

Malice in Action

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The enemy stood at the gate. The citizens rushed about in confusion as destruction threatened the city. Those who could fled. But there were air raids around the clock, and the routes of escape became less and less accessible. The more resourceful armed themselves with false papers. Columns of smoke billowing up from the bombed-out buildings mingled with the fumes from burning documents.

In the midst of the barbarism of war and devastation, however, there were still a few who managed to remain civilized human beings. In one of the few offices left standing, when the mad rush subsided for a time, there was a pause in the destruction of documents and preparations for escape, and the staff gathered for one final chamber concert. There was a pianist, first violin, and the director struck up the second violin.¹ Refined, cultured individuals. Right?

Wrong. The place is Berlin; the time is April 1945. And the building is none other than the headquarters of Adolf Eichmann, the bane of the Jews, whose musical abilities relegated him to second fiddle.

Eichmann is one of the few Nazi personalities still known to a relatively broad public. One of the reasons for that abiding notoriety was a book written at the time of his trial by Hannah Arendt, one of the eminent thinkers of our century—*Eichmann in Jerusalem. A Report on the Banality of Evil*.² Arendt was born in Germany and fled Nazism to become the first woman appointed full professor at Princeton University. Engaged by *The New Yorker* magazine to cover the Eichmann trial in Jerusalem, she published a provocative book that won a respected place among an educated and enlightened readership in the West. Arendt summed up her thesis in an epilogue included in all editions of the work since 1964:

¹ Adolf Eichmann, *Ich, Adolf Eichmann* (Leoni am Starnbergersee: Druffel-Verlag, 1980), p. 415.

² Hannah Arendt, *Eichmann in Jerusalem. A Report on the Banality of Evil* (New York: Penguin Books, 1992 [New York, 1963]).

“When I speak of the banality of evil, I do so on a strictly factual level, pointing to a phenomenon which stared one in the face at the trial... Except for an extraordinary diligence in looking out for his personal advancement, he had no motives at all. And this diligence itself was in no way criminal; he certainly would never have murdered his superior in order to inherit his post. He merely, to put the matter colloquially, never realized what he was doing...That such remoteness from reality and such thoughtlessness can wreak more havoc than all the evil instincts taken together which, perhaps are inherent in man – that was, in fact, the lesson one could learn in Jerusalem.”³

In Arendt's view, Eichmann and his companions were nothing more than small grey figures swept up by the whirlwinds of the era in which they lived; previous to that cataclysm, they had not been evil men. That wisdom is, Arendt argues, the simple truth based on the dry facts. And for whatever reason, such a conception speaks to the hearts of many good people untouched in any way by Nazism's ravages. To a significant extent, this explanation became the main paradigm for understanding the imputed character of the killers. Eichmann was conceived as the paramount example of the Nazi murderer in particular, and perhaps an archetype for political criminals in modern times more generally. However, since Arendt was careful to stress the *factual* basis of her thesis, it stands open to renewed scrutiny. Such an examination will show that the hard facts do not necessarily tell the same tale as the one constructed by Arendt.

The Department of Jewish Affairs: Working Conditions and Procedures

Eichmann was chief of the Department of Jewish Affairs IVB4 in the RSHA (Reichssicherheitshauptamt – Reich Security Main Office of the SS). The RSHA was headed by Reinhard Heydrich, succeeded by Ernst Kaltenbrunner after Heydrich's assassination in May 1942. Amt (Office) IV of the RSHA was

³ Arendt, *Eichmann* pp. 287-288 (emphasis in original).

better known by its acronym Gestapo; its director was Heinrich Müller. The Gestapo was divided into four sections (*Gruppen*), and Section B was further divided into four departments or *Referate*.

The structural tree of the SS was highly ramified, and *Referat IVB4* was just one among numerous similar departments. There were also hundreds of officials like Eichmann in the SS, and his rank, *SS-Obersturmbannführer*, was equivalent to that of an army lieutenant-colonel. His special position did not derive from his rank, which was indeed middle-level, but from his assignment. Formally, he was merely the expert on Jewish affairs within the RSHA; but in practical terms he was considered *the* expert in other SS branches as well, and even in institutions further afield, such as the Foreign Ministry and Propaganda Ministry.⁴

The department was housed in a building of its own that had previously belonged to a Jewish welfare organization—an irony that amused Eichmann.⁵ Its address, Kurfürstenstrasse 115/116, was on a prestigious street in the very heart of Berlin. Working hours were 8:30 A.M. to 12 noon, and 1 to 5 P.M. Some of the officers on the staff lived together in an adjacent building.⁶ In order to enter the building, every visitor had to pass through several barriers, and even officers from other RSHA units were specially checked.⁷ The visitor ascended a magnificent stairway that divided into two half way up, or took the elevator. Friedrich Suhr, the number-three man in the department, had an office on the first floor toward the front. Next to it was a room that served for staff get-togethers in the evening. Behind it were the offices of Suhr's subordinates, officers Fritz Wöhrn and Ernst Moes. Eichmann, his deputy Rolf Günther and officer Franz Novak, the officer in charge of coordinating rail transport, were on the second floor to the rear, because it was a quiet area. The remainder of the staff was scattered throughout the large structure; in fact, some of the rooms

⁴ On the Foreign Ministry, see Christopher Browning, *The Final Solution and the German Foreign Office* (New York: Holmes & Meier, 1978); on the Propaganda Ministry, see Hans G. Adler, *Der verwaltete Mensch. Studien zur Deportation der Juden aus Deutschland* (Tübingen: Mohr, 1974), pp. 152-153.

⁵ Bernhard Lösener, "Als Rassereferent im Reichsministerium des Inneren," *Vierteljahrshefte für Zeitgeschichte*, vol. 9, no. 3 (July 1961), p. 297.

⁶ *Interrogation of Adolf Eichmann by Captain Avner Less of Section 06, Prior to Eichmann's Trial*, vol. 1, p. 436; vol. 2, p. 961 (ms.).

⁷ Testimony of Albert Hartl at Nuremberg, November 24, 1947, Yad Vashem Archives (YVA), TR.3-857, p. 2934; Statement of Dr. Robert Serebrenik, July 21, 1960, YVA, TR.3-297, pp. 2-4.

remained unoccupied.⁸ In one room there were reference books often consulted by staff workers; statistical data on the number of Jews in various communities was available in the standard volume by Zander, *Die Verbreitung der Juden in der Welt*.⁹ General knowledge on Jewish culture was culled from the German *Encyclopedia Judaica*.¹⁰

Eichmann's office was spacious, 15 sq. meters in area, with his desk situated in the far corner from the door.¹¹ An example of splendor exuding an aura of power.

As a rule, Nazi government departments usually had a small staff of five or six. Department IVB4, however, was an exception, apparently due to the great importance attached to its task. There were always dozens of workers, divided into expert groups, a so-called *Sachgebiet*. Each such group was headed by an officer designated *Sachgebietsleiter*, chief of the expert staff; with a number of staff workers subordinate to him responsible for specific subareas (*Sachbearbeiter*).¹² Each group had a symbol of its own, usually a small letter or number added after the name of the department, such as IVB4a.

The subsection's symbol frequently appeared in the upper right-hand corner of letters written by the staff. That fact is useful to the historian seeking to shed light on the work of the anonymous bureaucrats hidden behind the signatures of their superiors. After all, not every letter signed by Eichmann was actually written by him. And in the case of senior officials such as Heydrich or Himmler, there can be no doubt that the great majority of letters bearing their signature was not drafted by them, but rather by junior officials who then presented the document for formal signature. We occasionally come upon major documents, milestones in the development of National-Socialist policy, that were signed by senior figures in the Nazi bureaucracy but were in fact drawn up and written by subordinates.

One example is the law regarding the yellow star, requiring Jews in the Reich to wear an identifying mark. The imposition of that obligatory badge was

⁸ Vermerk über das Ergebnis der Staatsanwaltlichen Ermittlung nach dem Stande vom 30.4.1969 in den Ermittlungsverfahren gegen Friedrich Bosshammer, Richard Hartmann, Otto Hunsche, Fitz Wöhrn, 1-Js-1/65 (RSHA); *Eichmann, Interrogation*, vol. 2, pp. 952-958.

⁹ YVA TR.10-767, pp. 752, 778.

¹⁰ I-Js-1/65 (RSHA), Anklageschrift gegen Bosshammer, April 23, 1971, p. 568.

¹¹ Statement of Dr. Robert Serebrenik, July 21, 1960, YVA, TR.3-297, pp. 3-4.

¹² YVA TR.10-754, pp. 96-97.

an important psychological step in isolating the Jews from their surroundings and edging them closer to "civil death" prior to deportation. The law was published in the *Reichsgesetzblatt* ("Legal Gazette") on September 1, 1941. A decree that detailed the practical intent of the law was formally approved by Hitler¹³ and was promulgated on September 15, 1941, signed by Heydrich. The code symbol at the top of the document was: Reichsministerium des Innern Pol S. IVB4b 940/41-6.¹⁴ The heading *Reichsministerium des Innern* (Interior Ministry) was meant to guarantee the full cooperation of all authorities. The ordinance was distributed to a long list of designated recipients: RSHA stations, government offices, regular police stations, senior and regional SS commanders and others. All were ordered to take action by a regulation that had been prepared by SS *Sturmbannführer* Friedrich Suhr, whose identifying code was IVB4b.

Since the signatory bears responsibility for the content of all documents he signs, we tend to identify said documents with the official who actually signed and to overlook his subordinates. Yet this is shortsighted. In many instances, the signatory was unable and did not want to draft all the documents he signed: often he had limited expertise regarding important details and/or there was insufficient time for him to work out each and every directive to which he put his signature.

The decree requiring Jews to wear a Star of David is an excellent case in point: it contained detailed instructions on how the badge was to be worn and how and where it was to be affixed to one's clothing. The ordinance also stated that Jews violating its precepts would be arrested and held in "protective detention." Its second section, longer and less known, imposed stringent restrictions on the freedom of movement for Jews, a right that had been partially curtailed even earlier. Jews were permitted to go out solely for the purposes specified, and, even then, only if they had proper identification documents and special temporary passes. Jews were subject to restrictions in all forms of public transport: for example, they were permitted to fly only if in the possession of a special permit and had to sit apart from the remainder of the passengers. Invalids, particularly disabled war veterans, were allowed certain

¹³ Lösener, "Als Rassereferent," p. 303.

¹⁴ Circular signed by Heydrich, POL S. IVB4b 940/41-6, YVA, TR.3-1064.

concessions, apparently due to fears regarding possible repercussions in public opinion.

The permits granted to Jews had to be formulated according to the model set down by Berlin, yet Suhr did not object to duplicating them or making a carbon copy, provided the authorities issuing the permits carried out a follow-up check and were scrupulous in collecting all permits once they expired.¹⁵ It is unlikely that Heydrich gave much thought to such minutiae.

There was another reason why not every document was formulated by its signatory. Not every regulation and directive was issued based on considerations of long-term developing policy. Sometimes extremely important directives were formulated for reasons of expediency: precisely because those in the field thought they were necessary and wanted something concrete in hand. Now who was conversant with the situation on the ground? Junior officers and lower-level staff, not their high-ranking superiors.

Take the matter of the yellow badge and restrictions on movement. The underlying assumption was that if Jews were marked externally and easily identifiable it would be harder for them to elude controls imposed on their movement and they would remain close to their places of residence. Consequently, it would prove easy to gather them together and deport them. Nonetheless, the authorities were actually unhappy about the way restrictions were being observed. Six months later, on March 24, 1942, Heydrich signed directives that were distributed once more throughout the Reich. The circular is similar in content to the original directive and, once again, it was prepared by Suhr or his associates.¹⁶

In order to establish who initiated this supplementary circular, it is necessary to know who it was who paid attention to the decline in the observance of previous directives. If it was officials at the grassroots who noticed this laxity, it is likely that Suhr initiated the circular, with Heydrich's official backing. If objections came down from above, it is more probable that Heydrich ordered Eichmann to see to the matter and that Eichmann then passed it on to Suhr. In any event, Heydrich did not act on his own.

¹⁵ Ibid.

¹⁶ Circular by Heydrich, Pol. S IVB4b (940/41-6-) 1155/41-33, YVA TR.3-1174.

Areas of Activity: the Deportation of the Jews

Eichmann and his associates promoted the implementation of the "Final Solution" by distributing documents explaining to officers in the field how to remove the Jews from their area. From the autumn of 1939 to the summer of 1941, the main thrust in policy was the mass deportation of Jews and Poles in order to make room for ethnic Germans arriving from the East.¹⁷ The policy was marked by an abysmal contempt for human life: the likely outcome of expelling Jews en masse was their death. We can generalize by saying that in the autumn of 1941, the Jews in the Reich were cut off from their surroundings and stripped of their remaining assets; the paths for escape were sealed by ending emigration, and deportations were begun. At the beginning of 1942, the method of deportation was geared up; in 1943, the authorities seized those who had been in a previously protected category. Throughout these procedures, they usually meshed efforts with officials from the Foreign Ministry in order to speed up the deportation of the Jews from Western and Southern Europe, while blocking foreign governments from intervening in a bid to rescue individual Jews.

There were two subsections in the *Referat*: IVB4a specialized in evacuation (i.e., expulsion); IVB4b in Jewish affairs.¹⁸ Rolf Günther headed IVB4a. The heads of the subgroups under his command were Franz Novak (railroad coordination and scheduling), Richard Hartmann (emigration questions; Hartmann was later appointed an aide to Novak), Herbert Mannel (responsible for gathering statistical data on Jewish Diaspora communities), and Franz Stuschka. Stuschka dealt with organizational matters inside the office: training the staff and managing the "Jewish Work Detail *Kurfürstenstrasse*" (a group of Jews employed in maintenance work inside the

¹⁷ This important chapter in Eichmann's biography was not widely mentioned until recently, but see now Götz Aly, *"Endlösung". Völkerverschiebung und der Mord an den europäischen Juden* (Frankfurt am Main: Fischer, 1995). Aly's work convincingly shows that the actions of Eichmann and his staff from the end of 1941 on were analogous to their earlier task of uprooting and deporting Poles in order to replace them with German settlers. This points up the importance of Nazi *völkisch* ideology in its entirety, not only its antisemitic character. See also Leni Yahil, *The Holocaust. The Fate of European Jewry 1932-1945* (New York: Oxford University Press, 1990), pp. 136ff.

¹⁸ Bureaucratically labeled "Evakuierungsangelegenheiten" and "Judenangelegenheiten." YVA TR.10-754, p. 96.

building, recruited from the ranks of those protected from deportation, such as those living in "privileged mixed marriages" and so-called half-Jews).¹⁹

Subsection IVB4b dealt with Jewish affairs, but not directly with deportation. It was directed by Friedrich Suhr, who joined the department in July 1941. The chiefs of his subgroups were Fritz Wöhrn (in charge of supervision of the Reichsvereinigung der Juden in Deutschland; he also dealt with exceptional cases among full Jews and *Mischlinge*), Ernst Moes (responsible for special cases not handled by Wöhrn and questions of "protective detention"), and Richard Gutwasser (assets of the Reichsvereinigung).²⁰

Two new officers were added to the staff in December 1941: Otto Hunsche (who would later replace Suhr) and Friedrich Bosshammer.²¹ His task was termed "political preparations for the Final Solution"—i.e., drafting and practical implementation of plans for gathering in Jews from various countries. He also devised propaganda to counter the "atrocious propaganda" of the enemy countries regarding the Nazi relation to the Jews.²²

The machinery of deportations of German Jews within the framework of the "Final Solution" shifted into gear and started rolling in October 1941. It was not until the first deportations were underway that the basic guidelines for seizing Jewish property were hammered out. On November 25, 1941, the Eleventh Ordinance of the Reich Citizenship Law was promulgated. It stated that Jews leaving Germany were to be stripped of their citizenship and their property transferred to the Reich. Many of the paragraphs of this ordinance were intended to shield non-Jewish creditors from the untoward effects of

¹⁹ Ibid., p. 99.

²⁰ Ibid., p. 100. The Reichsvereinigung was the compulsory organization of all *Rassejuden* ("Jews by race") in Germany; it was established in February 1939 and supervised by the Gestapo. In terms of the Nuremberg racial laws, a person with two Jewish grandparents was a "first-degree *Mischling*" or "half-Jew"; one Jewish grandparent classified an individual as a "second-degree *Mischling*" or "quarter-Jew."

²¹ Ibid., p. 101.

²² So-called "Greuel-Propaganda"; *ibid.*, pp. 105-109.

confiscations of Jewish assets.²³ Immediately after publication of the ordinance, the department began amassing data on Jewish assets.²⁴

Until deportation, Jews formally retained ownership of their property, even if they no longer had actual effective disposal over it. Once expulsions began, the assets of deported Jews were transferred to the Finance Ministry and the RSHA: once again, all access was blocked. Nonetheless, no formal budget was allocated to bankroll the project of mass expulsion. The department financed deportation from Germany by means of an administrative loophole between blocked Jewish assets and confiscated assets. On December 3, 1941, Suhr signed a circular referring to this question that was forwarded to all RSHA stations. He explained that the operations would be financed by a special "W" bank account (a so-called *W-Sonderkonto*), and it was necessary to verify that every Jew would contribute at least one-quarter of all assets to this account. He suggested that Jews be told this money would finance the expenses of the Reichsvereinigung for their transport, for central purchase of provisions, etc. It would be possible to collect the monies when Jews were notified they were being deported, or when they completed the required declaration forms on their assets prior to expulsion.²⁵ The fund was set up in December 1941 on orders from Referat IVB4.²⁶

At the end of February 1942, Suhr signed an additional circular on assets. The reference symbol on the document is surprising because Suhr put his formal signature on it, though the code here—IVB4a 163/42—indicates that it was Günther who issued the document. Nonetheless, Suhr, as head of IVB4b, was the one who signed. The German prosecution determined that Hunsche,

²³ Adler, *Verwalteter Mensch*, pp. 503 ff.; Yahil, *The Holocaust*, pp. 290-291.

²⁴ Circulars signed by Heydrich, November 27, 1941, December 11, 1941 and by Müller, December 3, 1941, IVB4a, 1146/41-32, YVA TR.3-739.

²⁵ YVA TR.3-1283, circular signed by Suhr, IVB4a 1033/41-39. The suggestion to collect money from the Jews on the eve of their deportation was sent by Epstein to Gutwasser, the IVB4 official responsible for the finances of the Reichsvereinigung. Sometime after November 3, 1941, Gutwasser told Epstein to put his suggestion in writing. Raul Hilberg, *The Destruction of the European Jews* (New York: Holmes & Meier, 1985), pp. 467-468.

²⁶ Other financial sources at the RSHA's disposal included the office Vugestap in Vienna, where Gestapo agents were able to purchase expropriated Jewish property, the Emigration Fund in Prague and the Donations Office through which the Gestapo raised funds from individuals in the deportation centers, and monies from the Reichvereinigung. The Jews themselves financed the costs of their deportation. See Adler, *Verwalteter Mensch*, pp. 563-564, 630; Avraham Barkai, *From Boycott to Annihilation: The Economic Struggle of German Jews 1933-1943* (Hanover, N.H.: University Press of New England, 1989), pp. 180-183.

then Suhr's aide, had drafted the document. It is thus likely that there was a mistake when recording the 4a symbol: his secretary simply used the wrong reference code.²⁷

In any event, the circular's purpose was to reiterate and make doubly sure that all Jewish assets would be seized before expulsion. All Jews were obliged to complete with care a standard assets' declaration to cover all possessions except for the small amount of property the deportee would take with him or her at departure. It was also necessary to verify the accuracy of the facts as set forth in the declaration before the expulsion. Every Jew was to take along RM 50—no more, no less. If an indigent Jew did not have this amount at his or her disposal, it was to be collected from another, more affluent deportee. According to the Eleventh Ordinance, Jews were stripped of their citizenship as soon as they crossed over the border; their assets then passed to the hands of the Reich. If a Jew died after notification of deportation but before leaving Reich territory, his or her property was seized in accordance with the procedures for dealing with the wealth of state enemies. The circular later mentions how representatives of the judicial system were to be involved in the deportation process. They were to be dispatched to deportation assembly points and would be on hand to transfer the deportees' real-estate ownership rights to the state. One copy of the deed of transfer could remain in the hands of the Jews—but only until they arrived in Poland. Then it was to be taken from them. Anyone with a question, or persons who wished blank forms or lists of Jews who had already been processed should contact the offices of Suhr and Hunsche in Berlin: Tel. 259251.²⁸

While Suhr and his associates were busy sharpening their skills in plundering most Jewish assets for the RSHA's coffers and as a fund to finance the deportations, Günther and his staff were learning the ropes of the practical implementation of the deportations and how to transfer that knowledge to where it was needed: namely, the Sipo stations throughout the Reich that had been entrusted with the job of expulsion. From the summer of 1942 on, they

²⁷ YVA TR.10-767a, p. 178.

²⁸ Circular signed by Suhr, YVA, TR.3-1265. The precise date is unclear; in any event, it was prior to March 1, 1941.

also passed on their experience to the authorities handling Jewish deportation in other European countries.

Between October 4 and October 16, 1941, 19,833 Jews were deported to Lodz (Łódź); half were from Vienna and Prague, and half from other localities in the Reich. Some 5,000 Gypsies were also deported. The operation was under the supervision of IVB4. Several constraining factors had shaped the decision for Lodz; among them, the fact that the army was demanding unencumbered railway lines in the Baltic and that the experience with deportations to the Generalgouvernement had not been satisfactory. Moreover, Lodz was situated at the far eastern edge of the Reich and already had a large ghetto. From the beginning of 1942, the deportees to Lodz were murdered in the Chelmno death camp.²⁹

Midway through the expulsion operation, Heydrich convened a meeting in Prague (October 10, 1941); he wore two hats: the head of the RSHA *and* in his new capacity as Acting Protector of Bohemia and Moravia. Eichmann, Günther, and other SS officers also were in attendance. The person who took down the minutes did not attempt to conceal the animated tone of discussion; we thus have an honest impression of the participants' mood at the onset of the deportations of the Jews from the Reich to the East. It was clear to them that the Jews would perish, and the basic prevailing sentiment was one of glee.

The main topic on the day's agenda was the removal of the Jews from the Protectorate. It was decided that the speediest solution would be to concentrate them in a camp in the region; namely, Theresienstadt. In order to facilitate matters for the deporters, the Jews were to bring along enough of their own provisions to tide them over for several weeks. Straw would be spread on the floors of the empty apartments, since beds took up too much space. The larger apartments would be used to house the camp administration and the Nazi camp command. The rest of the Jews would "create dwellings for themselves in the ground" (*haben sich Wohnungen in der Erde zu schaffen*).

²⁹ Adler, *Verwalteter Mensch*, pp. 172-174. The first German Jews to be slaughtered by the thousands were those deported in November to Kovno (Kaunas) and Riga. Members of Einsatzgruppe A murdered them in the period November 25-30, 1941. Gerald Fleming, *Hitler and the Final Solution* (Los Angeles: University of California Press, 1994 [1985]), pp. 78ff.; see also Martin Gilbert, *Atlas of the Holocaust* (London: Michael Joseph, 1982), pp. 80-81; Martin Broszat, "Hitler and Genesis of the Final Solution," *Yad Vashem Studies* 13 (1979), p. 93.

Measures should be taken to ensure that epidemics (an unavoidable consequence of the living conditions contemplated) did not spread from the ghetto to the surrounding areas. They also had to make sure contaminated sewage did not flow into the Eger River (at Terezin) and from there on into the Sudeten (ethnic) German region. Jews should be cremated, not buried.

Eichmann also brought up the option of putting Jews from Prague in the hands of Arthur Nebe and Otto Rasch, "commandants of camps for communist prisoners in the East." This was quite an original job description for two Einsatzgruppe commanders who were meticulous in making sure that prisoners were not held longer than a few hours before liquidating them. And Eichmann was well aware of their activities.³⁰

On October 23, 1941, one week after the wave of deportations ended, Jewish affairs officers from all RSHA stations throughout the Reich gathered in Eichmann's office. He and his staff assessed the situation and issued instructions regarding further steps. Each Jew should take along RM 50, bed linen, towels, cutlery, kitchen utensils, and food to last three days.³¹ Supplementary provisions sufficient for three weeks were to be added to the transport. Prior to departure, the Jews should be searched for weapons, jewelry, silver and other valuables, which were to be confiscated (except for wedding rings). Food-ration cards seized from the Jews were to be handed over to the nearest branch of the Ministry of Economics. Personal documents—except for identity cards and passports—were to be confiscated. Identity cards were to be stamped "evacuated." Group food and funds were to be deposited with the commander of the accompanying unit. A copy of the list of deportees should be sent to IVB4. Jews were allowed to take along personal effects and medicines. Each representative should be notified when (and how many) Jews from his locality were likely to be deported. They were briefed on the procedures for reporting and regarding the accompanying escort. The

³⁰ Protocol of the meeting, YVA, TR.3-1193.

³¹ It is not clear for what the 50 marks were intended; they were not returned to the deportees when they reached their destination but were also not meant to finance the deportations; Adler, *Verwalteter Mensch*, pp. 547-548.

participants were also informed about the general prohibition on emigration that had been issued that very day.³²

Instructions in hand, the regional RSHA staff returned to their towns in order to proceed with the task of cutting the Jews off from their surroundings—and to await the signal for their deportation to death. They also made sure that no Jews would be mistakenly overlooked due to absence from their regular place of residence, and all requests for deportation exemptions were rejected.³³ From November 8, 1941, to the second half of January 1942, more than 25,000 Jews were deported to the Baltic region from cities in the very heartland of Germany.³⁴

The day after the Wannsee Conference, Eichmann sent a circular to RSHA stations in which he stated: "the deportations are the final solution." He supplemented instructions on how to implement the expulsions, along with certain directives on the requisite statistics that had to be gathered—without which it would be impossible to finish the job. By February 9, 1942, each station had to provide the department with the number of Jews in each category (regular, foreign [by country], workers in the defense industries, etc.). The figures had to be exact and up-to-date, because funds and trains for deportation would be allocated based on this information. He concluded by noting that until further instructions were issued, no other measures should be taken.³⁵

On March 6, 1942, Eichmann once again convened a meeting in his office with representatives from all RSHA stations across the Reich for a further briefing and updating. The plan called for deporting 55,000 Jews in the near future: 20,000 from Prague, 18,000 from Vienna, and the remainder from other German cities. A single train, for example, had been allocated for Düsseldorf. He reported that an agreement had been reached with the Army Supreme Command (OKH) that the freight trains transporting Russian POWs west to

³² YVA TR.10-767b, pp. 258-259, 666-669; Eichmann, *Interrogation*, p. 421.

In addition to provisions for ten days, the RSHA station in Würzburg allowed the officers to take along some extras: two bottles of schnapps, three cans of concentrated milk, two packages of cheese, a half kilo of butter, twelve sausages, and tobacco. None of this was itemized in the meeting on October 23, 1941; Adler, *Verwalteter Mensch*, p. 452.

³³ Adler, *Verwalteter Mensch*, pp. 354-379.

³⁴ *Ibid.*, p. 87.

³⁵ Circular signed by Eichmann, IVB4 2093/42g (391), January 31, 1942, YVA, TR.3-1278.

Germany should be loaded with Jews for the return trip east. The local RSHA offices would be given six days advance warning prior to the departure of the trains from their area. Each train had a passenger capacity of 700, but would be packed with 1,000 Jews per transport. He stressed how imperative it was that the Jews know nothing about the operation beforehand. It was also important to collect money from them to cover expenses for the deportations.

Local RSHA station heads were not allowed to send Jews from categories that did not accord with the directives (such as the elderly), since the authorities responsible for population absorption in the East refused to accept them. Moreover, there were already concrete plans to transfer the aged to Theresienstadt. At the end of the meeting, representatives who had already taken part in deportations shared their experiences.³⁶

These gatherings of those involved in dispatching deportation transports were useful for clarifying procedural rules and exchanging experiences. The work itself proceeded in accordance with written guidelines that served as standard operating procedure and were on file in every RSHA office. Beginning in September 1941, when directives regarding the yellow badge for Jews and restrictions on their free movement were distributed, the departmental staff sent out at least seventeen circulars to a broad array of RSHA offices in the Reich and elsewhere, spelling out in detail who should be deported and how.³⁷

A typical circular was the one dispatched two days prior to the meeting on March 6, 1942. It probably served as a basis for those discussions and was entitled "Technical Directives on the Evacuation of Jews to the East (Izbica)."³⁸ The first section defined the operational authority (RSHA offices), and the second spelled out which Jews could and could not be deported (depending on age and profession). Section three dealt with concentrating the Jews and preparations for deportation, describing what they may and may not take along. Section four described the accompanying escort for the trains; section five, those who would be the receivers. Section six detailed the obligation of dispatchers and receivers to report to IVB4 so as to assure an updated picture

³⁶ Report on the meeting, filed at the Düsseldorf RSHA station, YVA, TR.3-119.

³⁷ A full and detailed list can be found in Yaacov Lozowick, "Malicious Clerks. The Nazi Security Police and the Banality of Evil" (Hebrew), doctoral diss., The Hebrew University of Jerusalem, 1995, p. 78.

³⁸ Eichmann to RSHA Düsseldorf, IVB4a 2093/42g, YVA, TR.3-1663.

of the evolving situation. The final two sections dealt with financing the operation and the expropriation of Jewish assets. Although Eichmann signed the document, its highly detailed information indicates that many officers contributed based on their specialized areas. Any one of the experts was in a position to consult associates, gather together all the necessary details and formulate a circular for Eichmann's signature. In this instance, Novak dictated the findings to his typist Erika Schultz.³⁹

Whenever the department issued documents dealing with political matters or basic working directives, it was based on team work, thus obscuring the role of the individual. This does not mean that the character of individual officers cannot be established. In the case of some, it is both possible and imperative: only then can we grapple with the various questions posed at the beginning of this paper.

SS-Obersturmführer Franz Novak was in charge of organizing the transport trains for the deportations. Up until the war started, the Reichsbahn was run as a commercial firm seeking to maximize profits. During the war, it continued to offer its services in exchange for cash, but its decisions were now no longer guided by profitability as the war needs were paramount. In order to simplify matters, the transportation ministry decided to work with just a single representative from any government office or authority. Novak was the RSHA representative for international train transports.⁴⁰

During the preparatory stage for a large deportation, he asked the WVHA (Wirtschafts-und Verwaltungshauptamt - SS Economic Administration Office) about the train's destination, and only after that did he contact the Reichsbahn.⁴¹ A general schedule was worked out at special coordinating conferences held at the Ministry of Transport.⁴² The coordination continued in contacts between Novak and Otto Stange, a Reichsbahn staff employee.⁴³

³⁹ YVA TR-10-1277 = Zentrale Stelle der Landesjustizverwaltungen in Ludwigsburg (ZStL), RSHA Vernehmungsniederschriften 415 AR 1310/63 E5, vol. 5, September 19, 1967, p. 7.

⁴⁰ YVA TR.10-515, p. 36; Eichmann, *Interrogation*, vol. 1, pp. 142-143; Raul Hilberg, *Sonderzüge nach Auschwitz* (Mainz: Dumjahn, 1981).

⁴¹ Eichmann, *Ich, Adolf Eichmann*, p. 142.

⁴² Eichmann, *Interrogation*, vol. 1, p. 143.

⁴³ Staatsanwaltschaft Wien, 15St 1416/61, Anklageschrift gegen Franz Novak, June 3, 1964, p. 37.

Two problems cropped up in coordinating the trains for mass deportation. First, it was necessary to find an open time slot on appropriate tracking—a problem that was amenable to solution once schedules were prepared. Second, it was necessary to allocate sufficient train cars for the operation. After Novak had a general schedule on the table, he had to allocate the cars at his disposal to departure stations for specific times and to notify the stations.⁴⁴ The problem was more complicated within Germany than elsewhere because in Germany there were a large number of departure points for Jews, who left at times in rather small groups; in other countries, Jews were concentrated in a few major departure stations.

Once the preparations and coordination had been completed, Novak monitored the implementation. To that end, he prepared standard report forms for the dispatching and absorption stations, and they reported back to him by urgent cable. Thus, he was always able to keep abreast of the deportations and the changing situation. If a hitch occurred anywhere that might disrupt the course of the deportations, he was informed and reported to the others involved so that they could take proper action. It was Novak who wrote the instructions in the general circulars dealing with how the deportations should be carried out.⁴⁵

In each instance they went through all the stages described here, but the process was simultaneous, since there were trains moving on the rails at all times. A large chart was mounted on the wall of Günther's office, and he constantly updated data on the trains in motion. Years later *Obersturmführer* (Lieutenant) Rudolf Jänisch, departmental supervisor, recalled that everyone who worked in the department knew about the deportations of the Jews and their destinations, if only because of the huge detailed chart hanging on the wall of Günther's room. The destinations for deportation were marked in there, along with the number of deportees for each destination.⁴⁶

⁴⁴ YVA TR.10-515, p. 36. For one instance where Novak's assistant Hartmann notified Düsseldorf by phone, then sent a cable signed by Eichmann, see YVA TR.10-767c, pp. 705-706, IVB4a-2 2093/42g (391), April 18, 1942.

⁴⁵ YVA TR.10-515, pp. 25, 39.

⁴⁶ YVA TR.10-767b, p. 390.

Each transport was prepared over a number of days,⁴⁷ so that there was no chance for slipups due to haste. Nonetheless, such blunders occasionally occurred, and the blame was always put on the department—a detail Eichmann was still able to recall under interrogation seventeen years later, despite his generally flagging memory.⁴⁸

On December 16, 1942, Günther wrote a request together with Novak and sent it on to Himmler; Müller signed the document. It began with a report: due to a lack of trains from the middle of December 1942 on, it would be impossible to proceed with deportations of Jews for an entire month, since heavy passenger traffic (soldiers) was expected for the Christmas holidays.⁴⁹

Note the path of decision-making involved here: Novak notified Himmler that deportations would be temporarily interrupted. In connection with one of the most important factors influencing the tempo of deportation, it was *not* Himmler who had issued orders to his subordinates on how to proceed. On the contrary: *his subordinates informed him* what would be done, a fait accompli not open to appeal.

Jews Protected from Deportation

Another area dealt with by several officers in the department involved the marginal categories of Jews under the Nuremberg Laws. That racial legislation had defined who was a Jew, and the SS personnel did not wish to alter it. Yet as time went on, they realized that, given the legal definitions on the books since 1935, it was not always clear to whom the policy effectively applied. Moreover, there was a fairly sizable group whose status remained somewhat obscure: the children of racially mixed marriages, spouses in "privileged mixed marriages," and Jews who were non-German nationals.

Initially, those carrying out the deportations were careful not to endanger policy by causing harm to anyone who might be in a protected category. In his October 23, 1941, briefing, Eichmann laid down extremely cautious guidelines. Foreign citizens were not to be deported; and family members of Jews

⁴⁷ Eichmann, *Interrogation*, vol. 1, pp. 605-606.

⁴⁸ *Ibid.*, pp. 191-192.

⁴⁹ Müller to Himmler, IVB4a 2093/42g (391), YVA TR.3-192.

employed in the defense industries, the elderly over sixty, and spouses in mixed marriages were also protected.⁵⁰

At the Wannsee Conference, Heydrich sought to impose a more stringent interpretation. He argued that the categories of Jews sixty-five and older, invalids, or disabled war veterans who had been decorated with high military honors (such as the Iron Cross, First Class) should be sent to Theresienstadt. First-degree *Mischlinge* were to be classified as Jews unless they were married to Aryans and/or had children, or if they were already in a privileged category (which had to be reexamined). These exceptions would be sterilized if they wished to stay in the Reich. Second-degree *Mischlinge* were to be considered Germans unless the facts suggested that they had maintained close ties to Judaism. Each case of mixed marriage had to be decided on its own merits: whether to deport the Jewish spouse to the East, or send him or her to Theresienstadt, depending on the impact this would have on the Aryan members of the family. This was Heydrich's position. But as the meeting progressed, it became evident that the matter was far more thorny, and required additional deliberation.⁵¹

A circular distributed on January 31, 1942, gave de facto recognition to the limits of power. It stated that Jews in "privileged mixed marriages" should not be deported, nor should foreign Jews (except for Polish and Luxembourg nationals and stateless Jews). Likewise not to be deported were Jews working in the defense industries whose employers were not prepared to let them go, Jews sixty-five and older, or aged fifty and above and in very poor health. If one of the spouses was between sixty-five and sixty-eight and fit to work, both spouses would be deported. A sufficient number of legal counsels (*Konsulenten*) would have to remain in Germany in order to attend to the legal needs of the remaining Jews. An attempt should be made not to separate spouses from one another or children aged fourteen or younger from their parents.⁵²

⁵⁰ YVA TR.10-767b, pp. 258-259.

⁵¹ Nuremberg Document NG-2586-G. In 1939, there were 64,000 first-degree and 43,000 second-degree *Mischlinge* in Germany. Hilberg, *Destruction*, p. 418.

⁵² Circular signed by Eichmann, January 31, 1942. It is impossible to determine who wrote the letter, YVA, TR.3-1278.

On March 6, 1942, there was a meeting held at Kurfürstenstrasse 11b with representatives from the ministries of Foreign Affairs, Propaganda, Justice, and Interior, the Reich Chancellory, the Nazi party office, the ministry for the East, the Generalgouvernement, the RSHA and the Office of the Four-Year Plan. Some have termed this gathering the "Second Conference on the Final Solution."⁵³ The RSHA was represented by an officer from another department named Bilfinger. Eichmann and his associates are not mentioned. As surprising as it may sound, they apparently had their hands full briefing RSHA representatives on an operation concluded that same day (described below), and this precluded their participation. The main topic at this inter-ministerial meeting was the difficulties involved in forcibly imposing Hitler's decision that children from mixed marriages should be sterilized. Toward the end of the meeting, they deliberated on the option of deporting both spouses in "privileged mixed marriages."⁵⁴

In the following months, departmental staff dealt with small revisions and exceptional cases. For example, Suhr complained to Rademacher that the Jews in Liechtenstein, who were shielded from the grasp of the Nazis, were enjoying a far-too-easy life.⁵⁵ Suhr or Hunsche yielded to pressure from the Foreign Ministry and instructed RSHA to grant an exemption to an Italian noblewoman who was a Jew by the German definition but not according to Italian law.⁵⁶ On April 19, 1942, in a telephone call to the RSHA office in Düsseldorf, Novak stated that Jews working in the defense industries could be deported if a replacement were available.⁵⁷

Formally, the RSHA sought to deport as many Jews as possible; in actual practice, they exercised caution in the expulsions of October 1941 and early 1942. The first step to correct this was taken in a circular signed by Müller and sent out to all RSHA offices on May 21, 1942. Jews married to non-Jews could now be included in the category for deportation, along with the children of mixed marriages classified as Jews under the Nuremberg Laws despite their

⁵³ For a description of the entire series of "Final Solution" conferences, see Hilberg, *Destruction*, pp. 416-430.

⁵⁴ Protocol of the meeting, YVA, TR.3-446.

⁵⁵ Suhr to Rademacher, February 17, 1942, IVB4a 2162/42 (373/42), YVA, TR.3-1188. Suhr himself signed.

⁵⁶ IVB4 to Auswärtiges Amt, IVB4b 354/42-4-, signed by Eichmann, YVA, TR.3-1190.

⁵⁷ YVA, TR.10-515, p. 40.

non-Jewish parent.⁵⁸ The circular was drafted by Günther, or perhaps Novak.⁵⁹ Yet this was not enough to effect a genuine change, and the immunity of protected Jews was preserved throughout the rest of 1942.

In September 1942, some Gestapo officers (not from the department) held discussions with representatives of the Berlin Jewish community about a vexing problem: they were "running out of material for deportation."⁶⁰ It was argued that the SS could no longer allow itself the luxury of excluding protected Jews from deportation. So, on October 27, 1942, the "Third Conference on the Final Solution" was convened—again in the building of Department IVB4, but this time chaired by Eichmann. Representatives of most of the ministries that had been represented at earlier meetings were in attendance, but they were of a lower rank. The central topic was still "children from mixed marriages." Like the meetings that preceded, it lasted for about two hours.⁶¹

The assumption was that a method would be found before the war was over to carry out mass sterilization, and the suggestion was made to sterilize all children from mixed marriages. This would be achieved by a ruse: the proposition would be to ask them to choose between deportation and sterilization. It would be made to appear that, of the two, sterilization was the easier policy. Most children of mixed marriages, it was reasoned, would opt for the lesser evil; namely, sterilization. If the authorities applied pressure, it would be possible to "backtrack" to the solution of sterilization. The process would appear voluntary and uncoerced, and there would be no need for a law to impose such a solution. The number attempting to elude this measure would diminish, since the decision would be voluntary and not imposed from above.

⁵⁸ *Documents on the Holocaust* (Jerusalem: Yad Vashem, 1981), p. 80.

⁵⁹ Circular signed by Müller, IVB4a 2093/42g (391), YVA TR.3-1280.

⁶⁰ Hilberg, *Destruction*, p. 463. This demonstrates one thing more: the Jews of Berlin (at least those employed by the community) were not deported by IVB4 but, rather, by the local Gestapo. That also explains why the Aryan wives of Jewish prisoners chose to stage a protest in front of the Gestapo building in Rosenstrasse in February 1943, demanding their release—and not outside Eichmann's offices. See Kurt J. Ball-Kadouri, "Berlin is 'Purged' of Jews; The Jews in Berlin in 1943," *Yad Vashem Studies* 5 (1963), pp. 279-280; see also Robert M.W. Kempner, "Der Mord an 35.000 Berliner Juden," *Gegenwart in Rückblick. Festgabe für die jüdische Gemeinde zu Berlin* (Heidelberg, 1970), p. 181; and the film by Daniella Schmidt, "Rosenstrasse - Wo Frauen widerstanden" (1990), copy in Yad Vashem Film Archive (V-1038).

⁶¹ YVA TR.10-767c, p. 954.

In order to be successful, it would be necessary to sterilize the children of mixed marriages quietly and simply—and to camouflage the true import by using some deceptive term. Afterward, they would deal with the question of partial restrictions on those who had been sterilized. Should the children of mixed marriages resist deportation to the East, it would be necessary to ensure that they have no contact with members of the opposite sex so as to avoid any undesirable offspring. Second-degree *Mischlinge*, i.e., those with only one Jewish grandparent, were to be considered Germans; they would not be subject to sterilization, but the legal restrictions on them would not be altered. Marriages between Jews and non-Jews were to be forcibly dissolved if the Aryan spouse were unwilling to do so voluntarily.⁶²

No further meetings of this type took place. In general, the decisions adopted here were not put into practice.⁶³ Nonetheless, one can see from this "Third Conference on the Final Solution" how the participants viewed those being victimized by the racial laws. It was, after all, rare for SS officers to discuss such persons as human beings, persons who had their own wishes and opinions—rather than objects to be shunted from one spot to another. Why this approach? The reason is evident. They were dealing here with children from mixed marriages, i.e., those who were "half" Aryan. Nonetheless, their Jewish half was considered more important. Thus, even if the participants took some account of their wishes, the overall tone in the discussion remained one of contempt: it would still be possible to dupe them by cloaking policy in a clever guise. And, in any event, it was necessary to cause them both insult and injury.

One further thing could be stressed: it was clear to the participants at the meeting that it would facilitate matters if they presented sterilization as a less onerous option than deportation. It has been customary for contemporaries of the Holocaust, their children, and even historians to underestimate the level of knowledge and awareness of those involved in the mass expulsions, as if the men behind the desks did not really know what awaited the Jews when they disembarked from the trains. Participants in the meeting on October 27, 1942—most of whom were not SS—saw things in a different light. They had no doubt

⁶² YVA TR.3-106, protocol of the meeting.

⁶³ Adler, *Verwalteter Mensch*, pp. 290-291; see also Louis De Jong, *Het Koninkrijk der Nederlanden in de Tweede Wereld Oorlog*, vol. 7, pp. 291-296.

that any reasonable person would understand that sterilization was the preferable alternative—anything, as long as they were not deported to the East.

In the course of 1943, the men at IVB4 began to tighten the screws. At the end of April, Günther (or one of his subordinates) sent a letter to the officer in charge at RSHA in Nuremberg asking him to verify that Jews were being removed from jobs in the defense industries. This was in accordance with an agreement reached with Defense Minister Albert Speer and Reich Director of Labor Fritz Sauckel. Eichmann signed the document.⁶⁴ Günther prepared a general circular on the matter, which was signed by Kaltenbrunner and forwarded to all RSHA offices on May 23, 1943: the sick and invalid would be deported; Jews working in industry would be deported no matter what their job assignment, except for Jews confined in labor camps; staff workers of the Reichsvereinigung would be deported, and the association and its branches were to be disbanded and replaced by an organization of Jews living in "privileged mixed marriages."⁶⁵

On December 18, 1943, Müller signed a circular written by Günther stipulating that Jews living in mixed marriages whose spouse was still present in Germany and who were not exempt from wearing the Star of David would be sent to Theresienstadt.⁶⁶ In January 1945, they were still trying to seize persons who up until then had been protected from deportation. Kaltenbrunner signed a circular stating that Jews in mixed marriages considered fit for work were to be seized, along with children from mixed marriages who were "regarded as Jews under the law" (so-called *Geltungsjuden*), members of Jewish congregations, and so on. Persons in these categories were to be sent to Theresienstadt.⁶⁷

⁶⁴ Kempner, "Der Mord an 35,000 Berliner Juden," pp. 121-122.

⁶⁵ YVA TR.10-767b, pp. 564-567, IVB4a 3093/42g (391).

⁶⁶ *Ibid.*, IVB4a 2018/42g (908), p. 297.

⁶⁷ *Ibid.*, IVB4b 3066/40g (159), January 19, 1945. That is the background to the attempt to deport the remaining Jews of Dresden in February 1945, an initiative thwarted at the last minute by the Allied bombardment of the city. Victor Klemperer has strikingly described these events in his journal, *Ich Will Zeugnis Ablegen bis zum Letzten. Tagebücher, 1942-1945* (Berlin: Aufbau Verlag, 1996), pp. 657ff. Under the Nuremberg Laws, so-called *Geltungsjuden* were first-degree and second-degree *Mischlinge* married to Jews or themselves members of the Jewish faith.

Special Cases

The staff of the central department who coordinated the deportation of Jews to their death dealt not only with delineating policy and preparing general circulars, but also with individual special cases. On March 12, 1942, Eichmann signed a cable sent to the Gestapo offices in the West by Moes or Werner Kryschak, who were in charge of such special cases. It warned that Jews were trying to flee to Belgium, in some instances using false documents. In the event of such cases, the Jews involved should be taken to the Gestapo office in their last place of residence along with their guides and should be brought to justice. After serving their sentence, they should not be set free but placed in "protective detention." In any case, it was necessary to file a report with the department.⁶⁸

On April 21, 1942, an Aryan woman in Düsseldorf filed a complaint that her children were to be deported even though they were from a "privileged mixed marriage." Richard Hartmann was phoned; he had already been informed about the case from another source. Hartmann decided that it was necessary to check whether the complaint was justified, but stated that it was even more important to make sure that no further complaints be sent to other offices. In the event of such complaints, they should threaten "certain steps" that might be taken by RSHA. He requested to be kept informed about the results of the investigation, though an urgent telegram was unnecessary. A train transport with 941 Jews, including children from mixed marriages, left the next morning heading East. They did not return.⁶⁹

Hunsche occasionally sent letters to the Foreign Ministry requesting that they look into cases of Jews who had departed from Germany before the Nazi takeover but had left property behind. The investigations were geared to establish whether it was possible to expropriate the property in accordance with the Eleventh Ordinance.⁷⁰ Moes and Kryschak were looking into a Hungarian family in Heidelberg that they claimed had concealed its true identity: their

⁶⁸ Telegram signed by Eichmann to RSHA stations in the West, IVB4a-3 2264/42g (1008), YVA TR.3-707.

⁶⁹ YVA TR.10-767c, pp. 713, 717-718.

⁷⁰ Hunsche to Auswärtiges Amt, IVB4b-4L.16105, January 26, 1943, YVA TR.3-968; Hunsche to AA, IVB4b-4 F.5864, July 8, 1943, YVA, TR.3-1060.

name was Romhanyi, not Reich; the father was Jewish; and the two sons were thus from a mixed marriage. Their residence permit for Germany was about to expire, and the *Referat* was not prepared to grant an extension. They also claimed that the "shocking behavior" of one of the family members "constituted a crude offense to German hospitality."⁷¹ It took quite a bit of cynicism to fulminate about "German hospitality" in February 1943.

The practice of dealing with such special Jewish cases also spread from Germany to countries where German rule was indirect and the status of the department less official. The most notable such example was that of the Jewish woman Jenni Kozzi, 49, from the Riga ghetto. The special feature of Kozzi's case was that her late husband had been an Italian citizen, and, with his help, she had been granted Italian citizenship. Therefore, the Italian consul general in Danzig requested that she be returned to Italy. Correspondence on the matter began on December 10, 1942, when Günther described the case to Karl Klingenfuss in the Foreign Ministry. "She speaks no Italian whatsoever!" he complained. And with the tone of a boy remonstrating that things were "not fair," he demanded that the Foreign Ministry act to void the Italian request. Günther was prepared to explain to the Foreign Ministry that since the woman lived in a ghetto she had witnessed much too much and that when she got to Italy she was likely to spread stories tantamount to atrocity propaganda.⁷² The correspondence regarding the case dragged on for a year, and various sections of the German Foreign Ministry became involved, along with the Italian Foreign Ministry, the Italian fascist party, and an unidentified senior party official in Berlin.⁷³ The affair came to an abrupt end after the fall of Mussolini. On September 25, 1943, Eichmann signed a letter prepared by Günther or one of his men involved in the case; it stated that, in view of the change in Italy's status, he no longer saw any reason to continue deliberations, and the Jewess Jenni Kozzi would remain in the ghetto.⁷⁴

⁷¹ IVB4a-3 1354/42, February 2, 1943, signed by Eichmann, addressed to the Foreign Ministry, YVA TR.3-135.

⁷² IVB4a 3208/42, November 10, 1941, YVA TR.3-744. The letter would have been prepared by Günther, Wöhrn, Moes, or Kryschak.

⁷³ Representative of the Foreign Ministry in Riga to Berlin, April 20, 1943, YVA TR.3-746; Günther to von Thadden, July 6, 1943, TR.3-748.

⁷⁴ Eichmann to von Thadden, IVB4a 3208/42, YVA TR.3-750.

Moes and Kryschak drafted letters to be signed by Günther and Eichmann rejecting emigration requests submitted by Jews of various nationalities. When the Swedes intervened on behalf of some Norwegian Jews, this was viewed as a transparent maneuver to naturalize foreigners, a stratagem not even worthy of a reply.⁷⁵

An interesting case was recorded in the department on December 17, 1943: Heinz Röthke, a member of the department staff in Paris, asked what they should do with the invention of a Jew being held in detention; the detainee had documents indicating his invention had military potential. Eichmann signed the reply: "The invention is already registered as a patent, the man is no longer of any interest to us. Deport him."⁷⁶

On February 11, 1944, Eichmann signed a request to the Foreign Ministry: "There's a Hungarian detainee here who keeps insisting he's not Jewish. We're convinced he is. Please check into details on his parents."⁷⁷ After all, if they had released him and he had been successful in misleading them, the "Final Solution" would not have been quite so final.

Writing circulars was a key category in the preparatory work, yet remained rather remote from the persons it actually affected. Dealing with special cases in Germany and elsewhere was different, however; it brought the officials closer to the individuals involved as they knew the people's names and other personal information. Dealing with "protective detainees" was even more direct, because such persons had in fact been placed in custody on their specific recommendation.

There was a special department in the RSHA, *Referat IVC2*, which dealt with protective detainees. Basically, its task was to issue arrest warrants and make sure they were carried out properly. Department IVB4 dealt with Jewish "protective detainees" and cooperated with IVC2. It was Eichmann's prerogative to decide about detainees, and he passed those decisions on to IVC2 for further action. From the end of 1940 on, Moes and Wöhrn dealt with these cases. Moes was in charge of files whose last names began A-K, and

⁷⁵ Günther to von Thadden, IVB4a-3 3771/42g (1546), July 23, 1943, YVA TR.3-306.

⁷⁶ Röthke to IVB4, November 12, 1943; Eichmann to BdS Paris, December 17, 1943, IVB4a-3 (390/43g), YVA TR.3-1589.

⁷⁷ Eichmann to von Thadden, IVB4a-3, YVA TR.3-566.

Wöhrn for files with names L-Z. After April or May 1942, most of Wöhrn's work was handled by Kryschak, while Wöhrn continued to deal with detention cases involving prominent Jewish personalities. They had to check into whether the "protective detention" had been carried out in accordance with standard departmental procedure to preclude any remonstrations alleging false detention. After the case had been processed, the decision was passed on to Eichmann or Günther for signature.⁷⁸

Referat IVB4 also issued orders regarding "protective detention." On September 15, 1941: "protective detention" for those who violated rules regarding the yellow star for Jews. On November 13, 1941: Jews had to hand in any typewriters, bicycles, cameras, and telescopes in their possession; those refusing to do so would be subject to "protective detention." January 5, 1942: Jews were required to hand over any ski equipment in their possession; non-compliance was punishable by "protective detention." March 24, 1942: "protective detention" for Jews who violated the directives restricting their use of public transport. May 12, 1942: Jews were prohibited from wearing their hair in an Aryan hair-do [sic], an offense punishable by "protective detention." June 3, 1942: Jews were required to hand over heating appliances, vacuum cleaners, electric irons, gramophones and records, refusal punishable by "protective detention."⁷⁹

In the 1960s, West German prosecutors gathered data that shed light on additional sundry prohibitions from this period for which offenders were put into "protective detention": Jews were enjoined from visiting health spas and gardens, attending sports events or art exhibitions, eating in restaurants. Protective detention was also applied for employing an Aryan maid, smoking where it was prohibited, leaving one's residence without a special permit, absence from work without a permit, arranging for otherwise prohibited food, refusing to use the prescribed names of Sarah (for women) and Israel (for men), leaving home after eight P.M., keeping domestic animals or pets, or entering the main thoroughfares in Berlin, such as Unter den Linden. All these prohibitions were issued by IVB4, generally subsection IVB4b, perhaps under

⁷⁸ Supplement to indictment of Wöhrn, 1 ks 1/69 (RSHA), May 21 1969, pp. 131-136, YVA TR.10-652.

⁷⁹ YVA TR.10-652, pp. 76-81.

Wöhrn's direct hand. They were passed on to the Reichsvereinigung for distribution among Jews, to RSHA offices, to various authorities, and to most of the senior officials in the RSHA so as to ensure their strict enforcement.⁸⁰

Justice Minister Otto Thierack issued a directive on August 6, 1943, whereby a Jew who had committed any crime should, after investigation, be handed over to the Gestapo. From that point on, the cases of "protective detention" for Jews who until then had been immune—mainly persons living in "privileged mixed marriages"—multiplied. "Protective detention" thus became an additional instrument in the hands of those trying to carry out the "Final Solution"—a power also exercised by the officials in IVB4.⁸¹ In Holland, too, there were "protective detentions," and RSHA officers passed the cases on to the Berlin office for formal approval.⁸²

An additional task for Moes, Wöhrn and Kryschak, who were responsible for handling "special cases," was the preparation of directives on so-called *Sonderbehandlung* ("special handling"). If a report was received from any camp (except death camps) on a Jewish prisoner whose behavior warranted "special handling," Wöhrn and his associates prepared a request for Himmler, appending any information they had about the case. After the authorization order arrived, they informed the camp. Once the death sentence had been carried out, they filed a report to this effect from the camp, adding a cover-up explanation that the circumstances of death had been natural. This was recorded in the departmental files.⁸³

The Attitude of the Officers to Their Mission: Understanding, Identification, Ideology

Although the officials did not directly witness the bloody fruits of their labors, they nonetheless employed euphemistic terminology that was meant to camouflage the actions. The RSHA began to resort to duplicity in order to

⁸⁰ *Ibid.*, pp. 81-84.

⁸¹ *Ibid.*, pp. 88-91.

⁸² ZStL AR 518/59, vol. III, p. 503.

⁸³ YVA TR.10-767c, pp. 1058-1062. For examples, see telegram signed by Eichmann to RSHA Zichenau, IVB4a 3205/41g (1111), April 14, 1942, YVA TR.3-1254; telegram signed by Eichmann to RSHA Zichenau, IVB4a 225/42g (1178), May 23, 1942, TR.3-1255.

conceal its deeds even before the mass murder of the Jews actually began.⁸⁴ As early as the time of the brutal mass deportations of Jews and Poles in the autumn of 1939, the preferred parlance was to refer to "external resettlement" (*Aussiedlung*). The parallel process of relocating ethnic Germans was simply termed "resettlement" (*Umsiedlung*).⁸⁵ The expression "Final Solution" was coined in connection with the Madagascar plan.⁸⁶ Eichmann utilized this term to mislead his associates in other offices long after he himself knew about the shift in policy.⁸⁷

The power of a cloaked expression lies in its semantic multiplicity, and the person who uses it can fool his audience (and himself) into believing that he does not really intend what he in fact wants to achieve, especially if the alternative meaning is acceptable and the real meaning is not all that commonplace. *Sonderbehandlung* is an excellent example of just such a term, as illustrated in the courtroom exchanges during the investigation of Kaltenbrunner during the Nuremberg trials. A representative of the prosecution, Col. John H. Amen, presented Kaltenbrunner with a memo he had signed on the subject of "special handling" for prisoners in the Walzertraum and Winzerstube camps. Amen was extremely disconcerted when Kaltenbrunner explained that these were two famous luxury hotels and that there had indeed been special prisoners kept there who had been granted "special treatment."⁸⁸

The IVB4 staff needed to use the term only in order to cloak individual execution orders in the camps, since their work did not require them to deal with the mass fate of Jews after disembarking from the trains. However, by May 1942 at the latest, the expression had become common usage. Then staff members preferred avoiding it, for the more frequent it was used, the more it forfeited its capacity to cloak and conceal. For that reason, another term was

⁸⁴ Further discussion of the Nazi abuse of the German language can be found, for example, in Nachman Blumenthal, "On the Nazi Vocabulary," *Yad Vashem Studies* 1 (1957), pp. 49-66 ; idem, "From the Nazi Vocabulary," *Yad Vashem Studies* 6 (1967); Shaul Esh, "Words and Their Meaning: 25 Examples of Nazi Idiom," *Yad Vashem Studies* 5 (1963), pp. 133-168 . See also the classic study by Victor Klemperer, *LTI. Lingua Tertii Imperii. Notizbuch eines Philologen* (Frankfurt am Main: Suhrkamp, 1995 [1946]).

⁸⁵ Testimony of Wisliceny at Nuremberg, November 14, 1945, YVA, TR.3-856.

⁸⁶ Project proposal of the Madagascar Plan, p. 13, YVA TR.3-172.

⁸⁷ Affidavit of Wisliceny, November 18, 1946, YVA TR.3-773, p. 5.

⁸⁸ Peter Black, *Kaltenbrunner* (Princeton: Princeton University Press, 1984), p. 263.

coined: the so-called SB-Fälle (SB cases).⁸⁹ Based on the available evidence, this was the only time that department staff abbreviated or used initials. The need for duplicity specifically in connection with this term apparently points to the pressure to conceal and repress the facts—and does not fit in with the explanation that they did not grasp the nature of their actions.

Hannah Arendt theorized that it was language that prevented individuals from bridging conceptually between their acts and the "old" traditional meaning of the word "murder."⁹⁰ That is, language itself became a tool to confound communication or understanding. In actuality, however, the picture was quite different, even among the junior personnel in the department. The clerks Luise Hering, Marie Knispel, Gudrun Hunke and Ilse Stephan witnessed the endless stream of reports on the death of Jews pouring in from the camps: the cause of death was always listed as stomach and heart disease. They understood clearly what was happening: the Jews sent East were being murdered there. Ms. Stephan remembered that at a certain point, the reports stopped coming in; she knew it was because of the gargantuan number of the dead—not because there were so few.⁹¹

In November 1943, the Foreign Ministry requested information on one Jacob Leefmans, born in Amsterdam on August 21, 1902, who had been deported to the East on February 2, 1943. Moes or Kryschak responded (in a note signed by Günther) that Jacob Leefsma, born February 18, 1903, who had been deported to the East on February 2, 1943, had died in Auschwitz.⁹² Leefsma, not Leefmans: the officials had a long list of Jews, and they had mistakenly copied down the information for the person on the *next* line below. Yet it is impossible to view such death lists, containing two persons whose ages and names were so similar, deported the very same day, without feeling some sense of incredulity and surprise. The staff workers in *Referat* IVB4 were no fools. They understood the meaning of the lists. Luise Hering claimed (albeit some twenty-five years after the event) that since dealing with the lists of the dead had been the main part of her job, she had often been ill and was

⁸⁹ YVA, TR.10-767c, pp. 1060-1061.

⁹⁰ Arendt, *Eichmann*, p. 86.

⁹¹ YVA, TR.10-767b, pp. 601-604.

⁹² YVA, TR.10-767, p. 599.

frequently absent from work. She also claimed (and this was indeed unusual) that her harrowing job had been the reason her hair had turned completely white.⁹³ She apparently hadn't read Hannah Arendt.

The typist Elisabeth Marx, aged eighteen, who had joined IVB4 about midway into the war, testified years later that when she started to work in the department she did not realize what it was about. But as time passed she learned that its sole task was to push ahead with the "Final Solution." Recognition of this came about in stages:

"Hanke helped me understand. After my curiosity was aroused, I wanted to be certain. I used to peep at Friedrich Martin's documents, even though he kept most of them in a steel cabinet and only the current stuff was out on his desk. I found the proof in the long lists of the reports on the dead from Auschwitz; for many, the same cause of death was given, namely heart disease. Hanke used to proclaim: "Well, there goes another one." Once I asked them outright if that was what was really happening. Hanke and Martin asked me if I was some kind of idiot, whether I still didn't understand ...Another time they took a half-Jewish child from an Aryan mother and then murdered it. I was so very upset I went to Eichmann. He told me I had to be tough, there was still a lot I had to learn ...Another time about ten or twelve of the staff were sitting around, some officers too, talking about Auschwitz. They were joking about the ghoul who extracted teeth from Jews. I asked if the Jews were still alive and someone replied: "Look, they don't need those teeth any more, they're dead."⁹⁴

The clerks were so used to what was happening to the Jews that they were even able to find it amusing. Had Hannah Arendt read the factual record she might have saved us a lot of misunderstanding. Seventeen of those who were later investigated remembered such conversations in the department.⁹⁵ Staff workers responded in many different ways. The typist Erna Fingernagl

⁹³ Protocols of interrogations in the RSHA inquiry, ZStL 415 AR 1310/63 E5, vol. III, June 7, 1967, p. 3, YVA TR.10-1277.

⁹⁴ YVA, TR.10-754, pp. 485-486; Significantly, she went to Eichmann, not Günther. She believed Eichmann was more fatherly a bureaucrat. It should not be forgotten that she was intervening here on behalf of a *half-Aryan* child, not for the sake of Jewish children.

⁹⁵ *Ibid.*, p. 484.

was sent to fill in for Wöhrn's regular typist, who was absent that day. He began to dictate something; suddenly he exploded in rage and started cursing the Jews. She was shocked and asked Günther to find someone else to replace her (Eichmann was away in Hungary at the time). Günther agreed.⁹⁶ The regular typist Erna Meithling recalled that Moes did not like to deal with cases of *Sonderbehandlung*; he was dilatory, and it was evident he disliked it. Wöhrn, by contrast, worked quickly and was plagued by no compunctions whatsoever. Once she even pointed out to him that he seemed to be relishing it. He shouted at her, hinting that the place she really belonged was in a camp. He said he thought it was too bad there were not more such cases. In any event, pangs of conscience or excessive enthusiasm had no effect on the ultimate outcome: such orders were formulated in a quite fixed and definite way.⁹⁷

Under investigation, sixteen of those on the *Referat* staff admitted that they made some association between their work in the department and rumors they heard outside.⁹⁸ The typists who worked for Wöhrn, Moes, and Kryschak recorded death sentences that had been meted out to Jews in the camps who had been found guilty of crimes such as eating potato peelings from garbage bins, laziness on the job, or petty theft. And under interrogation, they admitted they understood even then that such acts did not justify the punishment.⁹⁹

Hunsche's typist recalled that once he had dictated something to her about *Sonderbehandlung* involving some children. He became very excited and said with great conviction: "Anyone who's got kids of their own can't do that to someone else's children." Having said that, he continued to dictate the letter. He was still childless then, but his wife was apparently already pregnant with their first son. Perhaps the excitement of anticipation as a father-to-be led him to pause for thought. On other occasions he told the clerk that should Germany lose the war, the departmental staff would have to cut their throats. He did not want his wife ever to find out what his work was. Toward the end of the war, he spoke about the need to destroy all his papers.¹⁰⁰

⁹⁶ YVA, TR.10-767c, p. 1110.

⁹⁷ *Ibid.*, pp. 1108-1110.

⁹⁸ YVA TR.10-767b, pp. 644-647.

⁹⁹ YVA TR.10-767c, p. 1064.

¹⁰⁰ *Ibid.*, pp. 946-948.

Such moments of doubt did not make Hunsche a better person or improve his behavior. They simply demonstrate that he was aware of what he was doing. Not only did he perform his job well. He was also known in the department as a virulent Jew-hater, a committed Nazi who used the "appropriate" language,¹⁰¹ even when addressing Jews with whom he was personally familiar, namely, the workers in the "Jewish work detail."

Eichmann, in one of the cruel ironies he so relished, had exploited the fact that certain categories of Jews were protected from deportation—mainly Jews living in "privileged mixed marriages" and their children—and recruited such a group for maintenance work in the building. Their main job was to put out fires once Berlin came under bombardment. There were some thirty men in the work detail and, from time to time, more were brought in from the ranks of the Jewish Community workers.

Interestingly, the fact that this labor commando existed has not been dealt with by historians, perhaps because even at the time the group was a bit "invisible": workers in the building who didn't work with them didn't "see" them. They were not down in the shelters during air raids either¹⁰²—out of sight and mind. Moreover, the West German prosecution investigators had no particular interest in the Jewish workers and paid them little attention in their inquiries. Nonetheless, there is sufficient testimony to allow us to piece together a partial picture, and this, too, backs up what has already been stated.

The man in charge of the detail was Franz Stuschka, and he was brutal in making sure that orders were carried out. Julius Cooper called him a sadist;¹⁰³ a *Mischling*, Alter Singer, was beaten up by him a number of times.¹⁰⁴ Fritz Gross considered him antisemitic, in contrast with SS Sergeant Hanke, who was seen to be fair.¹⁰⁵ At times they put the Jews to work at senseless hard labor, such as hauling sand or lugging crates from one place to another.¹⁰⁶ Other officers, such as Karl Hrosinek¹⁰⁷ or Otto Hunsche, would also sometimes beat up the Jewish workers who worked with them in the building.

¹⁰¹ YVA TR.10-767, pp. 995, 1100.

¹⁰² YVA TR.10-1277, vol. V, Walter Singer, February 13, 1968.

¹⁰³ *Ibid.*, vol. II, October 19, 1966.

¹⁰⁴ *Ibid.*, vol. V, February 13, 1966.

¹⁰⁵ *Ibid.*, February 15, 1968, p. 3.

¹⁰⁶ *Ibid.*, vol. II, Fritz Gross, February 15, 1968; vol. III, Siegbert Kleeman, February 19, 1969.

¹⁰⁷ *Ibid.*, vol. III, September 8, 1966, p. 7.

The typist Elisabeth Marx described Hunsche as "very unfair and extremely hot-headed."¹⁰⁸ He conspired against the Jews, roughed them up now and then, saddled them with useless hard labor, and was excessive in his demands for demonstrative respect.¹⁰⁹ Hunsche was a zealous Nazi, lived according to party ideology and sought to promote and implement its ideas. Nonetheless, he did not manage to immunize himself against the stark significance of what he had done; he was well aware that in a non-Nazi world, his actions would be thought criminal. Yet he continued to do what he was doing based on a conscious, premeditated decision, not just as a cog in an anonymous bureaucratic machine, or with no understanding of the implications of his deeds.

Other IVB4 staff also had direct contact with Jews. The typist Johanna Quandt remembered an incident when a Jew had tried to speak to Eichmann in the building where the offices were located. Eichmann was irate and cursed the man: "Pig! Stand with your face to the wall when you address me!"¹¹⁰ Günther always insisted that Jews stand at a distance of 3 meters from him.¹¹¹

A small number of officers supervised the work of the Jewish Community in Berlin. Chief among them were Günther and Wöhrn. On October 20, 1942, they undertook a *Gemeindeaktion*, i.e., a selection of workers in Jewish institutions for deportation to their death in the East. The officers stood face-to-face with them at the very moment their fate was sealed—this was not mere clerical work, sitting behind some desk far removed from the scene. Among the Jews not selected to die were some who survived. They were later able to testify about what had transpired on that fateful day in October.

One day prior to the operation, the heads of departments in the Community were told to make sure that all their employees would be at work the following morning. Günther arrived accompanied by several other officers. He ordered the departmental heads to select the Jews to be deported. In great agony, the head of the housing department, Frau Moses, complied and made her selection. Dora Silbermann, head of the youth department refused and broke down in tears. Günther then carried out the selection in her stead. At the

¹⁰⁸ Ibid., pp. 7-8.

¹⁰⁹ YVA TR.10-767c, p. 1097.

¹¹⁰ Ibid., p. 1082.

¹¹¹ Eichmann, *Ich, Adolf Eichmann*, p. 409.

central building on Oranienburgstrasse, the employees had been waiting in tense anticipation from the morning hours until Günther and his entourage stormed in at 1 P.M. The employees were standing in rows in the large hall. Günther indicated to some that they should step to one side. He then read out a list of names. The others were told to return to work. Those "selected" were ordered to prepare for deportation within a matter of days; they were warned that any who did not report would be responsible for the death of hostages to be killed in their place. While Günther and Wöhrn were stomping through the corridors of the building, one of them remarked that "the time has come to clean out this nest of rats." The Jew Wolffsky recalled that Günther was tall and had the appearance of a classic SS officer; Wöhrn, by contrast, looked like a "clerk who had grown flabby from the many long hours sitting at his desk." A total of 533 Jews were selected during the operation. They were gathered together at a station on Hamburgerstrasse. Eighteen hid. On October 26, 1942, at least 200 were deported, and the remainder were transported soon thereafter. There were no known survivors.¹¹²

Additional similar operations were carried out in Berlin on November 19, 1942 (the so-called *Brunnerappell*), March 10, 1943, May 7, 1943 and June 10, 1943. Wöhrn headed the operation on March 10. He arrived at the Jewish Hospital on Iranische Strasse accompanied by other SS officers and demanded that the director, Dr. Lustig, prepare a list of nearly half the institution's employees. The list contained some 300 names, and they were deported to Auschwitz together with other Jews two days later. Of the 964 Jews in the transport, only seven survived.¹¹³

Wöhrn had frequent contact with Jews at the hospital, and those who survived remembered him with fear and trembling. He often cursed and humiliated them, berating them as filthy Jews and pigs. He would frequently beat them or ordered the hospital head (before Lustig), Dr. Neumann, to "belt 'em in the mouth." He sometimes would get angry at a Jew or *Mischling*, take the person into custody and then deport them East to certain death. That was the fate of Bukofzer, a *Mischling* who had been so audacious as to refer to Dr.

¹¹² Statement of Liselotte Pereles, January 14, 1961, YVA TR.3-1431; YVA TR.10-767c, pp. 970-989.

¹¹³ YVA TR.10-767, pp. 991-998.

Lustig as a "senior civil servant" while speaking to Wöhrn. The *Mischling* Ellen Wagner was sent to her death after Wöhrn had come across her not wearing the obligatory "yellow badge." He forced a Jew to stand with his face up against a wall for many hours, then put him in detention for eight days—all because he had given Wöhrn a letter lacking a proper signature.

Wöhrn demanded the respect he believed his due; he expected Jews to snap to attention when he appeared and act toward him as he saw fit. He had a nasty way of trying to rip the "yellow badge" off a Jew's clothing just so to check how firmly it was sewn onto the garment. His appearance on the scene regularly triggered alarm. Once two young *Mischlinge* tried to intervene on behalf of their Jewish mother who had been arrested. Wöhrn rebuked them, suggesting they should be happy that she was to be transferred to Theresienstadt (an old-age "sanatorium") and would not be killed.¹¹⁴

The Jewish survivor Siegbert Kleemann, an employee at the Jewish Hospital on Iranische Strasse, recalled that "there was general fear and panic whenever a Gestapo uniform appeared on Iranische Strasse. It always signaled imminent danger: someone was about to be deported."¹¹⁵

The formulation is intriguing: the sight of a uniform was enough to spread panic. Yet it was no empty threat; the sword of possible deportation hovered constantly over the Jews' heads. The officers were well aware of this and even relished the fact, as reflected in remarks by Hildegard Kunze about her boss: as a rule, Wöhrn came to work in civilian clothes, but when visiting a Jewish institution, he would always put on a uniform for the occasion.¹¹⁶

Wöhrn was proud of his hatred for the Jews, even very brazen about it. He approved of everything that had been done to them, regretting that they had not been dealt with more forcefully. Once one of the typists asked him why so many Jews were being sent to the camps. He replied: "'cause there's plenty of room there."¹¹⁷ In that streak of viciousness he resembled Günther, who explained to another typist: "We don't hate the Jews. We despise them."¹¹⁸

¹¹⁴ Descriptions culled from YVA TR.10-652, pp. 632-641, TR.10-767, pp. 989-991, 995, 1070, 1105-1106.

¹¹⁵ YVA TR.10-1277, vol. III, February 19, 1969, p. 4.

¹¹⁶ *Ibid.*, April 4, 1967, p. 4.

¹¹⁷ YVA TR.10-652, p. 641.

¹¹⁸ YVA TR.10-767c, p. 1083.

Conclusion

During the investigation of a murderer from one of the Einsatzgruppen during the 1960s, the interrogator broached a question that was anything but legalistic: "Tell me, if they were to order you to shoot your own son, would you still obey?" Without batting an eyelash, he replied: "Of course not!"¹¹⁹

The Nazis were no fools, and they weren't blind. The advantages they perceived in murdering the Jews outweighed the downsides. But this was more difficult to imagine in regard to the murder of their own children.¹²⁰ Or perhaps it should be formulated differently: even SS members knew how to distinguish between good and evil when they wanted to.

Eichmann and his associates were vicious. They tore persons from their accustomed milieu and the routines of daily life, plundered their possessions, humiliated them. At times they beat and flayed them, and, *fully aware* of what they were doing, then sent them in transports to their death. In their lies, cynicism, pride, and arrogance—and often in their brutality—they were routinely assisted. In their hands rested an enormous power—the difference between life and death—and this for them was a source of huge satisfaction. They were even amused by their power; they joked about it. They were human beings seething with hatred, men who had been trained in enmity and schooled in malevolence.

Our world is full of cruel and malicious people. It is possible to maintain that arrogance, mendacity—and, to a lesser extent, even brutality—are banal, everyday phenomena. Less common are organizations that have a majority of staff workers distinguished by such dubious qualities. Associations with their principal aims and agendas based on what is base and foul are relatively rare. Suitable reasons are needed. Doubtlessly, ideology can provide the proper matrix for generating such reasons. It is immaterial whether the ideology involved was deep-rooted and ancient, or youthful and rousing. As Leon

¹¹⁹ ZStL II 206 AR-Z 46/61, vol. 15, p. 702. Vggn. Angeklagten Josef König, October 8, 1962.

¹²⁰ That is precisely the matter. A formulation such as "the criminal Allies are murdering our children" was typical of the Nazi propaganda machine when it wanted to uplift spirits. As if they were saying: "We do some nasty things, but our enemies are worse, their vile actions justify our response." It is possible to feign innocence only where there is naiveté, and the lack of such naiveté is clearly in evidence.

Wieseltier commented in remarks on Goldhagen: "He sees liberalism absent, where I see liberalism rejected. And its rejection is more damning than its absence."¹²¹

Eichmann and many of his associates welcomed Nazi ideology in all its virulence, rank with enmity toward a whole slew of groups, especially the Jews. Some maintain that the ideological behavior of that era was basically a cynical strategy to survive—a gambit engaged in by millions who did not wish to attract the attention of the authorities or who just wanted to get on with their lives, while waiting impatiently for an eventual change in government that might usher in a return to more normalcy. It is possible to understand why, after the war, that this is the story that millions have stuck to. But it is harder to grasp why any reasonable person believed them. In any event, when it comes to Eichmann and his associates, given the sheer weight of the evidence available, it is very difficult to be mistaken.

Yet the central question remains the one that Arendt posed: did those men and women understand what they were doing? If their native ability to distinguish between good and bad was submerged by the weight of historical circumstances, Arendt was right: evil is indeed banal. After all, there are certain situations in which most of us temporarily lose control over our actions and/or can be expected to err and transgress. Yet if those individuals did in fact *comprehend the gravity* of what they were doing, all the circumstantial explanations are immaterial. A person who truly understands the villainy of his actions and *nonetheless persists* demonstrates a level of evil that is in no sense pedestrian—he is iniquity personified.

Arendt replied to the question with the example of Eichmann. Since she grasped what was pivotal, she correctly identified the centrality of Eichmann and saw the extent to which he symbolized his entire era. But on one point she was wide of the mark. The Eichmann she listened to was the one whining for his life before his Jewish judges—not the murderer imperious before his Jewish victims.

Ideology, heavy social pressures, careerism, and self-importance are universal phenomena. Like cynicism, arrogance and pride, callousness and a

¹²¹ Leon Wieseltier, "Final Comments," in: "The 'Willing Executioners'/'Ordinary Men' Debate," Symposium, U. S. Holocaust Memorial Museum (Washington, D.C.), April 8, 1996.

lack of integrity, they are endemic in all societies. Mass murder—and most certainly bureaucratic murder by the state over a long period of time—is far rarer. The apparent reason is that most people most of the time understand the import of their actions. They may be prepared to bend the truth to get ahead, but not to murder. They may be ready to subscribe to an ideology to improve the world, but will balk if asked to kill in cold blood for it or become an accomplice to murder in its name. The ordinary person does not turn killer. If he or she does, the road taken was based on some clear-headed decision. One does not become a murderer merely under the pressure of anonymous circumstances.

As it is written: "and you will be like gods knowing both good and evil." Man's greatness lies precisely in that faculty for choice: even though individuals cannot control the historical circumstances governing their lives, they have the abiding ability themselves to choose between good and evil.

Translated from Hebrew by William Templer

Source: *Yad Vashem Studies*, XXVII, Jerusalem 1999, pp. 287-330.