

Restitution: The Second Round

An Interview with Israel Singer

Israel Singer's perseverance and fighting spirit as an officer of the World Jewish Congress (WJC) led to the Holocaust restitution process of the mid-1990s. For seventeen years, until 2002, he served as the WJC's secretary-general. Today, he is chairman of its executive committee.

"When I became secretary-general in 1985, I visited Hungary and then other eastern European countries, including Russia. The WJC had initiated negotiations with these countries in order to let the Jews there freely emigrate. In the process we also met government-appointed Jewish leaders who opposed these efforts. The old Jews I saw in the synagogues - some of them literally starving - were afraid to talk to us. During the Holocaust these people had either been in concentration camps, slave labor camps, or in hiding. They did not receive any restitution from Germany. Many of them have since died.

"At the time, not even the American Joint Distribution Committee (AJDC) provided any social assistance behind the Iron Curtain. The Claims Conference - which I am now also representing - was not giving these Jews any money either. Its leaders said that Nahum Goldmann, in his capacity as president of the WJC, had made an arrangement with the American government that no restitution money would be transferred behind the Iron Curtain to ensure that communist governments would not receive foreign currency.

"At the Claims Conference we realized that we had - at the request of the American government - been participants in the injustice done to the eastern European survivors. The WJC leaders had had no choice. The American government had wholeheartedly supported the Jews in the post-war restitution efforts, but once the cold war began, it insisted that nobody behind the Iron Curtain should be helped. Thus the eastern European Jews did not receive any assistance.

"These Jews were thus 'double victims' - a term I coined at the time. The Nazis had persecuted them; thereafter the communists wronged them. A significant number of Jews elsewhere had received restitution after the War. Others got social support from Jewish organizations. For these people, the poorest of them all, nobody did anything."

Germany's Responsibility

"In the mid-eighties I spoke to the East German Prime Minister Erich Honecker. I asked him to accept joint responsibility for what Germany had done to the Jews in the Holocaust. At first he refused. Thereafter, he began negotiating with us, eyeing a kind of most favored nation status with the U.S. similar to the one already enjoyed by Romania. He offered an initial hundred million dollar payment.

"One of his successors, Lothar de Maiziere, bridged the transition from Honecker's offer to the claim against unified Germany. This gave us the opportunity to present our claim to German Chancellor Helmut Kohl, saying that one cannot take over East Germany's assets without inheriting its part of the responsibility toward the Jews. He then recognized the principle of our claim.

"Many Jewish leaders considered these efforts worthless as they saw no chance of success. Today all the Claims Conference's funds come from these endeavors. The new pensions for Soviet and eastern European Jews and those who emigrated to Israel from these countries are paid from monies obtained from claims against Germany after unification."

Increased Historical Awareness

"Through these investigations many matters concerning those who were murdered attracted major publicity. I realized, for instance - when seeing the names of heirs on insurance policies - that there was no list of the Jews killed in the Holocaust. That fact made it possible for people such as Palestinian leader Abu Mazen to claim that not more than 875,000 Jews had died in the Second World War. The many cases of Holocaust denial increased the necessity to find out who perished, who their murderers were in each case, and what had been done with the money stolen.

"This struggle for restitution in the framework of increased historical awareness brought us to the point where 5.1 million names of those who had died are known today with varying degrees of evidence. We collected their life stories as well information on where they died and how.

"The historical research which accompanied the restitution process informed the world of many injustices about which even Jewish leaders knew very little. They had been studied somewhat in the past, but had since been forgotten. This led to the U.S. investigations of the stolen gold the Germans sent to neutral countries in 1997. Simultaneously we became aware of the issue of heirless property in eastern Europe. We also familiarized ourselves with the subject of the dormant Swiss bank accounts as well as the insurance policies which had not been paid. The revelations in one country impacted on another and vice versa."

Answering Our Critics

"The United States is a litigious society where half of the world's lawyers work. People sue restaurant owners if they're served bad food. Yet there is criticism if one wants to sue on behalf of people who have been worked to death or murdered. One heard complaints that the Jews were claiming money as their 'final sound bite' about the Holocaust. It reflects the perverse thought that one may sue for anything, except for what happened during the Holocaust.

"We were criticized for our actions being solely money-based. Even if this accusation had been true, we still would have been in the right because the money concerned was stolen from our people. All claims were placed in the framework of the historical research we promoted. One small detail to emerge from this research was that 27,600 trainloads of Jewish property were stolen in Germany. No one was reimbursed for these thefts, but the principle of theft was established. These facts are now being taught in German schools.

"Similarly, the historical research enabled us to better understand what had happened in many other countries. Some of them were allied to the Germans, others were invaded. In all of these countries, some people were neutral, others were collaborators. In Hungary the local militia participated in the killings of the Jews. Rumania's dictator Ion Antonescu and the Arrow Cross collaborated in the mass murders. Bulgaria - which has such a good reputation on its treatment of Jews - helped send the Jews in Macedonia to their death. People who do not understand the past will not be able to prepare for future threats."

After Communism's Demise

"In 1989 the communist regimes of eastern Europe collapsed. That was an appropriate time to take stock of what had happened in these countries during the War. We developed alliances with government officials, academics and journalists. Some people joined us willingly. Others we had to drag in. There were also individuals who had been investigating these matters for a long time and now joined us, such as the historian Jacques Picard who had written about Switzerland and the Jews before and during the war.

"Some people had been well aware - long before the WJC - of the dormant Swiss accounts and the banks' resistance to help heirs reclaim money due to them. Paul Erdman - an author who had many other grievances against the Swiss banks - wrote a novel called *The Swiss Account*. It was only around 1994 that we discovered that there was much official documentation available on the heirless and other accounts.

"Allen Dulles had been the American consul during the War in the Swiss capital Bern, where he spied on money transfers from Germany to Switzerland. Later, in his

autobiography he mentioned a project initiated in 1944, called 'Safehaven.' It was part of economic warfare against the Axis and aimed at blocking the transfer of German assets to neutral countries.

"When Dulles became the head of the CIA in 1953, he attempted to blot out all information about this project. When we started investigating we learned about Safehaven's existence from the autobiography he wrote many years later. We could access a multitude of documents concerning it under the Freedom of Information Act."

Eastern Europe

"After the fall of communism, the eastern European countries wanted to be acceptable to the West. They dealt with many problems except one: their obligation to restitute the property stolen from millions of Jews. The financial side of our claims was important, yet secondary to the historical one. There were so many scandals attached to the restitution process in these countries that would cause much publicity.

"In 1992 the WJC and the Jewish Agency - together with seven other Jewish organizations - created the World Jewish Restitution Organization (WJRO). Its aim was to negotiate on Jewish war claims with eastern European countries; they were not part of the Claims Conference's mandate which was specifically limited to Germany and Austria. Prime Minister Yitzhak Rabin wrote the WJRO a letter naming it Israel's representative in these negotiations. In another letter sent a few days before he was murdered, he specifically wrote to Edgar Bronfman and me at the WJC, stating that we were representing him in the negotiations with Switzerland and other countries.

"Some people erroneously think that Rabin was disinterested in world Jewry affairs. Earlier, Menahem Begin had been horrified when I told him about the suffering Jews in eastern Europe. His successor Yitzhak Shamir, who has a great distaste for Poland, told me he would support the WJC claims against eastern European countries.

"Among Israeli Prime Ministers, Binyamin Netanyahu was probably the best partner we had. Earlier, in the 1980s, when he was Israeli ambassador to the United Nations, he had participated in the unmasking of the war past of former UN Secretary-General Kurt Waldheim. Since Ehud Barak also supported us, we have had almost continuous backing from Israeli prime ministers.

"From 1992 to 1995 there was very little support in the Jewish world for our endeavors for restitution. Nobody was interested in the Claims Conference, which had very little money left to disburse. We could only get board members to attend annual meetings because they had to come to the yearly meeting of the Memorial Foundation for Jewish Culture, which took place around the same time."

Developing Support: 1992-1995

"Throughout the restitution efforts, WJC President Edgar Bronfman was my greatest supporter. In a rather uncomplicated way, he believes in justice and the transparency of history. This belief is a big strength of Americans and one sees a similar attitude also in President George W. Bush's approach to issues, even if Bronfman is a liberal and the President a conservative. By 1994, Avraham Burg, chairman of the Jewish Agency, became very interested in restitution matters. He realized that besides the Jewish people's interest, it is also part of his personal history, as his father came from Dresden, Germany.

"We could develop support only very slowly from 1992 to 1995. Toward the end of that period we started to publicize the restitution issue. In 1993 Stuart Eizenstat became American ambassador to the European Union and helped us enormously. We presented our case to parliamentarians of the European Union and generated broad support among socialists, conservatives and liberals. They understood that it was a matter of justice for the Jews to get restitution in eastern Europe.

"In 1995 we managed to obtain a unanimous resolution from the U.S. Congress supporting restitution in order to help Jewish survivors and to rebuild Jewish life. It is rare to have the simultaneous support of people like majority leader of the Senate, Bob Dole, and House Speaker Newt Gingrich on the right, and House Minority Leader Richard Gephardt of the Democrats. Jesse Helms, chairman of the Senate Committee of Foreign Relations, also supported us."

Clinton and D'Amato

"Thereafter, things started changing mainly because we managed to get two major players involved. On the same day, we went to the Republican Senator of New York, Alfonse D'Amato and President Clinton. Their relationship was extremely unpleasant because as chairman of the Senate Banking Committee, D'Amato was investigating Clinton on the Whitewater affair.

"Both sought re-election, yet had severe problems: the President was under investigation and D'Amato was not showing visible success. Clinton - despite his extreme dislike of D'Amato - was willing to collaborate with him on the restitution issue. D'Amato who has a huge Jewish constituency, said that the Jewish case was a just one and there weren't many Swiss voters in the United States anyhow."

Singer doubts whether the Bush administration would have been similarly forthcoming, as it is so strongly supportive of Israel. "You always see that administrations will back you on relatively marginal issues if they cannot do so on central ones. The reverse is also true because once they are supportive on critically important matters, they don't have to bother much about other ones. The one exception was the struggle for Soviet

Jewry where all administrations have been supportive of the Jews, even if they were lukewarm on Israel."

Singer took an old woman to see D'Amato. She told him her father had an account in Switzerland and she was turned away when she had gone to inquire about it in 1946. They had wanted her father's death certificate from Auschwitz. D'Amato then related the story on television.

"We first approached Clinton through Hillary. When she heard we were working with D'Amato, she said, 'It's like Haman and Mordechai working together.' She knew her Bible better than the Jews and she could have thus been seen as Queen Esther. The President said, 'You have my full presidential support.'"

Threatening the Banks

"In 1996 we convinced Alan Hevesi, the Jewish comptroller of New York City, to collaborate with us. His office manages many billion dollars of investments. In that year we organized a meeting of 800 state financial officers and comptrollers from government bodies under his chairmanship. Together they managed a total of thirty trillion dollars of funds. They indicated that if the Swiss banks did not solve the dormant accounts issue, they would no longer do business with them. The Swiss thought that these threats could lead to a major worldwide boycott.

"Hevesi was inclined to discuss a boycott on behalf of the 800 financial officers against the Swiss banks. He wrote a letter to Judge Edward Korman, who was dealing with the class actions against them in New York, informing him of what was going on. I kept stressing we did not want a boycott.

"In April 1996 the chairmen of the three major Swiss banks who felt threatened each wrote me a letter agreeing to the principle of global settlements. In 1997 Judge Korman began holding sessions in camera, on the restitution issues, which finally led to a global settlement. Strangely enough, all actors in the hearing were Jewish: the judge, the bank representatives and the lawyers."

Norway, Our First Target

"In 1996 we organized a conference on all restitution subjects. To fix our restitution roadmap, we looked at the documents of the 1942 Wannsee Conference in which the Germans had made detailed plans for murdering eleven million Jews. They managed to kill six million. There were so many perpetrators and collaborators in so many different countries, we couldn't tackle them all at once.

"In that year we chose Norway as our first target among the occupied countries. When we started complaining about the Norwegian government's behavior, Michael Melchior, the country's chief rabbi, told us more about what had happened during the rule of the Quisling government and after the war.

"We could also have fixed the Netherlands as our first target. We wanted, however, to start with a nation where we were reasonably sure we would win. We thus chose Norway not for moral or justice reasons, but strategic ones. It was a guilty country with a small number of Jews.

"As far as money was concerned, the problem there was easily manageable. Norway is rich and has abundant oil reserves. Whatever payment the Norwegians were to make to the Jewish community or to individuals would not affect their well-being. Paying out some money to Holocaust survivors would not mean individual Norwegians would have to make sacrifices. On the other hand, the result would be limited as it would not really change the lives of the Jews who received the funds."

The London Gold Conference

"Things started moving in many countries. To our surprise, in 1997 the British Government called a conference in London on looted gold. Foreign Minister Robin Cook, who was extremely anti-Israel, initiated this conference because he considered it part of 'a foreign policy with a moral face.' His behavior followed a classic pattern: one is anti-Israel and then tries to compensate for that by being good for Diaspora Jews. French President Jacques Chirac's attitude is another typical example of such behavior.

"After so many years, news was emerging on Jewish properties in Poland and restitution issues re-surfaced in Germany. From my personal viewpoint, the CEF agreement with the Germans is the most significant moral victory. This body, the Central European Foundation of Repair to European Jews, now makes life pensions available to 92,000 East European Jews. The Austrians suddenly were willing to make new payments because it was bad publicity for them when we made agreements with the Germans at the same time stressing how horribly the Austrians behaved.

"In the meantime, the restitution process increasingly gained more media attention. Usually matters of justice draw much less publicity. Some aspects were public knowledge, others hardly. Germany was known as being the main perpetrator of the mass murders. Yet Austria deserved similar treatment.

"Everyone was aware that among Ukrainians and Lithuanians there were many anti-Semites. Norway however had maintained its gentle image, despite severe discrimination against its surviving Jews after the Holocaust. Similarly, no one believed the Dutch administration, and many Dutchmen had helped the Germans send 105,000 Dutch Jews - seventy-five percent of the entire Jewish population - on their way to

death. The debate surrounding the restitution process there has internationally crushed part of the Dutch myth in a way which could not have been achieved otherwise. Everyone believes the Dutch to be a nice, cultured and gentle people, and in some limited way they are."

Criticism of Methods

"There is often criticism about the aggressive methods we've used. A small organization confronting powerful unyielding governments cannot be soft if it wants to achieve anything. If I had listened to all the good Jewish advisors who said we shouldn't scream, the survivors would not have received anything. Fighting for the truth cannot be done in a nuanced way.

"I approached German Prime Minister Helmut Kohl as head of a state which had stolen money from the Jews. He told me my behavior was unpleasant. I answered that I had no reason to be nice. As he viewed Germany as a superpower, he kept telling me, after we had reached an agreement, that we had defeated his country. It is only because we succeeded that he respects the Jews and me. Many leading European politicians made outright nasty remarks. Chirac, for instance, told me that Jews are the cause of anti-Semitism in France and everywhere else.

"It became clear when dealing with the Swiss bankers, that they were anti-Semites. A senior banker in one of our early meetings asked me, 'What do you mean when you talk about the wealth of the Jews? I saw pictures of the Jews of Europe in Roman Vishniac's book, *A Vanished World*. They had rags on their feet.'

"I told him the Jews in Vienna - where my parents had lived - were university professors, founders of psychology, fathers of modern rationalism, the initiators of human rights and the bankers who had given the Swiss bankers' grandfathers jobs. I made it clear to him that his remarks were abusive and anti-Semitic. Then Avraham Burg related this story to the newspapers.

"A Swiss Jewish banker told me that his non-Jewish colleagues had always been anti-Semites and even though he sat on their side of the table, they considered him to be one of their Jewish counterparts."

Building Momentum

"Over the years, an enormous momentum built up. The Swedes, for instance, were trying to make various settlements with us and ultimately took the initiative for the January 2000 Stockholm Conference on Holocaust Education. We had now finally reached critical mass. The restitution process became uncontrollable and rather chaotic.

Several countries tried to make private deals by approaching various Jewish organizations and making donations to them.

"We were very disappointed in Jewish organizations which accepted such arrangements. Some lawyers also received much money. In the Swiss case, most class action lawyers acted pro bono. The Claims Conference lawyers also acted pro bono, but in the new German restitution round, sixty million dollars were paid to lawyers."

Unsettled Issues

"There are still several unfinished issues and also outright failures. Many claims concerning stolen art have not yet been settled. While money may disappear and gold items can be molten, paintings remain. Sometimes these are worth more than real estate. There is still much art to be restituted and I look forward to the day when I can walk into an auction house and say, 'This picture is stolen; it belongs to the Jewish people. You can't sell it.' I want to be arrested and taken away handcuffed and attract media attention. I have done many things in my life, but not this yet.

"The eastern European property restitution issue from which the restitution process of the 1990s started has remained a big failure. There are several reasons for this. First, these are poor countries. Second, they are used to being victims. Third, restitution would require them to admit all the other wrongs they inflicted on the Jews during and after the Holocaust. Their governments try to deal with the local Jewish communities which - except for Hungary - are extremely small and powerless and thus easier partners than the international Jewish organizations."

Singer says he has kept hundreds of private notes from the meetings, exchanges of letters, notes with other Jewish organizations and public statements. When this material is published, it will substantiate several of the statements he has made.

Singer summarizes: "Eight billion dollars in restitution payments were retrieved. Yet I think other achievements are even more important. Fifteen million documents were declassified. They provided important information on many issues, condemning the Vatican, Germany, Switzerland and many others. They enhanced the documentation about insurance companies. They also told family histories, giving a picture of what murdered families looked like, and their names.

"The process resulted in the establishment of historical commissions which one might call 'truth commissions.' Even if they do not tell the whole truth and nothing but the truth, they still provide substantial evidence. This in turn had an impact on educational programs too. To have been at the beginning of such a process, is not only an achievement, but very satisfying as well."

Interview by Manfred Gerstenfeld

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Israel Singer was born in Brooklyn during World War Two. He studied political science and international law at the City University of New York, where he later became a professor in political science. He also worked briefly in public administration and business. In 1985 he became secretary-general of the World Jewish Congress and its representative in the Claims Conference. Since 2002 he has been chairman of the executive committee of the WJC and president of the Claims Conference.

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This publication was partly supported by the Fondation pour la Memoire de la Shoah.

Dore Gold and Manfred Gerstenfeld, Co-Publishers. Zvi R. Marom, Editor. Joel Fishman and Chaya Herskovic, Associate Editors. Jerusalem Center for Public Affairs, 13 Tel-Hai St., Jerusalem, Israel; Tel. 972-2-561-9281, Fax. 972-2-561-9112, Email: jcpa@netvision.net.il. In U.S.A.: Center for Jewish Community Studies, Baltimore Hebrew University, 5800 Park Heights Avenue, Baltimore, MD 21215 USA, Tel. (410) 664-5222; Fax. (410) 664-1228. © Copyright. All rights reserved. ISSN: 1565-3676.

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