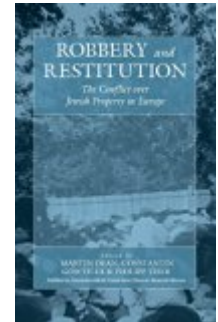


Martin Dean, Constantin Goschler, Philipp Ther, eds.. *Robbery and Restitution: The Conflict over Jewish Property in Europe*. New York: Berghahn Books, 2007. x + 295 pp. \$85.00, cloth, ISBN 978-1-84545-082-3.



Reviewed by Julia S. Wagner

Published on H-German (March, 2008)

The increasing number of publications about both the systematic expropriation of the Jews during the Third Reich and restitution efforts in post-war Europe shows that these two interrelated subjects have finally entered the agendas of historians in Germany as well as internationally. As Ralf Ahrens has pointed out, this development acknowledges the central importance of the massive redistribution of property for the history of the Holocaust.[1] It furthermore illustrates the significance of the debates over restitution and compensation for the self-conception of post-genocide societies in Europe and their relationship to the past. This book is an expanded edition of a volume first published in German in 2003 following a conference which took place in Berlin the year before.[2] It brings together sixteen contributions by scholars from eastern and western Europe and the United States. A well-structured, ambitious collection of essays, it will certainly be an essential read for anyone interested in the anti-Jewish policies of National Socialist Germany and their long-term consequences for postwar Europe.

The book is divided into two main parts: the first explores "Aryanization"--that is, "the complete process of taking away all the property rights of the Jews" (p. 4)--with a comparative focus on the German Reich and developments in occupied states and eastern European allied states. The more extensive second part examines state-by-state the expropriation of the Jews and restitution efforts in Germany, France, Belgium, Italy, Switzerland, Hungary, Bohemia, and Poland. The two main sections are framed by a detailed introduction with an analytical framework for this attempt to understand the "inextricably intertwined" (p. 8) European phenomena of robbery of Jewish property and restitution, and a conclusion by the late Gerald D. Feldman that offers general reflections on the history and future of restitution.

"Aryanization" started in 1933 in the German Reich, was extended to Austria after annexation, and eventually exported to the occupied territories and allied states. Here, as the comparison of regions in the first part of this volume shows, it was adapted and appropriated in different forms,

although it tended to go through the same stages. Even though the German Reich imposed the expropriation of the Jews upon governments in their zone of influence, collaborating local institutions and offices were not limited to following orders. Their degree of autonomy was determined by their respective status, but in every case, local administrative actions were informed by the attitude of the local population towards the Jews. This background requires that "Aryanization" and the resulting expropriation of Jewish property be analyzed as a joint political and social process in which both economic and ideological factors drove developments. Because looting of Jewish property contributed to gradual exclusion of Jews from surrounding societies, it also cannot be analyzed independently of German annihilation policy.

The volume attempts to explain both how the robbery of Jewish property was organized and what social processes and responses were involved. Key themes include the relationship between the Reich and the respective state or occupied territory, the role of administration, government, and business, and participation of each local population.

In Germany, "Aryanization" began slowly and became more radicalized over the years. As Frank Bajohr demonstrates, broad segments of the German population and intermediaries such as banks, realtors, attorneys, and trust companies were directly, actively involved. Thus "a process that was essentially ideological came to incorporate highly diverse motivations and interests, especially material ones" (p. 38). In contrast, the looting of Jewish property was operationalized much more quickly in occupied western Europe. Jean-Marc Dreyfus compares the economic aspects of "Aryanization" policy in France, Belgium, and the Netherlands. He finds that while all three countries started this process in the spring of 1941, it was most strongly centralized in the Netherlands, where it was implemented more res-

olutely and comprehensively. In France "two parallel antisemitic policies" (p. 58) impeded each other at times; in Belgium, they were promulgated later. These differences result from the different long-term plans the German Reich had for these states. The Netherlands were to be "Germanized" completely and so the "policy of destruction" was to be carried out more forcefully than in the other two states. This intent is also reflected in contrasting deportation numbers.

In the Soviet Union, the Baltic States, and eastern Poland, in comparison, massive property transfers had already taken place already during Sovietization. In general, Dieter Pohl argues, expropriation of Jewish assets in occupied Eastern Europe under German rule "was much more influenced by ideological than economic motives" (p. 74). Although in Bohemia, for example--at that time regarded as part of the West--new laws were introduced to regulate confiscation of Jewish property, in Poland and the Soviet Union the policy was "characterized from the beginning by the use of murderous violence" (p. 70). Regulations on expropriation were sometimes only issued after Jewish owners had been deported or killed already. In eastern Europe, the relationship between murder and robbery was much closer. Tatjana Tönsmeier, writing on Germany's eastern European allies, notes that governments in Hungary, Slovakia, and Romania had considerable freedom of action in comparison to the occupied states. Antisemitism was widespread in these "predominantly agricultural societies, with weak non-Jewish middle classes, young educated, but often frustrated elites, and churches with an inclination towards traditional Judaism" (p. 91). In this political and social atmosphere, Tönsmeier argues, "Aryanization" policies were carried out radically but not comprehensively when it did not suit the respective governments.

The second section deals with restitution in postwar Europe. Here, as Constantin Goschler and Philip Ther claim, it is important to keep in mind

the underlying dilemma that restitution efforts face: "restitutions, compensation and reparations all aim by definition at righting historical wrongs, which, in the case of Nazi crimes, however, can at best only be alleviated" (p. 12). This barrier, however, does not explain the enormous resistance victims of persecution and expropriation and their heirs encountered in postwar society. Even though the Allies declared restitution for surviving Jews and Jewish communities a goal as early as 1943, seeking compensation or reclaiming property proved difficult everywhere in Europe. In western Europe, bureaucratic regulations hindered the success of such claims, especially for non-residents. In eastern Europe restitution was outright impossible until the end of the Cold War and further complicated by massive property transfers under communist rule. As a result, restitution and compensation took place in two waves--after 1945 and after 1990.

The contributions of Jürgen Lillteicher and Constantin Goschler both deal largely with the West German case. While Lillteicher establishes a general chronology of restitution efforts until 1990 with particular attention to the legal framework, Goschler accentuates changes in perspective within West German society and evaluates the second wave of restitution after 1990. Both authors point out that the German federal government's motivation behind its support for restitution programs was the rapid reestablishment of Germany's international status. Restitution was "a prerequisite for partial sovereignty" (p. 103). Until 1971 approximately DM 7.5 billion were paid on the basis of Allied restitution laws and from 1949 on through the Federal Restitution Law (*Bundesrückerstattungsgesetz*), a "respectable quantitative result," according to Lillteicher (p. 106). Goschler looks at the influence of the United States, which exerted little pressure on Germany after the early 1950s in the interest of protecting German economic growth--hampering the interests of U.S. Jewish organizations. That restitution continued and was revived after 1990 is, in

Goschler's opinion, accounted for by "fundamental changes in the perception of Nazi anti-Jewish policies, by developments in the fields of national and international politics, and changes in the standards of justice" (p. 113).

Claire Andrieu's contribution shows that while an initial policy of restitution was introduced after the liberation of France, a second phase began after 1997, when the Mattéoli Commission evaluated both Vichy's expropriation policies and the post-liberation restitution and then determined the amount of subsequent payments. Figures suggest that altogether restitution in France "is quite possibly higher than 100 percent" (p. 149). The effectiveness of the French program can be explained by the physical presence of the claimants; France had low deportation rates in comparison to other European countries. Furthermore, French administrations were committed to restitution since expropriation, though not at the same scale, had been a shared experience among Jews and non-Jews (including Charles de Gaulle). However, no public debate to speak characterized the first phase. During the second phase, the press reported more eagerly on the progress of the reparation campaign. Andrieu stresses that this divergence coincides with a shift in perceptions of the Holocaust. Until the 1970s it was largely seen as just one element in a bigger framework of Nazi oppression, while since then it has been regarded as "the central event of World War II" (p. 134).

In Belgium, the process of restitution involved a network of private organizations, as Rudi van Doorslaer demonstrates. Despite satisfactory results in certain areas (the diamond sector), he maintains that "obvious shortcomings and structural weaknesses" plagued others, such as looted art and unclaimed financial assets (p. 161). In the economically and politically significant diamond sector, compensation limiting eligibility to Belgian nationals (thus excluding the vast majority of Jewish victims) was not applied and private agencies handled the distribution of payments. In

1997, the Belgian government finally established a research commission to investigate the extent of expropriation in Belgium.

Ilaria Pavan states that for more than four decades Italian society rejected admitting the extent in which the Fascist government had been involved in implementing racial persecution in general and "Aryanization" in particular. This made it almost impossible for Jewish victims of expropriation to get their property back or receive compensation. The lack of political will and historical awareness meant that the revision of the transactions which had been conducted during 1939 to 1949 was, after the war entrusted to the same organization that had carried it out. Claimants' struggles were complicated by the inadequacy of the legal framework to allow redress and a requirement that claimants cover "all the expenses incurred in administering the confiscated assets" (p. 175) as well as current administrative costs. In the late 1950s, ownership of unclaimed Jewish assets was transferred to the state. Only a small percentage of claimants benefited from restitution.

Regula Ludi explores why the Swiss became the main target of the Holocaust assets campaign of the 1990s. In the early 1990s the role of Switzerland as a neutral country was critically re-evaluated and the international media published articles accusing Switzerland of having benefited from the Holocaust. Just as the survivors forced several class action suits against the Swiss banking industry, new awareness of the significance of the Holocaust evoked support in the United States for the victims' cause. The Swiss banking industry, which was strongly interested in entering the American market, succumbed to the public pressure and in 1996 came to an agreement with Jewish organizations. Two years later they also settled with the plaintiffs of the class action suits for \$1.25 billion in exchange for release from future claims. Although their late date meant that "compensation payments could not achieve even an approximation of justice" they sent, as Ludi ar-

gues, nevertheless an "important symbolic message" (p. 202).

In his essay, Ronald W. Zweig explains how Hungarian Jews were "robbed twice by their own government" (p. 216). The first robbery occurred when the Jews were torn out of a country in they had lived amicably with non-Jews for more than a century and their property was confiscated; the second, when the communist regime failed to return Jewish assets to their rightful owners after France returned them to Hungary in 1948. The majority of looted valuables on the so-called Gold Train ended up in France, while the Americans confiscated less precious Jewish goods in Austria. However, the Jewish community's ignorance of negotiations with France and "fantasies about Jewish wealth" (p. 217) in Hungarian antisemitic circles inspired myths about its fate that divided the postwar Jewish community. Aside from material costs, the author argues, the "[social] roots of popular wealth and prosperity ... were destroyed when the societies that sustained them were laid waste ... the real damage[s] were the individual lives lost and the devastation of a vibrant community and that could not be made good again" (p. 220).

Eduard Kubu and Jan Kuklík, Jr. focus on Bohemian lands. The Czechoslovak government was quick to revise the wartime reorganization of property, including the restitution of Jewish property. However, restrictions were placed on "unreliable persons" and non-residents. Large-scale nationalization there adversely affected a number of Jewish claims, especially where small and medium-sized businesses were concerned. After 1948 restitution was practically suspended until after 1990. However, because of the changes in the social and economic structures of the country under communist rule, restitution was complicated even when a new set of laws eliminated the condition of permanent residency. Progress was made in the returning of looted art collections. The authors end on a positive note, expressing the hope "that

most of the remaining disputes will be resolved in the foreseeable future" (p. 237).

Restitution in postwar Poland was complicated by factors such as territorial changes, the resulting massive resettlement, and urban reconstruction. Hostility towards Jews made it difficult for returning Jews to begin new lives there. According to Dariusz Stola, hatred and robbery were symptoms of a "general moral decline caused by the ruthless war, the depreciation of the value of human life in particular" (p. 246). Reorganization of property and land ownership under communist rule prevented restitution during the following decades. Since 1990, politicians have pursued re-privatization and thus "a considerable portion" (p. 249) of their property has been returned to Jewish communities. Foreign claimants, however, are excluded from these measures. The author argues that the failure to restore Jewish property must be interpreted in light of Polish society's difficult relationship with its past as it questions notions of national and historic identities.

As Feldman pointed out in his concluding remarks, "this volume puts more problems on the table than can possibly be solved" (p. 267). Its most significant flaw is that, as the editors are mentioned in their introduction, much research in this field lacks the perspective of the Jewish victims. This certainly will be a challenge for future research. Also, a closer look at the problem of restitution in Austria would have contributed to a more complete picture of postwar restitution. These points, however, do not diminish the quality of the whole project. The various contributions of the first part succeed in giving a detailed picture of the scope, mechanisms, and social processes involved in "Aryanization" of Jewish property in wartime Europe and its international, interrelated nature. This section benefits in particular from the comparative perspective, which is skillfully used to highlight differences between the respective regions without losing sight of the dominant role of the German Reich in the systematic

expropriation of Jews and the destruction of the European Jewry. In the second part, the contributors show how much the struggle over restitution has been related to questions of national identity, historical images, and diverging conceptions of justice both in the intermediate postwar period and after the end of the Cold War.

Notes

[1]. Ralf Ahrens, "Review of *Raub und Restitution. "Arisierung" und Rückerstattung des jüdischen Eigentums*, by Constantin Goschler and Philip Ther, eds.," *Sehepunkte* 4, no. 9 (October 2004); available at <http://www.sehepunkte.historicum.net/2004/09/5995.html>.

[2]. Constantin Goschler and Philip Ther, eds., *Raub und Restitution. "Arisierung" und Rückerstattung des jüdischen Eigentums in Europa* (Frankfurt am Main: S. Fischer, 2003). The German edition omits the essays by Frank Bajohr, Constantin Goschler, and Regula Ludi.

If there is additional discussion of this review, you may access it through the network, at <https://networks.h-net.org/h-german>

Citation: Julia S. Wagner. Review of Dean, Martin; Goschler, Constantin; Ther, Philipp, eds. *Robbery and Restitution: The Conflict over Jewish Property in Europe*. H-German, H-Net Reviews. March, 2008.

URL: <https://www.h-net.org/reviews/showrev.php?id=14332>



This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.