

Sovereignty and Survival: Lessons of the Holocaust

BY TIMOTHY SNYDER

*Our world is closer to Hitler's than we like to admit, says Timothy Snyder in his most recent book *Black Earth: The Holocaust as a History and Warning*, which was partly written at the IWM and presented at Wien Museum on October 21. In this excerpt of the book, Snyder argues that the extermination of Jews was premised on the destruction of states.*



Memorial to the Murdered Jews of Europe, Berlin

Photo: Marco Macoratti / iStock

Jews who were citizens of Germany's allies lived or died according to certain general rules. Jews who maintained their prewar citizenship usually lived, and those who did not usually died. Jews usually lost citizenship through regime change or occupation rather than by law; slow legal depatriation on the German model was the exception, not the rule. Jews from territories that changed hands were usually murdered. Jews almost never survived if they remained on territories where the Soviet Union had been exercising power when German or Romanian forces arrived. German occupation of states that were trying to switch sides led to the massive killing of Jews, including those who lived in countries where there had been little or nothing of a Final Solution. In all, about seven hundred thousand Jews who were citizens of Germany's allies were killed. Yet a higher number survived. This is a dramatic contrast to the lands where the state was destroyed, where almost all Jews were killed.

None of Germany's sovereign allies was indifferent to the traditional concern of preserving the state. Most of the sovereign states allied with Germany altered their foreign policy in 1942 or 1943 or 1944, as it became clear that Germany was losing the

war. This meant reversing anti-Jewish policies, attempting to switch sides in the war, or both. If leaders slowed or halted their own anti-Jewish policies, it was in the hope that the Allies would notice the signal and would treat them more favorably after the war was over. Sometimes attempts to switch sides succeeded and thereby aided the Jews, as in Romania and Bulgaria. Sometimes they failed, as in Hungary and Italy. But it was this very ability to make foreign policy that distinguished sovereign states from puppet states created during the war and from the stateless zones.

This same capacity for diplomacy distinguished Germany's allies from Nazi Germany itself. Until 1942, the Jews of Germany were in a position not so different from that of Germany's allies. From 1942, however, the position of Germany's Jews worsened radically, whereas that of the Jews of Germany's allies generally improved (until and unless Germany itself intervened). Unlike the leaders of Germany's allies, Hitler was indifferent to the fate of his own state, and viewed the extermination of Jews as a good in and of itself. He thought that the world was a planet covered by races rather than a globe covered by states—and acted accordingly. Germany did not have a conventional foreign policy, since its

Führer did not believe in sovereignty as such and could imagine state destruction as the proper end of the war just as easily as he could see it as the proper beginning.

When the war turned against Germany, the killing of Jews under German control was not slowed, as with Germany's allies, but accelerated. Because the German leadership was pursuing what it saw as colonial (anti-Slavic) and decolonial (anti-Jewish) campaigns from the beginning, Hitler and others could shift emphases from one war to another, and from one definition of victory to another. The leaders of Hungary, Romania, Bulgaria, and Italy had to contemplate the actual military conflict as it unfolded on staff maps. Hitler understood the minutiae of war; indeed, he grasped its details far better than any other head of state and better than most of his generals. But the way he synthesized the data was his alone. For him the German defeats revealed the hidden hand of the planetary Jewish enemy, whose destruction was necessary to win the war and redeem mankind. The extermination of the Jews was a victory for the species, regardless of the defeat of the Germans. As Hitler said at the very end, on April 29, 1945, Jews were the "world poisoners of all nations." He was sure of his legacy: "I

have lanced the Jewish boil. Posterity will be eternally grateful to us."

Hitler was seeking to lift a Jewish curse from the planet. This categorical Nazi approach, once it was realized as policy, made possible ethnic cleansing from other countries, since it created a place, Auschwitz, where European Jews could be sent. The German mass murder of Jews created an unusual opportunity for ethnic cleansers elsewhere in Europe, creating possibilities for removing one (of many) unwanted minorities. Such an interaction was possible only because the makers of the Holocaust were realizing the desire to remove all Jews from the earth.

Hitler was not a German nationalist, sure of German victory, aiming for an enlarged German state. He was a zoological anarchist who believed that there was a true state of nature to be restored. The failed campaign in the East brought useful new knowledge about nature: It turned out that the Germans were not, in fact, a master race. Hitler had accepted this possibility when he invaded the Soviet Union: "If the German people is not strong enough and devoted enough to give its blood for its existence, let it go and be destroyed by another, stronger man. I shall not shed tears for the German people." Over the course of the war,

Hitler changed his attitude towards the Soviet Union and the Russians: Stalin was not a tool of the Jews but their enemy, the USSR was not or was no longer Jewish, and its population turned out, upon investigation, not to be subhuman. In the end, Hitler decided, "the future belongs entirely to the stronger people of the east."

In the European states linked by military occupation to Hitler's strange sense of destiny, the proportion of Jews who survived varied greatly. The greatest confusion arises over the contrast between European states with significant prewar Jewish populations: the Netherlands, Greece, and France. About three-quarters of French Jews survived, whereas about three-quarters of Dutch Jews and Greek Jews were killed.

Here, as with Estonia and Denmark, intuitions fail to explain this enormous difference. In general, neither the Dutch nor the Greek population was regarded as antisemitic, whereas observers then and historians now chronicle a major current of antisemitism in French popular and political life. In the Netherlands, Jewish refugees were admitted without visas until 1938. In Greece, German-style antisemitism had almost no advocates. Antisemitism was less

resonant in interwar Greek politics than just about anywhere in Europe. In the Netherlands, uniquely, there were public manifestations against the introduction of anti-Jewish laws after the German occupation. Persecution of the Jews in the Netherlands had almost no public support. And yet a Dutch Jew or a Greek Jew was three times more likely to be murdered than a French Jew.

The Netherlands was, for several reasons, the closest approximation to statelessness in western Europe. The sovereignty of the Netherlands was compromised in several ways that were unusual in this part of the continent. There was no head of state once Queen Wilhelmina left for London in May 1940. The Dutch government followed her into exile. The bureaucracy, in effect decapitated, was left with the instruction to behave in a way that would best serve the Dutch nation. Uniquely in western Europe, the SS sought and attained fundamental control of domestic policy. Arthur Seyß-Inquart, an experienced state destroyer, was made *Reichskommissar* for the occupied Netherlands. He had served as the chancellor of Austria during the days when that country had ceased to be. He was then deputy to Hans Frank in the General Government, the colony created from Polish lands where, according to the Nazi interpretation, there had never been a Polish state. Such reasoning was never applied to the Netherlands, whose people were seen as racially superior to the Poles, and indeed as part of the same racial group as the Germans. It was nevertheless the state destroyers of the SS who filled the vacuum of the missing Dutch government.

Amsterdam was the only west European city where the Germans considered creating a ghetto. That such a discussion even took place suggests the unusual dominance of the SS. German authorities withdrew the plan after the Amsterdam city council and the Dutch government objected. This reveals the difference between the occupied Netherlands and occupied Poland, where no meaningfully autonomous local or national authorities existed. The Dutch police, like the Polish police, was however directly subordinate to the German occupier. As in Poland, the Dutch police was purged, and its top leadership generally removed. A large number of German policemen, some five thousand, monitored Dutch subordinates. In the Netherlands, as in Poland, fragments of the previous state order—indeed, institutions that had once represented toleration—could be turned to the task of extermination. In Poland, the legal Jewish councils of the 1930s were transformed under the Germans into the *Judenräte*. In the Netherlands, all religions had been organized into communities for purposes of legal recognition, and all citizens were registered according to religion. This meant that the Germans could make use of precise pre-existing lists of Jewish citizens. Dutch citizens protested, but it made little difference. The Dutch underground resisted, but this, if anything, only brought more harm to Jews. The German and Dutch police attended to districts where they

believed the underground functioned and, in the process, found Jews in hiding.

The situation of rescuers and dissidents was quite different in the Netherlands than in Poland. People who hid Jews in the Netherlands, for example, were usually either not punished or punished lightly. People who



Book presentation with Timothy Snyder, Dirk Moses and Philipp Ther at the Wien Museum on October 21

protested anti-Jewish laws in public, such as Professor Rudolph Cleveringa at Leiden University, were sent to camps but were not killed. His Polish colleagues in Cracow or Lwów, meanwhile, were murdered for doing nothing other than being professors.

The Dutch were treated as citizens of an occupied country, unless they were Jewish. Because the Netherlands lacked basic institutions of sovereignty, and because Dutch institutions were fragmented on the east European model, the outcome for the Jews was similar, although not quite as awful, as in the stateless zones. The first transport of Dutch Jews to Auschwitz was in July 1942. Because there was no sovereign state functioning, there was no foreign policy, and no ability to change course in 1943. The Germans determined what happened to Jews, which meant that the trains from the Netherlands to Auschwitz kept running through 1944.

Greek sovereignty was also severely compromised, although in a different way. Greece was originally invaded by Italy in late 1940. The Greek army fought the Italians to a standstill, forcing Hitler to rescue Mussolini. The Greek dictator died at what proved to be a critical moment. Germany invaded Greece on April 6, 1941. The king and the government had fled the country by the end of the month. The Germans did not seek to destroy the state in Greece as they had done in Poland, but in these unusual circumstances created an occupation regime in which the Greek puppet government was powerless. Greece lost territory and was occupied by three separate powers: the Germans took the north, allowed the Italians to control the south, and granted part of Macedonia to Bulgaria. No Greek government exercising any real authority was formed during the war. Its head had to submit his nominations for ministerial positions to both the German and the Italian authorities. There was never a Greek foreign minister. The Germans and the Italians did not allow the Greek government to apply for the international recognition of the new regime in its new borders. Greek authorities were unable to control food supplies. Some forty thousand Greeks starved in the first year of the war.

The murder of Greek Jews pro-

ceeded where the Germans were in control. Italians saw the Ladino-speaking Jews of Greece, descendants of people who had fled centuries before from Spain, as members of their own Latin civilization. Italian officials provided many such people with bogus attestations of Italian nationality. Salonika, the ma-

army in the war that might change sides, and no foreign minister who might send peace signals.

The French case was very different. The very notion of “collaboration” with Germany, although it has taken on other meanings since, was coined by the French to denote a policy of one sovereign state

choosing to cooperate with another. France, in contrast to the Netherlands and to Greece, did retain the basic institutions of sovereignty, and its leaders chose a policy of friendship with the German victors. After Hitler’s armies crushed the French in spring 1940, he expressed the wish that “a French government continue to function on French territory.” Because France, unlike the Netherlands and Greece, was placed under a traditional military occupation, there was no clear opening for the SS and its state destroyers. The new regime, with Philippe Pétain as head of state and with Vichy as the administrative center, was regarded as the legitimate continuator of the prewar republic, both at home and abroad. High officials in all ministries remained in their positions. Indeed, the number of French bureaucrats increased quite impressively during the German occupation, from about 650,000 to about 900,000. The contrast here with Poland is instructive: For every educated Pole who was murdered during the war, an educated Frenchman got a job in the civil service.

France did introduce anti-Jewish legislation on its own initiative. A “Jewish statute” was passed on October 3, 1940, breaking the long French tradition of treating all citizens in metropolitan France as equal members of the state. (Algeria, though at this time part of the French state, was a different story.) In March 1941, a General Commissariat for Jewish Questions was established to coordinate Jewish policy with Germany. The legalized theft of Jewish property began in France that July. In November, the French government created an official Jewish organization that all Jews in France were required to join. The prevailing idea among French authorities was that Jews could eventually be removed to somewhere distant—such as Madagascar. The new laws were implemented by people who had served the prewar republic.

The reasoning behind French Jewish policy was different than that of Nazi Germany and closer to that of, for example, Slovakia or Bulgaria. In Bratislava and Sofia, as in Vichy, a domestic constituency for ethnic cleansing found itself in an unusual situation: Another state, Germany, actually wished to take some (not all)

of the people deemed undesirable. In the late 1930s, before the war, the French Republic had already passed a law permitting the creation of “assembly points,” for Jewish and other refugees. The first of these camps had been established in February 1939. Under the Vichy regime in 1940, the prewar aspiration to limit and control immigration became the open plan to make France an ethnically homogeneous state. Jews without citizenship, along with others who lacked citizenship, were to be removed. After the passage of the “Jewish Statute,” foreign Jews were sent to camps. About 7,055 French Jews were denaturalized and thereby placed in the category of greater risk, that of foreign Jews. Policy in France then followed the logic of escalation that was visible in eastern Europe. Major raids and roundups of Jews by the French police were timed with the German invasion of the Soviet Union in summer 1941, with the reversal of the German offensive that winter, and then as retaliation for (very real) French communist resistance in March 1942. By summer 1942, the French roundups included Jewish women and children. Jews in Paris were taken to Drancy, where they were selected for transport to Auschwitz and death.

French and German policies met at a certain precise point. The French placed Jews without French citizenship in camps. The Germans wanted to take such people, but only insofar as the Germans themselves could consider them stateless. Crucially, Nazi malice stopped at the passport: As much as Nazis might have imagined that states were artificial creations, they did not proceed with killing Jews until states were actually destroyed or had renounced their own Jews. The French were willing to round up Jews from Hungary and Turkey, for example, but the Germans were unwilling to kill such people without the consent of the Hungarian and Turkish governments. Germany was entirely willing to murder Jews of Polish and Soviet citizenship, since it considered these states to be defunct. Germany was also willing to take and murder French Jews, but only under the condition that French authorities first stripped such people of citizenship. This the French authorities at first showed a certain inclination to do, although complications of law and bureaucracy delayed the process considerably.

In summer 1942, when the Germans demanded a greater number of French Jews, the highest French authorities reconsidered the question of depriving their own citizens of citizenship. Deportation was not, for them, a Jewish question, but rather a sovereignty question. After the tide of war visibly turned at Stalingrad in February 1943, French authorities decided not to deport any more French Jews. In July 1943, efforts to strip French citizenship from Jews nationalized after 1927 (about half of the Jews who were French citizens) were abandoned. The Holocaust continued in France as a German policy executed with a certain amount of local French collaboration, bringing general terror to French Jews in hiding but achieving

Photo: Hans Burger

relatively little success. A large majority of French Jews, about three-quarters, survived the war.

The decisive matter, here as everywhere, was sovereignty. For French authorities, the Jewish question was subordinate to that of the well-being, as they saw matters, of their state. They certainly wished to remove Jews from France—foreign Jews to be sure and, no doubt, most or all Jews. But they could see the inherent problem of allowing German preferences to determine their own citizenship policy. The moment a state no longer determines internal membership, it loses external sovereignty. By the same token, French authorities had recourse to foreign policy and could react to the course of the war. Unlike the Dutch and the Greeks, who had lost these elements of sovereignty, the French could respond to Allied pressure about the Jews and anticipate a British and American occupation, which was indeed coming.

The Holocaust in France was mainly a crime against Jews who, from a French perspective, were foreign. As François Darlan, head of government in 1941 and 1942, put it: “The stateless Jews who have thronged to our country for the last fifteen years do not interest me.” Jews without French citizenship were about ten times more likely to be deported to Auschwitz than were Jews with French citizenship. At Drancy, Jews were selected for deportation according to the vitality of their state. Jews in France understood this perfectly. In 1939, when Poland was destroyed by the joint German-Soviet invasion, Polish Jews living in France flocked to the Soviet embassy in Paris. This was not out of any love for the Soviet Union or communism. They simply knew that they needed state protection. Between September 1939 and June 1941, documents from Hitler’s Soviet ally were of great value. But when Hitler betrayed Stalin, and Germany invaded the Soviet Union, these Jews’ new papers were suddenly useless.

Considerably more Polish Jews resident in France were killed than French Jews resident in France. Statelessness followed these thirty thousand murdered Polish Jews to Paris, to Drancy, to Auschwitz, to the gas chambers, to the crematoria, and to oblivion.

The likelihood that Jews would be sent to their deaths depended upon the durability of institutions of state sovereignty and the continuity of prewar citizenship. These structures created the matrix within which individual choices were made, the constraints upon those who did evil, and the possibilities for those who wished to do good. <

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Budapest and Brussels: A Troubled Relationship

BY JÁNOS MÁTYÁS KOVÁCS AND BALÁZS TRENCSENYI

In the 1990s, Hungary was celebrated as a post-communist success story. Today, it serves as an example of “inverse transition”. The second government of Viktor Orbán (2010–2014) replaced the republican regime with a so-called “System of National Cooperation” (SNC). The SNC is increasingly considered as prototypical of the potential “new right” regimes in Europe. How has it become possible that an EU member state shows conspicuous similarities to Putin’s Russia?

In June 2015, the Institute for Human Sciences (IWM) and the Central European University organized a conference on Hungary today. The participants—scholars in- and outside Hungary from various disciplines in the social sciences and humanities—analyzed the main features of the SNC, ranging from re-nationalization and social exclusion

to the dismantling of the democratic constitution. One aim of the conference was to find an appropriate description for the SNC, be it “authoritarian”, “populist”, “illiberal”, “nationalist”, similar to a mafia regime, or otherwise. Beyond the question of labels, the idea was to offer interpretations of the historical prerequisites for the SNC and its specifics

in comparison with other post-communist systems in Eastern Europe.

The first session focused on how the EU has responded to the Hungarian government’s repeated attempts to radically remodel the country’s legal and political arrangements. Below, we publish shortened versions of the three introductory statements to the session, by **Kinga Göncz**,

Ulrike Lunacek and **Jan-Werner Mueller**. In the light of these contributions, one is prompted to re-think both the ominous success and triumphant failure of the Orbán regime in dealing with the refugees in a European context. <

The Games the EU and Hungary Play

BY KINGA GÖNCZ



Photo: IWM

Hungary, a forerunner of democratization in 1989 and erstwhile champion of EU accession, has introduced systemic change over the past five years. The European Union has observed this with growing anxiety, however seems to be paralyzed and unable or unwilling to intervene.

Hungary is deeply divided in terms of its value structure. A substantial majority of the population are paternalist and anti-liberal, willing to accept a strong leader, are xenophobic, intolerant and closed-minded. This value orientation meant that people did not question democracy for about fifteen years, because they were hoping for a higher living standard after 1989. The gradual loss of hope in a better life went hand in hand with a growing disappointment in a corrupt political class and in democracy in general. Since those who are more open-minded and competitive can leave the country, their share among the citizenry is decreasing. As a current joke has it, “if you’re bored with democracy, come back home to Hungary”.

Viktor Orbán was a strong candidate for the role of charismatic leader. In well-established democracies, charismatic leaders don’t make a substantial difference; in times of transition, however, they do—for better or for worse. If they strengthen the self-esteem and identity of society, without excluding and stigmatizing certain groups, their influence is for the better; if they scapegoat certain groups in order to create group cohesion, it is for the worse. The majority of Hungarians are willing to follow Orbán down the latter route. Orbán believes in a black-and-white world and in win-lose outcomes, understands only the language of power, and is unable to cooperate. In his family, all the men are called Viktor (his father’s and brother’s name is Győző, the Hungarian version of Viktor).

Hungarian society has not reckoned with its past. Historical traumas (Trianon, the Holocaust, communism) have led to a competitive sense of victimhood, in which guilt is projected onto others. Orbán reinforces this paranoid tendency. He

encourages a view of the EU as one of Hungary’s main enemies. For the Hungarian government, the Union is not a shared value system but a cash cow for Orbán’s clients. European transfer payments are for Hungary what oil incomes are for certain resource-rich illiberal democracies.

The assumption in Brussels was that once the accession countries had met the Copenhagen criteria, democracy would be a one-way street. In the meantime it has become clear that an anti-democratic backlash is possible, however an effective response has yet to be developed. The EU is able to reprimand candidate countries, but interdependency and the need for consensus requires it to be generous towards member states. The growing number and diversity of member states are another factor making problem-solving difficult. Moreover, as Brussels learned from Austria in 2000, exclusion can provoke anti-EU sentiment among citizens.

The EU’s credibility as a community of values and an embodiment of economic success was shattered by the financial crisis. This was exploited by politicians like Orbán. Although the Lisbon Treaty included sanctions in the case of a serious breach of values (article 2), the implementation of these sanctions requires a large majority (article 7). The European People’s Party still backs the Hungarian government, partly because FIDESZ MEPs are badly needed for its majority in the European Parliament, and partly because it thinks that it can influence Orbán more when FIDESZ remains in the conservative camp.

The EU sees its task in connection with Hungary as being to “return the lost sheep to the fold”. Orbán, on the other hand, asks: “Who can outsmart the other?” Any attempt by the EU to initiate dialogue and cooperation with the Hungarian prime minister is interpreted by the latter as a sign of weakness and an encouragement for further violations of EU rules. A vicious circle emerges: the more the EU seeks dialogue and provides funds, the greater Orbán’s chance to demonstrate that he can “bash” Brussels.

If EU criticism aims at systemic problems, Orbán asks for concrete examples. If the EU provides evidence, Orbán produces unknown data (usually false) and accuses the EU of ignorance of the Hungarian situation. If no other argument works, he speaks of “double standards” and the “unique spirit of the Hungarian people”. Brussels is bound by the rule of law; Orbán is not—with his two-thirds majority, he makes that law. If new legislation is unconstitutional, he changes the constitution. If resistance is too strong, he takes a step back without giving up the essence of the policy in question. While the EU distinguishes between Hungary and its government, Orbán repeatedly equates the two, claiming that “the Hungarian nation is under attack” and that he has to “fight for the dignity of the nation”. He speaks a pro-European language in Brussels and an anti-European, politically incorrupt, even extremist language in Budapest. Jean Claude Juncker’s greeting of Orbán with “Hello, Dictator” was an attempt to find an adequate reaction to this game. <