

The Fifth Miller Symposium: “The Law in Nazi Germany”

by Michelle Magin

On 19 April 2009, the University of Vermont hosted the Fifth Miller Symposium, focusing on “The Law in Nazi Germany.” The speakers included Konrad H. Jarausch of the University of North Carolina at Chapel Hill, Douglas G. Morris of the Federal Defenders of New York, Harry Reicher of the University of Pennsylvania Law School, Raphael Gross of the Jüdisches Museum in Frankfurt and the Leo Baeck Institute of London, and Kenneth F. Ledford of Case Western Reserve University. Robert Rachlin of Downs, Rachlin, Martin and the Vermont Law School moderated the proceedings. The main themes addressed in their papers were the active and passive acceptance of anti-Semitism by lawyers in the Third Reich; the persecution of Jewish lawyers by the Nazis; post-war trials of Nazi judges, prosecutors, and civil servants; the role of morality in Nazi ideology and law; and the transformation of the German judiciary before, during, and after Nazism.

Professor Jarausch opened the symposium with a paper on “The Conundrum of Complicity: German Professionals and the Final Solution.” Throughout his lecture Jarausch incorporated the personal experiences of his family; however, he began his presentation with a more general historical narrative of academic and professional involvement in Nazi Germany. While he dismissed the average book burner as an overzealous fascist follower, he puzzled over the willingness of professionals to contribute enthusiastically, or at least willingly, to the “Final Solution.” In order to explain this involvement, Jarausch sketched the typical histories and experiences of lawyers and other German professionals both before and during the Third Reich. There was social distance between professionals and the lower classes. Professionals possessed theoretical knowledge, practical competence, and job security, but the First World War and the Great Depression shattered this stability. The Weimar period saw an overabundance of students, alongside declining industrial revenues, government pay cuts, and shrinking job markets. Given the uncertainty of their future, the younger generation viewed these new circumstances as a betrayal of their previous expectations. As a result, their attitudes and

responses grew increasingly radical. Previously dismissed explanations, which blamed the growing independence of women, the “world Jewish conspiracy,” and the influx of foreigners, became more widely accepted. With the Weimar government offering no viable remedies to this situation, many academics and professionals sought more radical alternatives.

The popularity of the Nazis grew among students, after the 1933 electoral breakthrough. Although Nazi purges had excluded Social Democrats, political dissenters and Jews from numerous professions, these actions only impacted a narrow base of individuals. Many students and professionals embraced Nazi rhetoric, and this acceptance facilitated a dramatic push to the right. Gradually, mainstream society began to view Nazism as a quasi-respectable ideology. Nazi groups quickly began to criticize the over-representation of Jews in medicine and law. Jarausch argued that the drive to remove Jews from the professions stemmed from both a desire to racially nationalize Germany and an eagerness to open jobs in an overcrowded market. Subsequent laws expelled Jewish colleagues and restricted the entry of Jewish students into the professions. The civil service endured similar purges of leftists, political opponents and “non-Aryans.” By 1938, the “cleansing” of the gov-

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In order to communicate more effectively with our community, we are building a database of e-mail addresses. If you would like to receive e-mails regarding upcoming events and other news from the UVM Center for Holocaust Studies we ask that you send us an e-mail to the following address: uvmchs@uvm.edu.

We thank you for your assistance!

News from the Faculty

Professor Jonathan Huener had two pieces published in the last year: an article entitled "Auschwitz 1945-1947: the Politics of Memory and Mourning" appeared in the most recent issue of *Polin: Studies in Polish Jewry* (vol. XX/2008), and a chapter entitled "Mémoire catholique et commémoration à Auschwitz" appeared in the anthology *Juif et Polonais 1939-2008*, ed. Jean-Charles Szurek and Annette Wieviorka (Paris, Albin Michel, 2009). He also attended the annual meeting of the Polish Institute of Arts and Sciences in America, where he presented a paper on "Polish Catholicism and the Legacy of German Occupation," and in May delivered the annual Milewski Lecture in Polish Studies at Central Connecticut State University.

Professor Huener continues his research on the Polish Roman Catholic Church under Nazi occupation, and to support this work he received a Career Enhancement Grant from the University of Vermont's Office of the Vice President for Research. He will be spending part of the summer working in the archives of the German Foreign Office in Berlin and the Instytut Zachodni in Poznan.

Professor Dennis Mahoney's "'Tails of Hoffnung': transatlantische Metamorphosen unterdrückter Menschlichkeit in Marc Estrin's *Insect Dreams: The Half Life of Gregor Samsa*," appeared in *Kulturökologie und Literatur: Beiträge zu einem transdisziplinären Paradigma der Literaturwissenschaft*, ed. Hubert Zapf. Heidelberg: Winter, 2008, pp. 323-337. The article is about Marc Estrin's continuation of Kafka's *Metamorphosis*, which imagines Gregor Samsa's futile efforts to encourage the United States government to take action against Nazi Germany before 1939.

Professor Mahoney also published, "'The bird and the fish can fall in love': Proverbs and Anti-Proverbs as Variations on the Theme of Racial and Cultural Intermingling in *The Time of Our Singing*," in *The Proverbial "Pied Piper": A Festschrift Volume of Essays in Honor of Wolfgang Mieder on the Occasion of his Sixty-Fifth Birthday*, ed. Kevin J. McKenna (New York: Lang, 2009). In his interpretation of *The Time of Our Singing*, he traces the origin of "The bird and the fish can fall in love, but where will they build their nest" – an allegedly old Jewish proverb – to *Fiddler and the Roof*, and then discusses its function in this novel on the marriage of an African-American singer and a German-Jewish mathematician and refugee from Nazi Germany who meet and fall in love at Marian Anderson's Easter 1939 concert on the Washington Mall.

Professor Francis Nicosia completed his service as the interim director of the Miller Center, and assumed the Raul Hilberg Distinguished Professorship of Holocaust Studies at UVM. His inaugural lecture, "The

Third Reich and the Middle East: Jews and Arabs in Nazi Race Policy," is reviewed on Page 4.

Professor Nicosia published a book, *Zionism and Anti-Semitism in Nazi Germany* (New York: Cambridge University Press, 2008). He also contributed a chapter, "German Zionism in Nazi Berlin," to the book from the Fourth Miller Symposium, *Jewish Life in Nazi Germany: Dilemmas and Responses* (Berghahn Books, forthcoming 2010), which he co-edited with David Scrase.

Professor Nicosia is conducting research on another book, "The Middle East Policy of Nazi Germany," which includes a research trip this May – June to the Bundesarchiv-Militärarchiv in Freiburg im Breisgau. He will be presenting the paper "Hachscharah und Aliyah-Beth: Jüdisch-zionistische Auswanderung in den Jahren 1938-1941," at the May conference "Jüdische Perspektiven auf die Jahre der 'forcierten Auswanderung' bis zur Ghettosierung und Deportation der Juden aus dem Deutschen Reich, 1938-1941," sponsored by the Institut für die Geschichte der Juden in Deutschland, Hamburg.

Over the last year **Professor Susanna Schrafstetter's** work has focused on the Third Reich's government officials who survived the end of the Second World War unscathed and continued their careers in postwar West Germany. Her article on Karl M. Hettlage, Albert Speer's financial mastermind and unofficial deputy in the Ministry of Armaments, was published in the German *Vierteljahrshefte für Zeitgeschichte* in the summer of 2008 and a review of the article appeared in the national newspaper *Süddeutsche Zeitung*.

Professor Schrafstetter presented in November 2008 a paper at the 10th bi-annual "Lessons and Legacies" conference at Northwestern University, on Gustav A. Sonnenhol, a Nazi diplomat and SS officer who became West German Ambassador to South Africa in 1968.

In addition, Professor Schrafstetter continued her work on reparations for victims of Nazism. Her article on the Anglo-German 1964 agreement for compensation to victims of Nazism appeared in the journal *Contemporary European History* in the spring of 2008. During the summer of 2009 Susanna hopes to make good progress on her book on reparations for victims of Nazism in Great Britain.

Professor Helga Schreckenberger of the Department of German and Russian delivered the twentieth annual Harry H. Kahn Memorial Lecture at UVM, "A Jewish Quest for Belonging: Ruth Beckermann's Film, *The Paper Bridge* (1987)."

Professor David Scrase of the Department of German and Russian presented two lectures in Australia. The first, delivered at the Jewish Museum in Sydney, addressed rescue during the Holocaust. The second,

Faculty News (continued)

presented at the University of Sydney, dealt with Holocaust fabrications. Professor Scrase has in preparation a piece on the conductor Rudolf Schwarz entitled, "From the Berlin Kubu Orchestra to the Bournemouth Symphony Orchestra."

Professor Alan E. Steinweis joined the faculty at UVM in January 2009 as professor of History and Director of the Miller Center for Holocaust Studies. He came from the University of Nebraska-Lincoln, where he was the holder of the Hyman Rosenberg Professorship of Modern European History and Judaic Studies.

Professor Steinweis is in the process of completing a book on the November 1938 "Kristallnacht" pogrom, which will be published in late 2009 by Harvard University Press. Over the past year he gave invited lectures on the subject of this book at Pacific Lutheran University (the annual Raphael Lemkin Lecture), the University of Glasgow (the annual Holocaust Memorial Lecture), the University of Utah, the University of Nebraska-Omaha (the Richard Dean Winchell Annual History Lecture), and the "Topography of Terror" Memorial in Berlin. In November 2008 he co-chaired the program of the biannual "Lessons and Lessons" conference on the Holocaust, sponsored by the Holocaust Education Foundation, and held at Northwestern University.

Professor Steinweis published "The Trials of Herschel Grynszpan: Antisemitic Policy and German Propaganda, 1938-1942," *German Studies Review*, 2008, and "Judenverfolgung und Judenmord," in *Die nationalsozialistische Herrschaft - eine neue Einführung*, Dietmar Suess and Winfried Suess, eds., Munich: Siedler, 2008.

Honoring David Scrase

Professor David Scrase of the UVM Department of German and Russian, and the founding director of the Center for Holocaust Studies at UVM, is retiring at the end of the current academic year. To honor Professor Scrase for his many years of dedicated service, we have established the David Scrase Student Research Award. The Award will be in the form of a monetary grant made annually to UVM students--both graduate and undergraduate--pursuing serious research projects related to the mission of the Center for Holocaust Studies. Priority will be given to students working on major research projects, such as a thesis or a research-intensive independent study. The Award may be used to cover travel, accommodations, book purchases, and photo duplication of archival materials.

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ernment bureaucracy and professions was complete.

Jarausch identified three levels of professional involvement in the Third Reich. First, he described the passive facilitators who enthusiastically supported the government and allowed the state to continue to function. According to Jarausch, these individuals included industrialists who produced weapons, patriotic officials who kept the state functioning, teachers who stressed German greatness, and clergymen who preached the superiority of the German people. The second group included the active supporters, who offered their professional expertise to help enable genocide. These individuals possessed a dream of Aryan domination through colonization and the seizure of *Lebensraum*. Their new studies in ethnography and history supported Nazi racial ideology, and characterized the Jews as harmful to the nation. Unlike the first group, these individuals directly influenced and contributed to Nazi decisions and policies. The third group was comprised of a minority of professionals who directly participated in the genocide and elimination process. These individuals included the lawyers who planned and organized the Final Solution, the engineers who produced weapons intended to kill Jews, and the doctors who sterilized and murdered "undesirables." Jarausch argued that the actions of these professionals helped to legitimize the killing process and the racial ideology of the Nazis.

Once the war ended, former Nazi enthusiasts abruptly reversed their positions. Professionals sought to downplay their involvement, and in some cases even became resolute anti-fascists in order to prove their innocence. But Jarausch's description of the post-war period characterized the 1950s as a period of exculpation, in which the indispensability of intellectuals and professionals proved more important than an honest confrontation with the Nazi past. Major crimes became misdemeanors, and gaps in CVs allowed professionals to minimize their own personal role in the genocide. German society ignored the general question of responsibility and retreated behind a discussion of impersonal forces and a blanket of Cold War silence. Jarausch argued that this discrepancy between truth and collective memory reflected the ability of a minority to impose a false yet convenient history onto a willing majority. It took a younger generation, untainted by these crimes, to break this silence, and address the failure of professionals to live up to their ethical standards.

While Jarausch conceded that admitting such a failure would necessarily be difficult, he argued that the culpability of professionals should not be ignored. While most did try to support the war effort without persecut-

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Nicosia Inaugurates Hilberg Professorship

by Paul Blomerth

On Wednesday February 18, 2009, Professor Francis Nicosia inaugurated the Raul Hilberg Distinguished Professorship of Holocaust Studies at the University of Vermont with a lecture titled: *The Third Reich and the Middle East: Jews and Arabs in Nazi Race Policy*

Professor Nicosia began with an examination of Nazi views towards the Middle East and North Africa before and during the 1930s, noting that Hitler said and knew very little about the region. During this time, the Nazis emphasized Jewish emigration from Germany to Palestine, and did not want to do anything that would threaten this policy. They were careful to not foster anti-Jewish sentiment in the region, and during the 1936 Arab revolt in Palestine the Nazis dismissed the Arabs as 'terrorists' because they demanded the cessation of that Jewish immigration to Palestine.

Once war broke out in Europe in 1939, however, the Germans were willing to alter their stance in the region in order to gain an advantage against their European enemies, most notably Britain. From 1939 to 1941, emigration to Palestine declined because of the war, and with the conquest of most of Europe by 1941, the number of Jews under Nazi occupation increased dramatically. By 1942 Hitler assumed that his campaigns in the Soviet Union and North Africa were on the brink of victory. In light of this assumption, Hitler had an SS-*Einsatzgruppe* assembled in Greece in July of 1942. This evidence suggests that in addition to murdering all the Jews of Europe, the Nazi regime intended to exterminate all the Jews of the Middle East and North Africa as well. As Hitler saw it, now the Germans and the Arabs were involved in a joint struggle against their common enemies: the British and the Jews. Nicosia asked, "But what was to be the place of the Arab population in an Axis new order in the region? In particular, what was to be the role of the Arabs in German plans to murder the Jews of North Africa and the Fertile Crescent?"

Nicosia addressed the extensive propaganda campaign implemented by the Germans in the Middle East. The Germans issued radio broadcasts from Berlin and dropped leaflets in North Africa in an attempt to rally the Arabs to their cause. The Germans claimed that they were liberating the peoples of the Middle East from British and Jewish domination, and as they rolled through Egypt, they announced that they were there to grant independence to the Egyptians. Nicosia was quick to point out, however, that the Germans never intended to grant the Arabs independence, since it conflicted with the imperial intensions and ambitions of their Italian and Vichy French allies.

Another reason for this propaganda campaign was the hope that the Germans could mobilize Arabs to help

them massacre the Jews in the region. Nicosia noted that Arabic radio messages from Berlin by the Grand Mufti and his small group of Arab exiles contained the following text: "The Glorious victory secured by Axis troops in North Africa has encouraged the Arabs ...because they believe that the Axis powers are fighting against the common enemy, namely the British and the Jews..." And on 7 July 1942, radio Berlin broadcast a piece in Arabic entitled "KILL THE JEWS BEFORE THEY KILL YOU," rallying the Egyptians to "...rise as one man to kill the Jews before they have a chance of betraying the Egyptian people." Whether or not this campaign would have been successful will thankfully never be known because the Germans were defeated at el-Alamein in October 1942.

Since it had been established that Hitler and his allies were unlikely to grant the Arabs independence, what then did they intend to do? Nicosia explained that their aim was to replace British dominance in the region with that of the Italians and the Vichy French. They misled the Arabs at every turn in order to achieve victory against the British. He stated, "they wished only to dismantle British imperialism. Just as the British and French always intended to divide up the Arab Fertile Crescent during World War I, so too would Hitler and Mussolini."

So how did the Arab exiles in Berlin view the situation on the ground? The Mufti, who viewed himself as a leader of a pan-Arab nationalist movement, deserves special attention. Professor Nicosia noted that the Mufti was not entirely oblivious to Axis ambitions in the region. He knew about Italian aims in North Africa, and his suspicion was confirmed when his attempt to establish pan-Arab centers in Egypt and Tunisia were flatly rejected by Berlin and Rome. Additionally, the Axis kept him out of North Africa, and did not share much information with him—possibly out of fear that he might raise Arab hopes and cause the Axis to lose control of the region. So the Mufti's main task was to call on Arab support on behalf of the Axis powers. This lack of influence and relative impotence led Professor Nicosia to ask the following question: "Did the Mufti or any of the other Arabs in Berlin truly represent Arab public opinion – if such a thing existed?"

Professor Nicosia issued a call for further scholarship on the issue of Arab responses to Nazism by scholars who are qualified in Middle Eastern studies. His own research focuses on the Middle East from a German perspective, and he does not claim to interpret Arab responses. He cautioned against drawing simplistic equivalencies between Arab/Muslim and Nazi anti-Semitism. Professor Nicosia concluded with the state-

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ment, "As historians and scholars, we naturally examine the past to better understand the present. But we must never allow the present to determine our interpretation of the past."

Paul Blomerth is a graduate student in the UVM Department of History, focusing on Nazi Germany and the Holocaust. He has received a UVM Graduate Student Summer Research Fellowship, which will assist with his internship at the U.S. Holocaust Memorial Museum in Washington DC.

A Dutchman in Vermont

by David Barnouw

During the Fall 2009 semester I taught as a visiting professor at the Center for Holocaust Studies, which I enjoyed very much. As a scholar of World War II and a spokesperson for the Netherlands Institute for War Documentation I usually do not teach courses; I have previously delivered only lectures in the U.S., in addition to the Netherlands and abroad. This made it a special honor not only to visit but also to teach at the home institution of the preeminent scholar of the Holocaust, the late Raul Hilberg, author of the famous *The Destruction of the European Jews*—and a political scientist just like me! One could sense his influence and fame in Burlington, not least in the inauguration of the Raul Hilberg Distinguished Professorship of Holocaust Studies presently held by Professor Francis Nicosia.

My interactions with students and staff were also very important. My course, "The Holocaust in the Netherlands," was not easy for the students because their knowledge of my small country is limited. Of course, everyone knows about Anne Frank, but I had to explain such complex issues as the Dutch Pillarization. Nevertheless, they came of their own free will and seemed to like it! The staff provided essential support for me, and were all very helpful of this "ignorant Dutchman."

At the moment I am writing *Fifty Icons of the German Occupation of the Netherlands*, and plan to write a book about the influence of Anne Frank on post-war society. I sincerely wish to return to teach at UVM again!

David Barnouw published with a colleague the first complete edition of The Diary of Anne Frank: The Critical Edition (7 ed.). Barnouw has also written books and articles about the Nazi Youth Movement in the Netherlands; economic and political collaboration, and the Hunger-winter 1944-1945 in the Netherlands; and Dutch settlers in the Baltic States and Russia during the German Occupation.

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ing their Jewish neighbors, they took anti-Semitism in stride. Involvement, Jarausch argued, was an incremental process that gradually drew in professionals with moderate measures of discrimination. For many, by the time they realized the full impact of their support for Nazism, it was too late to turn back.

Douglas Morris presented the second paper of the symposium, entitled "Discrimination, Degradation, Defiance: Jewish Lawyers in Nazi German." Morris began by describing the sad fate of the brilliant Weimar lawyer, Max Alsberg. Although once celebrated as the most prominent criminal defense attorney of Germany, Nazi harassment and professional discrimination drove him to suicide. This case, Morris argued, represented both the rise of Jews in the German legal profession as well as the demise of liberal law under the Nazis. Tracing the gradual liberalization of the legal system, Morris described the opening of the legal system to Jews in 1877. By the Weimar era, Jews had come to comprise 20 to 30 percent of lawyers in Germany, and nearly 50 to 54 percent in Berlin. The rise of the Nazi party however, reversed these liberal gains, and forced the Jews out of the legal profession. While the Nazis specifically targeted political enemies, liberals and Jews, Morris viewed this exclusion as contrary to the more general principles of equality, individual rights and democratic participation. In their place, the Nazis established policies that espoused racial superiority and subordinated the rights of the individual to the Aryan community.

Morris described how the Nazi regime essentially created two different states: a "prerogative state" of arbitrary power and official violence, and a "normative state" under the legal system. Within the former, citizens enjoyed no legal protection, and the state remained independent of law and beyond judicial scrutiny. The violence of the Reichstag fire and the harassment and physical abuse of Jewish lawyers and officials served as examples of outright brutality and lawlessness. The normative state, however, offered a less haphazard and destabilizing means of imposing Nazi ideology. By implementing laws, which enforced legal discrimination against the Jews, the Nazis sought the forced retirement of Jewish judges and the disbarment of Jewish lawyers. As a result of the "Law for the Restoration of the Professional Civil Service" in April 1933, the number of lawyers dropped by almost a third. Morris argued that such pressures, though relaxing professional competition, cheapened the overall status of the legal system.

When faced with discrimination, many Jewish lawyers cited their past military service. Veterans appealed

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to a sense of honor, sacrifice and patriotism, which could resonate among all Germans. Jewish lawyers argued that an individual who was good enough to risk his life for the Fatherland should be allowed to practice in his profession. This argument, Morris pointed out, was fundamentally flawed, for it abandoned notions of legal equality, and created a generational and gender rift among lawyers. Moreover, those who invoked this argument failed to comprehend that in the anti-Semitic Nazi state Jewish lawyers could never be a natural or loyal part of the legal system.

Jewish lawyers often responded to discrimination as atomized individuals rather than as organized groups. Businesses and private practices ended as Jews were barred from even entering the courthouses. Gradually, the Nazi state stripped Jews of their citizenship and excluded them from the legal system. As the Nazi regime pursued the professional ruin of the Jews, Morris noted how it subjected them to increasingly humiliating experiences. In 1933, for example, lawyers who fought to maintain their legal credentials were kept waiting for hours in the rain to apply for recertification. Yet Morris also recognized the unwillingness of Jews to recede quietly from their profession. In this particular example, seventy-four percent of Jews who had been stripped of their credentials were willing to fight for reinstatement.

As a consequence of the discrimination, degradation, and exclusion of the Jews, Morris observed, German law ceased to be an independent system. German Lawyers could no longer represent individual rights and the rights of their clients. By 1938, the legal system only upheld Nazi laws and ideology, and essentially became a parody of justice.

The third paper of the symposium, delivered by Harry Reicher, was titled "Evading Responsibility for Crimes against Humanity: Murderous Lawyers at Nuremberg." It offered a close examination of several German jurists who were prosecuted in Nuremberg in the "Justice Trial." According to Reicher, the trial revealed that lawyers were capable of committing the most horrible crimes even as they effectively carried out the normal functions of the law. The trial was the third of twelve subsidiary trials, which occurred in the United States zone of occupation, approximately four and a half months after the main trials. The defendants in the Justice Trial consisted of six judges, four prosecutors and nine civil servants, all of whom were charged with crimes against humanity.

Reicher focused on two case studies. The first analyzed the case of Markus Luftglass, an elderly Jew charged with the theft of eggs. Sentenced to two and a half years in prison, his case captured the attention of

Hitler, who subsequently ordered that the presiding judge, Franz Schlegelberger, hand Luftglass over to the Gestapo for execution. Schlegelberger complied with Hitler's wish, and Luftglass was executed. The second case study focused on the trial of Leo Katzenberger. The Nazis charged Katzenberger with "racial defilement" because of his suspected affair with a young Aryan woman named Irene Seiler. Before the case even began, the presiding Judge, Oswald Rothaug, discussed the verdict of the trial with his clerks. In order to ensure that Katzenberger be found guilty, Rothaug discredited Seiler's denials of the affair by charging and convicting her of perjury while the Katzenberger trial was still in progress. Moreover, Rothaug sought the execution of Katzenberger by tacking on an additional charge that characterized the defendant as a public enemy. Rothaug had no evidence to support this latter charge, but he convicted Katzenberger, who was subsequently guillotined.

After establishing the background of the two case studies, Reicher sketched the conclusions of the tribunal at Nuremberg. The tribunal judged Nazi courts to have been rotten and perverted. Rothaug and Schlegelberger disregarded normal judicial processes and willingly applied harsher penalties to defendants regardless of the content of the legal statutes. As the tribunal exposed the ugly truth about the Nazi legal system, none of the defendants pleaded guilty. Instead they offered a range of defenses, two of which Reicher chose to emphasize. The first of these was that the defendants had been under orders to act. The second stated that the defendants had followed the law, and that the law required that they act as they did. To Reicher, both defenses were based on the same notion: that the defendants had had no choice or agency in their actions.

Reicher conceded some partial truth to this premise. The Nazi system had been based on the Führer principle. This principle characterized the Führer as a messianic figure, emanating a cult-like aura. He was the savior of Germany who embodied the racial ideal. Because he instinctively knew what was good for the people, everything he did was correct, and his word was the force of law. According to this idea, the law served the political leadership, and the Führer was the supreme judge. He had the authority to pass judgment, and all other judges were required to judge like the Führer.

Oswald Rothaug argued that under the Third Reich there had been little room for individual thinking and decision making. According to Rothaug, he had applied the laws of his country in the manner that they had been designed. To Rothaug, even his efforts to secure the death penalty for a minor crime did not violate the spirit of this ethic, as he had arguably sought to adhere to a

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racial ideology, which sought the elimination of alien threats. He believed that his actions reflected the Führer's will, and argued that any failure to adhere to the wishes of the Führer could have resulted in his removal from office.

The Nuremberg tribunal argued that the defendants, as intelligent adults, had to adhere to not only national, but also international legal systems. The defendants had knowingly and purposefully used the legal system to perpetrate judicial murder. By doing so they had emptied the national legal system of any content. Even as national law had ceased to offer any justice, international law should have still guided their actions.

Raphael Gross presented the fourth paper of the symposium, entitled "Nazi Morals and Nazi Law: 'Race Defilement' before German Courts." Gross argued that moral concepts of honor, loyalty, decency and comradeship were fundamental aspects of Nazi ideology. He noted that few scholars had recognized the impact of moral categories and theories on Nazi law, even though morality provided a framework that informed all aspects of Nazi philosophy, psychology, medicine, and politics. To Gross, arguments that Nazism was based on bad or confused morals offered an unsatisfactory characterization of Nazism. Instead, Gross argued that Nazism was not based on amorality or an absence of morality, but on a concern for positive virtues and considerations. Though Nazi law implemented anti-Semitic doctrines, it also incorporated a code of morality. Nazism lauded such traits as comradeship, fidelity, self-sacrifice and decency. The expression of such virtues brought honor and praise, whereas their antithesis brought disgrace and shame.

Gross provided three examples of the connection between Nazi ideology and morality. He explained how a 1933 ban on public swimming by Jews reflected two moral fears. The Nazis hoped to prevent an unhygienic pollution of the pool. Yet this concern for physical purity also reflected a fear of direct physical contact with Jews, which in turn indicated a larger fear of sexual intimacy between Jews and Aryans. The 1935 "Law for the Protection of German Blood and Honor," also incorporated these concerns.

In illustrating the function of this law, Gross cited the 1941 trial of a young man named Hollander. Although born Jewish, Hollander had been raised Protestant and had been unaware of his legal standing as a Jew. While a student, he had formed several intimate relationships with German women, but in 1936 developed a lasting relationship with a woman named Katarina W. D. After impregnating her, he informed her of his Jewish heritage, and she, in response, aborted

the baby. The Nazi state charged Hollander with racial defilement and dangerous criminal activity. To the Nazis, the boy had sullied the honor of a German girl, and had, as a result, with the whole of world Jewry, tarnished German honor. One incident of racial defilement, in other words, tainted the entire community. In the eyes of the German government, W.D. was a broken child who had been shattered in her first blossom. For his part, Hollander was a habitual and dangerous criminal who enjoyed poking fun at the Nazis and declaring the loss of the war. To the Nazis his actions reflected the common nature of the Jewish race—shameless, threatening, and possibly harmful. In view of his supposedly egregious crimes against the German people, Hollander was executed in May 1944.

For Gross, the bourgeois morality that informed these laws sought to implement morality not only in words, but also through law. Given the numerous opportunities for contact between Jews and Germans in 1935, concern for the protection of Aryans from intimate contact with Jews was a major issue. Gross concluded by stating that, for the Nazis, this moral concern was a never-ending struggle.

The final paper, delivered by Kenneth Ledford, was entitled, "Judging German Judges in the Third Reich," and detailed the transformation of the German judicial system into a weapon of political and racial persecution. Ledford began by noting the hodgepodge of legal systems in Germany before 1871. The constitution of that year established an imperial justice system, creating national standards for the training of judges. Given that candidates could expect to train for four years without a salary, only upper-class individuals could hope to attain permanent appointments. The class hierarchy of the judicial system also translated into harsher sentences for the working and lower classes. To the Social Democratic Party, these tendencies indicated that the judiciary was in fact not free from economic and political concerns. This critique intensified after the First World War, when the reduction of German territory and the economic depression forced the state to absorb more judges within a smaller territory and with a greatly reduced budget. Although these criticisms continued into the 1920s, the personnel policy of the Weimar Republic permitted a greater social and political diversity of judges. Ledford noted that during this period Jews made inroads into the judiciary and rose to leading positions of the German Bar Association.

In describing the coming of the Third Reich, Ledford focused on exclusion based on a political racial identity and on the behavior of the judges who remained in office. Exclusion affected not only Jewish

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civil servants, but also private Jewish practitioners, Social Democrats, Leftists and other political enemies of the Third Reich. In 1934 over 500 Jewish judges and prosecutors lost their jobs, and by 1938 the Nazis had excluded all Jews from the legal system. Among those who remained, many embraced National Socialist ideology and helped to carry out the purge of the Jews, the prosecution of Catholics and oppositional Protestants, and the prosecution of Jews for racial defilement. Ledford concluded that the criminal justice system became a political weapon of the Nazis, designed to enforce their ideological principles and spread terror.

After 1945, denazification initially sought to remove all state officials who had been members of the Nazi party. The Allies accused these individuals of consciously participating in a system that used the courts to violate the laws of humanity. By 1948 however, the Cold War necessitated the end of denazification, and many Nazi era judges returned to the bench. The Cold War temporarily derailed the pursuit of war criminals, and the Nuremberg Trials introduced the legal positivist defense. This defense assumed that German judges were trapped in a legal positivist framework, which essentially limited their available choices, and restricted their ability to interpret the law. Apologists argued that judges were victims of years of positivist training, and honestly believed that they were more faithful to law than any of their successors. Ledford described this interpretation as largely inaccurate, but he noted that it received much support in the Federal Republic.

Ledford argued against the notion that the Nazi state had forced judges to apply the law by referring to their willingness to extend uncodified aspects of Nazi ideology into their rulings. He argued that their incorporation and accommodation of National Socialist ideology ultimately led to a perversion of law. Ledford questioned whether society could view judges as bulwarks against political forces and regimes regardless of the circumstances. When assessing the failure of the judicial system, Ledford argued that positivism offered no real resolution to this issue, but merely served as an excuse, to retroactively justify the behavior of collaborators.

The papers will be published in 2010 or 2011 in a volume edited by Alan E. Steinweis and Robert Rachlin.

Michelle Magin is a graduate student in the Department of History at UVM. She is working on memory of the Holocaust in post-war Germany, and will be spending part of Summer 2009 conducting research in Berlin.

The Reader

by David Scrase

What follows is not a review of the film *The Reader*, is not a review of the best-selling novel it is based on, is not a critical examination of the movie's reception, and is not a comparison of book with film. One will, to be sure, find elements of all four approaches in this piece and, it is hoped, one will gain perhaps an understanding of some of the difficulties involved in creating a non-historical representation of any aspect of the Shoah.

Born in 1944, Bernhard Schlink, the author of *The Reader*, studied law at Heidelberg University. He became a lawyer and, later, a judge, and wrote a significant textbook on human rights. He began writing crime novels in his forties. His fourth novel was *Der Vorleser*, which appeared in 1995, and which could be described as a kind of crime novel--although one would not normally put it into this category. The title-word "Vorleser" does not mean simply "reader," but describes someone who reads aloud to someone else. This meaning is lost in the English title. Furthermore, critics seem to have ignored the fact that it is Michael and not Hanna, who is the main character. The novel was immediately acclaimed as a significant work contributing to the widespread German literary attempt to "come to terms with the past." The work received many prizes and established Schlink as a significant writer. It was rapidly translated into over forty foreign languages, including English (1997). The movie premiered in the United States in late 2008 and in Germany in February of 2009. The reviews in both countries have been mixed.

In this country the positive reviews of Schlink's novel were outnumbered by the negative. Most of the critical reviews concentrated on the book's apparent refusal to face up to culpability, to examine the enormous evil of a nation's past. Many complained that the book did not deal with what was simply a huge crime. In essence, they were refusing to see that the book's message was subtler: it is an examination of the generational differences in terms of guilt, culpability, and coming to terms with German behavior. The sexual content was seen to be gratuitous, inappropriate, and distracting. But Michael, seduced by the older Hanna, is not only confronting his own sexuality; he is also confronting his awakening, and adult, interest in his nation's guilt-ridden past, and, as such, the sexual content is concomitant with, and essential to, his awareness of German guilt. As has been quietly pointed out, none of these reviewers seems to have noticed that Hanna, the perpetrator, was in fact an ethnic German who stemmed from Transylvania, one of 50,000 Romanian ethnic Germans who joined the SS. She was simply flattened into "the German SS" member who, in book and film, was

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complicit in, and took the rap for, callously letting three hundred Jews burn to death during a forced march westwards. Had the reviewers noticed this identity anomaly, of course, they would have found it to be grist to their mill: the Germans were once again avoiding their own responsibility by pushing it onto others.

The positive reviews dwelt on the style, the subtlety, and the way Schlink was able to attempt to bridge the gaps between the generations, between the guilty and the innocent, between words and silence.

In Germany (and in most of Europe) the book received many prizes. It was given the fourteenth place in a list of the hundred best books, and was generally accorded positive reviews. The theme was judged to be a good one--the problem of examining recent Germany history has a generational component that is ever-present for Germans and always of burning interest. The style was praised, the imagery (such as the bath and water) was found to be effective. The book went through many printings and sold a million copies. It was, however, criticized for its "cultural pornography," for making Hanna a sympathetic character, and for not describing in full terms what Hanna and her ilk actually did.

The film, which premiered in December 2008 in the US and in February 2009 in Germany, received accolades for its acting in both the US and in Germany. In the US the negative criticism directed at the book's content was also directed at the film. In Germany the reviews were, as with the book, generally more positive. This divergence of critical opinion between the two nations seems to me to be fairly typical.

In Germany, as Constanze Braun pointed out in her piece in the *Bulletin* (vol. 1, no. 2, Spring, 1997), the "theme of the Holocaust is omnipresent....One cannot open a newspaper or a weekly magazine without being confronted with the Holocaust and its aftermath." She goes on to say that "[a]rt, literature and politics all seem to stand to (*sic*) relation to these most monstrous years of German history. No politician holds an important speech without alluding to the question of the guilt of the German people." This is true. From about 1960 on, it became easier for Germans to discuss the past--the trials of the 1960s helped--the Eichmann trial in Jerusalem, and the Frankfurt trials, in particular. The second generation of the perpetrator nation now began to insistently question their parents and grandparents about that time. By the end of the 1960s this questioning quickened into student violence--partly stemming from generational differences. It has never stopped.

With both the book and the film it has been easy for the Germans to continue to question the ever fewer peo-

ple who experienced the times and to continue to relate to the material that Schlink made central to his book and that the movie repeats, albeit with various omissions and slight changes. By now, of course, it is not just the second generation but the third generation, too.

The American Holocaust experience is different. We rely to a great degree on the accounts of survivors. Perpetrators have, it is true, emerged from time to time--John Demjanjuk was, and is again, an example, as was Hermine Braunsteiner-Ryan* in the late 1960s and 1970s. Books and movies have usually involved survivors and rescuers. Perpetrators did not settle here--or did so under an alias. We Americans did not, and do not, confront our own guilt, either because there was none, or because we prefer to ignore, for example, our record of refusing refugees during the 1930s and early 1940s. And in any case the culpability of a government closing a door is not to be compared with a nation that either killed, helped kill, or pretended they did not know what was happening. Even with regard to My Lai, Guantanamo, or Indian massacres, we have been able to avoid seeing (let alone examining) any national guilt.

Not surprisingly, the two experiences make for two widely differing views of one single historical event. Should it be surprising that a book and its cinematographic reproduction will likewise be viewed differently?

The situation is further complicated by the fact that we tend to assume that a fictional work on a Holocaust topic becomes suspect the moment it deviates from the facts. We need only to recall the sordid affairs of Kosinski's *Painted Bird* or Bruno Grosjean/Dössekker/Wilkomirski's *Fragments*, or Helen Dale/Darville/Demidenko and her novel *The Hand that Signed the Paper*, to know that literature has no fury like a Holocaust reader scorned. Cynthia Ozick was correct: in Holocaust writing the rights of history must always prevail over the rights of the imagination. But it is just a little complicating when the question concerns the attempt of an earnest youngster to come to terms with something that a perpetrator attempts to explain, when she does not understand it herself. Schlink's attempt to portray a nation's attempt to understand its own guilt is, in my view challenging but effective in both the book and the film.

* Braunsteiner-Ryan (1919-1999) has been singled out as a model for Hanna.

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The Limits to Love and Desire

a film review by Meaghan Emery

La Petite Jérusalem. Directed by Karin Albou. Featuring Fanny Valette, Elsa Zylberstein, Bruno Tedeschini, Hédi Tillet de Clermont-Tonnerre, and Sonia Tahar. 2005. DVD. Kino on Video, 2006. 94 min. ASIN: B000G1ALQG.

In view of Iranian President Mahmoud Ahmadinejad's anti-Israel, anti-Zionist, anti-U.S., and anti-West remarks at the United Nations Durban Review Conference on Racism in Geneva, Switzerland (April 20-21, 2009), an examination of the portrait of French Jews in French director Karin Albou's first full-length feature, *La Petite Jérusalem* (2005; *Little Jerusalem* 2006), seems all the more relevant, particularly with regard to present-day attitudes toward Israel in France and elsewhere.

Although primarily a tale of two sisters in an Orthodox Jewish family, the film introduces the Arab-Israeli conflict into their story. Set in 2002, it captures the repercussions from the Second Intifada that were being felt in France at the time: arsonists were targeting synagogues, and Jews were frequently molested in the streets, particularly in underprivileged neighborhoods of France's major urban areas, such as Sarcelles, the location for the film. Significantly, as Pierre-André Taguieff describes in his long essay *La nouvelle judéophobie*, these anti-Jewish hate crimes were given little notice in the press. Public attention was riveted on the Palestinian cause, embodied in the corpse of a twelve-year-old Palestinian boy, Mohammed al-Dura, killed in the cross-fire between rioting Palestinians and Israeli forces in Gaza in 2000. The Palestinian nationalist cause had won favor with the French Left, which naturally tended to sympathize with the Third-World's socioeconomically disadvantaged populations.

Albou's film, however, takes note of the anti-Jewish incidents that afflicted the Parisian suburb of Sarcelles in 2001 and 2002. Through the eyes of the main character Laura (Fanny Valette), the spectator witnesses the burning of the neighborhood synagogue and the assault of her brother-in-law Ariel (Bruno Tedeschini) by a gang of hooded and masked youths. Yet its central focus, according to the filmmaker, is the relationship between the two sisters, the more secular Laura who chooses to remain in France when her older sister Mathilde (Elsa Zylberstein), an Orthodox Jew, decides with her husband and mother (Sonia Tahar) to emigrate to Israel. This analysis intends to explore the ramifications of this choice within the context the film provides.

In the opening shot *La Petite Jérusalem* begins with a sensual close-up of Laura's inner thigh. She is shown pulling up her cotton stocking as she recites a prayer in preparation for what appears to be Taslich, a ritual of

repentance and renewal performed on Rosh Hashanah, the Jewish New Year. For the film then cuts to the scene of an Orthodox Jewish community, soberly gathered on the banks of an estuary to the Seine River into which they are throwing bits of bread. The group is not far from Sarcelles' public housing projects where many Jewish Pieds-Noirs (Algerians of European descent) settled in the 1950s or 1960s, following decolonization. The high-rise apartment buildings are seen from above as the camera leaves Laura in order to pan over the tree-tops and rooftops of "Little Jerusalem," a familiar reference to this part of Sarcelles, home to the largest Jewish community in the Paris region.

And thus the elements of the tale are set. Rites of repentance and renewal regularly punctuate the storyline, which follows Laura as she struggles to reconcile her sexual awakening with her religious belonging and personal beliefs. An eighteen-year-old student of eighteenth-century Enlightenment philosophy, Laura has broken with familial traditions. She claims to be uninterested in love or marriage, nor is she drawn to the "mysticism" of Orthodox Judaism. She prefers the realm of reason and has adopted the practice of scheduled evening walks in order to calm her anxiety and fears, in the manner of Immanuel Kant, whom she is studying in her university classes.

Laura shares this penchant for ritual with her older sister Mathilde, although Mathilde lives according to the Law of the Torah. In a similar way to Laura, Mathilde's strict observance of rules, particularly those governing female modesty, have led to her estrangement from her sensuality and desire. The carefully regimented lives of these two sisters are thrown into disarray, however, when Djamel (Hédi Tillet de Clermont-Tonnerre), a Muslim Algerian workmate, verbalizes his mutual attraction for Laura and Ariel, Mathilde's husband, admits to an extramarital affair. Whereas Laura's life spins off balance, Mathilde is able to confide in her mother and the female attendant (Aurore Clément) in the neighborhood *mikvah*, or ritual bathhouse, and eventually regains satisfaction through renewed sexual intimacy with Ariel. Encouraged by the woman's advice—that conjugal pleasure is allowed, indeed required, by Jewish law—and a shared timidity with her mother, Mathilde feels emboldened to take liberties with her husband that she had previously denied herself.

Laura, by contrast, becomes increasingly unstable as she oscillates between her overwhelming feelings of desire for Djamel and the urge to anchor herself in her family's faith. Laura writes a letter to Djamel explaining that the laws of her religion preclude her from entering

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into a relationship with him, undoubtedly due to the fact that he is a Muslim. As her mother endeavors to undo the spell that Djamel has cast on her daughter, through the superstitious burning of incense, incantation of formulas, and the placement of a magic talisman under her bed, Laura seeks comfort in Judaism, with little success, however. She attends synagogue but without earnestness. Tormented by her yearning, she reads the Torah at night instead of her philosophy books. Not only does her emotional upheaval cause her to lose interest in her philosophy courses, but also she ceases her evening walks.

In spite of her turn to faith for strength, she and Djamel are unable to subdue their passion. Half-dressed and overcome by mutual desire, they eagerly embrace in the coed locker room at work. On the first of such occasions, Laura remarks on the scar from what appears to be an old stab wound in Djamel's abdomen. An exiled Algerian journalist and undocumented immigrant in France—ostensibly a victim of Islamic extremism in his home country—Djamel is painfully aware of the social constraints bearing down on the two. One evening after work, shortly after he has formally introduced Laura to his uncle and aunt (Salah Teskouk and Saïda Bekkouche), Djamel refuses her entreaty to engage in sexual intercourse. His refusal clearly grows out of his fear for the consequences of this act for Laura. "I do not want to impose my religion on you," he explains. "I cannot leave my family. It is not possible for us to live on our own." When Djamel ends their relationship, it is in full recognition of their situation and the limits it places on love and desire. As she leaves him, Djamel cries out in anguish, "I'm all alone. All alone!" One could easily argue that he is speaking for both of them, since, like Laura, Djamel is not a fervent believer in his faith. Laura runs home in tears, swallows a handful of sleeping pills, and collapses in the hallway, where she is found by her brother-in-law.

Laura's story does not end in this fit of despair and self-destructiveness, however. At the film's conclusion, out of hospital and living separate from her family who have left for Israel, she is captured in a familiar traveling shot, moving forward on a conveyor belt in the Paris metro. One can surmise that she has returned to school, since this was a recurring scene marking the trip home after her philosophy class. She is vaguely smiling and seems hopeful. But the reason for her apparent contentedness remains a mystery. Thus, the spectator is left in wonderment at this young woman's new-found self-possession and—if the end is in keeping with the central theme of the film—possible liberation from her torment through a return to a life of reason and ritual. Laura, it

appears, has found solace through her ultimate immersion in secular French society.

The departure of Mathilde and her family following their direct encounter with anti-Jewish hostility and increasing feeling of insecurity sets into place the possibility of a dramatic conclusion to *La Petite Jérusalem*. The film only skirts the issue of religious persecution, however, just as the family's deliberations before taking the final decision go unseen. Laura's renewed interest in Judaism additionally coincides with her witness of the synagogue's burning and of the youth gang's violent attack on Ariel and the other Jews playing on the soccer field. However, as opposed to a broader sense of victimization, the film more fully elaborates her troubled Jewish identity in relation to her philosophy lessons or her feelings for Djamel, who also runs to the Jews' aid on the field. In this scene, the arrival of the police causes the youths to take flight, and Djamel also turns to leave, for fear that his illegal status will be discovered. The film's director Albou seems deliberately to problematize any reductive stereotypes of Jews and Arabs and insists that "this context ... is simply the setting [in which her characters live]."

The camera does capture evidence of the socioeconomic disparity that since the late 1970s has exacerbated interethnic tensions in Sarcelles, which used to be celebrated for the peaceful coexistence of immigrants from Algeria and Tunisia. Although Laura's family is of modest means, the synagogue can be seen to stand as an implicit symbol of social inequity, since we are shown Muslims bowed in prayer on the ground floor of an apartment building. For earlier generations, however, their Jewish or Muslim faith was a private matter, subordinate to their newfound French identity. Since the late 1970s religious tensions, heightened by the Arab-Israeli conflict over the question of Palestine, have rent any of the former harmony as younger generations have donned the external signs of their faith in reclaiming their ethnic allegiances. Given this historical background, the informed spectator knows that Laura's family emigrated from Tunisia, her birthplace, to France when tensions were already brewing. They are integral to her mental landscape, like the graffiti on the walls, and she deplores Sarcelles' "ugliness." The characters speak nothing of this, however, with the exception of Ariel's caution that Laura stop taking her evening walks. Mathilde admonishes her to look for truth and beauty in Hashem.

It goes without saying that the rise in anti-Jewish hate crimes is a cause for alarm within the Orthodox Jewish community. It would therefore seem probable

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that it is also the reason behind the family's decision to make *aliyah* and immigrate to Israel. Many French Jews did so during the period in question when there was a surge in hate crimes committed against Jews by Muslims. Yet, in the film's few scenes of violence or its allusions to the potential threat of fanatical religious extremism, the cause, reasons, or perpetrators are not explicitly communicated—one could even say that they are expressly concealed from the audience to avoid blame. Ariel's aggressors are hooded and masked. The arson scene is filmed after emergency services have arrived. It is the woman at the *mikvah* who first suggests to Mathilde the idea of leaving during one of their numerous consultations concerning Mathilde's marriage. Where to is not yet clear. The film's allusion to Zionism is equally as implicit as are its oblique references to Islamist anti-Zionism. In the scenes afterward, there is no further discussion, except for the children's Lego-construction of their new home in Israel, which the son Mikaël bombs using his toy helicopters. "Pourquoi?" ["Why?"], Mathilde questions him. Importantly, the lone scenes where a Jew and a Muslim directly confront one another, with naked emotion, are those in which Laura and Djamel haltingly negotiate the internalized cultural impediments to their amorous relationship. The rest is pure conjecture.

Similarly, at the end of the film, the audience is denied an explanation of Laura's enigmatic smile. The only farewell scene is a quiet meeting between her and her mother, who embodies the communal warmth of North African culture in the film. Laura expresses her regret simply: "I'll miss you." Her mother gives to her daughter an expensive ring for Laura to sell in order to pay for the three-month deposit on the studio apartment Laura had found earlier. The independence Laura had sought is hers at last. Her mother, heavy-hearted, packs the few photographs she possesses, including one with Laura, her "princess", in a small suitcase. Mother and daughter, caught in a cultural divide, part to lead separate lives. The wedge driving them apart, to all appearances, is the trip to Israel, however, not the maternal Tunisian heritage. When Ariel announces the decision over dinner, the mother leaves the table; her visible sadness expresses her resignation to the fact that she will be leaving with them. Laura states she "cannot go." But, characteristically, in the final goodbye, the agents for the mother and daughter's separation—Ariel and Mathilde—are absent.

Afterward, the scene then cuts to a shot of Laura walking alone, followed by her smiling profile in the metro. She has found the means to live on her own, and

has chosen the "madness" of urban French society over a religious culture that, in spite of her appreciation for its festive traditions (Purim, for instance), is less appealing to her. The return to her daily ritual, "la promenade du philosophe" ["the philosopher's walk"], gives her comfort and the required strength to make a life for herself in France. But it is a life that holds religion at a distance with a cultural philosophy that cannot comprehend a God, as Laura points out in a university course. In spite of the film's avoidance of the Zionist controversy and sympathetic treatment of both Jews and Muslims, the focus on Laura as a modern French heroine of sorts reveals an inherent bias. In an interview available on the DVD of the film, Albou, the daughter of a Sephardic Jew and a French Catholic, admits that she "loves" the Judaic religion but can find the rules of Orthodoxy "very suffocating." A certain discomfort, embodied in Laura's tentativeness, likewise imbues the scenario, which Albou wrote at a time when she was "questioning [herself] about Judaism." Laura's smile then can be interpreted as the sign of a certain liberation, if only from a state of confusion.

In spite of this anti-fundamentalist slant (with regard to both Islam and Judaism), there is an intrinsic value to the positivism of Albou's film. It does undo common myths underpinning the Arab-Israeli conflict by showing that the lived experiences of her Jewish and Muslim characters are more alike than not. Albou's 2008 film *Le Chant des mariés* (*The Wedding Song*) likewise features a Jewish-Muslim duo, this time two girlfriends who come of age in German-occupied Tunisia during the Second World War. Although I have yet to see this latest film, the transgression of geopolitical barriers and alternative account of Arab-Jewish relations seem common objectives to both. In *La Petite Jérusalem* the offset of external tensions by Laura's and Djamel's mental conflict reveals their profound commonality. The focus on their love story can be said to elide the crux of the international crisis. But, through the vantage point of individual portraits, it could also be seen as a reason for hope in the search for a broader solution.

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Living on a Volcano

a book review of Wir leben nun mal auf einem Vulkan, by Laureen Nussbaum

Peter Crane. *Wir leben nun mal auf einem Vulkan* (Bonn: Weidle, 2005), with a foreword by Walter Laqueur, English texts translated into German by Rolf Bulang and Jenny Piechatzek.

This remarkable book of correspondence by and around young Sibylle Ortmann over the years 1932-1946, starts when she was a 14 year old school girl in Berlin and ends in New York just after the birth of her second son, Peter. He is the one who would eventually publish the present book of letters selected from many boxes his grandmother, Eva Ortmann Lechner, had saved in her New York apartment.

The main stay of the book consists of the letters Sibylle exchanged with her mother, Eva, during the hectic years of emigration and World War II. They are characterized by deep mutual love and respect. The majority of the letters and Walter Laqueur's foreword were originally written in German while Peter Crane's well researched connecting comments and Sibylle's letters to her English host family and to Milton Crane, her American husband-to-be, were originally written in English. The title of the book is derived from a letter nineteen-year-old Sibylle writes to her mother from London, June 1937. At this point Eva Ortmann Lechner is already in New York and Sibylle has just acquired her immigration visa for the USA. But before leaving Europe, possibly for good, she wants to take a hitchhiking trip to France and Italy with her friend Thola. Her mother worries that war might break out any time, but Sibylle's mind is set and she tries to assuage her mother's concern with the words: "We happen to live on a volcano and if we were to worry all the time when it may erupt, then we would not be able to live on the volcano, so one does not dwell on this possibility and continues living, based on the instinct of self-preservation . . ."

Determination is certainly characteristic for Sibylle although she rarely uses it to insist on relaxation or vacation. From her very first postcard, written in 1932 on the island of Sylt, Sibylle displays a great sense of awareness. It is the time of the Great Depression and she is at a summer camp for undernourished youngsters, arranged and paid for by the city of Berlin. Her divorced mother's income as a singer is meager and irregular and her father pays no child support. Yet, Sibylle notices that she is in much better physical condition than the other youngsters. In addition, she urges her mother to keep her posted on the political developments in Berlin. She has a sense of self-worth and resents the fact, that letters home from the camp are read by the adults in charge.

In her 9th grade class at an academic high school for

girls, attended by the daughters of several well-known Berlin intellectuals, she is at the top of her class and she derides one of the Nazi girls for her primitive political ideas. Half a year later, after Hitler has come to power, Sibylle receives a serious threat in response, whereupon her mother sends her to relatives in Jena over spring break. While there, she learns that her Jewish homeroom teacher, has been dismissed and that several of her Jewish classmates and closest friends have left the country either with their family or alone to attend school abroad. Although Sibylle is only "half Jewish"--her father, Wolfgang Ortmann, is an "Aryan," while her mother comes from the culturally prominent, liberal Jewish Löwenfeld family--she decides, that she, too, will not return to her school. In April of 1933, her mother's two younger brothers, one a lawyer, the other a physician, had already left Germany. These astute people around Sibylle realized amazingly early what was bound to happen and hence decided to uproot themselves when most other Jews thought that the Hitler regime would not last. Eva Ortmann can not afford to send her daughter abroad to continue her schooling, so Sibylle, age 15, ventures out to England on her own, with \$ 20.- in her pocket. She is staying with distant relations of her Berlin piano teacher at the periphery of London and commutes to the City, mainly to Woburn House, the center for support of Jewish refugees. In her letters home she describes vividly her day to day struggle to convince the center's charitable but rather patronizing committee members that all she needs is a host family closer in and minimal financial support to pay for Pitman's secretary school, in order to be self-supporting as soon as possible. People cannot help but be impressed by Sibylle's maturity and her strong sense of purpose.

After two months the young girl prevails. Around her 16th birthday, she moves in with the congenial Rubinstein-family, starts her secretarial schooling and acquires a 6 month student visa. The correspondence with her mother in Berlin is interspersed with letters from relatives and friends, scattered all over the world, struggling to find a new footing in Paris, Prague or Cape Town. Peter Crane's judicious selection of letters connected by his elucidating texts offers a rich canvass of individual refugee experiences with the immediacy only letters or diary entries can convey.

In July 1934 Sibylle finishes her training with flying colors and decides to visit her mother in Berlin for a few weeks before looking for a secretarial job and applying for a work permit in London. Barely at her mother's, she

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answers an advertisement for a bi-lingual secretary and is hired by the American trade attaché in Berlin. For almost two years, she earns a nice salary and makes valuable connections. Yet, the situation in Germany keeps deteriorating and despite the many depressing letters Eva and Sibylle receive from their emigrated relatives, both of them realize that they must leave Germany as soon as possible. In May 1936, Sibylle returns to England and with great persistence acquires a work permit. As a secretary for a firm that exports watches, she makes enough money to live modestly in a boarding house, where other young refugees have also found a temporary home.

In the meanwhile, Eva and her friend, the baritone Fritz Lechner, successfully apply for visitors' visa for the US. They have little money, but their valid contracts as singers for Jewish Congregations and for the Jewish Cultural Establishment in Berlin convince the US authorities that they only plan to stay for a few months. Yet, upon landing in the new world in September 1936, they are kept on Ellis Island until they can vouch with a \$ 500.- deposit each, that they will leave the country before their 60-day visitors visa expire. Eva's letters written from New York to Sibylle in London give a detailed account of the daily struggle to find sponsors and engagements, as well as deliberations as to whether it is better to apply for immigration papers from Canada or from Cuba. Eva and Fritz soon learn that it is imperative for them to get married, which they do sometime in November. For present day readers, so accustomed to air mail, it is interesting that Eva keeps track of the sailings from and to Europe, so she can exchange letters with Sibylle with utmost efficiency. On December 28, 1936, after an abortive attempt to immigrate via Canada, followed by a successful trip to Cuba, where they were seen by a sympathetic US consul, Eva proudly informs her daughter in capital letters: "WE IMMIGRATED."

Fritz Lechner lands several singing engagements as a soloist and Eva, too, finds an occasional job. They apply immediately for their first papers towards eventual citizenship and rent a small apartment near Central Park. From now on Eva concentrates her efforts on acquiring affidavits for her daughter and for her brother Heinrich and his family who are still in Prague. Sibylle, in the meanwhile, spends her Christmas break in Paris, where her boy friend, Henry, has just been turned down as a volunteer for the war against Franco's Spanish fascists. She turns 19 in London, celebrates with a group of young friends and, for a brief interlude, experiences a relatively free but emotionally hectic teenage life.

However, events on the continent, especially the Spanish Civil War cast their shadows. By March 1937,

Sibylle is sure that she wants to leave for the US as soon as possible and her mother tries to borrow money so her bank account will look respectable as a back-up for an affidavit for Sibylle. Eva writes about an anti-fascist demonstration in New York at which Erika Mann was one of the speakers, Sibylle about a May Day Labor celebration, but in general both note a lack of political awareness on either side of the Atlantic. Once in a while, mother or daughter report knowledgeably about a classical concert or opera either one has attended, and it is obvious that music is very important to them. Eva, very astutely, advises her daughter to obtain a detailed description of her course work and her grades from her Berlin High School, which she will need, if she wants to enroll in a US college.

On May, 24, 1937, Sibylle acquires her US immigration visa. Early July, she quits her job, packs her belongings and embarks with her new boy friend Thola on their hitch hiking trip to France, Switzerland and Italy. He travels on to Palestine to see his parents, she boards the "Ile de France" on Sept. 2 and a week later mother and daughter embrace in Manhattan.

During the next two years, Sibylle works as a secretary/translator for a while in an office for refugee-affairs, then for a Jewish lawyer. She lives with her mother and stepfather, so there is no correspondence between mother and daughter. But there are letters from friends Sibylle left behind in Europe, letters that express worries about her depressed state of mind. She and her mother are so deeply involved in trying to help others immigrate into the US, that this preoccupation is all-absorbing. By May of 1938, they succeed in bringing Eva's brother Heinrich and his family over from Prague. In order to improve his language proficiency, Heinrich hires a young graduate student, Milton Crane, who is just about to acquire his MA in English at Columbia University. That summer, before moving to Boston, to earn his PhD at Harvard, Milton proposes to Sibylle. Her letters to him reflect what is on Sibylle's mind from late September 1938 until she joins him in Boston one year later.

For each of the sixteen chronologically organized chapters of the book, Peter Crane picked an especially telling phrase from the correspondence covered, quasi as a motto. He did the same for a selection from Sibylle's English language letters of the academic year 1938-39, published in the anthology *Hitler's Exiles*, ed. Mark. M. Anderson (New York: The New Press, 1998), pp. 232-39. This motto: "So utterly connected," stems from Sibylle's letter of Dec. 4, 1938 to her fiancé. It reads in context: "I don't know what it is that eats most on our nerves: I suppose it's being protected from and yet so utterly connected with a disaster, and at the same time one's impo-

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tence to do something for those that are hit by it, which would be one's only justification for the privilege of being safe and far away." On March 15, after Hitler's army marched into Czechoslovakia she writes to Milton that she is terribly upset. True, she was able to provide an affidavit for her best friend, Lili Faktor, and got her out of Prague just in time, but Lili's closest kin are still there and so many others, too: ". . . I don't feel like reiterating to you even one tenth of what I come across every day, in the office, at our apartment," yet a little further on she continues: "Sometimes I want so much to tell you what it is that weighs on me so, . . ., and that makes me feel so different from your friends, that also makes me despair a little and wonder whether I shall ever be able to do things that I can only do well when I am completely detached from all this sadness" Undoubtedly, Sibylle is thinking here of academic work, which Milton has kept encouraging her to do.

Despite all of the sadness and pressures around her, Sibylle takes some night classes in New York and passes an entrance exam for Radcliffe College even as war clouds gather over Europe. With only nine years of formal schooling in Berlin plus miscellaneous night classes in London and New York her success at that very demanding college is remarkable. In 1940, after her freshman year at Radcliffe, Milton and Sibylle get married. While holding down several jobs to supplement her scholarship, she finishes her BA in Romance Languages and Literatures in three years, graduating summa cum laude at the top of her class.

In the meanwhile, Eva's letters tell of the cries for help from penniless people who made it to the US and from many, who were less fortunate: relatives, friends, friends of relatives and relatives of friends, who still hope to get affidavits. The mother of Sibylle's half-sister languishes in a Soviet prison, Lechner's parents pine away in Poland. Thola writes from a camp in Canada, where he is shipped by the British government together with other refugees, who are suddenly classified as "enemy aliens."

After Pearl Harbor, when the US enter the war, Sibylle sends a more hopeful letter to the Rubinsteins in London even though she is deeply worried about the bombardments of that city. She acquires her US citizenship in the summer of 1942, while taking a Portuguese language course in Burlington, Vermont, paid for by the US government, in support of the war effort.

The end of the book includes hair-raising letters from family friends, who were sent from the concentration camp Bergen-Belsen to Algeria in January 1945. They belong to a small group of survivors with Latin American passports, who had lost everything including their health. Their pleas for help complete the large can-

vass this surprising book of letters offers.

Peter Crane provides photographs of Sibylle and those closest to her plus a very brief "Afterword" in which he tells his readers how Sibylle, her family and friends, including several school mates of her Berlin 9th grade class, fared after the war.

This reader is especially fascinated by the astute observations and superb style of Sibylle's early letters. Anne Frank's *Diary* has often amazed adults, whose patronizing attitude causes them to underestimate the acumen of young people. Sibylle stands exemplary for many youngsters in their mid-teens—not necessarily refugees—who have taken responsibility for themselves and sometimes also for others in difficult times. For this reason and for the wealth of first hand experiences the letters in this book convey, it would be most desirable to have them available in English, so they can reach a wider public.

Laureen Nussbaum, née Klein, was born in Frankfurt, Germany and survived World War II as a refugee child in the Netherlands. She came to the USA with her husband and 3 children in 1957 and settled in Portland, OR, in 1959. She acquired her MA and PhD at the University of Washington and taught German and Dutch at Portland State University until retirement. Her publications include multiple articles on Bertolt Brecht, on Documentary Theatre and on several writers who had lived as refugees in the Netherlands: Grete Weil, Anne Frank, Gerard Durlacher, Fritz Heymann and Georg Hermann. She edited a book of letters written by the latter.

Next Year's Events

(Continued from page 16)

In the Spring semester the Miller Center will sponsor a mini-symposium on the Nazi eugenics program, which resulted in the sterilization and murder of hundreds of thousands of people. Featured speakers will include Dr. Patricia Heberer of the U.S. Holocaust Memorial Museum and Professor Lutz Kaelber of UVM. The mini-symposium will address not only how Nazi eugenics was carried out on a day-to-day basis, but also how it has been memorialized (and, in some respects, forgotten) in contemporary Germany.

Finally, the Miller Center will be initiating a Faculty Lecture Series, which will feature public presentations by UVM faculty working in Holocaust Studies and related fields.

Dates and other details of these events will be announced. A full schedule of our events can be found on our website, www.uvm.edu/~uvmchs.

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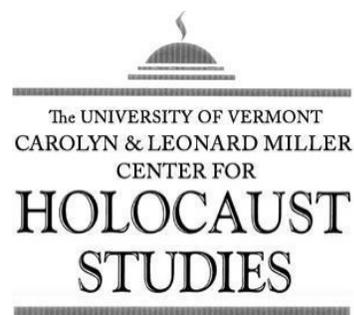
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Preview of Next Year's Events

Editors: Alan E. Steinweis and Philip Pezeshki

In the academic year 2009-2010 the Miller Center will sponsor several major events to which the public will be invited. In the Fall semester two public lectures will be delivered by the first Miller Distinguished Visiting Professor of Holocaust Studies, James Waller. A leading psychologist in the field of Holocaust studies and comparative genocide, Professor Waller is the author of the acclaimed book *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing* (Oxford Univ. Press, 2005). Professor Waller will be teaching a course on the Psychology of Genocide at UVM, co-sponsored by the Miller Center for Holocaust Studies and the Department of Psychology.

Also in the Fall, Professor Mark Roseman will present the annual Raul Hilberg Memorial Lecture. The Pat Glazer Chair of Holocaust Studies at Indiana University in Bloomington, Professor Roseman is the author of numerous works, including *The Wannsee Conference and the Final Solution* and *A Past in Hiding: Memory and Survival in Nazi Germany*. He is currently writing a synthetic work on the perpetrators of the Holocaust.



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