

JOURNAL

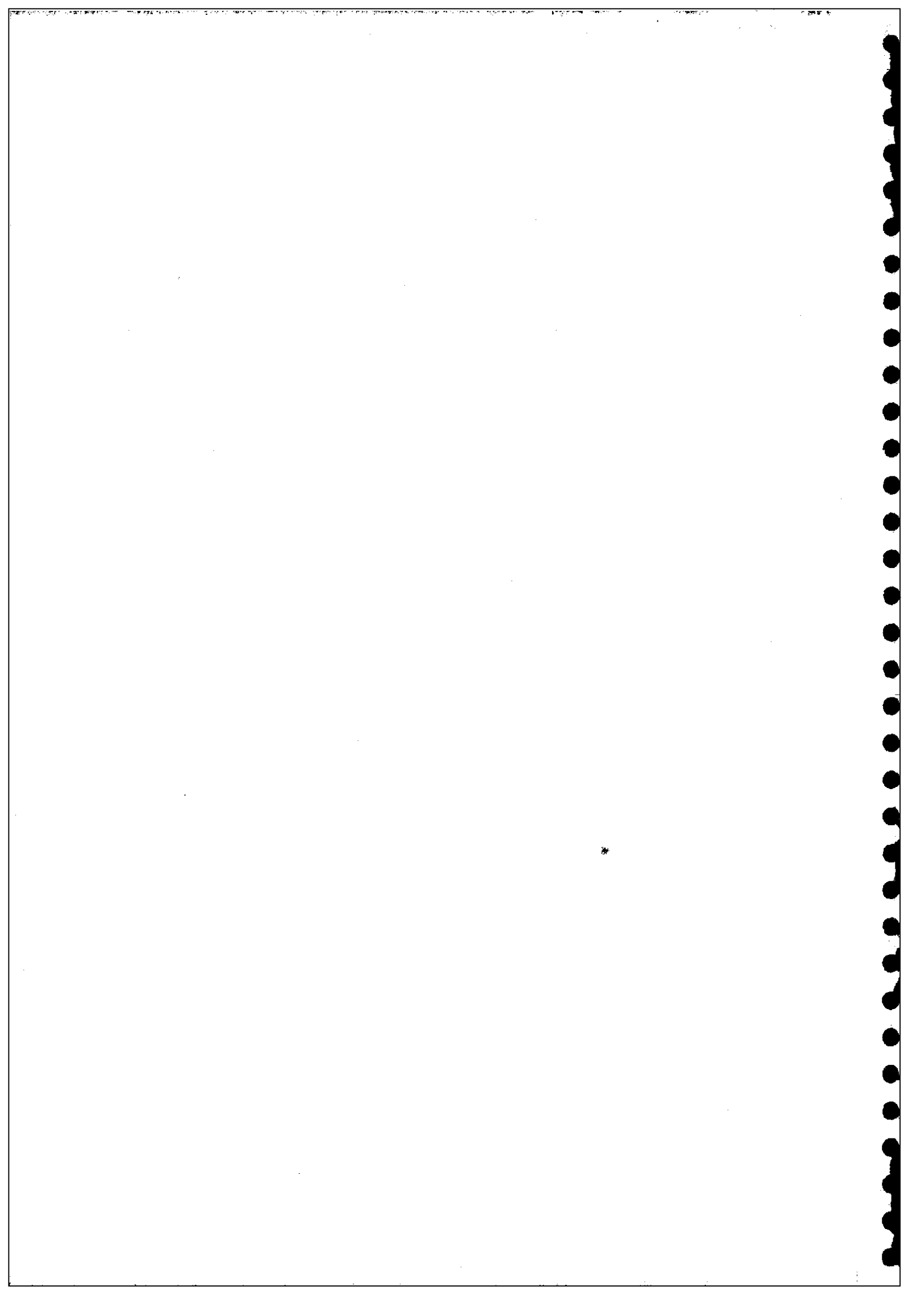
'45

OF THE AID SOCIETY

No. 14

May 1990

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They should be typed in double spacing and reach the Editor not later than the end of November 1990.

Section II

A year ago we published the 13th Number of our **Journal**, four years after No. 12 had appeared. As you can see, we are doing better with No. 14 than we had done with No. 13 and, if you are nimble at arithmetic, you will realise that the publication of No. 12 coincided with the 40th Anniversary of our Liberation. We are now on the point of celebrating the 45th Anniversary.

Last September marked the 50th Anniversary of the outbreak of the Second World War, the historic event which saw the destruction of the communities into which we had been born, of our families and of our later childhood and adolescence. 50 years on and the geographical areas from which we originate ignoring changes in political boundaries, have seen a completely unanticipated transformation in their political and economic arrangement, which show promise of bringing Western freedoms to areas which, with the sole exception of Czechoslovakia, had never known them before. Outside the USSR, there are to all intents and purposes no Jews left in these areas, which has not prevented the emergence of freedom from being accompanied by the surfacing of vocal and sometimes virulent anti-semitism. This neither should, nor seems, to prevent us from welcoming these changes wholeheartedly, on the basis of simple feelings of human solidarity. Until very recently this entire area was ruled by authoritarian regimes under which the rule of law was absent. Under the Nazis no law of any kind protected us. We knew in the most extreme form what it is to live in such conditions. The situation in the People's Democracies, fortunately, was not the same. Nevertheless, we can only rejoice that people like Father Popieluszko will not be murdered again by the police and people like Vaclav Havel will not be interned. Last but not least, we will no longer need to campaign for Russian Jews, or indeed any other citizens of the USSR to be allowed to leave the country. Nor does it seem that we need to have misgivings about the unification of Germany and, of course, we have welcomed the long overdue acknowledgement by the East German government that the responsibility for Nazi policy towards the Jews belonged to the East just as it did to the West.

The second half of the 45th year since our liberation will be a period remembered in European history. We can only regret that analogous improvements have not taken place in the Middle East.

Now to the comments on the contents of this issue, which are a regular feature of these Editorials.

The Section "Youth Remembered" had to be left out this time, as no contributions for it were received. This seems surprising, as some of our members recounted their experiences to interviewers from the Imperial War Museum, as reported in the Section "Recent and Forthcoming Events" in our last issue. Each such interview must contain enough material, not just for one such contribution, but for at least a handful of them. We are able to tell our readers now that our next issue will have at least one article in the Section "Youth Remembered".

We can dispense with comments on Sections III, IV and V, except to note that Section III contains an article on a topic, The War Crimes Bill, which is of special interest on the 45th Anniversary of our liberation. This time Section VI contains a Report of the Lecture instead of, as in the past, the text of the Lecture itself. Some or many readers may regard this arrangement as preferable, on grounds of brevity. Comments on this and any other matter are once again invited for the Section "Letters to the Editor" which has not appeared for a long time. Section VII alas again has too many entries. Please note that, since No. 13, the Section "Members News" contains only news of simches and therefore other news, will appear in different sections, as appropriate. Last year we hoped that, as a result of Arom Zylberszac's efforts, we would have much news to report from the U.S.A., Canada and Israel. So far these hopes have not been realised.

In the last Editorial it was suggested that the Section "Recent and Forthcoming Events" "will not be repeated". We were wrong, for it appears again in this issue and we hope that members will find it interesting.

Finally, we must again express our sincere thanks to Roman Halter for making it possible for this issue to appear in time to be distributed at the Re-Union. Without Roman's intervention this would not have been possible; making it possible has cost Roman a lot of effort and saved the Society a lot of money.

Section III

THE VISIT

by Jasmine G. Bandel

It was to be the culmination of many years of heart-searching and the desire to fulfil a deeply-felt need, to return to that hellhole of horror and death — to pay his respects and to say kaddish, specifically for his dear late father. You see, Michael is one of the 'lucky ones' who survived the holocaust, but who also knows the how, the where and the when of his late father's death: Ebensee, one of the very many sub-camps of Muthausen (Austria), Erev Pesach, 1945.

Michael very much wanted our children to come too, and they readily agreed, and so in June (1989) together with Martin, Gaynor and her husband Daniel (and our 6 month old grand-daughter who we could not leave happily with anyone) we flew to Salzburg, and then Daniel drove us the 1½ hours to Linz. The next morning we drove to Mathausen, just 20 minutes or so away: could the locals really not have known that such a place existed on their very doorstep so to speak? We had been informed that this camp had been well-preserved by the Austrian Authorities, and so it proved. It was very cold and raining that day, most unpleasant but I suppose appropriate to the occasion. We approached the entrance — Michael has always described the massive wooden gates which had terrified them on arrival all those years before: were those the same gates? Could he go through them again? What did he feel? He did, but said nothing.

Entrance for former prisoners and their families was free! Perhaps 'they' felt the price had already been paid . . .

We came into a huge courtyard — yes, it was the same place, 'the Appelplatz'. We stood there, and we tried to imagine it filled with emaciated, sick men trying so hard to be seen as fit for work. We tried to imagine what Michael was seeing: I could not.

On one side some blocks had been kept, but not block 5 where Jewish prisoners had been — only a green lawn filled that space now. One block is open to visitors: There is a bunk to show the space, or lack of it where, usually, 2 men slept head to feet: A table with tin mug, plate: Some sort of cupboard behind it, a small stove in this wooden hut which would have been freezing in the winter . . .

We walked to a new building, the museum, housed in what would have been the new 'sick quarters'. We were greeted by two smiling, helpful ladies, who clucked over the baby and asked if we wished to see the English-speaking version of the film about the camp: yes, we would — so we were shown to the room with seating and screen and sat, and watched the history of Mathausen unfold before us — and I watched, and I waited nervously, would a familiar face appear? No it didn't and there was no reaction, outwardly, that could be seen. It is a very moving film, also clear, precise and informative, other people came in, some stayed to the end, some left beforehand . . .

We then walked through the museum hall, with the numbered tables and showcases with copies of photos, names, dates, figures, documents, telling more of the facts — all neat and clean and precise . . .

In the basement of this building are the various rooms, cells, housing the crematorium which had no less than 3 furnaces, one of which I remember seeing, the 2 gas chambers camouflaged as usual as bathrooms, with showers and sluices, an 'execution corner' where prisoners were taken to be "measured for height" only to be shot through a slot in the headboard behind them: there is a dissecting room used for various purposes, punishment cells: hooks from this ceiling, wire loops from that ceiling: the prison jail is here too, where many people, including allied soldiers, were interrogated and goodness knows what else. I walked through this basement, now all whitewashed and clean, and looked, and saw, yet didn't see . . . and felt — I'm not sure what I felt, cold, trapped, fearful — and I couldn't leave quickly enough to go outside for some fresh, albeit cold, wet air. What did Michael feel — I don't know — he didn't say.

Outside again and near the entrance is a wall, the notorious wall where prisoners were made to stand for hours, sometimes days on end, chained to rings, which are still there, how many of them died there, chained to those same rings . . .

We went outside the walled inner camp area to the open ground beyond, where stood many memorials, some simple, some very elaborate, to those who died in this horrific place. There had been political prisoners, resistance fighters, women, children, youths in this place, soldiers of the allies too — in all 18 nationalities and their memorials stand for all to see: overlooking the valley is the memorial to the Jewish prisoners, a huge, jagged stone menorah and the word in Hebrew — ‘Zachor’: we stood and looked and thought . . .

Muthausen was infamous for its ‘death steps’ — 186 stone steps made up from randomly placed rocks or boulders which led down to the stone quarry, the camp’s raison d’être, the quarry has housed various armaments plants and sheds and thousands had lost their lives carrying stones up and going back down those dreadful steps. We walked towards them, past ‘parachute hill’ from which prisoners were thrown, or threw themselves to their deaths in the quarry below: it was raining hard now and the path was muddy and slippery, and the steps were far too steep and dangerous to descend — and we were fit and well . . .

Michael’s stay in Muthausen had been short, having arrived from various other destinations, in June 1944; then he and his late father were ‘transferred to Ebensee: ‘Lucky’ they told them, ‘You’re lucky to be leaving this place’.

Michael asked me if I felt the horrors of what had happened there. My imagination had run riot walking through the camp — my mind told me that yes, this and this and this had happened here and of course, I knew, more than many, the facts of what had taken place there. But, in all honesty, I couldn’t say that I could feel, really feel, what had happened there: How could anyone who had not been there? so how much less can the younger generations actually feel and comprehend the enormity of it all, but know about it they should.

The following day we drove back, back towards Salzburg, to the little town of Ebensee, on the Traunsee. Michael had told me many times that Ebensee had been buried so deep in a valley surrounded by very high, sheer mountains, that not even the devil himself could have found them. We drove along winding, twisting roads which brought us to a valley, through which the river Traun runs and opens into a lake. It was astonishingly beautiful, painfully beautiful, with the sun shining on the blue waters of the lake, surrounded with high, sheer snowcapped mountains, the lower slopes covered with trees, green and beautiful. This is now a holiday centre for water sports and yachting: the sail boats were picturesque on the lake, as were the houses, and the gardens filled with flowers of every hue. I had to bite my tongue not to keep exclaiming how beautiful it was.

We asked at the police station, where was ‘the memorial’? We had been told beforehand that it was difficult to find the camp site and the locals were unfriendly! He marked it on our map and we drove on, round the lakeside: we couldn’t find it. There was no sign that said ‘Kz Ebensee’: we drove backwards and forwards, but couldn’t find it. We saw a signpost saying ‘Kz Friedhof’. ‘That’s not it, why should it have a different name?’ said Michael. (It was only later that day, back in Salzburg, that Michael remembered that ‘Friedhof’ is German for ‘cemetery’: He had been so perturbed earlier that it just hadn’t registered). Michael had been so sure, so certain: He would find it, he would know every stone, every road, every inch of the place. We couldn’t find it.

We followed the sign, thinking it must lead somewhere, and we came to a cemetery, in the centre of a new housing estate. We went in and found on the right-hand side of the gate a huge stone wall with a cross mounted on it: there were gravel pathways and ‘green lawns’ laid out: we couldn’t see much else and Michael was disturbed and worried: had we come all this way, to the wrong place? we left.

We saw an older man walking along the road and Michael asked him 'is this where the Ebensee camp was during the war'. 'Yes, there was a camp here' he said. 'Where?' 'Here, where you are standing, where the new housing estate is. It was for political prisoners and murderers' he told us.

We couldn't believe him: Michael couldn't believe him. We were walking on the blood soaked ground, where thousands had been murdered, and where now there were pretty houses, with pretty gardens with pretty flowers. Was it possible? could it really be so? It seems it is so . . . 'Where are the quarries' Michael asked. 'Come, I will show you'. Michael had lost all sense of place or direction, could recognise nothing, but this proved to be a friendly local, and show us he did.

How did he know this? He had been a youngster living nearby during the war. He knew — he had seen — and he showed us. 'This was the roadway out of the camp and here stood the gates: this post is the only remaining part of the gateway. This is the way up the hill, this is where they had to run, up this hill, to the quarries'. And we followed him, and once again Michael trod that awful road, and went up that awful hill where the 3 stone quarries had been: they are still there. Two are closed up now but one had been turned into a rifle range for sport — sport, within the mountain where men had toiled to dig out the tunnels which would have been an armaments factory. where my husband and his late father, our childrens' grandfather, had worked and suffered 44 years before: we all stood on the brow of that steep slope, at the foot of a sheer mountain, and looked down. And then Michael saw — the crematorium had been there, to our left — but there was nothing there now: There, had been the Appelplatz, there the blocks, there the 'hospital' block: and it was to this hospital block that Michael's father had been brought, so badly beaten, because he had been found praying, and dying: it was where Michael had found him and where, on Erev Pesach he had passed away, held in his son's arms, 44 years before.

We thanked our guide and returned again to the cemetery with the sign — 'Kz Friedhof Konzentrations Lager Cemetery — and this time we walked right in and found at the far end a wall, a wall of remembrance, with plaques bearing names and dates and in some cases pictures, of Jews from many lands, of Russians, Czechs, Italians and many others. Their families had found this place too and placed there memorials to their loved ones. We walked the gravel paths between the 'lawns', only they were not lawns, they were mass graves, one with 382 and one with 1000 bodies of prisoners who had died in Ebensee just before the liberation. The crematorium couldn't cope with so many at the end and the living were made to bury the dead. At 2.30 am on the morning before the liberating American 8th Army arrived on May 8th, Michael was one of those who had had to cover the mass grave with 1000 dead. A stone with a Magen David etched on it stood on one of the graves. Other national memorials stood there too, silent sentinels guarding the silent dead: and at one such memorial, a plinth erected by a Kibbutz in Israel 'in memory of our Jewish brethren who died here . . .' we stood, and Michael was able at long last to say Kaddish for his dear late father and for all his lost loved ones and 'for all our Jewish brethren who had died in this place' — and we wept.

We didn't stay as long as we thought we would — Michael found he could not stay there — the sight of the houses all around, people living on the actual site where such evil, such horrors had taken place, was too traumatic to cope with. We drove away fervently believing never to return.

We were grateful that our family had been with us: to have them there was a salve for the pain and anguish which must have been Michael's alone: whatever we felt could not have possibly been comparable. We thank them so much for their caring and their love.

Since our return home, and with a calmer mind, much to my amazement Michael has said he wants to return one day, to spend more time and 'make a better job of it'.

Who knows — perhaps one day he will.

THE WAR CRIMES BILL

by Kurt Klappholz
the Editor

The author must thank Mr. Warren Taylor of The All-Party Parliamentary War Crimes Group for providing him with reference material without which this article could not have been written.

The above Bill passed its 2nd reading in the House of Commons on 19th March, by 273 votes to 60, a hefty majority, the opposition being "mostly Conservative" (Financial Times 20.3.90). The Bill is designed "to confer jurisdiction on United Kingdom courts in respect of certain grave violations of the laws and customs of war committed in German-held territory during the Second World War; and for connected purposes" (p. 1). The Bill is expected to reach the statute book by early summer, allowing prosecutions to take place later this year.

These developments mark the successful outcome of a campaign which, in this country, began in October 1986 when the Wiesenthal Centre from Los Angeles sent the Prime Minister a list of individuals believed to be resident in this country who, it is alleged committed war crimes. Attempts began to persuade the government to examine these allegations and, if the evidence to support them seemed compelling, to take judicial action against the individuals concerned. This is not the place to describe the details of this campaign, except to note that the following members of our Society supported it on television: Sam Freiman, H. Gryn, B. Helfgott, J. Kagan and M. Tribich. Many of our members wrote to their MP's, some saw their MP's and gave them accounts of the appalling atrocities they had witnessed. The MP's were impressed by the testimony of our members.

The Second Generation Group in Manchester was "very involved" in the campaign from the end of 1989 onwards (see its AGM Report, 6.3.90).

The campaign in this country in favour of the War Crimes Bill has had eminent opponents whose arguments deserve a serious consideration, which this article is intended to provide. However, it must be borne in mind constantly that most of the arguments are moral ones, concerned with what we **ought** to do; such arguments cannot be tested solely against factual evidence which can be used to resolve disagreements about purely factual matters.

One argument advanced by such an eminent lawyer as Lord Hailsham, is that the crimes which may be tried when the Bill reaches the statute book were committed too long ago to make a fair trial possible. Anyone who wishes to rely on this argument ought to advocate a statute of limitations, which does not exist in the U.K. for the kinds of crime with which the Bill deals; yet, none of those who oppose the Bill because it is now "too late to act" have advocated the introduction of a period of limitation.

It is, of course, true that memories may fade with the passage of time, yet, it has always been the task of the jury to assess the credibility of witnesses and, in a criminal trial, read a verdict of guilty if, and only if, they find the accused guilty beyond any reasonable doubt, a principle the Bill leaves untouched. Misgivings about the chances of a successful outcome may explain why prosecutions which some might think ought to be instituted may not be. Other prosecutions which some might think ought to succeed may not. But these arguments hardly suffice to exclude in principle the trials made possible by the Bill.

Other "too late" arguments have been advanced against the Bill, e.g. that even if a conviction can be obtained the worst possible punishment in this country is a few years in jail. "The magnitude of the crimes alleged are out of all proportion to such a penalty" (The Times 20.3.90). It seems that the supporters of the Bill were remiss in not advocating the re-introduction of the death penalty, preferably by means of the garrotte! The argument seems motivated by an extreme form of lust for vengeance; if the best cannot be satisfied, it is preferable not even to have a trial. The accusation

of being vengeful is more usually diverted against the supporters of the Bill, as mentioned below. The argument also overlooks the fact that obtaining a verdict after all these years itself may be a requirement of meting out justice, regardless of the sentence imposed, as Jack Kagan pointed out on TV.

Some who oppose the Bill e.g. Lord Mayhew think that any trials instituted under its provisions will be "show trials". In order to consider this argument we must, unfortunately, engage in semantic analysis of the meaning of "show trials". One clear meaning, often used in connection with the trials in Russia in the late 30's is that the guilt of the accused is decided **before** the trial and the presentation of evidence is a pure charade. In this sense "show trials" can take place only in countries where the judiciary is subservient to the authorities who decide whom to prosecute and it is therefore difficult to believe that opponents of the Bill have **this** sense of "show trials" in mind. Another meaning of the word "show trial" was illustrated by Mr. Edward Heath during the debate in the House of Commons. He thought that show trials would result, because "the people who read the gutter press and followed the trials would want retribution and revenge (which would) appeal to the lowest instincts (The Times 20.3.90). If this is what is meant by a "show trial", then **any** trial becomes a potential show trial, since the public might react to it in this way. There are only two ways of ensuring that such a public reaction never occurs, namely, by either having no trials of any kind or by strictly censoring all reporting of trials just as the opposition to the Bill on the grounds that it is now "too late" is not accompanied by the advocacy of the introduction of a period of limitation, the "show trial" argument against the Bill is not accompanied by the advocacy of the abolition of trials or of the strictest censorship of the reporting of trials.

This leads us to the argument against the Bill, which was prominent in the House of Lords debate on the subject last December (see David Cesarani's article in The Guardian 12.12.89) and was also mentioned by Mr. Edward Heath. The argument is that any trials now can be motivated only by the desire for revenge, i.e. retribution. This is a different argument for the view "that it is now too late". The question here is why trials for other crimes which are alleged to have been committed a long time ago are not condemned on the same grounds, such as the "recent example [of] an alleged domestic murder committed 27 years before" (A Question of Justice, The All Party Parliamentary War Crimes Group, 2nd edtn. p. 5). The answer, presumably would run along the following lines: a) the police presumably had kept the file on this crime open and instituted proceedings when adequate evidence became available, so that a campaign to get the prosecuting authorities to act would have been redundant, which is in marked contrast to the situation described at the beginning of this article; b) even if the police had not acted, as happened recently with the murder of a young English lady in Kenya, the people who might campaign are few in number and, above all, cannot be identified as belonging to a particular distinctive group in the way the Jews can be identified. When a Jew who, in Mr. Tebbit's recent phrase, **can** pass "the cricket test", tries to get "justice" they are not accused of seeking vengeance: when a similar campaign is mounted with the strong support of easily distinguished group, spread around the world, and still not get deemed to pass "the cricket test", they **are** accused of seeking vengeance. This was seen clearly in the House of Lords debate (see Cesarani, op. cit.). Moreover in the House of Commons debate and the earlier House of Lords one, some opponents of the Bill made surprising straight forward factual errors in claiming that mainly, or only, the Jews want vengeance.

For example, Mr Edward Heath said: "At a time when eastern Europe is looking to the future, and the rest of Europe is looking to the future, we shall be looking back into the past" (The Independent 20.3.90). Now that the Russians have at last admitted that the NKVD and not the Nazis committed the Katyn massacre, Polish leaders were quick to mention compensation and the desirability of bringing alleged participants in this crime to justice. Barbie was tried in France recently and Paul Touvier is now facing trial there; war crimes trials continue in Germany. To what "Europe" was Mr Heath referring? Furthermore, there is a long tradition in the moral theory of just punishment which rests on retribution, i.e. on the idea that those who commit crimes **deserve** to be punished and while one can make words mean anything one likes, "retribution" usually means "paying back", i.e. vengeance.

Those who have opposed the War Crimes Bill on the basis of **general** arguments I have considered would also have to oppose other similar murder trials. Do they regard war crimes trials as "different" when one reads what opponents of the Bill have said, this does indeed seem to be the case. Since in political debate, people rarely attempt to formulate arguments in a typically coherent manner, one tends to try to interpret what their proponent may have had in mind. In order to do so, let us re-state the conditions in which trials are instituted in a judicial system like ours. There is an obvious necessary condition viz the "availability" of **prime facie** evidence. Unfortunately this condition is not sufficiently clear, because "availability" is ambiguous; it may mean that the prosecuting authorities are already in possession of the evidence, in which case this necessary condition is obviously satisfied. However, it may also mean that someone thinks the evidence exists, but that finding it requires search. This distinction is important and may help to explain why it has taken so long for the pros and cons of trials to reach the arena of public debate in this country. For example, in 1948 the British government decided to discontinue any further direct involvement by British authorities in the search for and prosecution of war criminals in Germany. Lord Mayhew maintains that "the practical difficulties" of continued British involvement would have been "formidable" but "not decisive", the "decisive reason was an almost universal feeling that the final process of retribution had gone far enough" (The Guardian 29.3.90). Mr Julian Amery, in the House of Commons debate, experienced a similar view when he said that those who had fought in the last war "would tend to be more tolerant than others about things that were done in that war" (The Times 20.3.90). Whether or not Mr Amery was right, his view does not explain in what **relevant** respect the crimes in question are to be viewed with more rather than less, tolerance than those committed, e.g. within a family or by the IRA. The argument that the crimes were committed "too long ago" was considered earlier and here I am looking for different arguments, Unless different arguments are advanced and can be critically examined, let us at least take note of contrary views, e.g. those advanced by the War Crimes Enquiry and by my colleague Prof. D. Cameron Watt, who implicitly criticised Lord Mayhew when he observed that "a decision against the principle of prosecution risks discrediting the entire process of prosecution of war crimes and the crime of genocide" (The Times 14.3.90). These crimes were far more atrocious and brutal than "ordinary" ones, for which, apparently **less** tolerance is advocated.

So far, I have only mentioned a necessary condition for prosecution to take place, which is not enough, since we also need to know sufficient conditions. Should we also need to know sufficient conditions. Should we regard the availability of evidence by the prosecuting authorities as morally both necessary and sufficient? As a general question this is difficult to answer, since we are aware of cases in which prosecuting authorities do not seem to have acted in accordance with this principle, e.g. in Northern Ireland in the wake of the Stalker inquiry and during the 1970-74 Heath government, when a prosecution against some dockers was abandoned. Suppose the prosecuting authorities have at their disposal strong **prime facie** evidence against one or more persons, but also have good reason to think that prosecuting the person(s) would lead to widespread social disorder. What should the prosecuting authorities do? I have no general answer to this question, except to note that in such circumstances the administration of justice is of grave risk and that these circumstances clearly do not apply in the U.K. for the uses I am discussing. Another reason why the prosecuting authorities may not institute proceedings despite the availability of evidence is the cost of doing so. Presumably this must happen quite often in the case of relatively minor criminal offences, but it is difficult to believe that it happens where murder is concerned, and that is the class of alleged crime with which I am now concerned. For crimes in this class it would seem to a layman like myself that the availability of **prime facie** evidence to the prosecuting authorities is necessary and sufficient for prosecution to take place.

Perhaps some of the opponents of the Bill would question the principle enshrined in the Nuremberg judgments that the carrying out of government policy and obedience to orders may constitute criminal action. I cannot go over this argument again and content myself with quoting the American philosopher, Robert Nozick: "Soldiers who know their country is waging an aggressive war and who are manning anti-aircraft guns in defense of a military emplacement may not in self-defense fire upon the planes of the attacked nation which is acting in self-defense, even though the planes are over their heads and are about to bomb them. It is a soldier's responsibility

to determine if his side's cause is just; if he finds the issue tangles, unclear, or confusing, he may not shift the responsibility to his leaders, who will certainly tell him their cause is just. The selective conscientious objector may be right in his claim that he has a moral duty not to fight; and if he is, may not another acquiescent soldier be punished for doing what it was his moral duty not to do? Thus we return to the point that some bucks stop with each of us; and we reject the morally elitist view that some soldiers cannot be expected to think for themselves. (They are certainly not encouraged to think for themselves by the practice of absolving them of all responsibility for their actions within the rules of war.) Nor do we see why the political realm is special. Why, precisely, is one specially absolved of responsibility for actions when these are performed jointly with others from political motives under the direction or orders of political leaders? (Anarchy, State and Utopia, p 100).

Nozick is talking about moral responsibility, but I think the context makes it clear that he is also talking about legal responsibility. Agreeing with Nozick implies agreeing with the Nuremberg principle.

Important legal argument advanced against the Bill in that it introduces an element of retrospective legislation, not in the sense that it would make illegal acts which were perfectly legal when committed whilst they were not in any use, but in the sense of bringing those who allegedly committed them under the jurisdiction of U.K. courts as explained at the beginning of this article. There is no question that this involves an element of retrospective legislation, but one which is sanctioned by European and U.N. Human Rights conventions.

According to **The Times** of 20.3.90 "one of the reasons put forward for prosecuting alleged war criminals now is the benefit that would come from refreshing the public memory of those fearful times. **The Times** rightly notes that maybe a legitimate "political and educational objective [but] not a judicial one". As argued earlier, provided the necessary and sufficient judicial conditions are satisfied we should have no qualms about proceeding with the trials, even though they may invoke all roots of emotional responses in different people. The same may be said about the fear, or the warning, expressed during the House of Lords debate that war crimes trials risked stirring up anti-semitism in this country (see Cesarani, op. cit.).

I have argued that there appears to be not good reasons which should induce us to adopt a more tolerant, lenient and forgiving attitude to war crimes than we adopt to ordinary criminals. However, no less a person than Winston Churchill, as he then was speaking of war crimes proposed on 28.10.48 in the House of Commons that we "draw the sponge across the crimes and horrors of the past", which he certainly did not propose for ordinary crimes. There are at least two differences between ordinary crimes and those at which the Bill is aimed, which I have not discussed so far.

Punishment of the guilty is intended to deter **others** from committing criminal acts as well as to deter the guilty from repeating them. Ordinary crimes, like taxes, are always with us in a society like ours; although there is much disagreement about the best way to deter ordinary crimes, few people suggest that we can dispense with policies aimed at deterring them. By contrast, the kinds of crimes I am discussing are not **always** with us; they occur from time when they are projected and encouraged by governmental bodies. Is it plausible to claim that the incidence of such crimes would be reduced if their perpetrators thought they would be punished? I cannot answer this question and content myself with the following observations: in Germany those who participated in these crimes made strenuous efforts to avoid punishment, which does not suggest that the meting out of punishment would work in the wrong way, i.e. **increase** the incidence of these crimes - while, unlike ordinary crimes, war and related crimes are not **always** with us, they did not stop with the end of Second World War, but continue to this day, which reinforces the previous point. Would it not have been more desirable had people like Idi Amin, Pol Pot, torturers in South America etc, been tried somewhere instead of having been allowed to go scot free and to continue to live in luxury?

Those who have committed crimes are often confined to prison because, if released, they might again commit crimes. In this respect there seems to be a difference between those who commit

ordinary as against war crimes. Ordinary criminals are probably more often habitual criminals than are people who committed war crimes. so **on that count** there seems no use for committing them to jail. This perhaps helps to explain the frequently bitter resentment of the families and friends of people, often model citizens, brought to trial for war crimes. However, this same argument could be used against punishing most of those who commit murder within the family in this country.

It seems then that taking into account considerations of deterrence need not alter my earlier conclusions that we should judge the merits of bringing people to trial for war crimes in the same way as we judge the merits of bringing anyone to trial.

One final point: it has been suggested that the motive for introducing the legal changes in Canada which made the prosecution of war criminals possible, were earlier revelations of the "inherent antisemitism" of the pre-war Canadian government which in turn resulted in a ". . . measure of collective notional guilt and a desire to atone" (**The Independent** 30.12.89). I have not come across analogous suggestions regarding this country. However judging by the public reaction to the trials in Canada (**The Independent**, 30.12.89) it would be unwise to expect the kind of media coverage which Leon Uris got in 1963 when the late Dr. Dering (note the absence of any "h") sued Uris for Libel.

Section IV

MY TRIP TO POLAND — OCTOBER 1989

by Susan Bermange

The author is the daughter of Marie and Bob Obuchowski

When my father asked me to go to Poland with him, my initial reaction was to refuse. I did not want to re-live his horrific experiences with him and I could not understand why he should want to return yet again. 'The second generation should see where we all came from' he said, 'before it is too late and none of us are here to take you back'.

His words stuck firmly in my mind and I thought perhaps the day would come when I would want to go back to my roots, maybe with my own children, and he would not be here to show me the way.

So, some eight weeks later it was with great trepidation that I said good-bye to my family, secure in the knowledge that I would see them again in four days' time, and set off on my journey back in time. When dad had said good-bye to his loved ones it was to be forever.

On arrival in Warsaw we drove to the Forum Hotel. The city looked very drab and people were queuing for food just as the news reports here were showing. There were no shortages of food in the hotel's restaurant. In fact, the choice amazed me. Dad and I ate very well whilst the Poles were hungry for food. Small justice!

The next morning we drove to the old synagogue with a Lulav and Etrog we had brought from London. A gift from one Jewish community to another. We then went on to the Warsaw Ghetto and the monument to the Warsaw Uprising.

Lodz was our next stop. Dad had been in the Ghetto and as we walked through he told me stories of his time there. Some I had heard before, but they became more real as we stood in the street where he once lived.

His family actually came from Ozorkow and our return to his home town was an emotional experience. The actual house is not standing anymore, only the garden remains. Dads neighbour is still alive, saw us and invited us into his home. When his wife met me she started shrieking and embracing me. Dad explained that I resembled his brother and this brought back memories to her. I was told how dad used to climb over the fence and play in her garden and how close the two families had been. She kept telling dad that there was nothing she could have done to help when the Germans came and how sorry she was.

We left their house and went to dad's school and Cheder. The town had hardly changed and as dad told me more about his childhood he invoked memories, some happy and some very sad, which were easy to share as we stood there together.

Dad's parents actually perished at Chelmno. We had a long car journey ahead of us and we reached Chelmno at dusk. As we walked to the monument, dad tried to tell his parents that he had brought their grandchild to them and by this time I felt numb. I could not even cry when he said Kaddish.

I felt cold and very tired when we returned to the hotel. However, I knew that all I had seen and heard that day was just a build-up to the ultimate horror of Auschwitz.

We flew to Krakow and spent the morning shopping for souvenirs in the old city. We had coffee and cakes in a lovely coffee shop and acted like tourists for the first time during our trip.

In sharp contrast, our afternoon at Auschwitz was a harrowing experience. We arrived at Birkenau, the train depot where dad was parted from his sister. We made our way to the barracks and went inside. As we stood by one of the bunks, dad explained what his life had been like here. We took photographs, but what I saw will remain imprinted in my mind.

We proceeded to the main camp and as we walked through the gates I had the feeling that it was all so familiar. I don't know whether this is because of the stories I have been told or from books and television.

Unbelievably, the camp is now a tourist attraction and there were coachloads of people there. We did not go to the museum or see the film that was showing. I suspect that this would have been too difficult for both of us.

We spent our visit walking around the camp, dad telling me how he managed to survive, and then we went to the Jewish barracks and he said Kaddish for his sister. We then walked back through the gates and left.

I felt very sad, yet at the same time happy that I agreed to accompany my father on this trip. I know it made him so happy, especially when he took me to the place where his parents and his sister had been murdered.

I would urge you, the 'second generation', to accompany your parents on a visit to the place of their birth. I'm certainly glad that I chose to do so.

Section V

RETURN TO AHRENSBÖK

by Barry Davis

The author is lecturer in history at Ealing College of Higher Education, where he teaches modern German history and elements of Jewish History. He is particularly interested in the Holocaust, teaches Yiddish at the Spiro Institute and has had many standing associations with several members of our Society.

It was a cold, grey afternoon in April 1989 when Sam Pivnick and I arrived in Hamburg. The last time Sam had been here was 44 years before, when the end of his captivity had come, only a few days before the general German capitulation of May 8th 1945. Like many of his fellow prisoners — Jews and non-Jews — his captors had not been able to let go, even when they were faced with total defeat. Rather than letting them fall into the hands of the Allies, many were sent to their deaths in Lubeck Bay. A few days later they might have been free. Now Sam was to take part in a film about those events, and I had been asked along to give moral support.

Sam was born in Bedzin, in Polish Silesia, in 1928. All his family except one brother Nathan, died in Auschwitz. Sam had quickly picked up the skills of a bricklayer, and had somehow managed to survive. He was in two minds as to whether to go on this trip. After all, it was suggested to him, so much had been said about the *Shoah*. Yes, the victims had had their say, but 'they' would write the history as it suited 'them' anyway. Already the so-called 'Revisionists' were trying to prove that the 6 millions were not really killed. So we're all liars then? What would you achieve? The pain of opening up old wounds, and for whose benefit? To have to step on their *treyfe* soil. Better carry on with your own life. Yet there was something in Sam, a sense of duty, not quite discharged, a belief that was itself very Jewish, in the need to tell future generations and, of course, the desire to get back at his former captor, ex-SS Oberscharführer Max Schmidt, even to be able to confront him face to face. Above all there was the feeling that justice ought to be done. Schmidt had been an assistant to Hauptscharführer Otto Moll, the overseer of the crematorium at Auschwitz, and he was later commandant of the coal production unit at Fürstengrube supplying the industrial complex at Buna, which was owned by his father-in-law. Schmidt had never been brought to justice for his crimes and was now living in comfort in Neu-Gleisau, near Ahrensböck, in Schleswig-Holstein.

He had escaped the courts, first immediately after the war, according to rumour, with the help of 'his' Jews, 'Mendele der Shuster' (his private shoemaker) — Mendel Dawidowicz, who came from a shtetl near Lodz, and Fritz Bauer, a Viennese Jew, both of whom had evidently 'vouched' for him. Both are now apparently living in the United States. 30 years later, he again escaped the courts. A case had been drawn up against him by the prosecuting authorities of the state of Schleswig-Holstein, only to be dropped because of alleged insufficient cause and evidence. A local historian, Gerhard Hoch, had taken an interest in the case. Hoch was born in 1923 in Alveslohe, just north of Hamburg. His parents were fervent Nazis — Schleswig-Holstein was a particularly strong area of Nazi support before 1933 — and he became an enthusiastic member of the Hitler Youth in 1933. A soldier during the war, he saw his whole world collapse in 1945. Three years spent in England introduced him to a world of ideas and discussion which he had hitherto not known. This, together with an increased commitment to Christianity, made him determined to combat any traces of Nazism in Germany, whether it be anti-semitism, hostility to the *Gastarbeiter* or failure to prosecute war criminals. He had made contact with many of those who had made depositions against Schmidt, when the case was being prepared. Now Bernd Janssen, an editor-journalist with the Kiel branch of the *Norddeutscher Rundfunk* was interested in making a film about the case against Schmidt. Even if the state had dropped the case, at least the public, particularly young people, should know about it. Of the many potential witnesses whom Hoch contacted, only Sam and Moritz (Moyshe) Koopman, an Amsterdam Jew and ex-Merchant sea captain, who had lost his parents and other members of his family at Auschwitz, were prepared to come and be filmed.

True to the cinematic nature of our trip, Sam and I were welcomed with whirring cameras as we crossed the barriers in Hamburg airport. All of those with whom we were to spend virtually all of the next three days were present — Moritz, Gerhard Hoch, Bernd Janssen and the three young film technicians from the *Norddeutscher Rundfunk*. That afternoon and evening at Gerhard Hoch's house, where we were staying, we discussed what must have been discussed by us and by them countless times before — why was Hitler able to come to power and take such a 'civilized' nation on the road to bestiality. Each gave his view, including the three young technicians. Tinged with a lingering sense of guilt, they were all too aware of their own uncertain heritage, but were determined that their Germany would be something quite different. And then *tsum takhlis*, the practicalities of the following day's filming were discussed.

As we arrived on the quay at Lübeck, at the junction of the Trave River and the Elbe-Lübeck Canal, a sharp, cold wind was blowing. Hardly the weather of April, and it seemed that the winter had returned with us, as if sensing the bleak tale we now had to tell. The majestic gothic spires of the Hanseatic city of the Buddenbrooks loomed in the background. And, like the prisoners 44 years previously, we were to only glance at the city from the distance.

Sam and Moritz told the story of how they had got to Lübeck and then Ahrensböök. Schleswig-Holstein was the last stage in a long journey which had begun in January 1945, in flight from the advancing Russians. Schmidt force-marched his prisoner-slaves from the camp at Fürstengrube near Gleiwitz (Gliwice) in Silesia on a ten days' journey to Tormalin in the Harz Mountains, some 30 kilometers from Nordhausen. There they worked for several months in the mines. In the spring of 1945, with the approach of the Western Allies, the prisoners were marched to Magdeburg where they arrived on 10th April. Then came a week's journey, packed on open barges down the Elbe from Magdeburg, and thence along the Elbe-Lübeck Canal to Lübeck, where they eventually arrived. From Lübeck they were marched to Schmidt's home village near Ahrensböök where they were quartered in various barns in the area; they were to perform labour services for Schmidt and his neighbours.

With the Reich in complete ruins, it was clear to all except the fanatical members of the SS, that the game was up. When one of the prisoners became emboldened enough to suggest to a local farmer that perhaps now at least he might give him some reasonable food, Schmidt ordered him to be shot for "attempted intimidation". A group of the SS began cutting down the trees on the road leading into Ahrensböök, so as to hamper the allies' advance. Some of the local population protested. Were they at last moved to revolt against the fanaticism of the SS, or was it that they feared that if the Allies found their path blocked, they would start shooting, and destroy their town?

Finally, as the Allied troops approached, the prisoners, mostly Jews, were marched to the port of Neustadt. Those prisoners, including the Jews, who were nationals of Western countries, were separated from the rest. Moritz, a Dutch citizen, went with them, and they were handed over to the Red Cross at a barn overlooking the Süseler See, near Neustadt. The rest of the prisoners were to be put onto ships.

Sleet began to fall as we stood filming on the quay at Neustadt. Almost shivering, Sam began to describe what had happened on 2/3 May 1945, when about 17,000 prisoners were transferred to 3 ships — the *Deutschland*, the *Kap Arcona* and the *Athen*, so as to keep them from the Allies. Though none of the three ships were seaworthy, they were ordered to sail into Lübeck Bay. At the same time Allied aircraft, which had been bombing retreating German soldiers, circled over the Bay and with grotesque irony, attacked the ships. The *Deutschland* and the *Kap Arcona* were sunk, with the loss of about 12,000 persons. Sam, who had been on the *Kap Arcona*, managed to survive, in spite of German torpedo boat attacks, by clinging to a square liferaft and drifting inland. The war was all but over. The Allies had taken the area and on 8th May came the general German capitulation. Sam returned to Neustadt, and shortly afterwards his brother Nathan, who was in Konstanz, managed to trace him. He came to Neustadt, and the two of them returned to Konstanz, from where they eventually came to Britain.

On the last day of filming, together with Sam Pivnick, we stood before a stone etched with the name of Max Schmidt, which had been set in front of his comfortable and substantial farm. For Sam this 'confrontation' with Schmidt had been the central point of his journey. Schmidt's daughter-in-law came out with their dog. "Herr Schmidt", she informed us, was "not at home". And there, as if confronting his former gaoler "murderer and war criminal SS Oberscharführer Max Schmidt," and accusing him to his own face, Sam told us of Schmidt's murderous progress during the war from Auschwitz to Fürstengrube, from Tormalin to Lübeck and finally here, murdering even in the very last days of the war.

Wandering around the immediate area of the farm, we came across a German woman who, as a young girl fleeing with her family from the Russians, had been billeted in a part of Schmidt's house at the end of the war. She remembered some of the prisoners, and Sam remembered her elder sister. Sam asked her about a German family, whom he particularly remembered as having been kind to some of the prisoners. Oh yes, she had known them, but they had moved away "long ago". They reminisced with some warmth, of 'times gone by', for her bitter-sweet, for Sam only painful. "Oh, how the memory plays tricks on you", she sighed. Afterwards, when she learned of the purpose of our filming, and out of Sam's hearing, her attitude soured: "We suffered so much at the end of the war you know. Why do they always have to bring up the same old thing?"

The place where the SS had cut down the trees was on the way from Schmidt's farm to Ahrensbök, and we stopped, so that Moritz, who had witnessed the incident, could tell it on film. Just down the road there is now a petrol station. Seeing us, the manager of the petrol station, a jovial tall and burly man, smiled and proudly brandished a new poster which triumphantly announced the extension of his opening hours: "Jetzt geoffnet 7.00 Uhr bis 22.00 Uhr." And what were we doing? "That again, always that". The smile vanished. "All these stories about the prisoners, the killings. It's all untrue, you know. I was here at the end of the war, and I can tell you, there were no prisoners around". He had, he told us, been ten years old at the time. He was off to get *his* camera. He filmed us, we filmed him. A cinematic encounter par excellence.

"Why are you people filming, it's all Kwatsch you know,. Why do you people have to keep on returning to the same thing. Why don't you talk about the great things that happened in German history, why keep harping on this thing. Forget it. We suffered you know, before the war, during the war, after the war. I know, I was a *Volksdeutscher*, from Poland. They attacked us, we had to defend ourselves. And now all those Poles want to come here. Well I say send them back. You should go back as well".

Sam replied that though he had been born in Poland, he could not go back there after the war because of the anti-semitism. "Ah, the Jews, always in trouble, always making trouble. Yes maybe they hated the Jews there and here, nothing new in that, but I ask you, why does everyone hate the Jews. I'll tell you they always make trouble, they killed Christ . . ."

Now who's harping on the past — and much longer ago, too . . . "You Jews, you always cause wars, wherever you are. Look at today, no end of wars in the middle East. There will always be wars, always be trouble in the world, until the Jews . . ." I didn't quite catch the last phrase, but I could well imagine what it probably was" . . . bis die Juden ausgerottet sein werden". The conversation had reached its full cycle, and we returned to Ahrensbök.

Moritz wanted to lay some flowers on the graves of unknown prisoners of war who had been killed in the area, and so we went to the cemetery. We asked the caretaker where the graves were. "Immer wieder, nur die Kz-lers!" He showed us the place. "The war, yes, a difficult time for us all. I myself was captured. A prisoner of war in Italy. Terrible food, I can never forget the terrible food, Spaghetti, all the time spaghetti, awful. And that green cheese. Even today, I can't abide it. My little grandson, he loves it, they do today, you know, but I can't bear it. Difficult times, yes, difficult times". We looked at the graves. There was a single stone to cover them all:

Unser Tod war ein Unrecht (Our death was unjust)
6 unbekannte KZ Häftlinge (6 unknown concentration camp prisoners)
Den Lebenden zur Mahnung (A reminder for future generations)

After that day's encounters the urgency of that epitaph seemed even clearer. Much emotion, so it had seemed, had been discharged, but despite this, or perhaps because of it, the group had become unsettled. Somehow we had become infected by that which we sought to contain. The anger of the past had become the hatred of the present. Moritz bitterly attacked the land of Germany, and the sound technician rose to its defence. "It's my home there's good and bad here, like any other place". Moritz clung to his feeling, and a sense of division grew within the group. But surely we still had our common purpose, something to do with history and justice?

Justice? Despite noble proclamations, despite acres of print, despite endless testimonies, the murderers had still managed to elude it. Schmidt was still sitting in his comfortable farmhouse. Could we really affect anything, could we really add anything? Are we really doing anything other than beating ourselves, exhausting ourselves?

But Bernd Jannsen had a keen eye for his public: "It is difficult to get people to watch an old film, but if you make a new one, which speaks to them, here and now, they will watch, they will listen. That's all. It has to be done again and again. that's the way it is".

Sam turned to me. "You've been sitting silently. What do you think?" I'd listened, observed, absorbed for three days. Yes, I had read my books, had seen countless films about the Holocaust, had talked to survivors about it. Yet, having had no direct experience of it, the reality of it somehow had eluded me. It is just that problem of how to transmit certain types of experience that are beyond anything which we ourselves have encountered. Reliving those experiences of 44 years ago with the two survivors, in those very same physical places, had brought an access to a reality which was not so dependant on words. For me personally, the involvement with the film had to be wholly worthwhile, partly for what I myself had learnt, and partly for what I would be able to transmit to my students as a teacher of history. Perhaps this film would assist in some of the younger generation in Germany. I'm not sure that we always learn the lessons of history. Perhaps this film would assist in some way in the process of justice, perhaps it could have an impact on some of the younger generation in Germany. I'm not sure that we always learn the lessons of history very effectively, we often hear, but we do not always listen. Still, some attempt must be made. In any case is it not bearing witness to those who did not survive to remember. I remembered Emmanuel Ringelblum with his determination to preserve the records of the Warsaw Ghetto, and I remember the very last words of the historian Shimon Dubnow as the Germans shot him in 1941 — *Farshraybl* (record it!)

As our plane left Hamburg airport, Sam's feeling's were mixed. The risk had been that he would have been engulfed by the bitter memories of the past and that the reawakened anger would be too disruptive. At times that threat had seemed to be looming. Still, tired and drained, he had come through once more. He had done what he had been able to and he had discharged his duty. The account had been rendered.

Postscript

Bernd Jannsen's film was shown on May 8th, 1989, the anniversary of the German capitulation. Rather than concentrate on the direct evidence provided in the interviews with Sam and Moritz, much of the film was taken up with interviews with local people in the areas we had visited. They were asked to give their views on how far society should continue to remember these events from the past. Given the context in which the interviews were placed, I wondered whether the film could really have had the effect that Bernd Jannsen had claimed to seek and for which Gerhard Hoch had hoped.

STUDYING THE HOLOCAUST WITH THE AID OF A GEOGRAPHERS FIELD TRIP

by Dr. A. Charlesworth

The author is lecturer in Geography at Liverpool University. The reasons which prompted him to be so kind as to contribute an article for our Journal and for putting the article into this section emerge clearly from the article itself.

In recent years there have been signs in Britain that Holocaust studies are growing in importance within universities. The Centre for Holocaust Studies has been established at the University of Leicester and the history of the Holocaust as a course has made its appearance in the history syllabus of at least two British university departments. This year the University of Liverpool became the first academic institution to teach the subject of the Holocaust within the syllabus of a geography degree. What is more, this course is unique in Holocaust studies throughout the world in that it is the first to have included a field based component in Poland itself.

Ben Helfgott, Chairman of the British Yad Vashem Charitable Trust and a Holocaust survivor himself and I led a party of twenty three final year Honours students to Poland for an eight day field course in late March and early April this year. Places visited were Warsaw, Lodz, Piotrkow, Lublin, Zamosc, Szczepieszyn and Krakow and the death camps of Treblinka, Majdanek and Auschwitz-Birkenau.

The field component was part of a course on 'The geography of Hitler's 1000 year Reich'. It was thought important that the Holocaust needed to be set in that wider context before the students went to Poland and the preceding lectures had centred around the following themes:

1. the position of Jews within the geography of ethnicity, nationalism and nationalist rivalry in Europe 1800-1939
2. the German perceived need for Lebensraum that sprang from late nineteenth imperialist expansionary ideology and the New Order of the Third Reich as an extrapolation of that older political desire
3. how the New Order was to involve demographic and social hygiene policies that only totalitarian states like Nazi Germany or Stalinist Russia could execute and how the Jewish Holocaust in the case of the Nazis would not have been unique but the prototype for the reshaping of the population and cultural geography of Europe following the Nazis's victory.

The purpose of teaching the Holocaust in this way were threefold:

- 1) The Holocaust as executed policy is so difficult to comprehend that to visit the sites of the ghettos, the labour camps and the death camps is not simply a pilgrimage, it is an attempt to *locate*, as exactly as those sites and imagination are able, in George Steiner's words 'the measure of unknowing, indifference, complicity, commission which relates the contemporary or survivor to the slain . . . ' and the relations of both to us. 'To make oneself concretely aware that the "solution" was not "final", that it spills over into our present lives, is the only but compelling reason for forcing oneself . . . ' to go back, or perhaps, forward into the non-world of the sealed ghetto and extermination camp'.
But once having *located* and made *concrete* innumerable questions spring to mind. How could the secret be kept once the death camps were set on their horrific tasks? They were not in the middle of trackless forests. They were in a number of cases set within populated areas. Peasant farmers watched Jews go to their deaths in the Treblinka gas chambers. One can stand in those same fields today and be literally less than a stone's throw from what was the inner perimeter fence of the camp. The obscene complex of Auschwitz Birkenau-Monowitz embraced the town of Oswiecim and its labour camps stretched out into the heart of industrial Silesia. Questions of who knew and what Poles did or did not, do take on a sharpness that is almost unbearable once you *place* yourself there.

- 2) There are the questions of the landscapes of memorial. Because of the variation in the stages of completion of the Nazis' extermination programme and the varying speed of their retreat in 1944-45' each death camp presents a different face, from the anonymity and ambiguity of Chelmno to the vast expanse of partially demolished and extant buildings at Auschwitz-Birkenau. How are these landscapes to record for posterity their unique histories? The Carmelite convent at Auschwitz illustrates one side of the coin — the tension between Christians and Jews over the sacredness and profanity of such sites of mass murder. But also underlines the other side — the attempt to preserve the camps as they were — a dilemma as decay and nature inexorably take their toll on the sites. Nature is already starting to reclaim the crematoria at Birkenau. Surely the use of herbicides there would be an abhorrence. At Lodz they are still discussing marking with commemorative plaques and monuments the wartime ghetto, a ghetto second only in size to Warsaw. At Lublin this has already been done and with some care and accuracy including a commemorative map of the ghetto. These landscapes whose importance will grow immeasurably once the survivors are dead are not unambiguous. In the highly charged political atmosphere of post war Poland they have often become 'idols of remembrance'. Moreover these past landscapes and their associated memorials need to be viewed in the context of the present landscape and built forms if such complexities and ambiguities are to be made apparent. It is only in the last five years, however, that part of the Warsaw ghetto has been commemorated — the path from the Umschlagplatz — the point of deportation to the death camps — to the Rappaport monument to the Warsaw Ghetto and the 1943 uprising. But only part of the ghetto is marked out, as at Lodz, so in Warsaw post war housing schemes dominate the present townscape where the ghetto was situated.
- 3) There are another set of landscapes equally important but in greater danger of being forgotten, the landscapes of pre war Polish Jewry: the Jewish quarters and 'stetels' are the landscapes of Jewish life and culture that existed in Poland for over 70 years. Standing in what was one of the main squares of Piotrkow and looking at the shops and apartments above, one can get some way towards capturing something of that vitality, that creativity, that enterprise which was Polish Jewry at its best through over 40 years of communist decay make the leap of the imagination. You can also see the elements of social and spatial segregation that led Poles to say that they had the streets and the Jews had the buildings. Yet where are the commemorative plaques that Jews once traded here, lived here, worshipped here? Once the survivors are gone who will be able to people those streets, shops, homes, synagogues again? And whilst the survivors remain the buildings and the streets are an aide memoire to the many who are lost. In his home town Ben Helfgott found where buildings had been torn down he could no longer people those particular places. Poland can be regarded in that sense as once vast cemetery of stones mutely crying out to remember those who lived amongst them. They are at once landscapes of life and landscapes of death and exile because they are for the vast majority the only tombstones of the victims of the Holocaust and the only memorials to the exiles of the post war Polish antisemitic outbursts. As the new Polish government seeks to put Polish-Jewish relations on a new footing, the scale of that task can be gauged when one maps out these countless, unmarked communities. As both Poles and Jews seek to mark out, as surely they must, what was lost, the onus of remembrance and memory must fall as much on those Poles, who are now in their sixties, as on the survivors. Once Poles of that generation understand and are prepared to help interpret these past landscapes then there will be hope for a new start to Polish-Jewish relations. Taking a party of non Jewish English students to Poland to study the history and historical geography of Poles and Polish Jews in the period and during the Nazi occupation makes it clear that the goal of a common European home will only be realised through peoples *exploring* something of other people's past, be that other people, in our case, 1000 miles away or in the case of the Poles in their own back yard. For all European peoples, as we found, that confrontation with the past will be a painful experience.

Section VI

A REPORT ON THE 14th LEONARD G. MONTEFIORE MEMORIAL LECTURE 1990 Delivered at the Stern Hall on Thursday, 8th February 1990

His Honour Israel Finestein, Q.C. a Vice-President of the Board of Deputies, delivered the 14th annual Leonard Montefiore Memorial Lecture. His subject was Jewish immigration into Britain between 1933 and 1948 and its effect upon the Jewish community. The speaker, who was born in Yorkshire, drew on his personal recollections of people and events.

By comparison with the established Jewish community, the newcomers according to the speaker tended to be more ideologically minded in their approach to communal affairs. In due course this had a marked influence, especially in the development of Zionist thinking and Jewish cultural life generally, including the advance in Jewish day-school education. The immigrants had a considerable impact upon the intensification of Jewish life, both on the "right" and the "left" of the religious spectrum.

Judge Finestein examined the character and role of such diverse figures as Isidor Grunfeld of the London Beth Din, Leo Baeck, Alexander Altmann of Manchester, and Alfred Wiener, the creator of the famous library. Among the organisations whose significance he assessed were the Jacob Erlich Society and the Leo Baeck Lodge of the Bnai Brith. The former body was founded in 1942 and for some years was a veritable Jewish adult education centre. Its principal founder was Franz Rudolf Bienenfeld, the Viennese lawyer and historian who was a leading figure in the World Jewish Congress and played a prominent part in the preparation of the Jewish claim for German reparations.

Bienenfeld was a leading member of the group of German and Central European immigrants who sought to increase the participation of the "refugee" organisations in the policy-making deliberations within the Jewish community especially concerning immigration and the welfare of immigrants.

At the Board of Deputies and in the synagogal life and the community the impact of the immigration was soon felt in debate. The speaker recalled that at the Board the effect was often in the direction of more organised Zionist action, with which the Zionist religious wing of the German Jews was frequently associated as exemplified by men such as Aba Bornstein. The immigrants had none of the older Anglo-Jewish deference to the inherited regime of "Victorian" communal government.

The immigration, which totalled about 60,000 Jews, was in marked contrast with the far larger entry of Jews from Eastern Europe around the turn of the century. While it would be a mistake to generalise, the German and Central European immigration, for many historical reasons, tended to be more middle class and Westernised than the earlier arrivals had been.

The lecturer referred to the substantial contribution made by the new immigrants to British public life in the sciences, the arts, manufacture and business.

Mr. Ben Helfgott opened the well-attended proceedings. Mr. Alan Montefiore presided over the lecture and Miss Joan Stiebel proposed the vote of thanks.