jewish people today and their importance has increased because of the catastrophic loss of blood the Jewish people suffered during the last war. On November 5, Dr. Schwarzbart called an exploratory meeting which was attended by delegates of the World Federation of Sephardic Communities with headquarters in New York, and by leaders of Jewish communities in the Near East residing in the United States. A joint working committee has held a number of conferences, and negotiations are in progress.

Quite different is the problem of the Jews from Germany. The majority of German Jews succeeded in leaving Germany before the war broke out and a substantial number of them settled in Latin American countries. These sections of our people have organized themselves with skill and discipline and built up new economic positions. However, they show a certain tendency to separate themselves from the rest of the Jewish community. It was the duty of the Congress to ease such tensions between various sections of the community as were due to diversity of conditions of life in the past, and to cement these fragments into one unit. Some results have been achieved in Brazil, Cuba, and Uruguay. In other countries, these efforts are still in the preliminary stage.

The German Jewish Representative Committee which the Congress set up in New York toward the end of 1941, consisting of prominent leaders of pre-war Germany, has greatly assisted the Organization Department in these endeavors. It has established good contacts with German Jews in Palestine, England, and the Western Hemisphere, achieved substantial results for the welfare of Jews from Germany everywhere, and has been very helpful in bringing the Jews from Germany closer to the idea and organization of the World Jewish Congress.

Another problem, although of quite a different nature, is that of the Displaced Persons in Germany, Austria, Italy, and Sweden. As of May, 1948, it involved some 225,000 Jews, a fluctuating number due to the unsettled situation of the people in question. One of the purposes of the Congress was to give these fellow-Jews, burdened with memories of a terrible past, and with a nomadic present, a spiritual anchor in the friendship of the Jewish people. They were asked from the outset to join the Congress on a footing of equality, and to share in the responsibilities and decisions in matters concerning the Jewish people as a whole. The efforts of the Organization Department have fully succeeded in this respect, and there is not one center of Displaced Persons in Europe which is not affiliated with the Congress. Particular mention should be made in this connection of the zeal and devotion of the European Secretariat and the Swedish Section in caring for the comfort and well-being of the *Shearith Haplatah*.

#### REGIONAL CONFERENCES AND COUNCILS

While during the first decade of the existence of the Congress its primary task in the field of organization was to strengthen the central authority and to dissuade local Jewries from uncoordinated action, the continuous expansion of the Congress since the end of World War II, the vastness of its scope in space and in duties, has made it evident that some decentralization is required for the efficient performance of its tasks. This has led to the convening of regional conferences and the establishment of regional councils.

*European Consultative Council.* The idea of establishing a European Consultative Council sprang up at the first conference of European communities affiliated with the Congress which took place in London in August, 1945, a few months after V-E day. It was an impressive meeting of surviving leaders of European Jewry with Jewish colleagues from overseas after the long night of separation, isolation, and horror under Nazi domination. There were delegations from Belgium, Czechoslovakia, Eire, Finland, France, Greece, Great Britain, Italy, Poland, Sweden, and Switzerland. Two other delegations, one from Bulgaria and the other from Yugoslavia, arrived too late to attend the Conference but ratified its decisions.

The presence of a very representative delegation from Poland gave the Conference moments of historic import. Its leader, Dr. Emil Sommerstein, summarized the feelings of the delegation by declaring: "Those who have lost everything still have one thing left: their membership in the family of the Jewish people."

The constituent session of the European Consultative Council which took place in Paris, November 26-29, 1946, was attended by forty delegates representing twenty countries. The Central Committees of Liberated Jews in the British and the American Zones in Germany were also represented.

The proceedings were on a high level. Dr. A. L. Kubowitzki presented an analysis of the guiding ideas and achievements of the Congress since its inception, Dr. M. L. Perlzweig outlined the Jewish demands in connection with the peace settlement with Germany, while Dr. N. Barou proposed certain postulates formulating the Jewish position in regard to the general developments in the postwar world. Dr. I. Schwarzbart reported on the organizational problems of European Jewry; Dr. S. Federbush called for the preservation of the Jewish people not only as a physical but also as a cultural entity; Dr. F. R. Bienenfeld and Dr. N. Robinson discussed restitution problems, and Dr. S. S. Barber dealt with relief questions. Lady Reading pleaded against extremism in the "Exodus from Europe" doctrine, while the spokesmen of the DP's declared that Palestine was the only hope of the *Shearith Hap-latah*. Dr. Cantoni called on world Jewry to maintain complete neutrality between the Western and Eastern blocs.

H. Adam (France), Wilhelm Fischer (Rumania), Ernst Frischer (Bohemia-Moravia), Prof. Nico Gunzburg (Belgium), Dr. S. Margoshes (Executive Committee), Dr. G. Riegner (Geneva), Chief Rabbi Alexander Shafran (Rumania), Sydney S. Silverman, (Great Britain), Dr. V. Winterstein (Slovakia), and Baruch Zuckerman (Executive Committee) took an active part in the proceedings.

The Conference decided to set up a European Consultative Council and a European Secretariat to deal with the specific Jewish problems of the European continent and to widen and deepen the relationships of the communities with the Congress. Every affiliate was allotted representation on the Council according to the size of its Jewish population.

A European Secretariat with headquarters in London and branches in Paris and Geneva was elected. It was composed of Dr. Barou as Chairman, and Dr. Barber, Dr. Cahn-Debré, Mr. Easterman, A. Raisky and Dr. Riegner as members. Later the Secretariat coopted three more members: Dr. F. R. Bienenfeld, Dr. Siegfried Roth, and Dr. Lev Zelmanovits.

Other meetings of the European Consultative Council took place in Prague in April, 1947, and in London (as the enlarged European Secretariat) in November, 1947. A fourth meeting of the Council was held in Warsaw in April, 1948, on the occasion of the unveiling of the Warsaw Ghetto Memorial.

In close cooperation with the Organization Department, the European Secretariat engaged in manifold activities and established personal contacts with almost all European affiliates. It took particular care not to permit the division of the world into two rival blocs to affect the Congress. The affiliation of the Central Committee of Jews in Poland was a result of this prudent policy.

*Council for Latin America.* In the Western Hemisphere a regional gathering, called the Latin American Conference, opened on June 29, 1947, in Buenos Aires, and turned into a representative and impressive demonstration of Jewish vitality and solidarity. Dr. Nahum Goldmann, who was the principal speaker at the opening session, stated that the Yishuv was strong enough not to permit the Jewish people to be excluded from the world's agenda; he emphasized that the position of the Jews of Europe could not be solved by relief alone, that political action such as the Congress pursued in the field of legal rehabilitation and restitution was no less indispensable. Dr. Moises Goldman, then President of the DAIA, asserted that anti-Semitic forces were consolidating their position in Latin America and that it was necessary to neutralize their influence by public exposure. Dr. Jacob Hellmann, who has for many years been the exponent and advocate of Congress ideas in South America, explained the specific approach of the Congress to the relief problem, and stated that an abandonment of that field of endeavor by the Congress would strengthen the reign of irresponsibility in Jewish public life. Other speakers were Baruch Zuckerman of the Executive, Marcos Regalsky of Buenos Aires, Samuel Goren of Chile, Dr. Isaac Weccselman of Peru, etc. The

Conference adopted *inter alia* a resolution protesting against the discrimination in immigration practiced by several Latin American Governments, and urged that the relief work of the Congress be continued as long as no coordination of the various relief organizations was achieved.

The Conference decided to establish a Council of the World Jewish Congress for Latin America. This body has not yet constituted itself because of the fluctuating political situation in some Latin American countries, and also because of the enormous distances between the various Jewish communities of Latin America.

While pursuing its mission of gathering within the fold of the World Jewish Congress the scattered fragments of the Jewish people, the Organization Department will continue to favor the trend toward a healthy decentralization and the establishment of regional councils and offices. The Jewish Diaspora was never before so extended in space, and while the number of Jews has decreased, that of Jewish problems has multiplied. Unity in dispersion, at which the Congress aims, means voluntary unity in action, continuity of tradition, and preservation of a common heritage. It means neither sameness, conformity nor coercion. A Jewish sage once said, "Let us not be like parallel lines which never meet, but like the radii of a circle all of which lead to the central point and unite there."