

**Neither Hero, Nor Villain:  
Rudolf Kastner and the Cluj Ghetto Narratives**

**by  
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# Approval

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## **Abstract**

In 1944 Rudolf Kastner made a deal with Adolf Eichmann to save 1685 Jews from deportations to Auschwitz, which led to one of the most contentious trials in Israel's history in 1954. Kastner, a civil servant at the time sued one Michael Gruenwald for defamation, after Kastner was accused of being a collaborator due to his contentious deal. The claims that he saved those close to him from his hometown in Cluj, and the fact he allegedly did not warn Hungarian Jewry from their imminent deportation to Auschwitz led to the head judge Benjamin Halevi to proclaim that he had "sold his soul to the devil." This thesis analyzes the means by which the stories of individuals from the Cluj ghetto, Kastner's deal with Eichmann and eventually the trial and its political connections were narrowed down into the conceptual paradigm of the 'victim-hero,' as well as its wider implications in connection to Israeli and Jewish identity. The conceptual frameworks of identity, the impact of memory, and trauma are essentially used as foundations in order to examine why Kastner was and is vilified. By examining this affair this thesis ascertains how that very process played into wider conceptual frameworks.

**Keywords:** Holocaust; Cluj-Napoca Ghetto; Rudolf Kastner; Northern Transylvania; Adolf Eichmann; Jewish Identity

## Dedication

*This thesis is dedicated to my family.*

## Acknowledgments

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## Preface

The ambition for this project was cemented on the 4th of September, 2015 when the *Jerusalem Post* published a piece I wrote entitled “The confounding case of the Kastner trains and Kolozsvar(Cluj) ghetto” which caused individuals to write dozens of emails to the editors and myself. Amid the outcry at the fact that I suggested that Rudolf Kastner’s vilification was far more complex than first perceived, I had started to communicate with a few people who were the children of survivors of Kastner’s trains. In the course, they sent me Israeli notary verified testimonies - which I have cross checked for validity - of their parents whom were interned in Cluj. The interest in this topic arose during my research trips to Romania in in the summers of 2013 and 2014 where I intended to find sources for a current monograph I am writing where I found remnants of Jews who had fled Cluj to the relative safety of Romania. In the last few years, I interviewed a few survivors, and have come to collect some primary sources which pertain to this project, and in the process managed to gain some of the necessary skills in conducting this form of research. Although this subject has been dealt with in passing by many scholars, academia has paid little attention to the importance that the Kastner affair played on the views of Israeli and Jewish identity, but also the way that we remember the Holocaust. I have found that very little interest has been shown by academics and historians in the field of the Holocaust in the specific geographic region of Northern Transylvania - an immensely understudied area of the Shoah. The purpose of this thesis is to examine those gaps, and to bring to light the voices of survivors, and their stories before they are forgotten. Beyond this, I also aim to provide an opportunity for other historians to try and further study the confluence of larger paradigms connected to identity and memory. Over the years there have been numerous books published that have portrayed Kastner as either a ‘hero’ or a ‘villain.’ My intent is to show that his actions which were inherently flawed showed that he was far more complex, and thus he was neither a hero, nor a villain - which necessitates the intertwining of wider historical questions.

## Chapter I. Introduction

The sweat on Rudolf Kastner's forehead was as profuse and as coarse as the atmosphere of the courtroom, in which he was called up to testify. It was in 1956, that the New York Times published an article proclaiming that he had been "Branded a Nazi Collaborator," to the surprise of the 1,685 Jews he had saved towards the end of the Second World War.<sup>1</sup> At the same time Ladislaus Lob, who had been directly affected, although he had never met Kastner was trying to adjust to his new life in Switzerland.<sup>2</sup> Lob, was only one of thousands that Kastner had on his shoulders - among the many which he tried to save.<sup>3</sup> Yet the long and often misrepresented path to that specific newspaper article, that moment in the courtroom, and Lob's new life began more than a decade prior, encompassed in several transnational narratives, intriguing misconceptions, and numerous characters which in themselves complicate the narrative further.<sup>4</sup> The crucial epitome was in the year 1944 when the Nazi empire was losing ground in the east and the process of total extermination of Eastern Jewry also began to speed up not only within Eichmann's' industrial nomenklatura and their work in the offices but also on the ground.<sup>5</sup>

Kastner, a Jewish journalist and lawyer from Cluj Napoca/Kolozsvar first set up a refugee center in 1940, in order to deal with the influx of thousands of Jewish refugees arriving from Austria and Germany.<sup>6</sup> The rising acrimony between Romanians and Hungarians in Transylvania, as well as the gruesome arbitrary attacks on Jews by Romanian authorities, had led many to welcome the re-annexation of Northern Transylvania by Hungary. Yet, the Hungarian and German authorities proved to be far more extreme in their anti-Jewish actions, going as far to set up a ghetto in Cluj in 1944,

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<sup>1</sup> Special to The New York Times. (1956, Mar 16). Key Israeli Case Takes New Turn. *in The New York Times (1923-Current File)*.

<sup>2</sup> Ladislaus. Rezso Kasztner: *The Daring Rescue of Hungarian Jews: A Survivor's Account*.(Random House: 2011). p. i.

<sup>3</sup> Ibid.

<sup>4</sup> In this case I am referring to the rather perplexing and complicated narrative surrounding the Kastner affair as a whole, in terms of how he was vilified or considered a hero depending on who produced the narrative.

<sup>5</sup> Mark Mazower. *Hitler's Empire: How The Nazis Ruled Europe*. (Penguin UK: 2013). p. 137.

<sup>6</sup> Szabolcs Szita, Sean Lambert. *Trading in Lives?: Operations of the Jewish Relief and Rescue Committee in Budapest, 1944-1945*.(Central European University Press: 2005). pp. 2-4.

as part of Eichmann's plans to deport Hungarian and Romanian Jews in the area to Auschwitz.<sup>7</sup> During this time Rudolf Kastner, along with Joel Brandt and others who initiated the Aid and Rescue Committee in Budapest began to negotiate with Adolf Eichmann, who was increasingly desperate for supplies on the ever nearing and struggling Eastern front.<sup>8</sup>

In the year 1944, Europe's eastern front was closing in on the Nazi Empire, and Adolf Eichmann's rule over the destruction of Jewry in Hungary was precipitated by the ever imminent sense of defeat as the Soviets were making their way towards Romania's borders. The Obersturmbannführer had decided to eliminate all of Hungarian Jewry, as well as the Romanian Jews inhabiting Northern Transylvania against all overwhelming odds.<sup>9</sup> Ever since he had been instituted as head of the SS-Obergruppenführer, the main actor which controlled the systematized inner workings of ghettos and death camps across Eastern Europe, with an exactitude which was chilling.<sup>10</sup> Yet in this narrative, Eichmann's importance lies in the numerous meetings he had with Kastner, and the final infamous trial in Jerusalem in 1961 which is also inexorably connected to the Kastner affair.

After numerous meetings with Eichmann in Budapest, Kastner was able to strike a deal which would save 1,685 Jews from deportation. The transports, which have become to be known as the *Kastner Trains* consisted of Romanian, Hungarian Jews, and Zionists, 388 of which originated from Kastner's hometown.<sup>11</sup> They were taken to Switzerland where they were safe, after briefly stopping in Bergen-Belsen. Kastner was later said to have instigated favouritism, based on class, his connections and his own family, and in fact it was later alleged that he did not warn the Jewish community of

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<sup>7</sup> Randolph Braham. *The Politics of Genocide: The Holocaust in Hungary*. (Wayne State University Press: 2000). p. 129.

<sup>8</sup> Kadar, Gabor, Vagi Zoltan. *Self-financing Genocide: The Gold Train, the Becher Case and the Wealth of Hungarian Jews*.(Central European University Press: 2004). pp. 209-210.

<sup>9</sup> Ibid., p. 148. And also see: Moshe Pearlman. *The Capture and Trial of Adolf Eichmann*. (Pickle Partners Publishing: 2015). Chapter 1.

<sup>10</sup> Pearlman Moshe. *The Capture and Trial of Adolf Eichmann*. (Pickle Partners Publishing: 2015). p. 40.

<sup>11</sup> Randolph Braham. *The Politics of Genocide: The Holocaust in Hungary*. p. 129.

Hungary of their fate of being sent to their deaths.<sup>12</sup> The complex situations and paradoxical positions were later simplified and used vastly against him in the Israeli courts and media. The situation was further complicated by the fact that he testified in favour of Kurt Becher, Eichmann's officer which oversaw the 'Kastner Trains,' at the Nuremberg Trials which again put Kastner in a rather difficult position.

The interesting point about Kastner, however is the fact that he was so connected with all of the major players that participated in Eichmann's trial in 1961, as well as those who had a hand in the destruction of Jews in Northern Transylvania such as Hermann Krumei and Dieter Wisliceny.<sup>13</sup> The importance of this lies in the fact that there is a great deal of opportunity to understand the inner working of the Israeli judicial system and the view of the Holocaust that permeated in Israel in the 1950's before the all famous Eichmann trial.<sup>14</sup>

It was not until the 1950's when Rudolf Kastner settled in Israel and became politically active in the Mapai party that an assassination of his character was instigated by the media, and various individuals.<sup>15</sup> The most outright was Malchiel Gruenwald, who published a newsletter that was clear defamation. The interesting aspect however is that the state of Israel launched a libel suit against Michael Gruenwald on behalf of Kastner, yet in the course of the trials it was obvious that Kastner began to be vilified by the court, as his experiences during the war in Hungary and Romania were used against him. Finally, Benjamin Halevi favoured against Kastner in 1958, after he was assassinated in front of his residence on the 4th of March 1957.<sup>16</sup> The events which had been recorded extensively between 1944 and 1957, however, have not been thoroughly taken into consideration as what this meant in regards to how the Holocaust actually affected the Israeli courts. Albeit there have been many individuals who had been severely criticized for what was called 'collaboration' with the Nazis in Israel, none took such precedence

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<sup>12</sup> Kadar, Gabor, Vagi Zoltan. *Self-financing Genocide: The Gold Train, the Becher Case and the Wealth of Hungarian Jews*. p. 129-131.

<sup>13</sup> R. Harwood. *Nuremberg and other War Crimes Trials*. (Рипол Классик). p. 53.

<sup>14</sup> Randolph Brahm. *The Politics of Genocide: The Holocaust in Hungary*. p. 64.

<sup>15</sup> Yechaim Weitz. "The Holocaust On Trial: The Impact of the Kastner and Eichmann Trials on Israeli Society." in *Israeli Studies*, Vol 1, No. 2 (Fall, 1996). p. 6.

<sup>16</sup> *Ibid.*, p. 3.

as the 'Kastner Affair,' nor did they serve as a mirror of the means by which the Holocaust impacted Israeli identity.

The intersection of politics and the trial in 1954 however necessitated the media in Israel as a politicized medium which played a role in Kastner's vilification. This is an important point as the 'political' which was inherently a part of the Israeli judiciary was essentially molded by numerous newspapers, and magazines both on the left and the right. The reason I highlight this is because the media itself played a role in the concept of the 'victim-hero' which I will try to develop in this thesis. The confluence and memory and identity will be examined through the reactions of the media in Israel, not in the sense of what type of memory that the media tried to propagate, but also the kind it tried to mold, and fabricate for its own political ends.

Kastner's dealings although is very much an individual narrative, his story signifies an understanding of a chapter of the Holocaust that has, in essence, a transnational character, but also one that is ripe for comparisons and re-characterizations. It is ultimately through his story that we can understand at the most base level, the means by which the traumas and the unthinkable solidified itself not just through a complex web of interworking relationships, but also amid general stories and broad themes of the destruction of Jewry in Eastern Europe.<sup>17</sup> In it we can also understand the modern conception of Zionism, as well as Israeli and Jewish identity.

## 1.1 Main Objectives

The principal aim of this thesis is to show how Kastner's depiction in Israel ran contrary to the actual experiences of people in Cluj, and that the reasons for his vilification constituted a part of the Israeli courts' aspiration of consolidating the identity of Israel as a 'non-victim nation.'<sup>18</sup> In his work, Stuart Hall implies that "identities can

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<sup>17</sup> In this regards I am referring to the means by which we can understand that although the Holocaust was an exceptionally eclectic series of both directly, yet also indirectly related events, we can still form a cohesive narrative to try and tackle the conceptual themes and frameworks that are interminably connected to the model. See Idith Zertal. *Israel's Holocaust and the Politics of Nationhood*.(Cambridge University Press: 2005). p. 52.

<sup>18</sup> The idea of the "heroism" distinctly entrenched in Israeli identity, as well as how it proliferated through media, namely through the cultural rhetoric is discussed in Lilly Weissbrod. *Israeli*

function as points of identification and attachment only because of their capacity to exclude, to leave out, to render 'outside', abjected." identities can function as points of identification and attachment only because of their capacity to exclude, to leave out, to render 'outside'."<sup>19</sup> This very same process which was present in the Eichmann trial in the 1960's was conceived in the Israeli courts during Kastner's trials. The point here is that what in fact is being abjected is morally ambiguous to the the extent that identity is not solely what one identifies as , but also that which is left out entirely. The questions therefore that my project proposes are: why is it that testimonial evidence, namely the stories of survivors who interacted with Kastner in Cluj, and the Aid Committee have not been brought up to define his actual relations, and motivations? What do the experiences of the people that were saved from Cluj, have to say in relation to how Kastner was, and continues to be depicted in Israel? Were all the allegations that had been brought against Kastner, founded in truth, or were they mere devices for his vilification?

The trauma that proliferated at all levels of individual experiences had made its way to affect the very course of Israeli judicial policy in the mid to late fifties - to the extent that it misconstrued the narrative for the purposes of creating a new national identity in the Israeli court systems.<sup>20</sup> The individuals that were part of the judiciary let their biases be shaped by the 'national' trauma as supposedly exhibited by the trauma of a few key witnesses.<sup>21</sup> Yet, such a concept cannot be explained without understanding the origin of different power dynamics between actual individuals in the ghetto, the survivors, and the Aid and Rescue Committee. This complexity plays a salient role in my

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*Identity: In Search of a Successor to the Pioneer, Tsabar and Settler.* (Routledge: 2014). p. 48. I am essentially trying to move away from the binary opposites of either 'hero' or 'victim' and try to discern the manner in which these concepts overlapped with each other in the context of collective identity.

<sup>19</sup> Stuart Hall. "Who Needs Identity." in *Questions of Cultural Identity.* (SAGE: 1996). p. 4.

<sup>20</sup> Yablonka very tersely talks about the Kastner narrative and how it changed during the trials, and in the media with a great deal of intersections, yet also differences. For example she makes it obvious that the three judges placed an emphasis on why Kastner did not supposedly warn Hungarian Jewry of their imminent ends, and that his secretive meetings were signs of collusion, rather than action to help to save Jews. Also Yablonka mentions Israeli identity as an 'afterthought.' Hanna Yablonka. "The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials." in *Israel Studies* Volume 8, Number 3, Fall 2003. p. 12.

<sup>21</sup> Marouf, Hasian. "Collective Amnesias: The Rudolph Kastner Trial and Holocaust Consciousness in Israel, 1948-1955." in *Southern Communication Journal*; 2009. p. 146-147.



aim to contextualize the specificity of the Cluj ghetto and its part in the Kastner affair, in order to argue that the traditional narrative of the “transmission of trauma” is interminably connected to identity politics at multifaceted levels of institutions and individual relations, that goes beyond respective social ties.<sup>22</sup> This, of course, provides another layer of complexity to Hannah Yablonka’s terse categorization of the Kastner trials as a small part of the evolution of “Holocaust consciousness” in Israel.<sup>23</sup> The salience of the Israeli courts remains in their robust connection with the state that succeeded to defame Kastner which led to his eventual assassination in 1957.<sup>24</sup> Kastner’s account was used, and misconstrued at the cost of his name in the whirlwind of a nation wrapped in exceptional trauma - in a process of interminable appropriation of ‘individual’ trauma by a collective national consensus.<sup>25</sup>

My central research question is: To what extent can this particularity help us understand the confounding relationship between the ever-present kinship of ‘victimization’ and ‘heroization’ in tandem? At the core of my thesis I have posited to show how these two concepts have both paradoxically led to the formation of Israeli identity. Inherently, narratives of victimization during the Holocaust led to the evolution of a non-victim mentality backlash, yet when the agency of non-victimhood was presented, victimization evolved.<sup>26</sup> These two factors worked in layered forms both through direct and transmitted traumatic experiences to shape not only a “collective” identity as

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<sup>22</sup> Yael Danieli. “Introduction: History and Conceptual Foundations” in *International Handbook of Multigenerational Legacies of Trauma*. (Springer Science & Business Media: 2013). pp. 710.

<sup>23</sup> Yablonka provides a foundational study to the way that “Holocaust consciousness” evolved in Israel during its infancy in an interconnected manner both within its culture, but also the collective consciousness of its individuals; Hanna Yablonka. “The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials.” p. 1-2.

<sup>24</sup> Wistrich, Robert and Ohana, David. “Political Dimensions of Holocaust Memory” in *The Shaping of Israeli Identity: Myth, Memory, and Trauma, Issue 3*. p. 139.

<sup>25</sup> What I mean in this context is the propensity by which individual traumas as seen through the actors involved in the affair were actually connected to the nature of collective and national identity. Although such a conceptual relation might seem problematic, if argued accordingly through the proper theoretical framework - namely the transformative and fluid nature of the transmission of trauma, it can prove to be very beneficial.

<sup>26</sup> This paradoxical dichotomy is one of the central unique ideas in the theoretical framework of my thesis. Although there is no explicit literature that deals with this concept in full, some scholars have alluded to the victimization present in Holocaust-related trauma; See Alan Dershowitz. *The Case For Israel*. (John Wiley & Sons: 2011). p. 53. and Rejwan Nissim. *Israel in Search of Identity: Reading The Formative Years*. (University Press of Florida: 1999). is a salient example of the discussion of the origin of Israeli identity.

suggested by Marouf Hasian, but the very identities of individuals who made decisions in Kastner's trials, the individuals who portrayed him negatively in the media, and those who remember him as a negative figure.<sup>27</sup> Israel, at the judgment of Rudolph Kastner was both a 'victim' and 'non-victim' nation, and his assassination of character was the result of victimization as well as the product of non-victimization.<sup>28</sup> As Hasian argues that the Kastner and Eichmann trials were a practice of "forgetting" and "remembering" collectively, I will argue that these processes were the consolidation between the complications of both inheriting and attributing victimhood, as well as its refutation.<sup>29</sup> Likewise, this pertains to the idea of both accepting the Jewish 'past' of the Holocaust, but also countering it due to its traumatic origin.

Furthermore historians have always made a concerted effort to make a distinction between the Holocaust in Hungary and that of Romania - this of course is well-intentioned as the two were rather different in form and execution.<sup>30</sup> In Hungary the Germans held primal control over the processes of annihilation under Eichmann, while in Romania Antonescu kept agency at times fully devoid of German intervention. Yet, the situation which complicates this distinction is Northern Transylvania which has been known as the borderland between Hungary and Romania for centuries between the Second World War.<sup>31</sup> It is also where Cluj is located, which plays a central role in this study. I aim to show therefore through the transnational character of the Kastner affair that the bridges between Hungary and Romania were perhaps more comparative than initially considered by modern historiography. The comparison therefore between the actions of Rudolf Kastner, and Wilhelm Filderman - the leader of Jewish communities of Romania during the war can shed some light on the means by which different actors

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<sup>27</sup> Marouf, Hasian. "Collective Amnesias: The Rudolph Kastner Trial and Holocaust Consciousness in Israel, 1948-1955." p. 138.

<sup>28</sup> This is the foundational and theoretical model I wish to argue in my project. Helen Fein discusses some of the methodological tools and narrative structures through the use of 'victimized' accounts to show how the persecution and murder of Jews differed across multiple nations during the Shoah. See Helen Fein. *Accounting For Genocide*. (Free Press: 1979). p. 37.

<sup>29</sup> Marouf, Hasian. "Collective Amnesias: The Rudolph Kastner Trial and Holocaust Consciousness in Israel, 1948-1955." pp. 138-139.

<sup>30</sup> There are a few scholars who have posited that Hungary although holds facets both similar to Central Europe, it is also very much a Balkan country in many ways. See Misha Glenny. *The Balkans: Nationalism, War, and the Great Powers, 1804-2011*. (Penguin Publishing Group: 2012). p. xxii.

<sup>31</sup> Rogers Brubaker. *Nationalist Politics and Everyday Ethnicity in a Transylvanian Town*. (Princeton University Press: 2006). p. 23.

both tried to save lives against overwhelming systems of what seemed like seemingly absolute power.<sup>32</sup> Yet I am also trying to move away from the hypothesis of numerous historians who each have posited a different interpretation of Kastner, my aim is that of an intellectually consistent investigation between Cluj and Kastner - something that has not been currently studied by any historian.

This is the foundation which will lead to understanding why Kastner has been vilified, and continues to be vilified in Israeli 'memory. A vilification which transpired not only through the newspapers in his own contemporary, but also television, plays and even short stories in magazines. It is by answering these questions within an academic context that will move the issue away from the ineffective popularization of the narrative by popular writers.<sup>33</sup> Their mischaracterizations only define Kastner either as a 'hero' or a 'villain' and never as an example of how complex historical events and individuals were used to construct simplified depictions for the purposes of promoting the nation-identity of Israel through the judiciary.<sup>34</sup> My aim is to emphasize that Rudolf Kastner was in essence neither a hero, nor a 'villain.'<sup>35</sup>

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<sup>32</sup> Radu Ioanid. *The Holocaust in Romania: The Destruction of Jews and Gypsies Under the Antonescu Regime, 1940-1944*. (Ivan R. Dee:2008). p. 275.

<sup>33</sup> This story has picked up some attention in the last few years, yet all of the books that have come out simplify the complexities of the narratives. Porter's book is an example of a tersely researched oversimplification that aims to place Kastner as a "hero" who has not been recognized. Yet, Porter specifically does this by looking at loosely connected testimonies from family members, and people who were saved on the trains. My project aims to dissect the situation more closely, and show that people who interacted with Kastner that were not on the trains, namely in Cluj, have more to say in relation to the reasons why he was depicted as a "collaborator" in Israeli media and culture in the 1950's and 60s; Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. (D & M Publishers, Sep 1, 2009). Also see Gil-White, Francisco. "The Devil's Advocate: Refuting Anna Porter's defense of Rudolf Kastner in Kasztner's Train." in *Historical and Investigative Research* - 08 February 2008. In this article Gil-White goes as far to categorize Anna Porter's work as inaccurate due to the fact that she seems to tell a story that is not backed up by evidence, rather by subjective intuition.

<sup>34</sup> The multifarious complexity of trying to define the relations between 'hero' and 'victim' in regards to Israeli identification plays a salient role in the the framework of 'victim' and "non-victim." Yet this synthesis is not meant to only employ a certain binary rather allude to its intricacy.

<sup>35</sup> An idea first mentioned by Paul Sanders, but never expanded on. See: Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." in *Leadership*, 2016, Vol. 12. p. 5-6.

## 1.2 Historiography

Although the works of Ladislaus Laub (2011), Yehuda Bauer (1996), Gabor Kadar (2004) and Zoltan Vagi (2004) touch upon the generalities of Kastner and his deal with Adolf Eichmann, there has been very little contextualization in regards to why he has been portrayed in such a negative light in Israel in the 1950s.<sup>36</sup> The terse literature in existence that deals directly with Kastner, such as David Kranzler's *The Man Who Stopped the Trains to Auschwitz: George Mantello, El Salvador, and Switzerland's Finest Hour* (2000) which touches lightly upon the vilification process of not just Kastner but other Jews found in the same predicaments, is too limited to serve as a foundation. Also the work of Hasian (2009) which speaks of the processes of collective remembrance and amnesia during the Kastner trials fails to provide context, and does not discuss the minutiae of Israeli identity.<sup>37</sup> Despite the modest academic literature which directly deals with Kastner there are a myriad of contingencies that each holds partial relevance. With that in mind, the literature I will use pertains to six identifiable categories: contextual, the transmission of trauma, Holocaust consciousness, the formation of Israeli identity, the Israeli judiciary, and testimonial methodology.

The contextual foundation for my thesis will be based on Ladislaus Lob's *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account* (2011), and Ronald Zweig *The Gold Train* (2002) who provide the least biased accounts of Rudolf Kastner's relations with different German Nazi head commanders between 1941-1944. Albeit they do not offer much interpretation, their vast factual narratives of the intricate dealings and relations between different members of the Aid and Rescue Committee are a decisive force behind a much needed contextual linearity. Furthermore, Yechiam Wetiz' *The Man Who Was Murdered Twice* (1995) interestingly makes various connections between Kastner's past before the Second World War in regards to the relations he

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<sup>36</sup> See Lob, Ladislaus. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 62-65, it is essential to point out that Laub's work is a popular history; Yehuda, Bauer. *Jews for Sale?: Nazi-Jewish Negotiations, 1933-1945*. (Yale University Press: 1996). p. 44, Kadar, Gabor, Vagi Zoltan. *Self-financing Genocide: The Gold Train, the Becher Case and the Wealth of Hungarian Jews*. p. 209.

<sup>37</sup> Marouf, Hasian. "Collective Amnesias: The Rudolph Kastner Trial and Holocaust Consciousness in Israel, 1948-1955." pp. 136-137.

made with varying individuals, and how it affected the course of his trials in Israel.<sup>38</sup> For instance, he aptly bridges some vastly unconsidered individual connections, he does not provide interpretations of their relevance. Despite this shortcoming, Weitz's work, whose preponderance of research is commendable, is the best contextual source that provides some interpretation, as well as the development of an able narrative.

The key to this thesis is the analysis of the way the transmission of trauma interminably affects individual, and national demeanors. Dominik LaCapra's *Representing The Holocaust: History, Theory, Trauma* (1996) advocates for the historicization of the Holocaust not just as a linear entity in its own right but something present within the minds and even narratives of survivors and historians.<sup>39</sup> This in conjunction with Cathy Caruth's *Unclaimed Experience: Trauma, Narrative and History* (2010) will provide me with the tools needed to dissect the manner in which Holocaust trauma found its way in the participants of the Kastner trials, the active judicial bodies, and the Israeli media.<sup>40</sup> Another facet, which further complicates the concept of traumatic experience as found not just in Holocaust survivors, but also posterity is the means by which 'victimization' is spread amid all entities connected with the Jewish and non-Jewish past. Kellerman's *Holocaust Trauma: Psychological Effects and Treatment* (2009) although is an interdisciplinary academic account, is exceptionally important to my analysis as it focuses on the means by which trauma affects the "collective" principle of "transmission" amid individuals, and even on many institutional levels.<sup>41</sup>

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<sup>38</sup> It is also interesting to note that Yechiam Weitz continues his analysis of the importance of the Kastner and Eichmann Trials in Israeli society in his "The Holocaust On Trial: The Impact of the Kastner and Eichmann Trials on Israeli Society."

<sup>39</sup> LaCapra's work is undoubtedly foundational in regards to understanding the collective nature of psychoanalysis, but more importantly he argues beyond the mere intricacies of analyzing the individual psyche, but how the past and the present are interconnected. It must be said that LaCapra's historicity on the evolution of trauma, necessitates a thorough understanding of the relationship between historical knowledge and the process of self-identification. This thesis specifically uses the methodological foundations in regards to trauma and identity as found in LaCapra's work.

<sup>40</sup> Cathy Caruth's point that traumatic experience and the language of literature "meet" is one of importance as I believe that similar contextual and methodological approaches can be applied to the diaries of the actors, newspaper articles that recalled Kastner's narratives, and even the way that survivors tell their stories.

<sup>41</sup> The collective principle of the transmission of trauma can be defined by the way a group of individuals experience trauma as a result of multifaceted relations, such as shared histories, etc. See Clara Mucci. *Beyond Individual and Collective Trauma: Intergenerational Transmission, Psychoanalytic Treatment, and the Dynamics of Forgiveness*. (Karnac Books: 2013). p. 131-140.

Although trauma plays an inherent role in understanding Kastner's account, my aim to connect it to the principle of Israeli identity will be cardinal to understanding the judiciary processes of the Israeli courts. Robert Wistrich and David Ohana's *The Shaping of Israeli Identity: Myth, Memory and Trauma* (2014) is an influential analysis of the way that trauma played a role in the formation of Israeli identity at multifaceted levels of society and national histories, in differing ways. This work will be a palatable methodological tool which will help me highlight the way that trauma was experienced directly and indirectly in Cluj, Romania and Hungary. It will also help me to highlight the manner in which trauma defined identity formation of Israel in the late 1940's and early 1950's as shown by newspapers and other media outlets. However, as this concept is very much associated with the means by which a nation is formed, Idith Zertal's *Israel's Holocaust and the Politics of Nationhood* (2005) connects the very concept of 'victimization' and how it paved a road for Israel to simultaneously reject the idea of the 'Jew' as a victim, while still continually pertaining to that part of the 'victimized' Jewish past. Israeli identity is very much fluid and in constant motion as made obvious especially by dissimilar views of its past and present at differing times. As shown by Anita Shapira's *Israeli Identity in Transition* (2004), this very fluidity, I believe played an essential role in the draconian way that Kastner was portrayed by the media in Israel, which inversely affected the public's view of his trials.

Both trauma and its effects on Israeli national identity as they played out in the Israeli Judiciary during Kastner's trials cannot be defined without understanding the framework of the Israeli courts in the 1950's. Adam Brown's *Judging 'Privileged' Jews: Holocaust Ethics, Representation, and the 'Grey Zone'* (2013), as well as Leora Bilsky's *Judging Evil in the Trial of Kastner* (2001) contextualize the demeanor of the courts and even the reasoning of key judges in the first few trials. These two accounts although do not form the connections that I seek directly, are undeniably important to my

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Also see: Shoshana Felman. *The Juridical Unconscious: Trials and Traumas in the Twentieth Century*.(Harvard University Press: 2002). p. 198. Also see Esther Benbassa. *Suffering as Identity: The Jewish Paradigm*.(Verso:2010). p. 92.

understanding of the Israeli courts not just as institutional structures, but how they were affected both by the Israeli state, and the whims of the public.

The inherent methodology behind interpreting survivor testimonies will be cardinal to connecting all of the aforementioned principles. Dora Apels' *Memory Effects: The Holocaust and the Art of Secondary Witnessing* (2002) has so far played an important role in the interviews I have conducted, but also shows the proper means by which objective interpretation can actually lead to verifiable sources. Apels' work in relation with Berel Lang (2012), Thomas Treize (2013), and Dan Stone's (2012) varied academic pieces will give me the ability to tackle the problem of linking survivor testimonies to my thesis.<sup>42</sup> The difficulty of this facet of my thesis lies also in the practical nature of the testimonies which I will collect- which will necessitate that I gather anecdotal information from individuals that went through exceptionally traumatic events, and then use them to bridge the abstract and conceptual with reality.

The sampling of literature which I have mentioned, although foundational, does not cover the entirety of the historical methodology which will concretize the validity of my main argument. When taking into account the intersection of so many variables, the principles of balanced cohesion as seen in Akiva (1994) who purposely, albeit loosely, relates trauma and identity in Kastner's trials, will be imperative. Furthermore, the studies of scholars such as Braham, Friedlander, and Ioanid which I intend to draw from, although do not cover these events specifically, have in them the basic and highly effective roots of Holocaust contextualization through the use of survivor testimonies.<sup>43</sup>

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<sup>42</sup> The works of the scholars mentioned play an important role in the means by which I will take the testimonies of many individuals, and out of them create a coherent and linear narrative. More precisely in his book Dan Stone's *The Holocaust and Historical Methodology*, is a cornerstone to the means by which I will approach oral narratives; Dan Stone. *The Holocaust and Historical Methodology*. (Berghahn Books: 2012).

<sup>43</sup> See: Randolph Braham. *The Politics of Genocide: The Holocaust in Hungary*. p. 84-87; Radu Ioanid. *The Holocaust in Romania: The Destruction of Jews and Gypsies Under the Antonescu Regime, 1940-1944*. p. 259, Saul Friedlander. *The Years of Extermination*. (Harper Collins:2009). p. 601.

### 1.3 Methodology

The confounding intersections presented by the breadth of the literature and primary sources that I will have at my disposal will be composed through three forms of historicization: the cross-examination of judicial, testimonial, and archival sources with the literature present, the narrativization of individuals' stories to drive the analysis, and the implementation of conceptual theoretical models of trauma and identity. I will employ the research methods discussed by Emily Keightley and Michael Pickering in their *Research Methods for Memory Studies* (2013) in relation to memory in order to cross-examine the myriad of my sources.<sup>44</sup> The narrative structures will be implemented within the cross-examination, which will mainly consist of survivor and judicial testimonies with the use of methods argued by Dan Diner in his *Beyond The Conceivable: Studies on Germany, Nazism, and The Holocaust*(2000) that mainly concentrate on narrativization.<sup>45</sup> Finally, all of this will be encompassed by a theoretical re-analysis of Israeli identity.<sup>46</sup> This process will lead to a contemporary method of understanding this curly studied topic.

The brusque studies present, as well as their paucity in the use of judicial and testimonial evidence positions this project not just as a profound complication of the way scholars have dealt with the Kastner affair, but a unique method of interpretation that goes beyond the use of the "guilt of the victim."<sup>47</sup> The synthesis of a 'victim' and 'non-victim' identification process, based on the ideals of collective memories and

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<sup>44</sup> Emily Keightley and Michael Pickering's book is an excellent source, that does not particularly deal with memory as perceived in history, but more so the way in which it can be synthesized with other contextual narratives. It is an excellent tool which can provide me with the necessary skills to perform adequate, and much needed, cross-examination.

<sup>45</sup> Dan Diner presents an interesting approach to creating narratives where the balance between just enough context, and interpretation is taken into account, especially when dealing with survivor and archived testimonies. See Dan Diner. *Beyond The Conceivable: Studies on Germany, Nazism, and The Holocaust*. (University of California Press:2000). p. 171. I will also try to implement the fieldwork strategies mentioned discussed in Rick Hoyle, Monica Harris, and Charles Judd. *Research Methods in Social Relations*. (Wadsworth: 2002).

<sup>46</sup> For a sampling of literature to which I will refer to see: Francoise Davoine, Jean-Max Gaudilliere. *History Beyond Trauma*.(Other Press: 2013). p. 25-26. Bernhard Giesen, S. N. Eisenstadt. *Triumph and Trauma*. (Routledge: 2015)., and Yosefa Loshitzky. *Identity Politics on the Israeli Screen*. (University of Texas Press: 2010). p. 11.

<sup>47</sup> Hanna Yablonka. "The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials." p. 17.



amnesias, will be cross-examined to not only describe its effects of generational Israeli identity as emerging in that period, but more importantly the present fluidity of identity as presented subsequently in 1944 in Romania/Hungary, and 1956 in Israel. The two interminably connected by their multifaceted projections at varied times, will provide another approach to understanding the relationship between Jewish/Israeli identity and the Shoah as presented not just by individuals, but political groups, and organizations.<sup>48</sup> This will be duly investigated with the theoretical framework of the “collective mentality,” as understood and accepted by different individuals (namely the individualization of collective memory) to clarify the ever-contemporaneous state of Israeli identity.<sup>49</sup>

The complexity of this framework necessitates first the clear definition of the differences between individual, collective and national identities, as well as the materialization of these abstracts through historical evidence.<sup>50</sup> To pinpoint the exact characteristics of an identity is not by any means my intention, but rather to understand the process of the formation of an identity. This theoretical model will be applied to the historically singular, although not detached, case surrounding Kastner and his trials, but with a concentration of making it clear that the interconnectedness of individuals, and collective memories are presented as fluid concepts that can be made evident not only through the thoughts of certain individuals - through their diaries - but inherently the thoughts of a nation - such as cultural markers as the media and other outlets.<sup>51</sup> The problematic nature, and the sheer complexity of these overlapping bridges can be made evident perhaps by the decisions of both national authorities, and individuals. To respond to the problematic nature of understanding the individual, the nation, and the group in this historical context therefore lies undoubtedly in the power of detailed cross-examination.<sup>52</sup>

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<sup>48</sup> See Daron, Rabinovici. *Eichmann's Jews: The Jewish Administration of Holocaust Vienna, 1938-1945*. (John Wiley & Sons:2014).

<sup>49</sup> Marouf, Hasian. “Collective Amnesias: The Rudolph Kastner Trial and Holocaust Consciousness in Israel, 1948-1955.” pp. 136-137.

<sup>50</sup> This particular process will be discussed and analyzed through the lens of the Kastner affair, as the intersections between collective and individual memories are a necessity to this thesis.

<sup>51</sup> *Writing the History of Memory*. eds Stefan Berger, Bill Niven. (A&C Black:2014). p. 137.

<sup>52</sup> *Ibid*.

The importance of this conceptual model, which will be argued through Rudolf Kastner and his trial, will help analyze the current political and societal objectives of Israel as a nation-state.<sup>53</sup> Israel's recent modern history, has been associated with its identity more than ever before, as seen by the cultural projections of Benjamin Netanyahu's policies.<sup>54</sup> It has been argued, albeit with contention, that Israel's modern frameworks, in things such as foreign and domestic policy, are interlinked with its conception of its own identity. One of the objectives of this thesis, beyond understanding why Kastner was vilified through this model, is to clarify the acumen of Israeli identity as it evolved in the courts which is inherently present in the nation today. Although I will not cover this in the project, the model which I aim to construct, which does not oppose but rather complicates interpretations of Israeli identity, will provide a factor in understanding the aggravations and obstacles present in the politics of Holocaust historiography, archive formations, and collection mainly in regards to Kastner himself, as well as connections to how Zionism is perceived today.<sup>55</sup> For example, the modern saying of "Am Yisrael Chai" - עם ישראל חי - meaning "The Children of Israel Live" is the product of an Israeli Identity heavily steeped in the post-war trauma, and that of a heroic survival of the Shoah, yet still bound by victimization.

It is this rather ubiquitous view of the individual which I wish to bring light to that will bridge the objectives of this thesis. The use of testimonies, and the power of oral narratives therefore play a salient role in this study - they are at heart of trying to figure out by what the process of victimization means and how it occurred at different historical and personal levels.<sup>56</sup> This is a substantial move away from most academics who have dealt with this subject, in terms that most have dealt with one aspect of the story but never have they studies its true meaning within the new more nuances and modern

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<sup>53</sup> Benjamin Netanyahu's book provides an interesting view of Zionism and current Israeli foreign policies, from the the Prime Minister himself. Benjamin Netanyahu. *A Durable Peace: Israel and its Place Among the Nations*.(Grand Central Publishing: 2009). p. 20.

<sup>54</sup> Ibid., pp. 20-21.

<sup>55</sup> "Yad Vashem Hopes Kastner Archive Will End Vilification" by The Associated Press, in Haaretz, Jul. 23, 2007.

<sup>56</sup> An example of such a testimony is the Affidavit of Annie Salamon, is the official declaration of her story from the moment when her family was interned in the Cluj ghetto, and how she survived the ordeal in 1944. This is only one example of the many I have amalgamated from the people that have come in contact with me after they read the articles I wrote in *The Jerusalem Post* and *The Jewish Press*. See Annie Salamon. *Affidavit*. Serial No. 72/2008, 6 Shar Haemk st Netanya, 11.08.2008. Israel Insler Notary.

considerations of Shoah studies. To highlight this is salient as the narrative unfolded across many geographical places, each connected by numerous elements.

#### 1.4 The Locations Within the Narrative

The story of Rudolf Kastner played out in a myriad of locations from Kolozvar/Cluj Napoca, Budapest, Bucharest, Bergen-Belsen, Istanbul, Switzerland, and finally Jerusalem in Israel. An important aspect of this thesis is the ghettoization of Jews in Cluj which began in May of 1944, which in fact was part of an long-standing effort by Eichmann and his offices in Budapest to begin the final and most gruesome extermination of Jews in Eastern Europe - also one of the final communities to be untouched in Hungary and Northern Transylvania which included mostly Hungarian but also many Romanian and German Jews as well.<sup>57</sup>



Figure 1. A Map of Romania, Northern Transylvania and Hungary 1940-1944<sup>58</sup>

In Budapest, Kastner along with others set up the Aid and Rescue Committee office in the hope that they would persuade Horthy to stop persecuting Jews, and later

<sup>57</sup> Endre Haraszti. *The Ethnic History of Transylvania*. (Toronto: 1971). pp. 1-4.

<sup>58</sup> "Romania 1942, Transnistria Indicated." Courtesy of US Holocaust Memorial Museum. Accessed at: [https://www.ushmm.org/wlc/en/media\\_nm.php?ModuleId=0&MediaId=4691](https://www.ushmm.org/wlc/en/media_nm.php?ModuleId=0&MediaId=4691)

the Germans to halt the deportations to death camps. On the other side in Antonescu's Romania, Wilhelm Filderman was trying to conduct his own rescue efforts under almost similar circumstances. Once Kastner managed to persuade Adolf Eichmann to let some Jews to be taken to Switzerland to safety, they were interned in Bergen-Belsen, as they traveled through Austria, before finally reaching Montreux in Switzerland.<sup>59</sup> The trial itself took place in Jerusalem, which was also the place in which Kastner was assassinated in 1957.<sup>60</sup> It is important to remember that although Cluj- Napoca belonged to Hungary during this period after, many of those who suffered including non-Jews were Romanians. Many of the Jews on the Kastner 'Trains' were in fact Romanian, German, and of Yugoslav origin. It is also for this reason why in 2004 the *Final Report of the International Commission on the Holocaust in Romania* in fact included Cluj and many other parts of Northern Transylvania into its study. This narrative has been rifled by politics ever since the borderland had been transferred to Romania in 1918 until this very day.

Albeit hate has been contended by scholars to never have any 'borders' or 'boundaries,' physical or conceptual, the overzealous disputes between the Romanian and Hungarian polities, populations, and local governments as well as Romania's incessant Romanianization program led to increasing hatred of the Jews inhabiting Transylvania.<sup>61</sup> The precarious, yet all too real divide between borders instituted by law and the formation of 'ethnic-borders' lead to a proliferation of anti-semitism not just amid Romanian intellectuals, but also the political hegemony which led to the institution of anti-semitic and anti-Maghiar laws.<sup>62</sup> Yet that is in itself a story for another paper, which is not to say that this context does not play a salient role in understanding Northern

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<sup>59</sup> Ladislaus. Rezsó Kasztner: *The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 203.

<sup>60</sup> Ibid., p. 3.

<sup>61</sup> See Leon Volovici. *Nationalist ideology and antisemitism: the case of Romanian intellectuals in the 1930s*. (Pergamon Press: 1991). pp. 39-40. and László Kurti. *The Remote Borderland: Transylvania in the Hungarian Imagination*. (SUNY:2001). p. 34-35.

<sup>62</sup> The myriad of Anti-Hungarian laws that were implemented in Transylvania in the interwar period lead to animosity. See : Holly Case. *Between states: the Transylvanian question and the European idea during World War II*. (Stanford University Press:2009). p. 175-176. , and *Documented Facts and Figures on Transylvania*. Compiled by The Danubian Research Centre and the Transylvanian World Federation, Albert Wass de Czege as moderator. (The Danubian Press:1977). p. 26-27.

Transylvania under the Hungarians, the examples of Jews into Romania across the border, and ultimately the Kastner affair itself.

## 1.5 Chapters

While there is extensive research on Rudolf Kastner, the Shoah in Northern Transylvania, as well as the actors involved, there has been a lack of effort in trying to connect all of these elements in order to understand their true significance.<sup>63</sup> This thesis aims to first show Kastner's impact on Jewish and Israeli identity in relation to the Holocaust, but also show that this event also had an effect on the actual process of remembering as a conceptual tool in the study of the Holocaust. Each of this thesis's body chapters explores how the issue of identity was molded across multinational narratives in regards to the Kastner affair.

Chapter 2 explores the ghettoization of Cluj in relation to Kastner and his efforts in trying to stop the deportations, yet also a look at the way that Jews suffered tremendously in the ghetto itself. Cluj plays a substantial role not only because it was the place where Kastner chose to save 388 Jews, along with his family, which had won him a great deal of criticism in Israel later on - but it is also the place which signifies at its core the highest population of Romanian Jews outside of Romania itself. Most historians do not begin their analysis of the events within Cluj, yet I think this one minutia played a substantial role in Kastner's negative portrayal in court - it is in fact more central to the narrative than most believe.<sup>64</sup>

Chapter 3 seeks to find out the exact nature of Kastner's deal with Eichmann as well as his meetings with the Obersturmbannführer during the summer of 1944.<sup>65</sup> It is my intent here to cast a new light on these dealings using memoirs, diaries, and first-hand

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<sup>63</sup> Most of the work of scholars had been extended on the trial, but not its origins in the narrative as it unfolded in Northern Transylvania, Budapest and Switzerland.

<sup>64</sup> Randolph Braham briefly touches upon Kastner's visit but seems to simplify the ultimate importance not just simply within his trial, but also dealings with Eichmann. There is reason to believe that the complexity of the issue interplays within the idea of Kastner as a man stuck in the "gray zone." See: Randolph Braham. *The Politics of Genocide: The Holocaust in Hungary*. p. 94.

<sup>65</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." in *Leadership*, 2016, Vol. 12. p. 5-6.

testimony to provide a new interpretation that has not usually been taken into account by historians and academics who have deal with this subject - namely that it was not the case that he was forced into unbearable circumstances, or rather that he did it merely for self-interest, nor really that he was in a “gray” zone as some suggest.<sup>66</sup> Rather I wish to put forward the idea that it was Kastner’s sense of Zionism that played a significant role in his decisions which is very much interestingly connected to the ideal of Jewish and Israeli identity in this thesis, and lays the foundation to finding out why he was vilified in such a manner.

Chapter 4 examines how Kastner’s dealings were very much similar to those of Wilhelm Filderman in Romania.<sup>67</sup> The main purpose of this chapter is to show that although the histories of the Holocaust in Romania and Hungary have indeed been different, the events surrounding these two individuals shows a number of similarities and thus highlights the systemic power in which they tried to do what seemed impossible. This which has not been studied in academia before, is meant to shed light on the importance of being a ‘collaborator’ - interestingly something that both Kastner and Filderman were labeled in the post-war period.

Chapter 5 tries to explain how Kastner’s trial was in fact veiled in a way to promote a sense of a cohesive Israeli identity at both the individual and political level - while playing on the ideals of ‘totality.’<sup>68</sup> This will take the considerations of all historians who have commented on the trial into account, and will use trial records to argue that Kastner’s trial was very much an event politicized for the purpose of ‘victimization,’ yet also for his implicit ‘heroization.’ This was not something as straightforward as argued by some scholars, nor was it purely political.

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<sup>66</sup> David Luban. “A Man lost in the Gray Zone” in *19 Law & Hist. Rev.* (2001). p. 161-162. In this article David Luban argues that Rudolf Kastner was actually stuck in a “grey zone” based on Primo Levi’s label for collaborators.

<sup>67</sup> Radu Ioanid. *The Holocaust in Romania: The Destruction of Jews and Gypsies Under the Antonescu Regime, 1940-1944.* p. 51.

<sup>68</sup> In this instance I am referring to the idea of ‘totality’ similar to that of Hannah Arendt and her work: See Aharony, Michal. “Hannah Arendt and the Idea of Total Domination” in *Holocaust and Genocide Studies.*” Volume 24, Number 2, Fall 2010. p. 193.

Chapter 6 investigates the main conceptual model of this thesis, namely the idea of ‘victimization’ and ‘non-victimization’ in tandem in regards to Kastner’s mediatization and politicization in Israeli society, but also internationally. This idea plays a substantial role in the way that the world reacted to the Adolf Eichmann trial, yet not directly, but within the framework that I am trying to establish.<sup>69</sup> Both trials impacted the way that we remember the Holocaust, but also the way Israeli society incorporated it into its structures - after all, it was Kastner’s trial that was the progenitor to these phenomenons.

Although Rudolf Kastner was “Branded a Nazi Collaborator” in 1956, it is not my intention to redeem him, but I wish to identify why he was vilified in the manner he was, and in the process discover new ways of deconstructing Israeli identity and its connection to the Holocaust.<sup>70</sup> This particular case study is not only unique, but holds the potential to be introduced into the sphere of academia more readily, and substantially. The intersections of so many analyses, synthesized with the narratives of individuals will provide the inception of new scholarly conversations that do not rely on outdated methodologies, and biased misconceptions. Arendt mentioned Kastner a few times in passing in her famous *Eichmann in Jerusalem*, it is now time to uncover the breadth and significance of his story outside politicized views, and old quarrels.<sup>71</sup> For the purposes of this thesis, the story begins in Cluj-Napoca.

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<sup>69</sup> I am essentially trying to move away from the implicit explanations of Kastner’s trial in Bilsky, Leora. “Judging Evil in the Trial of Kastner” in *Law and History Review Vol. 19*, No. 1 (Spring: 2001). p. 118-119.

<sup>70</sup> Special to The New York Times. (1956, Mar 16). Key Israeli Case Takes New Turn. *New York Times (1923-Current File)*. Retrieved from <http://search.proquest.com/docview/113494663?accountid=13800>

<sup>71</sup> Hannah Arendt. *Eichmann in Jerusalem. A Report on The Banality of Evil*. (Penguin:2006). p. 18. Also a recent manuscript by a writer named Paul Bogdanor goes as far to call Kastner’s dealings as genocide and crimes against humanity. See Paul Bogdanor. *Kastner’s Crime*. (Transaction Publishers: 2016). Introduction.

## Chapter 2 . The Ghetto of Cluj-Napoca

It was on the vestiges of a warm summer that the Germans began to round thousands of Jews from their homes, forever lost in the meaningless sense of the Holocaust. Although this was one small event within the grand plethora of such episodes in the Shoah, it was no less paramount of the 18,000 Jews who had their livelihoods taken away from them - 16,147 of which were interned in the ghetto and most of whom would later be murdered either in Auschwitz or Bergen-Belsen.<sup>72</sup> The Cluj ghetto was without a doubt the result of swift action at the hands of the Germans, but still one which played a central role in the entire Kastner affair.<sup>73</sup> After all, this was the birthplace of Rudolf Kastner - the place where he grew up, worked as a journalist and lawyer, as well as the home of his family.<sup>74</sup> It was in a sense probably always on his mind throughout the entire course of his negotiations with Adolf Eichmann.<sup>75</sup> It was here that the personal affections of Kastner's work got in his way, and would later play an essential role in the trial in Israel. Yet before that story can be told, it is a necessity that we look at the events that unfolded in Cluj.

The series of terrible episodes were espoused under one similar feeling that the Jews of Cluj felt in 1944 was best summarized by Hannah Marton's husband - a resident of the city at the time:

Our destiny is sealed because I had the opportunity to travel to the towns where hundreds of thousands of Jews lived and after the German invasion, I no longer encountered any of them. Our destiny will be identical to theirs.<sup>76</sup>

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<sup>72</sup> Gabriel Mayer. "Holocaust in Kolozsvár: 1944." in *International Journal of Social Science Studies*, Vol. 2, No. 3: July 2014. (Redframe: 2014). p. 100-101.

<sup>73</sup> In this aspect I wish to say that few historians have truly studied the exceptionally important connections between Kastner and Kolozsvár in the early years but also during his negotiations with Adolf Eichmann. See Randolph Brahm. *The Politics of Genocide: The Holocaust in Hungary*. (Wayne State University Press: 2000). p. 129-130.

<sup>74</sup> "Rudolf Kastner Entry" in *The Holocaust Encyclopedia*. Ed. by Walter Laquer. (Yale University Press: 2001). p. 318.

<sup>75</sup> In his report Kastner only mentioned Kolozsvár once, yet throughout his dealings he always fought for the 388 to be saved from Kolozsvár. See: Kasztner, Rezso. "The Report of the Budapest Jewish Rescue Committee 1942-1945" in *51 Documents: Zionist Collaboration With The Nazis*. ed. Lenni Brenner. (New Jersey: 2002). p. 223-224.

<sup>76</sup> "Transcript of the Shoah Interview with Hanna Marton Translation by Deborah S. Droller" - Volunteer – Visitor Services - April thru May 2008. Translated from Claude Lanzmann. "Hannah



On the mild spring morning of the 3d of May, at 7 AM in the town of Heynod -next to Cluj - the Hungarian gendarmes, led by the Germans kicked Lazar Matei's, a Romanian Jew, door down.<sup>77</sup> In that moment, regardless of his nationalities or different identities within the ever-expanding complexities within Transylvania as a borderland, the only thing relevant was the fact that he and his family were Jews. They were given exactly five minutes to gather all of their belongings, from where they were arrested and humiliated.<sup>78</sup> They were taken to the local synagogue, where along with dozens of others Jews they were undressed readily, interrogated, and tortured in order to reveal the locations of the supposed riches and belongings they had hidden from the most likely confiscation at the hands of the gendarmes.<sup>79</sup>

Hours earlier on the same day in a neighbouring commune Oliver Lustig's home was invaded by gendarmes, in what he later described "the exact procedure" which was practiced across Northern Transylvania at what seemingly seemed to be the exact time.<sup>80</sup> At a young frail age at the time, Oliver and his family were taken out of their home and marched into the famous Iris brickyard, which was a brick factory owned by a Greek businessman before it was confiscated by the Hungarian takeover of Northern Transylvania.<sup>81</sup> Oliver Lustig, who later became renowned academic was right, the planning behind the entire liquidation of Northern Transylvania was concocted weeks, months and even years before the ghettoization of the city began.<sup>82</sup>

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Marton Interview 1985." Created by Claude Lanzmann during the filming of "Shoah," used by permission of USHMM and Yad Vashem.

<sup>77</sup> "The Testimony of Lazar Matei - 16 May, 1946." in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*. Institutul National Pentru Studierea Holocaustului 'Ellie Wiesel' allocated by Oliver Lustig. (AERVH: Bucuresti 2007).

<sup>78</sup> Ibid.

<sup>79</sup> "The Testimony of Noti Geza - 15 May, 1946." in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>80</sup> "The Testimony of Oliver Lustig." provided by the The Romanian Jewish Community. Made available through the I Survived Organization.

<sup>81</sup> Gabriel Mayer. "Holocaust in Kolozsvar: 1944." p. 100.

<sup>82</sup> "The Testimony of Oliver Lustig." provided by the The Romanian Jewish Community. Made available through the I Survived Organization. This can also be corroborated by numerous reports by some of the testimonies of survivors such as Geller Mihai. See: "The Testimony of Geller Mihai - 6 April, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

Well into the invasion of the Soviet Union, it was on the 1st of December, 1942 that Heinrich Himmler sent a telegram to Ribbentrop suggesting that the complete annihilation of Eastern Hungarian Jewry would “push” the Romanian and Bulgarian governments out of their hesitancy from transporting Jews to the death camps in Poland and handing them over to the Germans.<sup>83</sup> The Romanians had already begun their mass deportations to the “killing fields” of Transnistria, and Bulgaria’s hesitancy to deport its own Jews of course infuriated Himmler.<sup>84</sup> The importance of this made more immediate that Hungary was home to almost one million Jews, the last bastion of Jewry untouched by the Shoah. The ever moving forces of power politics under Eichmann precipitated the ever expanding momentum of “totality” over Hungary and even within the diplomatic relations that Germany fostered with Romania.<sup>85</sup> It was in Cluj, which was in Gendarmerie District IX that the “Nazi hammer” fell once the forced invasion of Hungary by the Wehrmacht in order to dispose of Horthy and replace him with Arrow Cross leadership.<sup>86</sup>

The narrowing of the front on all sides had precipitated an escalated acceleration to what was seen as the Jewish “problem” in Hungary. On the 24th of April, 1944 the Minister of Foreign Affairs straight from Berlin sent an immediate letter to Eichmann suggesting that the final destination should be Auschwitz” within the technical aspects of “the necessities of the war economy.”<sup>87</sup> The numerous letters and telegrams across the

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<sup>83</sup> Ribbentrop Letter - 1942, Dec. 1. From the Minister of Foreign Affairs Reichsfuhrer SS - IV 84 --3433/42g (1446) - D III 1120 g. in “Trimisi in Camerele de Cazare: Soarta evreilor din Transilvania de nord aflata sub dominata horthysta (mai-iunie 1944).” in *Martirul evreilor din Romania 1940-44: Documente si marturii*. (Bucuresti, 1991). p. 247.

<sup>84</sup> Denis Deletant. *Hitler's Forgotten Ally: Ion Antonescu and his Regime, Romania 1940-1944*. (Springer: 2006). p. 167 for a discussion on Transnistria.

<sup>85</sup> What I mean by totality was Eichmann’s insistence of trying to push Romania to continue deportations into Transnistria despite the fact that the Antonescu regime slowed down deportations and in fact reversed them once the war on the eastern front became a calamity. See Radu Ioanid. *The Holocaust in Romania: The Destruction of Jews and Gypsies Under the Antonescu Regime, 1940-1944*. p. 241-242.

<sup>86</sup> In this instance Gabriel Mayer discusses the means by which the Nazis executed the ghettoization, deportation, and extermination of Jews in Northern Transylvania due to the fact that they were under the stress of the immediacy of the war. See Gabriel Mayer. “Holocaust in Kolozsvár: 1944.” p. 102.

<sup>87</sup> “Letter From Foreign Ministry- 24th April, 1944.” Document nr. 2233 Inl. II 764 g. in “Trimisi in Camerele de Cazare: Soarta evreilor din Transilvania de nord aflata sub dominata horthysta (mai-iunie 1944).” in *Martirul evreilor din Romania 1940-44: Documente si marturii*. (Bucuresti, 1991). p. 249.

systems of destruction materialized under the eyes of those such as Frankovitz Alexander who was forced to wear the infamous yellow star along with the rest of the Jewish community starting on April 5th of that year.<sup>88</sup> Although late, and already a normality to the millions of other Jews who suffered this indignity across Europe, in Cluj these were merely hearsays.<sup>89</sup> It was only a few days before the ghettoization process that Geller Mihail recalled that posters and proclamations were posted across the city telling Jews to remain in their homes, pack their bags with foodstuffs and wait to be collected for their 'safety.'<sup>90</sup> The masses of trains that traveled through Cluj accelerated through the war, as it was the only real connection that its inhabitants had with the destruction of Jewry. In fact, Annie Solomon vividly remembered of talk of a few trains that were stationed in the rail yards of Jews from Greece, more specifically Salonika.<sup>91</sup> It was only after the war that she learned that the trains were on their way to Auschwitz. In Gabriel Mayer's study of the ghetto he pinpoints that in the years prior to the ghettoization process, Cluj served as a hub for many refugees from Europe's war-torn fronts.<sup>92</sup> This would later change as many would try to escape Transylvania into Romania.

Many doors similar to Lazer Matei's were kicked down on the first few days of that May, yet one of the most horrifying events was that of the Jews of Heynod who were first forced into the courtyard of a synagogue before they were taken by trucks to the ghetto itself in Cluj.<sup>93</sup> Czobel Emanuil's and his wife arrested from their home where they were taken to the local synagogue where they were stripped of their clothes, and beaten

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<sup>88</sup> "The Testimony of Frankovitz Alexandru - March 16, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>89</sup> This seems to be the case across the numerous testimonies found in the *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj* collection. Throughout the dozens of testimonies it is obvious that those who mention the fact that they had to wear the yellow star is something which surprised them.

<sup>90</sup> "The Testimony of Geller Mihai - 6 April, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>91</sup> Annie Salamon. *Affidavit*. Serial No. 72/2008, 6 Shar Haemk st Netanya, 11.08.2008. Israel Insler Notary.

<sup>92</sup> Gabriel Mayer. "Holocaust in Kolozsvar: 1944." p. 101. Also See: Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry" in *Sefer zikaron le-yahadut Kluzh-Kolozsvar*. Ed. Moshe Carmilly-Weinberger. (New York:1970). p. 291-292.

<sup>93</sup> "The Testimony of Czobel Emanuil - 15 May, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

in front of everyone.<sup>94</sup> Under the guidance of Paul Boldizar which dozens of testimonies have mentioned his name, most of the Jews which were being prepared to be taken to Cluj were strip-searched, while many women were violated in order to check for hidden belongings hidden in their genitals.<sup>95</sup> These horrific acts, along with torture techniques such as placing pencils in between the knuckles of people and then stepping on them followed by questioning of where they had hidden their belongings was something that occurred everywhere where the ghettoization of Jews across Europe was being conducted.<sup>96</sup> Someone reported that he witnessed a man's beard being ripped from his face in order to scare the entire community of Heynod which was gathered in the courtyard.<sup>97</sup> After brutal and oppressive techniques, the first transport meant for the Cluj ghetto was made up out of eight trucks which were packed to their full capacity.<sup>98</sup> This took about three days until those forced out of their homes joined the thousands of others Jews from Northern Transylvania into ghetto were the same gruesome procedure were carried out on a much larger scale and with a greater ferocity.<sup>99</sup>

Within the first few days of gathering Jews across Transylvania, the heart of Cluj the ghetto was itself being prepared for the inhumane internment of people. Those such as Oliver Lustig seemed to have the same experience in those preliminary moments best expressed in his own words:

I think that being plucked from the place where I was born and being sent to the ghetto was, in fact, the first step towards death. There were three Jewish families in Soimeni: us, my grandparents, and the Schons. The following day, we had all reached the Cluj ghetto, located on the premises of the brick factory. 18,000 of us were crammed in there.<sup>100</sup>

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<sup>94</sup> "The Testimony of Lazar Matei - 16 May, 1946." in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>95</sup> "The Testimony of Hirsch Rosalia - 16 May, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>96</sup> See Saul Friedlander. *The Years of Extermination*. (Harper Collins: 2009). p. 21 for an instance where ghettoization is discussed in detail.

<sup>97</sup> "The Wife of Roth Iacob - 15 May" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>98</sup> "The Testimony of Noti Geza - 15 May, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>99</sup> Randolph Braham. *The Politics of Genocide: The Holocaust in Hungary*. p. 125.

<sup>100</sup> "The Testimony of Oliver Lustig." provided by the The Romanian Jewish Community. Made available through the I Survived Organization.

As aforementioned the Iris brickyard was quickly turned into an exceptionally inhospitable area that really had very little actual shelter as most people had to hide from the cold under makeshift tent areas.<sup>101</sup> Lacking the organizational habits of the Germans, the Hungarian gendarmes confiscated many immediate valuables, such as gold objects, jewelry and such in order to what seemed to line their own pockets.<sup>102</sup> Although so many of the testimonies have pointed out that the guards and gendarmes made it their mission to steal from those interned in the ghetto, they did not take all of their valuables - most of which would later end up in the collection halls of death camps.<sup>103</sup>

Sleeping arrangements were makeshift and in an area of six meters square where on average nine people were forced to sleep in with all of their belongings.<sup>104</sup> Many people persuaded the commanders of the ghetto to get water from a nearby fountain as the water taps installed only brought murky water - many suffered from thirst and lack of sanitation even though more than a dozen taps were installed.<sup>105</sup> For example, there were about five latrines where people did their necessities with a capacity of about twenty people at a time. This was made worse by the fact that it was a hot Transylvanian summer which made the smells more unbearable, but worse was the cause of widespread disease.<sup>106</sup> The food was dispensed daily yet only about 330 grams of stale, gray bread per person which according to Ladislaus Lob it had very little nutritional value.<sup>107</sup>

Despite the two elements which all of the Jews in the ghetto shared, first that they were Jewish, and second that they suffered under the same terror - the ideal of nationality, however became irrelevant as many of them were German, Romanian, and

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<sup>101</sup> "The Testimony of Geller Mihai - 6 April, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>102</sup> "The Testimony of Kern Elena - 30 May 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>103</sup> "The Testimony of Grosz Ferdinand - 16 April, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>104</sup> "The Testimony of Kovacs Stefan - 3d April, 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>105</sup> Ibid.

<sup>106</sup> "The Testimony of Hevesi Niculae - 2nd November, 1945" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*. Also See: "The Testimony of Mendelovits Leb - 15 May 1946" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>107</sup> Lob, Ladislaus. *Rezso Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 125.

Yugoslavian in origin. At this point in the war the Germans no longer considered the national sovereignty of Jewish citizens as they did before in the case of Romania, France, and Bulgaria. The immediacy of action that the Hungarian gendarmes conducted their tortures and interrogations made it obvious that they became obsessed to find out where the supposed riches of Jews were hidden. The pockets of newly arrived Jews were turned inside out, and if money was found in the forgotten pocket of Jews he or she would be beaten savagely.<sup>108</sup> In fact, there was a special room set up in one of the buildings in which torture was conducted daily, simply due to the discretion of the guards and the command.<sup>109</sup> Some people such as Noti Geza's sister were beaten until they lost some of their teeth.<sup>110</sup> Those Jews which were taken from rich neighborhoods were interrogated first in order to find their belongings which some reports say were later sold.

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Within the horrifying circumstances however there were moments of hope when some such as Hevesi Niculae who later escaped. In his testimony, he recounts how after spending weeks in dust, rain and wind with no real cover from the elements, and repeated beatings and torture at the hands of the command he managed to escape on June 2nd only some time before one of the transports to Auschwitz.<sup>112</sup> He managed to hide in the city of Cluj long enough until the Germans retreated as a result of the speedy attack of Soviet troops, who by this time were already penetrating Romania's north-western borders. What is interesting about Hevesi Nicole's story however is that his was not the only escape plan - and that there was indeed a systematic plan put into place to cross the border into Romania who by this point no longer deported Jews to Transnistria.<sup>113</sup>

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<sup>108</sup> "The Wife of Roth Iacob - 15 May" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>109</sup> Ibid.

<sup>110</sup> "The Testimony of Noti Geza - 15 May, 1946." in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>111</sup> Ibid.

<sup>112</sup> "The Testimony of Hevesi Niculae - 2nd November, 1945" in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>113</sup> Ibid.

## 2.1 Attempts at Rescue

Rabbi Moshe Carmilly-Weinberger who was the de-facto religious leader of the Jews of Cluj had actually planned weeks before the ghettoization of Jews to take people across the border into Romania.<sup>114</sup> He traveled to Romania where he met with Wilhelm Filderman in order to facilitate a rescue operation of thousands of people - which of course became an impossible feat later on as the Romanian guards posted around the borders in Northern Transylvania were far too numerous.<sup>115</sup> Although the border from Cluj was only three kilometers away the military presence made it almost impossible. With that in mind however that is not to say that some successful attempts were not made. Iuliu Muresan, a Romanian, testified that on the night of May 2nd he and his brothers helped a dozen Jews cross the border into Aiton, a small town in Romania, from where they traveled to Turda.<sup>116</sup>

They managed to smuggle them in horse carriages across the border, yet they had to walk for at least 20 km to go deeper into Romanian territory which paradoxically offered them safety.<sup>117</sup> The three brothers went through tremendous danger in doing so, as later one of them was discovered to have Hungarian currency on him and was arrested by the Romanian police and beaten.<sup>118</sup> Interestingly Moshe Carmilly - Weinberger was mentioned in a declaration given by the Presidium of the Jewish communities of Cluj in 1958 commending his actions to help save Jews, which is elaborated on in his own book which he wrote in the post-war era about the cross-border operations.<sup>119</sup> Annie Solomon's family was undeniably connected to these plans, but could not go ahead and cross the border as the circumstances they found themselves in

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<sup>114</sup> Moshe Carmilly-Weinberger, Moshe Carmilly. *The road to life: the rescue operation of Jewish refugees on the Hungarian-Romanian border in Transylvania, 1936-1944*. (Shengold: 1994). p. 50. Also See: Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry" p. 297-298.

<sup>115</sup> *Ibid.*, p. 50-51.

<sup>116</sup> Affidavit of Iuliu Muresan - July 19, 1991" in Moshe Carmilly-Weinberger collection. 1935-1993, Accession number: 1995.A.0092, Creator: Moshe Carmilly -Weinberger. United States Holocaust Museum.

<sup>117</sup> *Ibid.*

<sup>118</sup> *Ibid.*

<sup>119</sup> "Affidavit of The Presidium of the Jewish Communities of Cluj - 1958" in Moshe Carmilly-Weinberger collection. 1935-1993, Accession number: 1995.A.0092, Creator: Moshe Carmilly -Weinberger. United States Holocaust Museum.

were far too risky.<sup>120</sup> Rabbi Carmilly-Weinberger most likely saved dozens of people, however the majority of Jews would not share the same fate.

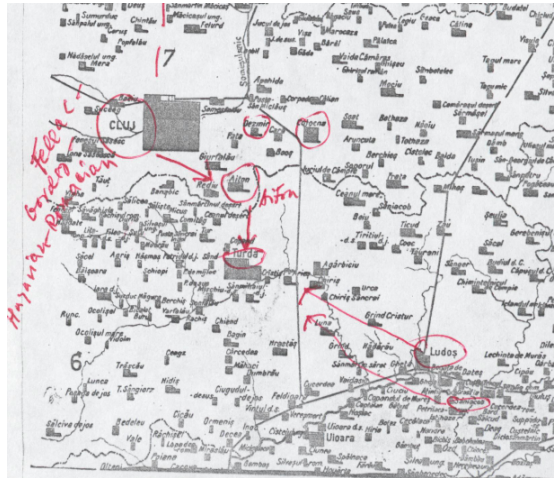


Figure 2. A Map of Moshe Carmilly-Weinberger Escape Routes.<sup>121</sup>

After three weeks of internment in the most deplorable conditions, the liquidation of the ghetto began on May 25. It was a total of six transports with the last one leaving on June 9th that transported the Jews of Cluj to Auschwitz, and other death camps. According to Hannah Marton, a survivor, she says she remembers that 3500 Jews were gathered that day and each one of them were asked what their profession was in a line up into the cattle trains, as to maintain the deception that they were in fact going to a work camp.<sup>122</sup> This is without a doubt a tactic that was used by the Germans all throughout Europe in order to induce calm in the mass allocations of Jewish populations. Magda Herzberger remembers that she and her family were put into a wagon with so many other Jews that there was no room to sit down - it later dawned on her that of course there was no restroom which she made it exceptionally difficult for the long trip. She recalled how:

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<sup>120</sup> Ibid.

<sup>121</sup> "Map of Transylvania escape route 1940-44" in Moshe Carmilly-Weinberger collection. 1935-1993, Accession number: 1995.A.0092, Creator: Moshe Carmilly -Weinberger. Courtesy of United States Holocaust Museum. Accessed at: <https://collections.ushmm.org/search/catalog/irn500596>.

<sup>122</sup> "Transcript of the Shoah Interview with Hanna Marton Translation by Deborah S. Droller" - Volunteer – Visitor Services - April thru May 2008. Translated from Claude Lanzmann. "Hannah Marton Interview 1985." Created by Claude Lanzmann during the filming of "Shoah," used by permission of USHMM and Yad Vashem.



When the trains stopped and everything was silent, and it was just like, in those moments you know something is going to happen and you don't know what exactly it is going to be. Then, soon after, you hear the voices of the German soldiers and boom, this thing [the door] opened with force.<sup>123</sup>

Over the course of those few weeks the six transports managed to completely empty the ghetto.<sup>124</sup> It took about three to four days to reach Auschwitz with as many as 80 people in each cattle car and their luggage, which is why many died on the way as a result of no food, or water and exhaustion.<sup>125</sup> The process however was not solely up to the Hungarian gendarmes watching over the ghetto, as the Judenrat - Jewish Council which was set up had the responsibility of picking those to be taken on the transports, which again was aligned with the way things were being conducted across most of the ghettos within the Nazi sphere of influence.<sup>126</sup>

## 2.2 The Ghettoization Process

The speed with which the ghettoization process was put into effect is reminiscent of the fact that by 1944 the Nazi empire, and in this case Eichmann's men which led the mass action, did so with unbelievable efficiency.<sup>127</sup> On the 30th of May well after the first transport left, The Regal Consulate General of Romania wrote a report on the condition of Hungarian Jewry presenting concern for the number of Romanians interned in the ghetto, but more importantly the fact that many Romanians played a part in actually assisting Jews to cross the border to safety, citing that it was both "personal relationships" and "material health" which motivated those who helped Jews.<sup>128</sup> The importance of this lies in the fact that it is obvious that the geopolitical power structure on the borders between Romania and the West was changing significantly. On the 20th of

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<sup>123</sup> "Magda Herzberger: Oral History Transcript- Jul 21, 1980; Jul 22, 1980; Aug 27, 1980" Wisconsin Historical Society. Accessed at: <http://www.wisconsinhistory.org/HolocaustSurvivors/Herzberger.asp#photos>.

<sup>124</sup> Gabriel Mayer. "Holocaust in Kolozsvar: 1944." p. 100-101.

<sup>125</sup> Lob, Ladislaus. *Rezso Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 108.

<sup>126</sup> Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry." p. 295.

<sup>127</sup> "Telegrama din Budapesta nr 1880 din 17. 06 - For Ambassador Ritter- 20 Iunie 1944" Ministerul de Externe Intl. I 1213 g. in *Martirul evreilor din Romania 1940-44: Documente si marturii*. (Bucuresti, 1991). p. 249.

<sup>128</sup> "Situatia Evreilor Din Ungaria - Consulatul General Regal al Romaniei - 30 May, 1944" in *Martirul evreilor din Romania 1940-44: Documente si marturii*. (Bucuresti, 1991). p. 254.

June a telegram was sent to ambassador Ritter detailing that many Jews hid in Romania, and were preparing for emigration to Palestine, which nothing could be done in regards to as the Soviets were moving across Romania at a tremendous speed.<sup>129</sup> This in turn precipitated the pace at which the Germans acted, to the extent that the Jewish Telegraphic Agency published an article on May 25th, 1944 entitled “Ghetto Already Established in 34 Hungarian Cities, Official Announces” highlighting that skilled workers were required to take over the businesses and shops left behind by the imprisoned Jews.<sup>130</sup> The population of Jews in Northern Transylvania before the war was 165, 061 which was recorded in May 1944. Only 15,769 returned to the province, and 10,000 in other countries. In total, only 15% of Jews survived.<sup>131</sup>

Those in charge, or better said, locally responsible for the ghettoization of Jews in Cluj and surrounding areas were undeniably directed by SS-*Hauptsturmführer* Strohschneider - the local German commandant.<sup>132</sup> It has been found through testimony and numerous records that Jozsef Forgacs - the secretary general of Cluj, Holloszy-Kuthy, Geza Papp, and Kasmer Taar were all responsible for the arrest and ghettoization of Jews from all of the towns surrounding Cluj.<sup>133</sup> The crimes of Dr. Paul Boldizsar who was responsible for the beating, torture, death and misery of many Jews from Huedin and Cluj appears a great deal in all of the testimonies so far that have been made public.<sup>134</sup>

Date	Train #	Number of People	Arrival to Auschwitz
May 25	41	3130	May 27

<sup>129</sup> Telegrama din Budapesta nr 1880 din 17. 06 - For Ambassador Ritter- 20 Iunie 1944” Ministerul de Externe Int. I 1213 g. in *Martirul evreilor din Romania 1940-44: Documente si marturii*. (Bucuresti, 1991). p. 249.

<sup>130</sup> “Ghetto Already Established in 34 Hungarian Cities, Official Announces -May 25th, 1944” in The Jewish Telegraphic Agency Archives.

<sup>131</sup> “The Population of Jews from Northern Transylvania” in *Martirul evreilor din Romania 1940-44: Documente si marturii*. (Bucuresti, 1991). p. 264.

<sup>132</sup> “Final Report of the International Commission on the Holocaust in Romania.” November, 2004. International Commission on the Holocaust in Romania. p. 319.

<sup>133</sup> Ibid.

<sup>134</sup> “The Wife of Roth Iacob - 15 May” in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*. This is only one instance where Dr. Boldizsar is mentioned. However is mentioned by numerous persons found in this collection.

May 29	56	3417	May 31
May 31	64	3270	June 2
June 2	73	3100	June 4
June 8	89	1784	June 10
June 9	91	1447	June 11

Table 1. Jews Deported to Auschwitz.<sup>135</sup>

For all intents and purposes the ghettoization and liquidation of the Cluj ghetto seemed to resemble that of many across the destroyed European continent.<sup>136</sup> Countless such stories have been told, yet although all undeniably share the same elements, each is unique in its own form. The narrative of Rudolf Kastner however is linked to the ghetto in a far more complex manner which is why it remains so contentious in fact to the point that recent writers have made a concerted effort to show that Kastner meant to save 388 Jews, while others believe that his selective rescue procedures were in accordance with the plan to keep Jews uninformed of their fates.<sup>137</sup> This thesis aims to show that the complexity of the events is beyond a 'white' a 'black' perspective, as Kastner's investment in that moment in history is perhaps more crucial than his attempt to rescue Hungarian Jewry in general. After all, Dr Joseph Fischer - the head of the same Judenrat which was in charge of selecting who would be sent to Auschwitz was Kastner's father-in-law.<sup>138</sup>

The Jewish Council was set up nefariously under Eichmann's plan to put the control of who got sent to the death camps in the hands of Jewish leadership. Dr. Joseph Fischer was in fact chosen to be one of the leaders of the council some 30 days before,

<sup>135</sup> Gabriel Mayer. "Holocaust in Kolozsvar: 1944." p. 102. Also see Gabriel Mayer. "Where are the Jews in in Post-Holocaust Cluj" in International Journal of Social Science Studies Vol. 4, No. 9; September 2016. pp. 69-71. This data comes from Gabriel Mayer's work - it has been assembled by him.

<sup>136</sup> Yehuda Bauer. *Jews for Sale?: Nazi-Jewish Negotiations, 1933-1945*. (Yale University Press: 1996). P. 69 Also See: Saul Friedlander. *The Years of Extermination*. (Harper Collins: 2009). p. 399. Both sources provide instances which show to some level the same patterns.

<sup>137</sup> Paul Bogdanor. *Kasztner's Crime*. (Transaction Publishers: 2016). See the Introduction.

<sup>138</sup> Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry." p. 295-297.

and there is some evidence that they might have been aware of the coming deportations, which is made more obvious that many were urging people to escape to Romania.<sup>139</sup> Dr. Fischer was without a doubt part of the rich elite of Cluj, which played an important role in the power that he held not only with the Jewish community but also his ability to influence Hungarian/German opinion - albeit he was arrested by the Gestapo and instructed how to form the Jewish Council itself.<sup>140</sup> The council served as an ominous power, most people knew of its existence but only had direct contact with the Germans and the Jews through intermediaries, never directly.<sup>141</sup>

### 2.3 Kastner in Cluj-Napoca

The one question however which was central to the trial a decade later in Israel, is why did Kastner not warn the Jewish council of Cluj of their imminent ghettoization and more importantly deportations which he was very much aware of?<sup>142</sup> During his countless meetings and negotiations with Adolf Eichmann he was made more than privy of the fate of Jews, yet when he actually visited Cluj on the 3d of May - the days when arrests were made throughout the city, the question of his inability to warn those of their fate is best described by Judge Moshe Silberberg:

And the main question is did Kastner participate in the concealment of this truth? . . . It was proven to us that when Kastner was in Cluj on the third of May that he did not disclose to the local leaders what was known to him.<sup>143</sup>

The consensus amid so many historians is that Kastner was either sent to Cluj to actually warn the Jews of their imminent deportations and failed to do so, or in fact Eichmann had sent him in order to calm the Jews and prevent escapes across to Romania.<sup>144</sup> Although Kastner was already in Cluj on that day and in fact met with his

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<sup>139</sup> Ruth Lin. *Escaping Auschwitz: A Culture of Forgetting*. (Cornell University Press:2004). p. 44. Also see Claude Lanzmann. "Hannah Marton Interview 1985." Created by Claude Lanzmann during the filming of "Shoah," used by permission of USHMM and Yad Vashem. Hannah Marton, like many of the Jews interned in the ghetto knew of Dr. Fischer and his power over them.

<sup>140</sup> Ibid.

<sup>141</sup> See Braham, Randolph. *The Politics of Genocide: The Holocaust in Hungary*. p. 129-130.

<sup>142</sup> Francisco Gil-White. "The Devil's Advocate: Refuting Anna Porter's defense of Rudolf Kastner in Kasztner's Train." in *Historical and Investigative Research* - 08 February 2008. p. 12-13.

<sup>143</sup> Ibid., p. 20.

<sup>144</sup> Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry." p. 295-297.

father-in-law, he had already made a deal with Eichmann that 388 Jews would later be transported to Budapest, and would be part of the Kastner Trains which would ultimately take them to safety.<sup>145</sup> The problematic nature here lies in the fact that the testimonies which are part of the public record are so few, that to build a substantial narrative is exceptionally difficult to piece together. For instance, the voices of individuals as corroborated by archival evidence although align there are some gaps. The ultimate aim however by the prosecution in the trial of 1954 is to show that Kastner knew of the fates of Jews, but did nothing in order not to foil his own plans to save “his” Jews. Throughout the historiography that is present there is a great deal of conjecture, speculation, and more importantly hearsay.<sup>146</sup> The important aspect to remember is that there is no possible way to determine what Kastner’s intentions were, nor his thoughts. During his trial when Kastner was asked what he had said to his father-in-law in Cluj he said:

I think my friends in Kolozsvar, including my father-in-law, didn’t do everything they could and should have done. Perhaps they should have escalated not just the escape activities but also the warning activities. I don’t say that they didn’t do so; but apparently they did less than they could have done.<sup>147</sup>

The last line in Kastner’s testimony: “they did less than they could have done” is perhaps a testament to the very thing which he was accused of.<sup>148</sup> Not only that he did not do enough to save more Jews, but in fact failed to warn others of the German plan. Here lies a central factor to why the courts, regardless of Kastner’s guilt, aimed to promote an ideal of ‘victimhood,’ but also the stance of a ‘hero.’<sup>149</sup> Although Dieter Wisliceny, Eichmann’s right-hand man, personally informed that Hungarian Jewry would meet its end in the death camps, perhaps Kastner with this knowledge had to make some choices that although seemed impossible were presented upon him with force.<sup>150</sup>

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<sup>145</sup> Ibid. Also see Paul Bogdanor. *Kasztner’s Crime*. Introduction.

<sup>146</sup> This has been the case since the trial in 1954, where historians, scholars, journalists, and writers have either always either taken the side that Kasztner was guilty of collaboration, or he was not.

<sup>147</sup> Kasztner’s Trial Testimony. September 16th, 1954.

<sup>148</sup> Ibid.

<sup>149</sup> In this instance I am referring to the conceptual model put forward in Chapter 1 where I discuss that the extreme polarization of Kastner might in fact provide evidence for a somewhat paradoxical process in regards to his mediatization, portrayal that itself plays a role in the way that people tend to think about Rudolf Kastner’s actions in Cluj. This will be developed in later chapters.

<sup>150</sup> Paul Bogdanor. *Kasztner’s Crime*. See Chapter Two Days in May.

In Rabbi Carmilly-Weinberger's study he suggests that the Jews of Cluj simply "refused to move" although they heard the report of what was happening in Europe.<sup>151</sup> Albeit the Hungarian government had forced many Jews to work in forced labour divisions, their sense of "hope" for the best as was the case for many across Europe is perhaps what led them to astray.<sup>152</sup> In his report he suggested that he knew many Jews who had relatives in places such as Turda in Romania, which was just across the border - many heard of the horrors not just in Romania but across the world as Romania was becoming increasingly unstable under Antonescu. Yet even then many refused to leave when they had the chance.<sup>153</sup> It is obvious, therefore, that although perhaps Jews did not know specifically of Auschwitz they knew of the capabilities of the Germans, Romanians, and Hungarians. In the end, the Rabbi suggests that it "was their hope for a miracle" which led to the "calamity" that befell on them.<sup>154</sup> In this context, therefore, whether Kastner already knew what everyone else thought seems to be far more complicated than originally conceived.

It was on May 2nd, a day before Kastner arrived in Cluj that Rabbi Carmilly-Weinberger was asked by Dr. Joseph Fischer to go across the border, and carry out the mission which they had discussed that year.<sup>155</sup> Interestingly this was way before Kastner had reached Dr. Fischer, under the direct fact that all communications such as telephones, telegram, and letters were completely curtailed across Northern Transylvania.<sup>156</sup> The rabbi crossed the border to Turda and made his way to Bucharest where he met with the Chief Rabbi of Romania, Alexander Safran where he relayed what was happening in Transylvania.<sup>157</sup> He asked the chief rabbi to try and contact western sources in order to ask for help. This in fact precipitated to a report to be sent from Bucharest to Pope Pius XII which had no effect whatsoever. However, the rabbi managed to contact Iuliu Manu, an exceptionally important politician in Romania, and

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<sup>151</sup> Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry." p. 299.

<sup>152</sup> Ibid.

<sup>153</sup> Ibid., p. 300.

<sup>154</sup> Ibid., p. 299.

<sup>155</sup> Moshe Carmilly-Weinberger, Moshe Carmilly. *The road to life: the rescue operation of Jewish refugees on the Hungarian-Romanian border in Transylvania, 1936-1944.* p. 100. Also See: Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry." p. 300.

<sup>156</sup> Moshe Carmilly-Weinberger. "The Tragedy of Transylvanian Jewry." p. 296-297.

<sup>157</sup> Ibid., p. 300-301.

Wilhelm Filderman the leader of the Jewish communities who will later be relayed.<sup>158</sup> Therefore as Kastner was negotiating with Eichmann to try and save Jews from Hungary, rabbi Carmilly-Weinberger was trying to do the same through Romania. This ultimately raises the question of why Kastner was asked with such intensity whether he alerted the Jews of Cluj of their fates, when it seems that at least the key figures of the ghetto actually already knew of the German plan?<sup>159</sup> This will be more heavily studied in later chapters, but the connection to Cluj is one of great importance, as is the 388 Jews which were selected and saved from the deportations to the death camps.

Unlike Lazer Matei, or Noti Geza who would end in in Auschwitz the 388 Jews who were selected by Kastner to be saved from the deportations across Northern Transylvania, had a different fate.<sup>160</sup> This precipitated out of Adolf Eichmann's plan which he presented to Joel Brand which offered 10,000 trucks, 800 tons of coffee, 200 tons of tea and other staples in exchange for Hungarian Jewry. This plan which was presented by Eichmann on April 25th of course never materialized, but showed the German's quick realization of the reality of defeat which was imminent.<sup>161</sup> Only days later after he presented the '\$3000 per head' plan, which was the cost of one Jew which would be taken to safety from Hungary.<sup>162</sup> It was only on June 10th however that 388 people were selected from the Cluj ghetto, before the final transport to Auschwitz - Kastner's family, friends and many other prominent Jews who were part of the group.<sup>163</sup>

It was on Columbus street in Budapest that the groups of Jews arrived in a less than favourable state. They were housed in a few barracks only holding 210 bunk beds

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<sup>158</sup> Ibid.

<sup>159</sup> If Dr. Fischer and the Judenrat were already aware of their fates, than Kastner himself most likely did not relay the information to those in the ghetto as not to induce panic. However, it is likely due to the fact to his close negotiations with Adolf Eichmann as to why he was the one to be later vilified.

<sup>160</sup> Randolph Braham. *The Politics of Genocide: The Holocaust in Hungary*. p. 125.

<sup>161</sup> "Jews For Sale": The Rudolph Kasztner Transports" in *Jewish Gen - The Rudolph Kasztner Transports*. p. 1; Also See: David Kranzler. *The Man Who Stopped the Trains to Auschwitz: George Mantello, El Salvador, and Switzerland's Finest Hour*. (Syracuse University Press: 2000). p. 55-56.

<sup>162</sup> "Jews For Sale": The Rudolph Kasztner Transports" in *Jewish Gen - The Rudolph Kasztner Transports*. p. 1.

<sup>163</sup> Lob, Ladislaus. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 84-85.

designed by an engineer from Cluj.<sup>164</sup> The sanitation services, the infirmary, and allocation of food, however was very much improved compared to the situation at the Cluj ghetto.<sup>165</sup> It was obvious that the Jews, who were interned briefly at the location had regained some of their health after more hospitable and humane conditions were provided. The beatings were not longer a regularity, rather they were replaced by lectures led by Dr. Izso Diamant.<sup>166</sup> According to Lodislaus Lob there was “a big gymnasium, a smaller villa and a number of wooden huts in a shady garden, which would have been quite idyllic, had they not been crammed full of tense and anxious people.”<sup>167</sup> Although the group was safe, the air raids that were hitting Budapest at that time were rather horrific - the sirens cleared all over the city as each bomb dropped caused the sensation of earthquakes taking over the often empty streets.<sup>168</sup> The war by this point was becoming increasingly intense as Romania was only moments away from switching sides with the Soviet army, meaning that it would be soon that Northern Transylvania would be invaded by the Red Army.<sup>169</sup> It was finally on the 30th of June that the group was transported to Bergen-Belsen where they were interned and later would join the rest of those who would be taken to safety in Switzerland.<sup>170</sup>

As aforementioned the ever accelerated pace of the Germans in all aspects of the destruction of Jewry had reached its epitome, while the family of those such as Ladislaus Lob was interned that June. In the East the German and Romanians were fighting the immovable advance of the Red Army as they were about to launch an offensive on Jassy, and in the north Ukraine was being won over with tremendous casualties.<sup>171</sup> In the Italian theater the Allies were marching on Rome, while finally the long-awaited D-Day proved successful in West. The extreme pressure that was put on

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<sup>164</sup> Szabolcs Szita, and Sean Lambert. *Trading in Lives? : Operations of the Jewish Relief and Rescue Committee in Budapest, 1944-1945.* p. 68-69.

<sup>165</sup> Ibid.

<sup>166</sup> Ibid., p. 70.

<sup>167</sup> Lob, Ladislaus. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account.* p. 49.

<sup>168</sup> Ibid., p. 32.

<sup>169</sup> Antonescu was removed from power that August. See Denis Deletant. *Hitler's Forgotten Ally: Ion Antonescu and his Regime, Romania 1940-1944.* p. 345.

<sup>170</sup> Szabolcs Szita, and Sean Lambert. *Trading in Lives? : Operations of the Jewish Relief and Rescue Committee in Budapest, 1944-1945.* p. 170.

<sup>171</sup> Denis Deletant. *Hitler's Forgotten Ally: Ion Antonescu and his Regime, Romania 1940-1944.* p. 240.



Adolf Hitler, the German command and army made its way on the shoulder of Eichmann who daily made sure that the destruction of Jewry became more efficient and conducted in a more speedy manner - in essence his own fight against the clock. Historians have long argued why it is the Germans although actually used resources and time which would have been valuable to their own war effort, continued the mass murder of Jews, against their own best interests. It is perhaps the case that by 1944 when the war was already lost in the minds of many German elites, Eichmann saw his power over one million Jews as something that could be used as a bargaining chip for desperate supplies.<sup>172</sup> Yet, his reluctance shown through numerous documents and testimonies in context to the Kastner affair shows that perhaps he was very much still committed to his mischievous plan, regardless of the imminent demise of the Third Reich.

Still some academics have become nearly obsessed with not only why Kastner went to Cluj alone, but why in essence he did not tell the Jewish Leaders and those in the ghetto of the fact that the Jewish community was to be deported to Auschwitz.<sup>173</sup> This alongside the fact that he arranged 388 Jews to be saved made his actions seem questionable a decade later. It is here too however that most people seem to not understand, that ten years later after reflections the ideas and moments, and the feelings of decision upon one man would be put on trial, without counting what it was like to experience his heavy decisions in the moment. In his famous, and once banned book *Perfidy*, Ben Hecht explains that in that Jerusalem Court it became obvious that Kastner knew of the fate of the Jews, and not only that but there were in fact only twenty-one guards that controlled the ghetto.<sup>174</sup> He goes as far to suggest that "the Rumanian Hussars" were no longer killing Jews because they were too busy fighting the Russians, and thus Jews could have crossed the border to safety. Yet, Ben Hecht was not aware of the tremendous difficulties in crossing the border into Romania as shown by the accounts of Rabbi Carmilly-Weinberger. Nor was he aware of the fact that Dr. Fischer

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<sup>172</sup> Szabolcs Szita, and Sean Lambert. *Trading in Lives? : Operations of the Jewish Relief and Rescue Committee in Budapest, 1944-1945*. p. 65 and 105.

<sup>173</sup> Paul Bogdanor. *Kasztner's Crime*. See the Introduction.

<sup>174</sup> Francisco Gil-White. "The Devil's Advocate: Refuting Anna Porter's defense of Rudolf Kastner in Kasztner's Train." p. 12-13. Also see Katz, Shlomo. "Ben Hecht's Kampf," *Midstream*, Winter 1962. P. 92-93 for an interesting study on Ben Hecht's famous book.

was aware of what was going to happen to the Jews of Cluj based on the account that he did what he could to support the crossing of the border.

Eichmann, and SS officer Krumej who was involved in the negotiations had made it clear to Kastner, something which he himself acknowledged in court, that he knew that his presence in Cluj was meant to calm the Jews in order to maintain silence of their imminent deaths.<sup>175</sup> Yet, it seems that although the Germans had wished to employ this tactic, it must be said that this was no longer 1942, after years of the war the knowledge of the fate of Jewry has made its way across the world in some form or another, although not the details specifically. The Jews of Cluj, as seen through the testimonies and studies of Rabbi Carmilly-Weinberger were more than aware that they were in danger, especially also that the Hungarian Jewish Labour Forces had brutally exploited them years before the ghettoization.<sup>176</sup> To accept that Dr. Fischer, the Judenrat and even most of the Jews did not know that they were in danger is of course to deny the evidence that is available.

This is not to say that there was truly no information that was kept from Jews by the Judenrat. In one instance a Jew from Kastner's group of 388 jumped on the train platform after the first train for Auschwitz left Cluj and told the people that surrounded him that the Jews were safely on their way to humane work camps.<sup>177</sup> Whether this was a ploy by the Judenrat to maintain calm amid the desperate thousands of Jews it is unknown. There are so many such instances, throughout the Shoah that it is important to mention that along with the horrific crimes of the Nazis there was another which is at times not studied very often. By placing people in exceptionally desperate situations and by placing individuals into unthinkable pressure people turned against each other at times in extraordinary ways. Therein lies at the heart of it one of the aspects of the Shoah which is still very much a part of the Jewish people - the dehumanization of their being was not done only by physical means but was also achieved by forcing people to do unspeakable things just to survive. In part, within the context of Kastner's dealings in Cluj, I believe this plays a salient role - something which was very much exploited by the

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<sup>175</sup> Ibid.

<sup>176</sup> Szabolcs Szita, and Sean Lambert. *Trading in Lives? : Operations of the Jewish Relief and Rescue Committee in Budapest, 1944-1945*. p. 114.

<sup>177</sup> *Escaping Auschwitz: A Culture of Forgetting*. (Cornell University Press:2004). p. 45.

Israeli courts within the trauma and pain felt by a nation. In a letter by Yossef Reiss, a survivor from Cluj, he expressed:

Only Kastner knew that they would be sent to Auschwitz for extermination and he helped the murderers of the Jews so that he could take out his group. Otherwise more people could have saved themselves.<sup>178</sup>

Whether this was true, it cannot be certain. Also whether it is anger at the fact that many people lost their relatives at the hands of Germans, and found a means to direct that emotional anger at Kastner it can also be uncertain.

The one problem which has often confounded those who have studied the affair, is why the Vrba-Wetzler report - the infamous document that let the world know of the horrors that were being committed at Auschwitz was not made public by Kastner. Although the report had made its way on Churchill's desk that summer, most of Hungarian Jewry remained oblivious of its existence, except the Jewish leadership itself.<sup>179</sup> In his study, Zoltan Tibori Szabo reveals how a great deal of the Jewish leadership in Hungary such as the Jewish Relief Agency, the Zionist Organization and numerous others were fully aware of the report, and in fact did nothing to actually warn those in charge of selecting the deportations.<sup>180</sup> With this in mind it must be said therefore, that perhaps Kastner, if he did not warn Jewry of their fates, it is because most of the Jewish leadership already knew where the Jews of Cluj were being taken.<sup>181</sup> One thing is certain however, there is evidence that Kastner might have known of the report itself, and in fact kept it hidden from the "potential deportees" in order to induce panic.<sup>182</sup> The question however, that must be asked is was it not the case that the entire Jewish elite also knew of the events at Auschwitz?

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<sup>178</sup> "Yossef Reiss - Letter From Holocaust Survivor." From Paul Bogdanor's website *Kasztner's Crime*.

<sup>179</sup> Gabriel Groszman. *My Roots, My Destiny*. (Dog Ear Publishing: 2011). p. 106.

<sup>180</sup> Zoltan Tibori Szabo. "The Auschwitz Reports: Who Got Them, and When?" in *The Auschwitz Reports and the Holocaust in Hungary*. (Columbia University Press: 2011). p. 115.

<sup>181</sup> Gabriel Groszman. *My Roots, My Destiny*. (Dog Ear Publishing: 2011). p. 106. Also See: Szabolcs Szita, and Sean Lambert. *Trading in Lives? : Operations of the Jewish Relief and Rescue Committee in Budapest, 1944-1945*. p. 113-116.

<sup>182</sup> Ruth Lin. "Genocide and the politics of remembering: the nameless, the celebrated, and the would-be Holocaust heroes." in *Journal of Genocide Research*, 2003. p. 571.

Having looked at the events in Cluj and their connection to the Kastner affair, it is paramount to understand that although Kastner was vilified the way he was, and continues to be put under the same scrutiny today, no amount of documents and sources can ever depict the pressure that was imposed on him while trying to negotiate with Adolf Eichmann in regards to how many lives he could save from the Germans. It is here, at the base level, as the cases of Dr. Fisher and Carmilly-Weinberger have proven that perhaps Kastner was stuck in a moment in history where he was forced to act in a manner which ultimately put him, as some suggest, in the “gray zone.”<sup>183</sup> Although there is a central place for Cluj and the events that aspired there, the narrative began months earlier when Kastner was visiting Eichmann with frequency to try and negotiate the future of Transylvanian Jewry. The next chapter will look at the nuances of their relationship all the way up until Kastner's visit to Cluj in May, and the transport of the 388 Jews who were saved.

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<sup>183</sup> David Luban. “A Man lost in the Gray Zone” in 19 *Law & Hist. Rev.* 161-176 (2001). p. 161-162.

## Chapter 3. Eichmann and Kastner

Words cannot express what it must have felt like to be sitting face to face with Adolf Eichmann, one of the architects of the destruction of Jewry in the later part of the Second World War - while knowing that very fact which was concealed from most of the world.<sup>184</sup> Yet Rudolf Kastner found himself in this situation numerous times in 1944, while living in Budapest, and while working for the Aid and Rescue Committee.<sup>185</sup> His visits to Eichmann's smoked filled office, became more frequent throughout the year prior to the ghettoization of Cluj, and even the deportation of Jews to numerous death camps.<sup>186</sup> Yet cigarettes were not the cause of Kastner's despair, as he even picked up the habit more strenuously himself in order to match Eichmann, rather it was the man's incessant arrogance which made every meeting more unbearable.<sup>187</sup>

Albeit historians have always made it their casual mission to either portray what went on between Eichmann and Kastner, either in a positive or negative light.<sup>188</sup> Namely, they have depicted Kastner either selflessly trying to save Jews, or either selfishly trying to save himself and his own family - my research shows that neither characterization was in fact the case.<sup>189</sup> The feelings, emotions, and ultimate intents of a person, cannot be ascertained fully in hindsight, yet the evidence points to the fact that Rudolf Kastner's

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<sup>184</sup> Ladislaus Lob. *Dealing with Satan: Rezso Kasztner's Daring Rescue of Hungarian Jews*. p. 168-170.

<sup>185</sup> See: Kasztner, Rezso. "The Report of the Budapest Jewish Rescue Committee 1942-1945" in *51 Documents: Zionist Collaboration With The Nazis*. ed. Lenni Brenner. (New Jersey: 2002). p. 239; Also for Corroboration See: "The Kastner Report - Affidavit of Dr Rudolf Kastner, former President of the Hungarian Zionist Organization, 9/13/1945."- DOCUMENTS AND OTHER MATERIAL IN EVIDENCE Numbers 2605-PS to 3054-PS, in Trial of the Major War Criminals - Nuremberg. (Volume XXXI:1948). p. 4-6.

<sup>186</sup> "The Kastner Report - Affidavit of Dr Rudolf Kastner, former President of the Hungarian Zionist Organization, 9/13/1945."- DOCUMENTS AND OTHER MATERIAL IN EVIDENCE Numbers 2605-PS to 3054-PS, in Trial of the Major War Criminals - Nuremberg. (Volume XXXI:1948). p. 4-10.

<sup>187</sup> Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. (D & M Publishers: 2009). p. 168.

<sup>188</sup> In particular see Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*; as well as Paul Bogdanor. *Kasztner's Crime*. (Transaction Publishers: 201; Anna Porter attempts to depict Kastner as a 'saint' while Paul Bogdanor's book makes an effort to portray Kastner as a Nazi collaborator.

<sup>189</sup> As aforementioned in earlier chapter I want to challenge the portrayal of Kastner and depict him as the complex figure that he was away from the absolute characterizations that have surfaced in the narratives written by a few historians in the last decade.

decisions were based on far more complicated and arduous foundations.<sup>190</sup> Ones which cannot be based on arbitrary absolutes, rather a complexity defined by the ever-changing circumstances of facing decision making in the most difficult circumstances. The main purpose of this chapter, therefore, is to highlight the fact that Kastner was very much stuck in the “gray zone,” - something which plays an important role in the conceptual model posited by this thesis.<sup>191</sup>

The notion of intent albeit necessary for the proper progress of law, remains vague and unimportant in the annals of history, which is why it was the consequence of his actions which must remain ultimately at the focal center of the entire affair. In 1955 in the trial that would defame Kastner, Judge Benjamin Halevi read the court verdict, which would be later repealed after Kastner’s assassination for the ears of an entire nation:

They learned that Jews were able to sell their lives very expensively if honorably guided. Eichmann did not want a second Warsaw. For this reason, the Nazis exerted themselves to mislead and bribe the Jewish leaders. The personality of Rudolph Kastner made him a convenient catspaw for Eichmann and his clique, to draw into collaboration and make their task easier.<sup>192</sup>

Having framed Kastner’s intent, position, and motivations within his verdict, Halevi portrayed him as a willing pawn in Eichmann’s plan to accelerate the destruction of Jewry before the imminent defeat of the Third Reich.<sup>193</sup> Many historians and writers who have covered this case believe that Kastner was used to calm the ghetto populations in order not to incite another uprising similar to what happened in ‘Warsaw.’<sup>194</sup> Yet perhaps Eichmann was indeed worried about the Reich’s collapse, as made obvious by his substantial demands.

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<sup>190</sup> See Paul Sanders. “The ‘strange Mr. Kastner’ - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands.” p. 5-7.

<sup>191</sup> Ibid. Although Paul Sanders provides an elementary description of this, this thesis tries to expand on his idea of the ‘grey zone.’

<sup>192</sup> Judgement of Judge Benjamin Halevi, Criminal Case 124/53; Attorney General v. Malchiel Greenwald, District Court, Jerusalem, June 22, 1955. Translated from Hebrew to English. p. 1-2.

<sup>193</sup> Ian Kershaw. *The End: The Defiance and Destruction of Hitler’s Germany, 1944-1945*. (Penguin: 2011). p. 17-18.

<sup>194</sup> Judgement of Judge Benjamin Halevi, Criminal Case 124/53; Attorney General v. Malchiel Greenwald, District Court, Jerusalem, June 22, 1955. Translated from Hebrew to English. p. 1-2. Throughout Benjamin Halevi’s verdict it was obvious that rudolf Kastner was believed to have collaborated with Eichmann in his intentions to keep Jews in places such as Cluj calm and oblivious to their eventual transport to the gas chambers of Auschwitz.

After the transfer of Transylvania from the Romanian Kingdom into Hungarian sovereignty as planned by Adolf Hitler in order to quell the rising acrimony between the two states, Kastner moved to Budapest and joined the Aid and Rescue Committee along with Joel Brand.<sup>195</sup> It was only in the capital city of Hungary that he could influence Eichmann who held ultimate control over Transylvanian Jewry, as the indiscriminate power of his pen moved the cogs of the bureaucracy all the way down to the Hungarian and Romanian gendarmes who would later commit heinous crimes in 1944.<sup>196</sup>

In the early months of 1944, as well as that summer Kastner visited Eichmann dozens of times at his headquarters with the intent of persuading him to set Jews free from Cluj prior and during its ghettoization.<sup>197</sup> Some time before these negotiations however, Joel Brand was called to Eichmann's office and was given a proposal which seemed ludicrous. He offered him the release of one million Jews, in exchange for 10,000 trucks, tons of coffee, tea, and soap.<sup>198</sup>

What I would like to get are army trucks. You want to have one million Jews? ... I'll make you a fair offer. You deliver me one army truck for 100 Jews ... That Makes a total of 10,000 trucks. They must be brand new and equipped for winter conditions.<sup>199</sup>

Reminiscent of the depraved German condition at that point in the war, Eichmann essentially asked Joel Brand for the impossible, as Brand, Kastner and those involved knew very well that the Allied powers would not concede any supplies to the German

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<sup>195</sup> Kasztner, Rezsó. "The Report of the Budapest Jewish Rescue Committee 1942-1945" in *51 Documents: Zionist Collaboration With The Nazis*. ed. Lenni Brenner. (New Jersey: 2002). p. 224-225.

<sup>196</sup> David Astor. "The Meaning of Eichmann." (The Parkes Library: 1961). p. 1-5. Although David Astor's study very much concentrates of Eichmann's position in Israeli and international law he makes it clear that the man's bureaucratic vigour gave him systematic powers in the district of Transylvania.

<sup>197</sup> Kadar, Gabor, Vagi Zoltan. *Self-financing Genocide: The Gold Train, the Becher Case and the Wealth of Hungarian Jews*. p. 210-213.

<sup>198</sup> Eichmann Trial - Session 59 - Witness Joel Brand Testifies Negotiations with Eichmann. Interview at Adolf Eichmann Trial. 05/31/1961. Jerusalem, Israel. STORY RG-60.2100\*072, FILM ID: 2071. Israel State Archives & Steven Spielberg Jewish Film Archive. Steven Spielberg Jewish Film Archive, VTEI 111.

<sup>199</sup> Alex Weisber. *Advocate for the Dead: The Story of Joel Brand*. (Landsborough Publications, 1956). p.5; Interestingly Lob also discusses this particular incident in more depth: Lob, Ladislaus. Rezsó Kasztner: *The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 63.

army.<sup>200</sup> Yet, this played a salient role in setting a certain stringent atmosphere for Kastner's more modest negotiations.

Kastner's final agreement with Eichmann which came after numerous arduous meetings was that some 1,600 Jews would be rescued at \$1000 dollars per head.<sup>201</sup> Yet Eichmann at first did not agree with saving 388 Jews from Cluj, but most likely used Kastner's connection to the town to gain more leverage.<sup>202</sup> After what some have referred to as 'haggling' Eichman finally conceded on allowing Kastner to organize for 388 people to be moved from Cluj to Budapest, as ascertained by the experiences of Ladislaus Lob as aforementioned in an earlier chapter.<sup>203</sup> It was here, at this focal point, in his negotiations, that would also play a salient role in the way that his trial would be conducted in 1954.

In Jerusalem in 1954, Shmuel Tamir, Michael Gruenwald's lawyer made a point of the fact that Kastner concentrated on Cluj, by questioning why Kastner only kept in contact with the Jewish council - his father-in-law in Cluj. When Tamir asked, Kastner responded "I? No, I didn't manage to. I couldn't do everything myself. So I concentrated on Kluj, for obvious reasons."<sup>204</sup> Albeit a problematic notion historians have had made the human concession, of asking the question 'what would anyone else have done?'<sup>205</sup> This question remains unanswerable, and in other circumstances would be unwarranted, but in the case of the Shoah like all other horrific events in history must remain at least within the context of understanding the Kastner affair. After all, this consideration remained at the heart of the Kastner trial which rocked the political organism of the

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<sup>200</sup> Ben Hecht. *Perfidy*. (Milah Press: 1997). p. 190-200 for a transcript of Shmuel Tamir's questioning of Joel Brandt.

<sup>201</sup> "The Kastner Report - Affidavit of Dr Rudolf Kastner, former President of the Hungarian Zionist Organization, 9/13/1945."- DOCUMENTS AND OTHER MATERIAL IN EVIDENCE Numbers 2605-PS to 3054-PS, in Trial of the Major War Criminals - Nuremberg. (Volume XXXI:1948). p. 6. For when Kasztner entered in final negotiations with Eichmann; Also see Ladislaus Lob. *Dealing with Satan: Rezso Kasztner's Daring Rescue of Hungarian Jews*. (Jonathan Cape: 2008). p. 83 and 87.

<sup>202</sup> Ibid.

<sup>203</sup> Ibid., p. 5.

<sup>204</sup> Francisco Gil-White. "The Devil's Advocate: Refuting Anna Porter's defense of Rudolf Kastner in Kasztner's Train." p. 15; Also see Ben Hecht. *Perfidy*. p. 113-114.

<sup>205</sup> Dan Stone. *The Holocaust and Historical Methodology*. p. 149 and 258.



young Israeli state, and undeniably must remain at the heart of understanding Kastner's intentions.

The narrative remains very much complicated mainly due to the fact that there is evidence that Kastner's intentions were propelled in the moral 'grey zone' mainly due to his close relationships with top-ranking Nazis such as Kurt Becher.<sup>206</sup> In a meeting which was recorded by his secretary, Lily Unger in Budapest, on July 15 Kastner made an admission to Kurt that:

It was Eichmann's suggestion and wish that my family go. I never thought of sending them. It would be as if two less people had to wear a [yellow] star. Eichmann himself made it easier for me when he suggested that my wife and mother go abroad.<sup>207</sup>

Thereby making it obvious that perhaps Eichmann was indeed using Kastner to his own benefit to try and calm the populations of Transylvania before sending them to Auschwitz.<sup>208</sup> This statement cannot be taken at face value, as after all Kastner was negotiating with Kurt Becher in order to get to Eichmann, and thus any statements made must have been skewed to benefit Kastner.<sup>209</sup> This statement about his family was also made in response to Becher's concern that once Kastner's family reached Switzerland on the Kastner train, he would not longer hold up his end of the bargain and provide the money for the second transport, which as we know did not in fact happen.<sup>210</sup> In fact, two weeks later Kastner and Becher traveled to the Swiss border in order to talk to Sally Mayer, a representative of the Joint D.C. for a price to put an end to the gassings at Auschwitz.<sup>211</sup> It was during the Nuremberg trials, and later other state trials that Kastner would submit affidavits in favour of Kurt Becher and Dieter Wisliceny - Eichmann's

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<sup>206</sup> See Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p. 5-7; Also see David Luban. "A Man lost in the Gray Zone" in 19 Law & Hist. Rev. (2001). p. 161-162.

<sup>207</sup> "The July 15 Minutes - Minutes taken by Kasztner's secretary Lilly Unger on July 15, 1944, Dov Dinur Archive, Doc. 4." Found on Paul Bogdanor's website.

<sup>208</sup> "The Kastner Report - Affidavit of Dr Rudolf Kastner, former President of the Hungarian Zionist Organization, 9/13/1945."- DOCUMENTS AND OTHER MATERIAL IN EVIDENCE Numbers 2605-PS to 3054-PS, in Trial of the Major War Criminals - Nuremberg. (Volume XXXI:1948). p. 8. In this instance Eichmann was prone to withhold information from major actors, as was the norm for deceiving mass Jewish populations of their actual fates.

<sup>209</sup> Ibid.

<sup>210</sup> Ibid.

<sup>211</sup> Ibid.

right-hand man - which depicted them in a positive light, that would play a role in demonizing Kastner, as a Nazi collaborator.<sup>212</sup>

Although the Joel Brand mission overtly made Kastner's negotiations that much more difficult as his arrest in Istanbul and the fact that he did not return to Budapest led to Eichmann to question Kastner and the Aid and Rescue Committee.<sup>213</sup> During his years in local government part of the Jewish party in Romania, Kastner was known as a "fixer" due to the fact that "he knew who to bribe and who to flatter" in order to get things done.<sup>214</sup> This played an important role in his relationship with Eichmann, which would later be described as an act of selling one's soul to the devil, yet some have interpreted it as bargaining with the devil.<sup>215</sup> After all, Eichmann, who has become a symbol of the detachment of bureaucracy due to his role in signing papers that would condemn hundreds of thousands to the gas chambers of Auschwitz, was a towering figure, whom Kastner tried to match at every turn in their negotiations.<sup>216</sup>

One must understand that Eichmann was Obersturmbannführer, and held absolute control over Hungarian Jewry, while Kastner's only leverage was the fact that the Soviets were gaining ground fast in the east.<sup>217</sup> Still, Eichmann became nearly obsessed with Joel Brand and his mission to acquire a truck for 100 Jews, which of course never transpired as he was arrested by the British in Istanbul.<sup>218</sup> On the witness stand in 1954, Kastner testified that:

Eichmann talked to me constantly about Brand's failure to return, or to send back any word to him. At the beginning of June, Eichmann gave me an ultimatum. He

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<sup>212</sup> Judgement of Judge Benjamin Halevi, Criminal Case 124/53; Attorney General v. Malchiel Greenwald, District Court, Jerusalem, June 22, 1955. Translated from Hebrew to English. p. 2.

<sup>213</sup> Ladislaus Lob. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 85 and 87.

<sup>214</sup> Robert Mnookin. *Bargaining with the Devil: When to Negotiate, When to Fight*. (Simon and Schuster:2010). p. 54

<sup>215</sup> *Ibid.*, p. 53-54.

<sup>216</sup> Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. p. 168.

<sup>217</sup> Ian Kershaw. *The End: The Defiance and Destruction of Hitler's Germany. 1944-1945*. p. 167-168.

<sup>218</sup> Ladislaus Lob. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 67.

said, 'If I don't get an answer from Brand in a few days, I'll let the mills of Auschwitz start grinding.'<sup>219</sup>

Eichmann's desperation as a result of the oncoming Red Army revealed itself in his negotiations, as Kastner also mentioned that during this time Eichmann had agreed to let 300 Jews from Cluj to be transported to Budapest. It is interesting to point out that Eichmann's actions during the summer of 1944, were very much in tune with the rest of the Third Reich.<sup>220</sup> The imminent defeat which was being felt on the entire Nazi apparatus was becoming evident, which paradoxically did not result in concession, but the acceleration of the destructive forces of the Shoah.<sup>221</sup> The deportations accelerated at an alarming rate during this time, as was the Soviet advanced. Yet a sign that the tides were turning, even personally for Eichmann, was when in August he had to plan for the deportation of 10,000 Germans on the borders of Transylvania in Romania with the imminent defeat of Antonescu - something which Eichmann was awarded an Iron Cross for.

During the negotiations for the 300 Jews from the Cluj ghetto, Eichmann became infuriated at the fact that Joel Brand had not returned from Istanbul, and turned to Kastner to say "You are a bundle of nerves Kastner. I'll send you to Theresienstadt to recover. Or do you prefer Auschwitz?"<sup>222</sup> Eichmann was very difficult to deal with, as such numerous instances show, however at times he would concede knowing that he could use Kastner to his advantage.<sup>223</sup> For instance, when Kastner first arrived in Budapest and was given a stipend by the Aid and Rescue Committee, Eichmann had him arrested and returned the money back to him. The extreme intricacy of their relationship was scrutinized to great lengths during the trial, mostly to show that Kastner

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<sup>219</sup> Ben Hecht. *Perfidy*. p. 52.

<sup>220</sup> Peter Papadatos. *The Eichmann Trial*. (New York: 1964). In this short study Peter Papadatos makes the case that Adolf Eichmann acted within the accords of the Reich bureaucracy. Papadatos' study is very much within the Arendtian school of thought in terms that he understands the importance of judgement in a subjective way, and the fact that Eichmann as a perpetrator was in no way a 'villain' of sorts. However he does expand on the legal ramifications of Israel actually putting Eichmann on trial.

<sup>221</sup> Randolph Braham. *The Politics of Genocide: The Holocaust in Hungary*. p. 246-247.

<sup>222</sup> Rezso Kasztner. *Der Kastner-Bericht über Eichmanns Menschenhandel in Ungarn*. (Munich:1961). p. 103-104

<sup>223</sup> Ibid.

had participated in Nazi collaboration, yet this was not the view of those he had saved on the trains.<sup>224</sup>

Writers, historians, and journalists have always concentrated on every singular aspect of the Kastner affair but have given much less attention to Cluj, which in my opinion plays a pivotal role in understanding Kastner's bargaining tactics during the negotiations.<sup>225</sup> The outstanding amount of evidence which both favours Kastner's actions, yet also play against him has been used sometimes as denial of one against the other to create absolute characterizations of Kastner. There is evidence that he might have done the wrong things, for inherently right reasons. He might have done the right things, for the wrong reasons yet his assassination of character which presented itself in his trial, cannot play a role in the results of his actions at Cluj and Budapest. What is meant by this is the fact that the decisions that Kastner had to make could not be easily judged, as they could not even properly be explained in the court of law. Regardless of the minutia of his intent, whether he was a Nazi collaborator, or a 'saint' as depicted by some, the result was one and the same: some 1,685 people were saved from the death camps.

It was February 6th, 1946 that Roswell D. McClelland, the representative of the War Refugee Board sent a letter to Dr. Kastner letting him know that his actions of coordinating the transport of Jews from Cluj and Budapest was known to him, the American Minister at Bern, and ultimately Washington during 1944.<sup>226</sup> Moreover, he made it clear that the Americans in Switzerland were aware of the "desperate circumstances" at the times made the transport of Jews across the border something "to be considered as an achievement of great importance."<sup>227</sup> On July 18th of that year McClelland again sent a letter informing Kastner that the War Refugee Board was aware

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<sup>224</sup> Judgement of Judge Benjamin Halevi, Criminal Case 124/53; Attorney General v. Malchiel Greenwald, District Court, Jerusalem, June 22, 1955. Translated from Hebrew to English. p. 2-3.

<sup>225</sup> It was ultimately during Joel Brand's failed mission that Kastner made the most headway with Eichmann. See Ladislaus Lob. Rezso Kasztner: *The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 85 and 87.

<sup>226</sup> "Letter from Roswell D. McClelland to Rudolf Kastner - February 6, 1946." Found in the Report of the Budapest Jewish Rescue Committee. *51 Documents: Zionist Collaboration With The Nazis*. ed. Lenni Brenner. (New Jersey: 2002). p. 259-261.

<sup>227</sup> *Ibid.*, p. 260.

that he had not collaborated with the Nazis.<sup>228</sup> Yet the evidence shows that what Kastner did in those countless meetings with Eichmann could be in fact interpreted as collaboration - an image which was romanticized and exaggerated upon in the Israeli courts as made obvious by Ben Hecht's *Perfidy*.<sup>229</sup>

The question remains how can we as historians begin to understand what it was like to sit face to face with a man who held in his hands the power to destroy the lives of one million people, and thus concede that we would have acted differently.<sup>230</sup> Therein lies the issue with the narratives of historians that have dealt with Kastner - they do not allow this complexity to highlight that perhaps one would be willing to do anything to save one's family and one's community. It is also here that again we can understand why philosophy cannot be divorced from the methodology of the history of genocide.<sup>231</sup> In this regards what I mean by philosophy is the act of understanding what happened within the context of the Shoah, as well as the fact that self-perception plays a role in the creation of identity. Yet Chaim Cohen's testimony in front of the judges in 1954 highlighted what everyone was thinking, and still ponders on when they come across this story:

It is only human for a man to save himself and his family first. Had it been an ordinary man, exploiting his connections and running away with his family, who would dare to criticize him? Who knows if any of us would behave differently.<sup>232</sup>

The cardinal problem arose out of the fact that Rudolf Kastner was not an ordinary man, rather that he had taken the responsibility of taking care of the influx of refugees from destroyed nations, and more importantly the negotiation of end the deportation of Jews to the death camps of Europe.<sup>233</sup> The details of Kastner's negotiations with Eichmann came up so many times during in-trial and post-trial debates that it became one of the

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<sup>228</sup> "Letter from Roswell D. McClelland to Rudolf Kastner - July 18, 1946." Found in the Report of the Budapest Jewish Rescue Committee. *51 Documents: Zionist Collaboration With The Nazis*. ed. Lenni Brenner. (New Jersey: 2002). P. 262-263.

<sup>229</sup> Ben Hecht. *Perfidy*. p. 39 for such an instance.

<sup>230</sup> This theme was present throughout the Kastner trial as found in the trial records, and the media. See "Kastner Speaks: "My Conscience is Clear" *Jewish Observer and Middle East Review*, July 22, 1955. Also see: Judgement of Judge Benjamin Halevi, Criminal Case 124/53; Attorney General v. Malchiel Greenwald, District Court, Jerusalem, June 22, 1955. Translated from Hebrew to English. p. 2-3.

<sup>231</sup> Dan Stone. *The Holocaust and Historical Methodology*. p. 12.

<sup>232</sup> Ben Hecht. *Perfidy*. p. 152.

<sup>233</sup> *Ibid*.

most decisive considerations taken by Judge Benjamin Halevi. A factor which was not given nearly as much attention was the immense difficulty of transporting 1,685 people to safety, across war-torn Nazi Europe.

### 3.1 The 'In-between'

The immensity of Kastner's actions, however, often portrayed as self-serving<sup>234</sup>, were undeniably undertaken during a time when the confines of the war were more far-reaching than the Hungarian or Romanian fronts. The sounds of the cogs of war were accelerating at an alarming rate in the East, as Eichmann's demands became even more unnerving even for the Obersturmbannführer himself.<sup>235</sup> Yet the same categorization became evident for Kastner himself when finally 388 people from Cluj were to also be part of the Kastner trains. The Aid and Rescue Committee drew up the list of Jews which would be saved on the trains, headed by Kastner, Hansi Brand, Otto Komoly, and Zsigmond Leb. A list which would save many people, but would damn Kastner to a life of constant vilification which will be underlined in chapter five. Recently a book entitled *Kastner's Crime* has been release which proposes that Kastner's actions were inherently dubious, the exact opposite of Anna Porter's account of heroism.<sup>236</sup> The 'grey area,' or the 'middle' however has only been tersely studied by those such as Paul Sanders, who recently suggested that perhaps there is more to Kastner's story than the mere 'hero' or 'villain' figure, and which plays a salient role to this thesis as well.<sup>237</sup>

Sanders argues that the Kastner affair presented an "ethical conundrum of the tallest order" while still concentrating on the importance of Arendt's attention over the matter.<sup>238</sup> Namely the fact that Kastner's leadership was perhaps both the downfall of many people who remained unsaved, yet also the reason why so many were saved from the death camps. Thus, a paradox that was in part acknowledged by Arendt and

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<sup>234</sup> Paul Bogdanor. *Kasztner's Crime*. See the Introduction.

<sup>235</sup> Mark Mazower. *Hitler's Empire: Nazi Rule in Occupied Europe*. (Penguin UK:2013). p. 394-395.

<sup>236</sup> Paul Bogdanor. *Kasztner's Crime*. Chapter 1. and Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. p. 5-6.

<sup>237</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p. 8.

<sup>238</sup> *Ibid.*, p. 5.

discussed by Sanders, and one which implies that in each case agency was involved and both saved people, yet also had played a role in omitting many individuals.<sup>239</sup> The choice therefore that many 'saviours' during the Holocaust were presented it with, amid the overall irrationality of the event is a salient factor in the Kastner affair as a whole. From a certain angle therefore what Kastner did, namely to choose some Jews over others who would be taken to Switzerland could be seen as a 'crime,' yet from another parallel angle the narrative implies the works of a 'hero.'<sup>240</sup> An immediate correlation can therefore be made with the concept of villainization and heroization, and interminably with victimization and non-victimization (heroization).<sup>241</sup> Yet before this can become a possibility, it is important to place the Kastner affair, and more importantly Eichmann's relationship with Kastner within this framework - thus providing context to the ideals of post-Holocaust factuality and existentialism which seemed to affect not just Israeli society but also surviving Jewish communities. With this in mind, Sanders also presents his readers with the added layer of the problems of narrative and historiography.<sup>242</sup> In other words, the means by which Kastner's narrative in relation to sources available has led to the easy malleability of the portrayal of his 'character' and the scope of his actions.<sup>243</sup> Sanders argues that theorizations did take place in Israel, although not in great detail, and vilification seemed to take place outside the country. It is for this reason why he brings in the concept of the "grey zones" into the limelight.<sup>244</sup>

The power dynamics between Eichmann and Kastner, as made evident in this chapter, played an enormous role in the way that Kastner had to maneuver in order to actually placate and make the two trains a reality. In the existence of hero narratives, the most relevant being the Warsaw Ghetto uprising, as well as numerous people who saved Jews from the Nazis, the frameworks is always there, suspended in some sort of moral conundrum yet still paradoxically found between the ever present 'black' and

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<sup>239</sup> Ibid., p. 22.

<sup>240</sup> Ibid., p. 9 and 11.

<sup>241</sup> This conceptual framework will be expanded on in later chapters, yet here it is important to point out here as it is undeniably connected to the idea of the "gray zone."

<sup>242</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p. 8-9.

<sup>243</sup> Ibid., p. 13.

<sup>244</sup> In this context I mean that Paul Sanders discusses the 'grey zone' but does not elaborate on its overall importance not just to Kastner, but also in the way it affected Israeli society beyond the judgment at the trial. I try to do this through the idea of 'victim-hero.'

'white' view of history and more importantly historiography.<sup>245</sup> The ideals of power however are the one element in the Kastner affair that differentiates it from other such narratives - which is why I posit that one of the elements that caused Kastner to later be vilified and theorized in such a manner is because of his proximity to such power.<sup>246</sup> Face to face meetings with Eichmann which became a necessary part of the negotiations makes one wonder whether even one meeting, and one deals -regardless of its scope and goals - would have led Kastner to also be labeled as a man "who sold his soul to the devil."<sup>247</sup> Therein lies the issue of context and narrative that Sanders is trying to explain - our conceived notions of the players and the events, such as Eichmann is what projects our understanding of Kastner and events - they are muddled by preconceived notions and biases that are outside of our control.<sup>248</sup> To such an extent in fact that the old saying of "he who saves one life, saves the entire world" becomes meaningless.<sup>249</sup>

In her work, *Heroes and Victims: Remembering War in Twentieth Century Romania*, Maria Bucur discusses the effect of commemoration of war on the view of heroes and victims in Romanian society, was shaped by the very political act and shaping of commemoration for its sake.<sup>250</sup> The same effects and processes have played a role in the way that Rezsó Kastner has been remembered today through numerous books, newspaper articles, movies, documentaries and even an Israeli TV drama series.<sup>251</sup> Each seems to have either portrayed him as the quintessential Jewish hero, or the moral failure of Jewry during one of the most horrid events in Jewish history. The conceptual framework of 'grey zones' is not mentioned nor found, except the moral conundrum.<sup>252</sup> The importance of all of this lies in the original question of this thesis: "Why was Kastner's vilified the way he was?" - albeit there are numerous other

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<sup>245</sup> Joseph Rebhun. *Crisis of Morality and Reaction to the Holocaust*. (Wildside Press: 2010). p. 89-90.

<sup>246</sup> David Astor. "The Meaning of Eichmann." p. 1-5.

<sup>247</sup> Robert Mnookin. *Bargaining with the Devil: When to Negotiate, When to Fight*. p. 54.

<sup>248</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p. 10.

<sup>249</sup> A popular Jewish teaching and saying from the Talmud.

<sup>250</sup> Maria Bucur. *Heroes and Victims: Remembering War in Twentieth-century Romania*. (Indiana University Press:2009). p. 1-4.

<sup>251</sup> Gene A. Plunka. *Holocaust Drama: The Theater of Atrocity*.(Cambridge University Press:2009). p. 190.

<sup>252</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p. 13.



complications that have to be put into context such as the role of the media, Israeli social constructs, up to this point it is obvious that Kastner's involvements with the Cluj ghettos, and Adolf Eichmann are ultimately the foundations. Still, one must understand the larger contexts of the Holocaust and the new historiography which is emerging.

Outside the old mores of understanding the perceptions of genocide, and the methodological problems of the Shoah, new emerging trends of wider scope analyses are proving to be just as versatile as minutiae of events.<sup>253</sup> Namely, Timothy Snyder's recent *Black Earth* suggests the necessity of understanding Hitler's wider plans for the formation of an Aryan dominated empire in the east<sup>254</sup> - perhaps one founded in the ideas of wider ecology, rather than geo-political immediacy, albeit both rather interconnected.<sup>255</sup> The importance of this lies in the fact that Eichmann's immediate actions, his disguised realpolitik and willingness to actually pay some attention to the 'money for blood' deal. In the end, as portrayed by some scholars such as Snyder, the Holocaust was part of a wider plan and at times crossed the threshold into irrationality for its own sake. In the wake of imminent defeat therefore Eichmann did all he could to try and transport as many Hungarian and Romanian Jews to Auschwitz, the death marches, and the endless shootings in the final days of the fronts.<sup>256</sup> All the energy and resources, that could have been put into fighting the Soviets was distributed in the acceleration of the destruction of Jewry - and thus a concept that plays quite well into the idea of Hegelian totality, yet also Arendt's understanding of it, especially in regards to how the 'historian must engage in judgment.'<sup>257</sup>

Sanders acknowledges the complexities of Kastner's character and provides some reason to his character suicide<sup>258</sup>, as well as attributes rudimentary explanations of his 'vilification' and 'heroization,' yet it seems that to get a more clear picture one needs to posit, or at least use Arendt's concept of "total domination" to begin to understand the

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<sup>253</sup> Dan Stone. *The Holocaust and Historical Methodology*. p. 27.

<sup>254</sup> Timothy Snyder. *Black Earth: The Holocaust as History and Warning*. (Crown/Archetype:2015). p. 1 and 29-30.

<sup>255</sup> *Ibid.*, p. 28.

<sup>256</sup> *Ibid.*, p. 237.

<sup>257</sup> Michal Aharony. "Hannah Arendt and the Idea of Total Domination" in *Holocaust and Genocide Studies*." p. 193-194.

<sup>258</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p.23.

necessities of character, and thus the nature of Eichmann and Kastner's relationship.<sup>259</sup> In the idea of total domination, absolutism can only be legitimized by mass consent, thus it plays a role in trying to understand the dynamics between the relationship of Eichmann who held absolute power, and Kastner who held virtually none. In fact, Sanders goes as far to suggest that a Tolstoyan view of the affair needs to be implemented, meaning that the context and individual narratives must remain at the root of analysis.<sup>260</sup> In other words, the very fact that these were essentially diametrically opposite actors, their proximity inflicted a sense of unreal circumstance, which is why their individual narratives must be cardinal to understand the essence of their decisions, and ultimately how the court categorized that relationship in 1955.

The merit of these ideas are substantial, yet the way to materialize this is to understand the totality of Eichmann and Kastner's 'missions' both dichotomous, yet equally based in the view of unflinching, immovable totality and certainty.<sup>261</sup> What is meant by this is Eichmann's mission for total destruction based on his absolutist objectives, was inherently contradicted by Kastner's own absolutist objective to try and save some Jews from the death camps. These considerations coupled with the fact that their meeting was suspended in an atmosphere where absolutism ruled, such as one order from Eichmann could instigate the death of thousands, is what made Kastner's decision making even more laborious and impossible.

In the end perhaps power politics, and even the dynamics of power itself played a more important role than originally believed. In essence, the way that Eichmann's meeting with Kastner transpired invoked the clauses of total domination at the most elementary level, yet with the paradoxical element of perceived benevolence of Eichmann's part. The fact that Eichmann hold total control over the lives of some million Jews in Hungary and some Romanian Jews plays an important role in Kastner's later portrayals - his association with utter evil as evidence by Eichmann and his own

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<sup>259</sup> Michal Aharony. "Hannah Arendt and the Idea of Total Domination" in *Holocaust and Genocide Studies.* p.195.

<sup>260</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p. 23.

<sup>261</sup> G. W. F. Hegel. *The Phenomenology of Mind.* (Courier Corporation: 2012). p. 81.

televised trial in 1961 and ultimate execution.<sup>262</sup> The fact that both historiography and society have portrayed, and rightly so, as Eichmann the epitome of banality, is the evidence that proves that Kastner's own trial was one of the stepping stones to the full materialization of this phenomenon in Israeli society and around the world.<sup>263</sup>

There is undeniably a connection between Kastner's position and the means by which conceptions of how the Jewish leadership, such as the Judenrat formed in numerous ghettos, interacted with the Nazi occupations.<sup>264</sup> There was a perception of treason or "quisling" nature due to their collaboration, as made most evident in this case by the Judenrat in Cluj.<sup>265</sup> The fact that Kastner along with others had to sit down and draw lists of the people who would be saved from those who would be sent to the camps is an element which plays into the idea of 'total domination,' as argued by Arendt albeit there was a leeway for choice.<sup>266</sup> Such a choice can only be found in the most controlling and unthinkable circumstances, clouded in the world of absolutes. Ones which could lead for one to question the morality of their actions.<sup>267</sup>

While sifting through some forty pages found in the archives, all which make up the list of some 1680 people which would later end up in Switzerland, it became obvious that although there were many Hungarians, Romanians, Germans, Poles and other nationalities a disproportionate amount came from Kolozsvar, and many of them were not in fact as one would believe young, which of course points to the fact that the old narrative of children being saved does not hold up necessarily.<sup>268</sup> Regardless of Kastner's character, it is obvious that as some of his decisions in 1944 both in his meeting with Eichmann and his decisions in the Cluj ghetto do in fact point to him being self-serving. According to Paul Bogdanor, Kastner's guilt definitely arises from the fact that he later "intervened" to help war criminals such as Becher at Nuremberg and even

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<sup>262</sup> Deborah E. Lipstadt. *The Eichmann Trial*. (Knopf Doubleday Publishing:2011). p. 6.

<sup>263</sup> Hannah Arendt. *Eichmann in Jerusalem. A Report on The Banality of Evil*. p. 252.

<sup>264</sup> Dan Michman. "Jewish Leadership in Extremis" in *The Holocaust and Historical Methodology*. p. 319-320.

<sup>265</sup> *Ibid.*, p. 321.

<sup>266</sup> Michal Aharony. "Hannah Arendt and the Idea of Total Domination" in *Holocaust and Genocide Studies*. p.195.

<sup>267</sup> "The July 15 Minutes - Minutes taken by Kasztner's secretary Lilly Unger on July 15, 1944, Dov Dinur Archive, Doc. 4." Personal Collection.

<sup>268</sup> "Kastner Trains List" *Personal Collection*, Circa 1944.

went as far to speak kindly of him, in 1946.<sup>269</sup> The multifaceted situations in which Kastner found himself, even after the Second World War do in fact point to collaboration, while others suggest that he was in fact just playing on with Eichmann and Becher in order to secure the safe passage of Jews.<sup>270</sup> While perceiving every single detail of the affair it becomes apparent that clarity becomes something that might be adrift. Yet, there are instances of Eichmann and Kastner's meetings which might prove to shed some light, at least contextually, on Kastner's intents, which seem to have been the focal point for recent monographs, such as Paul Bogdanor's take on the affair which albeit seems to make some interesting points, and even provide new evidence does still play into the idea of absolutism.<sup>271</sup>

It was the aftermath of the meetings, and in fact the period after the war which shows Kastner's odd willingness to help Eichmann's right-hand men, such as Dieter Wisliceny, the *SS-Hauptsturmführer* and executioner of the final phases of the Shoah in 1945.<sup>272</sup> In a 1947 letter, Kastner goes as far to try to help Wisliceny, by trying to argue that the death penalty is not in fact an appropriate response.<sup>273</sup> A year later in 1948 he does the same and tries to give his eyewitness account in order to help Hans Jutter, and Herman Krummey by providing affidavits in their defense during the war trials.<sup>274</sup> It is indefinable, as to why Kastner would do this when he had no obligations to any one. Yet, within this context what remains most important is the way that this was portrayed even after his death - it is in the construction of the narrative, that we can understand the way that international Jewish communities made sense of Kastner and his 'collaboration.'

The relationship between Eichmann and Kastner, even became part of Israeli popular culture through Heinar Kipparhardt's Joel Brand *The History of a Business Deal*, a play set during the negotiations in Budapest, yet which also features Eichmann and Kastner, which was featured in the 1960's.<sup>275</sup> In the play, Kippearhardt tries to portray

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<sup>269</sup> Paul Bogdanor. *Kasztner's Crime*. See Chapter Two Days in May.

<sup>270</sup> Ibid.

<sup>271</sup> Paul Bogdanor. *Kasztner's Crime*. See Introduction.

<sup>272</sup> Yehuda, Bauer. *Jews for Sale?: Nazi-Jewish Negotiations, 1933-1945*. p. 65.

<sup>273</sup> Rudolf Kastner. "Letter for Dieter Wisliceny, 22 July 1947" from Paul Bogdanor's Collection.

<sup>274</sup> Rudolf Kastner. "Affidavit for Hans Juttner: 1948." Paul Bogdanor's collection, and Rudolf Kastner. "Affidavit for Hermann Krumey: 1948," Paul Bogdanor's collection.

<sup>275</sup> Elrud Ibsch. *The Conscience of Humankind: Literature and Traumatic Experiences*. (Rodopi:2001). p. 19.

Eichmann as a man who only lusted for money, and even “shifted facts around” for his own benefit in order to portray Kastner in a different life.<sup>276</sup> This play and many other portrayals have always placed importance on the actual trading of goods, however I believe that in both cases, in both men it was not the direct material that they sought after. Eichmann, which was obsessed with power and made it available wished to control as much of the destruction of Jewry until the very end.<sup>277</sup> The ‘trucks for lives’ scheme never came to be, and the money that he and others made from the Kastner affair was nothing compared to the other negotiations with Joel Brand which never came to fruition.<sup>278</sup> Kastner, which sought to save the lives of Jews, was also undeniably motivated by something bigger than that sole desire, and that was undeniably Zionism.<sup>279</sup>

Kastner was a lifelong Zionist, from the moment he had decided in his teenage years to turn to Zionism and participate in numerous youth groups in Cluj, to his days in the Mapai party, the left-wing Zionist political body of Israel.<sup>280</sup> He also worked for the Uj Kelet, a small Transylvanian newspaper, and once even wrote some pieces about the rise of the Romanian Iron Guard.<sup>281</sup> After working in Bucharest for a few years at the Palestine Office of the Jewish Agency, he became Associate President of the Hungarian Zionist Organization.<sup>282</sup> The importance of this lies that Kastner perhaps was acting within the accord of Zionist ideology, believing that the end did in fact justify the means. Kastner’s partaking in the Zionist movement had shaped his thoughts not just about the future of Transylvania’s Jews, but Jewry around the world.<sup>283</sup> Interestingly a point of interest for both Kastner and Eichmann as the former was also well versed in Zionism, Jewish history and culture during his time at the Sicherheitsdienst. In fact in one of the early meetings, Eichmann made it apparent to Kastner that he had read Herzl’s *The*

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<sup>276</sup> Ibid., p. 20.

<sup>277</sup> David Cesarani. *Becoming Eichmann: Rethinking the Life, Crimes, and Trial of a "desk Murderer."* (Da Capo Press: 2007). p. 176.

<sup>278</sup> Ibid.

<sup>279</sup> Howard Morley Sachar. *A History of Israel: From the Rise of Zionism to Our Time.* (A.A. Knopf: 1996). p. 374-375.

<sup>280</sup> “The Kastner Report - Affidavit of Dr Rudolf Kastner, former President of the Hungarian Zionist Organization, 9/13/1945.”- DOCUMENTS AND OTHER MATERIAL IN EVIDENCE Numbers 2605-PS to 3054-PS, in Trial of the Major War Criminals - Nuremberg. (Volume XXXI:1948). p. 1.

<sup>281</sup> Ibid.

<sup>282</sup> Ibid.

<sup>283</sup> Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust.* p. 17.

*Jewish State*.<sup>284</sup> In order to hold it against him, and to remind him that in his view he knew of the apparent plans of 'world' Jewry.<sup>285</sup>

The foundation of being in the absolute and the 'in-between,' namely the gray area needs to be expanded on in this case in Holocaust studies, and the stepping stone might in fact be the Kastner case. The two trains loaded with people taken to their safety can be incontrovertibly seen as a positive effect, yet at what cost? At whose expense are the questions which remain constant in the minds of any individual? In those smoke filled meetings between Eichmann and Kastner there was something far grander happening, and it was in fact the conflict between a man which held responsibility for people, with a man whose power seemed endless. Whether Kastner used Eichmann for his own ends, or used him to try to save his fellow Jews cannot be certain. What is most certain, and in fact salient are the actual dynamics of the meetings, and what they meant in the wider contexts of perceived saviours. The word 'perceived' of course being the focal point of this study, the idea which connects all other forms of ideology. Politics cannot be divorced from this discussion, as stated in Sergio Minerbi's piece on his diary during the Eichmann Trial, Israeli society wanted to "erase the bitter taste of the legal action" of the Kastner trial which proved that perhaps had not been done by Zionists to save Jews.<sup>286</sup> That renewal was the Eichmann Trial which served as the zenith of Israeli and Jewish symbolic victory over the Nazis. In the end just as Kastner and Eichmann were connected through their meetings, they were also connected through their trials.

However, to look at this within a void is to be folly in part. As such occurrences although not within the same details, nor under the same efforts or pressures, yet still similar affairs were taking place during the Holocaust. A perfect example is that of Wilhelm Filderman the man who saved Romanian Jews from Antonescu, yet he was not vilified, nearly to the same extent, certainly not enough to lead to his assassination in the post-war world, although some of his actions could indeed be labeled as 'collaboration.'

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<sup>284</sup> Ibid., p. 106.

<sup>285</sup> Ibid., p. 167.

<sup>286</sup> Sergio I. Minerbi. *The Eichmann Trial Diary: A Chronicle of the Holocaust*. (Enigma Books:2013). p. 183.

## Chapter 4. Two Men, Two Narratives, Same Problem

Two men in suits, both lawyers, one a Zionist and the other a non-Zionist yet both in two ends of the same country, Romania, experienced the same anti-semitism at the hands of the rise of extremism in a country troubled by massive geopolitical shifts.<sup>287</sup> Rudolf Kastner, and Wilhelm Filderman whose shoulders were undeniably burdened by the responsibility they chose to owe to Jewish populations, are two narratives which although transpired under different circumstances, were indeed rather similar, yet with vastly different outcomes.<sup>288</sup> A comparison, which has been neglected by the historiographical record, thus will play a role in depicting why in the end Kastner was vilified, and continues to be today, while Filderman was honored by creating a medal and award in his name by the Romanian government.<sup>289</sup> A myriad of details, turn of events, individual stories and intricacies can provide an answer to that question but can also serve as a foundation for understanding how the Shoah played out in Romania was vastly different from how it played out in Northern Transylvania.<sup>290</sup> The question remains why is it that what these two men did - collaborated with the enemy - led to vastly different outcomes?

There is divide most definitely affected by the dynamics of power in each state, as well as Hitler's policy in Romania, yet also one whose line is thinned by the micro-narratives of two individuals - essentially showing that the decisions, however arduous, present analogies and even coincidences, and connections that merit some study.<sup>291</sup> This chapter fits well into this thesis' objective of evaluating the means by which Kastner's affair was not lodged in absolutes, rather perspicacity, but more importantly serves to highlight the complexities of the affair and why they led to the way his trial was

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<sup>287</sup> Yehuda Bauer. *American Jewry and the Holocaust: The American Jewish Joint Distribution Committee, 1939-1945*. (Wayne State University Press:1981). p. 339.

<sup>288</sup> Alexandra Garbarini. *Jewish Responses to Persecution: 1938-1940*. (AltaMira Press:2011). p. 281-282.

<sup>289</sup> "Medalia de Onoare "Wilhelm Filderman" acordată post-mortem Reginei Mamă Elena" August, 2014 - Royal Family of Romania Website.

<sup>290</sup> Radu Ioanid. *The Holocaust in Romania*. p. 239.

<sup>291</sup> CL Sulzberger By Telephone to The New York Times By Eugen Kovacs Wireless to The New York Times. (1940, Jul 04). Changes in Regime in Bucharest Seen. *New York Times (1923-Current File)*.

depicted, and even affected Jewish thoughts about identity. Before an expose of the trial can be evaluated, perspective must be ascertained first.

Filderman, who was born in Bucharest was in a sense more officially the representative of the Romanian Jewish populations in parliament, as well as the de-facto, or rather semi-official leader between 1919 and 1947.<sup>292</sup> He was the head of the Union of Romanian Jews and a chairman of the Union of Jewish Communities.<sup>293</sup> His power and influence were indeed more far-reaching than that of Kastner. As early as of 1929 when the elements of right-wing extremism were sweeping into the Romanian body-politic he was attacked by the right wing a press.<sup>294</sup> A particularly interesting example is an article entitled “Jewish Illusions” in the *Infratirea Romaneasca*(Romanian Fraternity) publication.<sup>295</sup> The article was meant to attack Filderman specifically because of the power and influence he held over the Romanian Jewish populations. On the other hand, Kastner did not enjoy such an influence during the pre-war years, not until he joined the Aid Committee after a part of Transylvania was transferred to Hungary.<sup>296</sup> However, he did play a political role in the municipal government in Cluj, which was under Romanian sovereignty.

There is a reason why Filderman was said to have held “the patent of petitions,” especially during the period of 1939-1941 when the first anti-semitic legislations began to go into effect in Romania.<sup>297</sup> During that period, but also during Marshal Antonescu’s reign Filderman continually petitioned for the safety of Romanian Jews especially during the early violent outburst, and even the deportations to Transnistria.<sup>298</sup> Over the course of this chapter, Filderman’s actions and intents will be examined and compared to Kastner with a particular concentration on communications, letters and as well as

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<sup>292</sup> “Wilhelm Filderman Article” in Yad Vashem shoah Resource Center/ The International School for Holocaust Studies.

<sup>293</sup> Ibid.

<sup>294</sup> I.C. Catuneanu. “Iluzii Jidanesti - 15th February 1929” in *Infratirea Romaneasca*. Anul V. -No. 8. Accessed through the Lucian Blaga Library, Cluj-Napoca.

<sup>295</sup> Ibid.

<sup>296</sup> Radu Ioanid. *The Holocaust in Romania*. p. 289.

<sup>297</sup> “The Life of Jewish Community Under Ion Antonescu And The Jewish Community’s Response to the Holocaust in Romania.” in Jewish Virtual Library. p. 1.

<sup>298</sup> Ibid., p. 2-3.



meetings between Filderman and Antonescu in Bucharest, which were in part rather similar to Kastner and Eichmann's meetings in Budapest.

It was on September 30th, 1940 that Filderman sent a letter to Ion Antonescu pleading that the violence specifically of the Dorohoi pogrom, caused by the rise of right-wing extremist facilitated and validated by anti-semitic legislation be put to a swift end.<sup>299</sup> Marshall Antonescu's reaction of course was to be expected. After numerous such petitions Filderman received a written note directly from Antonescu stating that "I assure Mr. Filderman that if his colleagues do not undermine the regime directly or indirectly, the Jewish population will not suffer politically or economically."<sup>300</sup> Filderman's efforts did not end there, as Antonescu's plans for Romania's Jews became materialized Filderman did all he could through petitions and his influence in Bucharest to try and stop the deportations specifically in 1942.

#### **4.1 The Holocaust in Hungary and Romania**

The killing fields of Transnistria were born out of Hitler's appropriation of Ukrainian territory in the summer of 1941 in the hands of the Romanian state as a 'gift' for having suffered the loss of Northern Transylvania to Hungary in 1940. The name itself was meant to imply the land between Bessarabia and the Dnister, yet the peculiarity lay in the fact that Antonescu did not wish to annex it into Greater Romania but in fact kept it as an occupied governorate under the control of the Romanian army, and specifically Gheorghe Alexianu.<sup>301</sup> This decision was the result of the lack of a cohesive Romanian population in the area, and thus did not play in his plan for the Romanization of the nation. Instead it was decided that the area be used for the deportation of the unwanted principles of Romanian society - Jews and Roma, from places such as Bukovina and Bessarabia, but also for the incessant slaughter of people already living there. It is of no

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<sup>299</sup> "Letter from Wilhelm Fildermann and Dr. I. Brucar. Federation of Jewish Communities of Romania, Bucharest, to Ion Antonescu - Sept. 30, 1940." In *Documents Concerning the Fate of Romanian Jewry during the Holocaust*. Ed. Jean Ancel. (New York:Beate Klarsfeld Foundation, 1986) :528-30.

<sup>300</sup> "The Life of Jewish Community Under Ion Antonescu And The Jewish Community's Response to the Holocaust in Romania." in Jewish Virtual Library. p. 3.

<sup>301</sup> Richard S. Levy. *Antisemitism: A Historical Encyclopedia of Prejudice and Persecution, Volume 1*. (ABC-CLIO, Jan 1, 2005). p. 619.

immediate surprise therefore that Dallin, one of the main historians of the aberrant massacres that took hold of Transnistria, calls the territory as “the ethnic dumping ground of Romania.”<sup>302</sup>

In the summer of 1941, a nation-wide order for the army was posted in numerous public places, which hailed “Romanian soldiers, go over the Prut river! Go with God, forward!” which was the beginning of the Romanian assault on Soviet Russia, accompanied by the Reich’s own Operation Barbarossa unfolding in the far north.<sup>303</sup> The order proclaimed that soldiers should consider themselves lucky that Hitler had given them a historic opportunity to take what belonged to the Romanian nation.<sup>304</sup> Yet, the intent of building a Greater Romania had organically led to a terrifying truth later that autumn, as Antonescu proclaimed:

All Jews need to be taken into camps, preferably those in Basarabia, because from there we will push them into Transnistria, as soon as I finish my current worries. Everyone should understand, we are not fighting slaves, but the Jews. It is a fight between life and death. We either win and the world will be pure, or they win and we will become their slaves.<sup>305</sup>

These words permeated through the ears of his chief commanders who immediately began rounding up Jews, province by province, and village by village to be immediately transported to Transnistria.<sup>306</sup> In the course of two years the Romanian army managed to move 190,000 Jews across the Romanian provinces into the new governorate, where 50,000 would survive and return home to find nothing as the mass looting at the hands of the army and their neighbours left them paupers.<sup>307</sup> While Transnistria was in the Marshal’s hands 170,00 Ukrainian Jews were also massacred, as well as tens of thousands of Roma, bringing the total close to 380,000 people.<sup>308</sup> They perished as a result of poorly organized shooting squads, starvation in ghettos and camps, and pogroms such as the one in Odessa. Unlike the Third Reich as the war

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<sup>302</sup> Radu Ioanid. *The Holocaust in Romania*. p. 176-177.

<sup>303</sup> Ion Antonescu. “Ordin Catre Armata, Iunie 22 1941.” Romanian Archives, translated by author.

<sup>304</sup> Ibid.

<sup>305</sup> Radu Ioanid. *Holocaustul în România: distrugerea evreilor și romilor sub regimul Antonescu 1940-1944*. (Hasafer:2006). p. 397. Also see PCM-CM, dosar nr. 170/1941 for the exact source.

<sup>306</sup> Jean Ancel. *The Holocaust in Romania*. p.239-330.

<sup>307</sup> Yitzhak Arad. *The Holocaust in the Soviet Union*. (University of Nebraska Press:2009). p. 236-237.

<sup>308</sup> Ibid., p. 238. and Radu Ioanid. *The Holocaust in Romania*.. p. 44 and 277.

began to draw to a close and it was obvious the Axis was on the verge of defeat, he did not accelerate the process of destruction of Romanian and Ukrainian Jewry, but in fact slowly put a stop to it in layers and allowed thousands of Jews to return in fear of being held accountable.<sup>309</sup> It is also for this unsurprising reason why the Marshall did not wish to ever annex Transnistria, as not to tie a legacy of genocide to Romanian lands, and undoubtedly to his name<sup>310</sup> His policies however tied an unthinkable legacy to the hearts of those who survived his malice.

In a way Antonescu's final intents were not different from Eichmann's albeit they were indeed covered by a sense of pragmatism depending on the situation on the eastern front. However, it is obvious that the way the Shoah transpired in Romania was indeed different from the mass deportations to death camps under Eichmann's more fierce command.<sup>311</sup> The issue here however is the way that Filderman and Kastner both responded to their particular problems. Indeed at the end of the day both men held responsibility for people in the face of immense power, and incontrovertible odds.

The first aspect of interest is that Filderman had political experience during his work as leader of the Jewish communities of Romania for two decades, while Kastner never really assumed such a position until he moved to Budapest from Cluj.<sup>312</sup> In this context it is paramount to point out the fact that unlike Kastner, Fildermann was not a self-proclaimed Zionist but rather more of a 'traditionalist,' although he did support the Zionist cause.<sup>313</sup> Therein lies at least to an extent the source of the first difference between the two men. Filderman was far more attached to the political establishment, even serving in the Liberal Party as a representative of Jews, he held far more political connections than Kastner did. The importance of this lies ultimately in influence built over

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<sup>309</sup> Jean Ancel. "The New Jewish Invasion- The Return of the Survivors from Transnistria" in *The Jews are Coming Back: The Return of the Jews to Their Countries of Origin After WW II*. ed. by David Bankier. (Berghahn Books: 2005). p. 231-232.

<sup>310</sup> Viorel Achim. *The Roma in Romanian History*. (Central European University Press:2004). p. 184-185.

<sup>311</sup> Gabriel Mayer. "Where are the Jews in in Post-Holocaust Cluj." p. 69 and 80; Dr. Mayer provides some interesting details about the Cluj Napoca ghetto, as well as the Holocaust in Northern Transylvania.

<sup>312</sup> Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. p. 31.

<sup>313</sup> Alexandra Garbarini. *Jewish Responses to Persecution: 1938-1940*. p. 281-282.

years within the community yet also on a political level. Kastner was simply thrust into his position almost by chance in the Aid and Rescue Committee along with Brand and others. In part this played a role in Kastner's overall perceived power over the community as discussed in chapter two, but also as pointed out by Gabriel Mayer.<sup>314</sup> With this in mind one needs to understand that ultimately Filderman whose roots were far more intertwined in the nomenklatura of the Jewish communities than Kastner, he had in a sense more of a palatable, materialized responsibility.

Although Kastner had far greater dire burdens, his connections to the wider communities except in Cluj as seen by the fact that 388 were saved those people alone is made evident.<sup>315</sup> It is undeniable that Filderman also had preferences as for a while his family and those he knew remained protected in Bucharest for only a short while.<sup>316</sup> It is ultimately for this reason why Filderman was known as a petitioner, and Kastner as a 'negotiator.'<sup>317</sup> One such instance being in November 1940 where Filderman sent another letter to Antonescu asking him to do something about the fact that Jews were mistreated, while Kastner In 1944 was in full swing negotiations to try and saves lives.<sup>318</sup> Albeit the first response is to consider that these were different circumstances, mainly due to the fact that Antonescu was not yet feeling the pressures from the east as Eichmann was, thus the negotiation phase was not even a consideration at that point.

Filderman later gained his posthumous award in our contemporary due to his work in trying to stop the deportations into Transnistria, as well as the deportation of Jews from Southern Transylvania to the Nazi death camps across the border in 1942. He was one of the first Jewish leaders in Romania to draw parallels between the fate of Jews in Romania and that of other countries such as Germany and Hungary. In 1941 he

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<sup>314</sup> Gabriel Mayer. "Where are the Jews in in Post-Holocaust Cluj." p. 69-72.

<sup>315</sup> Ibid., pp. 75-76.

<sup>316</sup> Filderman's own son was arrested and beaten up by the Goga government. See "Bucharest Police Hold Filderman's Son After Beating by Anti-semitic Lawyers"- October 1st, 1937. The Jewish Telegraphic Agency.

<sup>317</sup> David Bathrick, Brad Prager, Michael David Richardson. *Visualizing the Holocaust: Documents, Aesthetics, Memory.*(Camden House:2008).p. 221.

<sup>318</sup> "Letter to Antonescu" Federatia Uniunilor de Comunitati Evreiesti din Tara NR. 503, 26 Nov. 1940. Arh. St. Buc., fond M.A.I., dos 2/1940, fila 35. In in *Martirul evreilor din Romania 1940-44: Documente si marturii.* p. 43.

sent wrote a memorandum detailing his beliefs on the subject:

In three months of government, Romania has issued laws that go further not only than Italian and Hungarian laws, but also than German laws, before and after the issuance of the Nuremberg laws....Then, either Hitler and his Germans, Mussolini and Horthy were wrong, or Romania [will experience] a social and economic disaster, unprecedented and unique, with all the consequences that this disaster could engender.<sup>319</sup>

Filderman's leadership played an important role to place pressure on the Romanian leadership, particularly Mihai and Ion Antonescu who had changed their minds or at least began to slow down deportations to Transnistria.<sup>320</sup> Whether this was the work of Filderman alone or the unstoppable advance of the Red Army, it is debatable. It was in 1943, when the repatriation of some Jews who survived the unthinkable horror of Transnistria, that again Filderman pushed the government. Many Jews returned home in Southern Transylvania and even Dorohoi.

The repatriation of Jews and Roma from Transnistria did not happen all at once, but in fact was implemented in a series of apprehensive decisions. At the request of the heads of the Jewish communities that still remained in the *Regat*(The Kingdom), and specifically Dr. Filderman, the Marshal decided to let some Jews return- specifically those that held special professions and were born in the Romanian principalities before the start of the war.<sup>321</sup> Even the few dozen that returned however had caused an uproar in the communities of Bukovina, mainly because of the fact that everything the Jews had owned was looted and stolen. Out of fear of being held culpable of a crime, the local authorities wrote to the Marshal demanding that the Jews not be returned to their communities.<sup>322</sup> The backlash of Romanian outrage at the fact that some Jews were allowed to return home had an effect on him who continuously found a pragmatic approach to satisfying his own deluded fears, but also that of the populace.<sup>323</sup> For

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<sup>319</sup> "The Life of Jewish Community Under Ion Antonescu And The Jewish Community's Response to the Holocaust in Romania." in Jewish Virtual Library. p. 4.

<sup>320</sup> "Ion Antonescu" in *In the Shadow of Hitler: Personalities of the Right in Central and Eastern Europe*. ed. Rebecca Haynes, Martyn Rady. (I.B.Tauris: 2011). p. 284-285.

<sup>321</sup> Paul A. Shapiro. *The Kishinev Ghetto, 1941–1942: A Documentary History of the Holocaust in Romania's Contested Borderlands*.(University of Alabama Press:2015). p. 198-199.

<sup>322</sup> Radu Ioanid. *The Holocaust in Romania*. p. 243

<sup>323</sup> Ibid.

instance, on April 1943, he sent an order to the administration of the Vapniarka camp demanding that the Jews be let go, but not be allowed to return to Romania but rather be given the opportunity to settle in Transnistria.<sup>324</sup>

Antonescu's pragmatism, compared to Eichman's absolutism - is why perhaps Romania's Jewish population was not fully wiped out as was Hungary's.<sup>325</sup> Although partial repatriation began in 1943, and even general was initiated in 1944 it was too late as the Soviets were already well into Romania.<sup>326</sup> Kastner's dealings with Eichmann however were only beginning, and even more relevant than the Kastner trains, was the Strasshof Deal which has been recently illuminated by researcher Paul Bogdanor, which serves to show Kastner's guilt, but more importantly a point of comparison with Filderman.<sup>327</sup> The deal was essentially the transfer of 15,000 Jews from Hungary to Austria for slave labour, which never panned out.<sup>328</sup> The reason it is important is because Filderman could never cut such deals with Antonescu, but could only petition him to either stop deportations to Transnistria.

After the Kastner Trains were taken to Switzerland, Eichman turned his attention to Zone 3, which included Northern Hungary, and Kastner began to negotiate the transfer of thousands of Jews for labour regiments in Austria rather than extermination.<sup>329</sup> Bogdanor argues persuasively and even presents compelling evidence that Kastner played a role in sending letters and calming Jewish population in places such as Debrecen to prepare themselves for transportation to Austria, when in reality they were taken to Auschwitz.<sup>330</sup> In fact he goes as far to show that Kastner never paid the monetary compensation needed to save the Jews to be sent to Austria, and in fact used the whole 'deal' later on in order to present himself as a saviour.<sup>331</sup> Even in later deportation there is evidence that there have been changes in the narratives coming

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<sup>324</sup> Ion Antonescu. *Procesul lui Ion Antonescu*. (Editura Eminescu:1995). p. 128-129.

<sup>325</sup> Henry Eaton. *The Origins and Onset of the Romanian Holocaust*. (Wayne State University Press:2013). p. 1-2.

<sup>326</sup> Radu Ioanid. *The Holocaust in Romania*. p. 253-254.

<sup>327</sup> Paul Bogdanor. *Kasztner's Crime*. Chapter 9 - Location 2935.

<sup>328</sup> Ibid.

<sup>329</sup> Ibid.

<sup>330</sup> Ibid.

<sup>331</sup> Ibid.

from Kastner, ones which seem rather especially during the deportations of Zone 4.<sup>332</sup> There is some incontestable evidence for this such as a letter from the Chief of the Security Police and the SD to SS Brigadefuhrer Blaschke in Vienna in early June of 1944 disproving Kastner's role in saving Jews in operation Strasshof.<sup>333</sup> In the end Bogdanor believes that Kastner wanted to restore the moral credit of the Aid and Rescue committee, and his own.<sup>334</sup>

However, the purpose here, unlike Bogdanor, is not to show Kastner's guilt or innocence, but to compare his work, and decisions to those of Filderman. The first difference is the fact that Filderman during his numerous petitions never could really promise Antonescu anything, except to calm the Jewish communities in Romania - he never really played a part in making lists of those who would be sent to Transnistria, nor did he have to make impossible moral choices of who could live, and who could simply not.<sup>335</sup> Of course, one must understand that unlike Kastner, Filderman was very much entrenched in the Romanian political system- even having been the classmate of Ion Antonescu.<sup>336</sup>

The moral totality, of decision making was not the same, even while considering the fact that in Romania half of the population survived, and in Hungary most of it was destroyed played a role in the way the two men were later portrayed. In essence Filderman's efforts did have some effect on Antonescu's decisions to stop the deportations and save nearly 400,000 people, while Kastner unfortunately could not achieve such results with Eichmann.<sup>337</sup> Yet the intricacies of the Kastner trains received more attention in the post-war period than Filderman, and for good reason.

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<sup>332</sup> Ibid.

<sup>333</sup> "Letter from Kaltenbrunner to Blaschke - 1944, June 7" IV A 4b-3433/42g (1446), 3803-PS. In Nazi Conspiracy and Aggression Volume VI. *Office of United States Chief of Counsel For Prosecution of Axis Criminality*; From Paul Bogdanor's Personal Collection made public through his website <http://www.kasztnerscrime.com/documents/strasshof.pdf>.

<sup>334</sup> Paul Bogdanor. *Kasztner's Crime*. Chapter 9 and Chapter 10.

<sup>335</sup> "The Life of Jewish Community Under Ion Antonescu And The Jewish Community's Response to the Holocaust in Romania." in Jewish Virtual Library. p.1-2; Also see Jean Ancel. "Wilhelm Filderman Entry" in YIVO in Encyclopedia of Jews in Eastern Europe; *Curierul Israelit* (Oct. 30, 1932); T. Lavi, in: *Yad Vashem Studies*, 4 (1960), p. 261-262.

<sup>336</sup> Romania: A Country Study, Glenn E. Curtis, ed. (Washington, D. C.: Federal Research Division of the Library of Congress, 1992). p. 2-3.

<sup>337</sup> Jean Ancel. "Wilhelm Filderman Entry." p. 1.

## 4.2 The Intricacies of The Kastner Trains

The final rescue plan for the Kastner train was made up of thirty-five cattle carts which filled 1600 people, and left Budapest on June 30th, 1944.<sup>338</sup> The difference here is that this was executed under Eichmann's orders, but with no real possible way to know if anyone above his chain of command knew of this. Unlike Filderman in Romania, when Antonescu - the Marshall - commanded the repatriation of Jews. Kastner's rescue mission was taking place in a far smaller context, and yet in an area of the Shoah that was more committed to the total destruction of Jewry.

Although at times the numbers are not exact, there were approximately 200 Zionists, 120 Orthodox Jews, and a few dozen rabbis. An interesting point which must be made is that these people had not have gone through the hardships of being deported, or saved from the gas chambers or camps as did Romanians when they had been returned from Transnistria in 1943-44.<sup>339</sup> Many of them had not gone through the horrible experiences which shadowed Europe, mainly because Hungary and Northern Transylvania remained the last bastion of Jewry before the fall of the Third Reich. For some reason however while one of the trains was traveling through Austria, Eichmann had diverted its course to Bergen-Belsen, from where many people were disembarked and checked for lice.<sup>340</sup> At that point the passengers did suspect that they might be taken to the gas chambers, however they were placed in primitive living quarters in Bergen Belsen for a few weeks and then sent to Switzerland.<sup>341</sup> The reason of rerouting the trains by Eichmann is still not clear today.

After the train had passed into Switzerland, which was neutral, and had not been attacked by the Nazi empire, the Jews on the trains sighed relief. However, some such as Ladislaus Lob expressed that:

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<sup>338</sup> Ladislaus Lob. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 50.

<sup>339</sup> *Ibid.*, p.115.

<sup>340</sup> Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. p.

<sup>341</sup> Ladislaus Lob. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 106.



Again the euphoria was short-lived. Our at having survived was overcome by our memories of the persecution, our uncertainty about the fate of our relatives and friends we have left behind, our gradual discovery of exactly what happened in Auschwitz, our fear of the future. There were psychosomatic illnesses, nervous breakdowns and suicides.<sup>342</sup>

After the war however many had returned home, either moved to Israel or the United States. The same could be said of the many people who returned home to Romania after the 'killing fields' in Transnistria. To an extent many micro-narratives were very much similar across the Shoah, although under different circumstances. In the diary of a young Jewish Romanian woman she recounts how her family and herself were taken to a labour camp in Transnistria in 1943, and when she returned to her native Botosani during the repatriation she recalled how:

Nobody recognized in the shoeless beggar, in rags, bloated by hunger, burned by sun and wind in the road, the well groomed and elegant student of four years before.<sup>343</sup>

Two different people, both young, in different parts of the world and different experiences, yet still bound by the same thing, fear.

In the famous Kastner Report, compiled in 1945 by Rezső himself he claims that the Relief Committee in Budapest was meant to help smuggle Jews from Slovakia, Poland and Hungary.<sup>344</sup> To feed and clothe people and also facilitate migration to Palestine, and to handle the refugee crisis in that part of Europe. It is interesting to point out that Kastner's dealing with Eichmann was far more difficult than that of Filderman and Antonescu. Kastner claimed that in June 1944 Eichmann told him "We accepted the obligation toward the Hungarians that not a single Jew deported will return alive!"<sup>345</sup> Eichmann later said that:

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<sup>342</sup> Ibid. p. 205.

<sup>343</sup> Alexandra Zapruder. *Salvaged Pages: Young Writers' Diaries of the Holocaust*. (Yale University Press: 2015). p. 248.

<sup>344</sup> "The Kastner Report - Affidavit of Dr Rudolf Kastner, former President of the Hungarian Zionist Organization, 9/13/1945." - DOCUMENTS AND OTHER MATERIAL IN EVIDENCE Numbers 2605-PS to 3054-PS, in Trial of the Major War Criminals - Nuremberg. (Volume XXXI:1948). p. 1

<sup>345</sup> Ibid., p. 3.

Victory is ours! The end of the war is near. We must hurry as this is the last chance to free Europe of the Jews. After the war it will not be possible to utilize such methods.<sup>346</sup>

Not even Antonescu proclaimed such conviction so near to the hours of his total destruction, which he himself knew of. The Kastner trains in a sense were not very different from the repatriation of Jews from Transnistria, albeit with obvious important factors such as proximity to power. With this in mind perhaps concentrating on the individuals conducting the negotiations, within a wider historiographical context can provide further answers.

### 4.3 The Politics of the ‘Saviour’

The fact that Filderman was also very well known as an individual amid the Romanian intellectuals class, as well as the numerous political movements in Romania played an enormous factor as Filderman narrative as saviour was something grounded in two decades of unflinching work against an anti-semitism that was far more stringent than in Hungary.<sup>347</sup> Still, Kastner was virtually unknown, compared to Filderman, as over the years he was attacked by the Romanian media many times. A particularly good example is when his book *Adevărul asupra problemei evreești din România* (The Truth about the Jewish Problem in Romania) in the right wing *Infrantirea Romaneaca* publication.<sup>348</sup> In this article specifically Filderman was attacked as being part of the Jewish element which played a role in destroying the ethnic makeup of Romania - a rather dull regurgitation of anti-semitic ideas being propagated from Vienna at the time.<sup>349</sup> Kastner's fame never really went past the readership of the *Uj Kelet*, the newspaper that he worked for when he lived in Cluj.<sup>350</sup> In a sense, it was therefore easier to paint a more malleable picture of Kastner, based on his rise to fame amid a few in 1944-45, and

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<sup>346</sup> Ibid., p. 5.

<sup>347</sup> “The Life of Jewish Community Under Ion Antonescu And The Jewish Community's Response to the Holocaust in Romania.” p. 1-2.

<sup>348</sup> “Information” in *Infrantirea Romaneasca* - 15 July, 1925, Anul I -No. 6. p. 15. Accessed through the Lucian Blaga Library, Cluj-Napoca.

<sup>349</sup> Ibid.

<sup>350</sup> Gabriel Mayer. “Where are the Jews in in Post-Holocaust Cluj.” p. 75.

in the 1950's, unlike Filderman who continued to serve as the leader of the community until the rise of Communism in Romania in 1947.<sup>351</sup>

In the post-war world both men had widely different experiences. Filderman took on the task of administering the repatriation of Jews and the return of their property which was stolen by the Antonescu government.<sup>352</sup> He again became the official president of the Jewish Community and continued to fight the lingering anti-semitism amid the Romanian classes, regardless of the newly Soviet regime imposed by the Red Army.<sup>353</sup> Filderman was an anti-communist and paid a dear price for that decision when he did not follow in line with the rise of socialist tendencies amid Jews in various important political positions. It was finally in 1947 when he was exiled in Paris that it became obvious that his influence came to an end, when new ideas surrounding those such as Ana Pauker took center stage in Romanian and Jewish politics.<sup>354</sup> On the other hand, Kastner's rise in politics came to be stronger as he moved to Israel and became active in the Mapai party. It was not until his trial in the 1950's that he would be publicly demonized and vilified for his actions in Budapest. It is not entirely unimportant that the fact the Filderman was never placed in the media's attention, especially the Israeli media where the heart of Jewish intentional thought lay, is the reason why his collaboration with Antonescu did not end the same as Kastner.

This discussion however has wider implications in the wider historiography of 'pseudo-saviours' as they arose in the ghettos of Europe, as well as the Judenrat. - two elements undeniably connected to the idea of collaboration, and its wider implications. There is without a doubt some use in trying to analyze Kastner and Eichmann through the lens of 'saviour' concept.<sup>355</sup> The narrative plays an essential role in understanding the way saviours were inherently differentiated from collaborators albeit there are overlapping elements. There is also another layer of complexity that needs to be highlighted and that is the fact that there is a difference in the way that the post-war world viewed

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<sup>351</sup> "Wilhelm Filderman Entry" in YIVO in Encyclopedia of Jews in Eastern Europe.

<sup>352</sup> Ibid.

<sup>353</sup> Ibid.

<sup>354</sup> Robert Levy. *Ana Pauker: The Rise and Fall of a Jewish Communist*. (University of California Press:2001). p. 68-69.

<sup>355</sup> Dan Stone. *The Holocaust and Historical Methodology*. p. 321

non-Jewish and Jewish collaboration with the Nazis. There is therefore considerable difference from how the Shoah played out in countries such as Greece, Romania, and Hungary as the dynamics of the Jewish communities and their relationships with the non-Jewish communities were configured. In Greece during the post-war period there was indeed a concentration of shifting some blame amid discourse on Jewish involvement, when in fact in places such as Salonika Christian and non-Jewish collaboration was a fact.<sup>356</sup> Yet within this context the problem is still found in the ideal and myth of saviour, but also the impact of this concept in the assertion that the Holocaust was the genesis of international human rights norms in the aftermath of the Second World War.<sup>357</sup> Marco Duranti outlines this issue, which is very much connected to the Kastner affair as his and Eichman's trial was precipitated within this atmosphere - of the rehabilitation of international human rights with a close look at the French Revolution.<sup>358</sup>

Interestingly the same 'saviour' or 'murderer' binary paradigm was attributed to Antonescu. A great deal of the Jews that were indeed persecuted were found in the eastern half of Romania near the Soviet sphere of influence, rather than those living in Oltenia and in the west.<sup>359</sup> This has been used extensively to argue that he was indeed 'cleansing' the Romanian nation of Communist influence, the main factors of which originated from the Jewish communities themselves.<sup>360</sup> There are two inherent problems with this argument. First, the Jews living in places such as Moldavia, Bessarabia, and Bukovina were not engaged in Communist activities in the masses, and the few who were, were singled out and used as generalizations to perpetuate anti-semitic and anti-Bolshevik propaganda.<sup>361</sup> The second issue, and perhaps the more important one, is the fact that Antonescu did not have a 'Transintra' in Western Romania, where he could massacre hundreds of thousands outside of Romanian lands. In 1941-42 to actually

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<sup>356</sup> Bea Lewkowicz. *The Jewish community of Salonika: history, memory, identity*. (Valentine Mitchell:2006). p. 178.

<sup>357</sup> Marco Duranti. "The Holocaust, the legacy of 1789 and the birth of international human rights law: revisiting the foundation myth." in *The Journal of Genocide Research*, 14:2. p. 180.

<sup>358</sup> Ibid.

<sup>359</sup> Gheorghe Buzatu. *Trecutul la judecata istoriei: Maresalul Antonescu pro si contra*. (Editura Mica Valahie). p. 31.

<sup>360</sup> Ibid., p. 221, 229-220. for a look at the general view of recent anti-semitic scholarship as expressed by Buzatu.

<sup>361</sup> Radu Ioanid. *The Holocaust in Romania*. p. 85 and 250.

commence the murder of Jews In the West would have raised alarms in neighbouring Hungary who had not yet fallen under the policy of the Final Solution. It was entrusted in Eichmann's hands to take care of Northern Transylvania, and it was markedly different from Romania.

There is an important point to be made in the way that social circumstances inherently create different narratives of different people. In the study of the Holocaust which is indeed "factually insistent" are therefore at time relative, yet still bound by facts which are immutable.<sup>362</sup> The creation of memory therefore, whether immediate or not played an essential role in the way Kastner is remembered compared to Filderman - generations have chosen a narrative which is immovable by the facts, yet are interpreted by the whims of circumstances.<sup>363</sup> Memory in this context was therefore taken over and molded by bodies within popular culture. There was no reason for Filderman to be represented in a different light than he was as he himself had no immediate, nor contextual connections to political body in Israel and even Romania after 1948. The whims of circumstance therefore were the fact that Kastner's trial as well as story came at an opportune moment both socially and politically in Israel at the time.

As Lauren Faulkner-Rossi has made it clear within the Arendtian paradigm that "the self-consciousness, together with the ability to think, makes it possible to render judgement," implying the complexity of placing oneself as a historian in the gaze of facts, yet also subjective thought.<sup>364</sup> This is undeniably one of the reasons why historians have studied the Kastner affair in different lights, with seemingly the same evidence and came to remarkably different conclusions. In a sense, this process is also why Filderman and Kastner ended up in different lights in the historical consciousness of society, both politically and culturally. This salient comparison thus shows that it was not merely the deeds, but also the contexts in which those deeds are remembered which play a role in

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<sup>362</sup> James Edward Young. *Writing and Rewriting the Holocaust: Narrative and the Consequences of Interpretation*. (Indiana University Press:1990). p. 15.

<sup>363</sup> Victoria Aarons. *Third-Generation Holocaust Narratives: Memory in Memoir and Fiction*. (Lexington Books:2016). pp. 39-40.

<sup>364</sup> Lauren Faulkner-Rossi. "Making Judgements:Hannah Arendt's Message to Historians in Eichmann in Jerusalem." (2003) SFU Thesis. p. 97-98.

the absolute process in which individuals are categorized either as “evil” or “good.”<sup>365</sup> Eichmann was incontestably considered to be evil, as made evident by his judgment in 1961, yet where can Kastner be placed - when his actions implied the work of both someone who had committed some morally questionable things, perhaps for what seemed to him and others as the right thing. The definitive end categorization is not the end goal of this thesis, but rather the process in which it was ultimately decided.

In the end, Filderman was portrayed as a ‘saviour’ mainly due to his insistent appeals to stop the deportations to Transnistria on a wider plea, thus propelling him in the minds of many as a hero. This coupled with the fact that he fervently opposed communism in Romania turned him into a figure which was seen to oppose all forms of authoritarian control, whatever form it came into. In contrast, Kastner’s deals which were very specific, rather precisely left leeway for his dealings with Eichmann that were not possible with Filderman. This very specificity, made more dubious by the fact that Kastner had to negotiate and make deals for material things in exchange for the lives of people is one of the ultimate reasons why he was vilified, and later became an obsession for the Israeli and American media. An obsession which alludes to the fact that the media and trial in Israel in 1954-55 were very much interconnected.

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<sup>365</sup> Paul Sanders. “The ‘strange Mr. Kastner’ - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands.” p. 5-6.

## Chapter 5. The Trial and the Media

My sole ambition during the fateful years under the Nazis was to save as many Jews as possible.<sup>366</sup> - Rudolf Kastner

In 1955 Kastner's flat was sprayed with graffiti in big bold letters which read: "Kastner is a murderer."<sup>367</sup> It is undeniable that if it would not have been for the capture of Eichmann and his judgement in 1961, the Kastner trial would have been the most important court case in Israel's history as a young nation.<sup>368</sup> Although there has been some exploration of the topic of how Israel was inherently fascinated with Kastner as it was the first time the nation was forced to face its past in the Shoah after a period of intellectual paralysis and what has been dubbed as silence, there has been less emphasis on how this exactly came to fruition.<sup>369</sup>

Trauma plays a central role in this analysis, as this chapter will serve to connect all former dealings with Kastner, and explain why the trial, the media attentions, the political entanglements, the national and cultural responses all pointed to a dichotomy which categorized Kastner as a 'hero' and 'villain,' almost as a pawn for Israel and the Jewish people's first step in facing the realities of what they had faced in Europe.<sup>370</sup> The 'absolutism,' and 'totality' which they had faced in the killing fields which they had escaped, had inherently followed them to place absolutist judgment on the most convenient element available to them: Kastner.

The intent here is not to pass judgment on Kastner himself, but rather re-examine the entire affair in hope of understanding the means by which the projection and attribution of 'hero' and 'villain' from Kastner, to the Israeli nation played a role for many

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<sup>366</sup> "Kastner Speaks: "My Conscience is Clear" *Jewish Observer and Middle East Review*, July 22, 1955.

<sup>367</sup> Lob, Ladislaus. *Rezsó Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 264.

<sup>368</sup> *Ibid.*, p. 242

<sup>369</sup> David Cesarani. "Introduction." in *After the Holocaust: Challenging the Myth of Silence*. (Routledge:2011). p. 1-2.

<sup>370</sup> Lob, Ladislaus. *Rezsó Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 262.

Jews - after all albeit many new Israeli still saw themselves as Romanians, Hungarians, Germans and so on. The first part of this chapter will discuss the trial in depth, the media's response as well as the political fallback, the overall effects on Israeli society as well as the narratives created in the following years. The main purpose is to provide the foundational and contextual framework which will explain the idea of victimization and heroization and its relation to trauma.<sup>371</sup> A part of this explanation also lies in the way that Kastner invariably led to the moods and dispositions that were present at the Eichmann trial.<sup>372</sup> Albeit Arendt believed fervently that historians must pass judgement, it is here that I try to provide a picture of how such judgment was passed and more importantly 'why?'<sup>373</sup>

## 5.1 The Kastner Trial

Kastner's move to Israel in 1947, after the establishment of the nation was to be expected, however he arrived with the expectation and belief that he would be considered a hero which did not occur.<sup>374</sup> He soon became a public official in the new government, and worked as such for that period of his life. However according to Paul Bogdanor he was not welcomed, nor liked in Cluj.<sup>375</sup> In fact he proved the testimony of a survivor by the name of David Rosner who said that "The atmosphere towards Kastner is very bad. If he would have returned, he would have been killed in the street."<sup>376</sup> However, with that in my there were some people such as Lob, and Peter Munk who were both on the trains that praised Kastner.<sup>377</sup> To an extent it is impossible to understand the general consensus on Kastner in Israel and in Cluj, Romania at the time as such anecdotes come from only a few individuals, especially before the trial.

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<sup>371</sup> See the Introduction of this thesis.

<sup>372</sup> Yechaim Weitz. "The Holocaust On Trial: The Impact of the Kastner and Eichmann Trials on Israeli Society." in *Israeli Studies*, Vol 1, No. 2. p. 1-2.

<sup>373</sup> Lauren Faulkner-Rossi. "Making Judgements:Hannah Arendt's Message to Historians in Eichmann in Jerusalem." p. 72.

<sup>374</sup> Lob, Ladislaus. *Rezso Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 242-243.

<sup>375</sup> Paul Bogdanor. *Kasztner's Crime*. Location 5191. (Kindle)

<sup>376</sup> Ibid.

<sup>377</sup> Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. p. 3.



It was in the summer of 1952 that Michael Gruenwald attacked Kastner as a collaborator in his self-published newsletter entitled *Letter to Friends in the Mizrachi*. Gruenwald which, like many lost most of his family in Auschwitz and made his hate for Kastner apparent, especially with the words:

My dear friends the stench of a carcass fills my nostrils! This will be choicest of funerals! Dr. Rudolph Kastner must be liquidated!<sup>378</sup>

The interesting aspect of this is that Chaim Cohen the attorney general part of the new government had made it clear that this was seen as an attack on the new Ben-Gurion establishment as Kastner was a civil servant.<sup>379</sup> Something unequivocally supported by the Israeli prime minister himself.<sup>380</sup> It was in this context that the right-wing movement in Israel continually tried to delegitimize the left-wing government, and as made evident through Tamir the Kastner trial was perfect opportunity. Finally, in January 1954, Gruenwald was taken to trial by the government as a criminal libel case which was officially named *The Attorney-General of the Government of Israel v. Malchiel Gruenwald*. Albeit some have made it clear that Gruenwald was right to have named Kastner a collaborator, the pervasive mood of the Israeli media at this point was predominantly supportive of Kastner namely because of his Zionist sensibilities and what was known of his work in Cluj and Budapest.<sup>381</sup>

As aforementioned Gruenwald's lawyer Shmuel Tamir shared his hate for Kastner and pushed a hard defense, by turning the trial into an offensive action by forcing the jury and court to hear his accusation of Nazi Collaboration, from Kastner's insistence of saving his family first from Cluj, failing to warn the Jewish communities of their fate in Auschwitz although he knew of the famous Vrba-Wetzler report, and of course conspiring of what groups of Jews would be saved first.<sup>382</sup> A particularly salient

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<sup>378</sup> Lob, Ladislaus. *Rezso Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 243; Also see Bilsky, Leora. "Judging Evil in the Trial of Kastner" in *Law and History Review* Vol. 19, No. 1. p. 120.

<sup>379</sup> Jennifer Ring. *The Political Consequences of Thinking: Gender and Judaism in the Work of Hannah Arendt*. (Suny Press:1997). p. 81-82.

<sup>380</sup> Ibid.

<sup>381</sup> Ibid.

<sup>382</sup> Lob, Ladislaus. *Rezso Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 245-246.

testimony from the trial, amid the 59 witnesses was that of a man named Muller as reported in Ben Hecht's book on the trial:

This Dr. Kastner was a young man about my age, an ice-cold lawyer and a fanatical Zionist. He agreed to help keep Jews from resisting deportation - and even keep order in the collection camps - if I would close my eyes and let a few hundred or a few thousand young Jews emigrate legally to Palestine. It was a good bargain.<sup>383</sup>

Tamir having framed Kastner's evidence in a way that made him look excessively bad in front of the Judges, coupled with the fact that Kastner seemed certain he would win the libel case mostly led to his own testimonies to seem disparate, unconnected and at times lies.<sup>384</sup> Albeit he stuck close to the statement he made in the report he had compiled in the years of the aftermath of the war. A particularly hard blow that Kastner received from Tamir was the means by which he had made it look that the possible escape to Romania by Jews in Northern Transylvania, and particularly Cluj was curtailed under his command, although in Chapter Two I discussed the difficulties that were presented in that route.<sup>385</sup> The fact that Kastner also gave testimony to Becher and other Nazis during the Nuremberg trials was used to form a picture of Kastner which seemed that of a collaborator - something that has been used by some historians in our contemporary as well.<sup>386</sup>

In the end, the self-confident Kastner was shaken by Tamir's brilliance as a lawyer, which finally led to the conviction of the five presiding judges to see Kastner as the perceived collaborator which led to his loss of the case. Halevi, the head Judge, finally gave his judgement on June 21st, 1955 and had accused Kastner of indeed collaborating with Eichmann, holding information from Jews about the death camps, and saving his own family in Cluj.<sup>387</sup> More than just an obvious win for Gruenwald and Tamir,

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<sup>383</sup> "Eichmann Confessions," published in Life magazine, November 28 and December 5, 1960; This can also be found in Ben Hecht's *Perfidy*.

<sup>384</sup> Ben Hecht. *Perfidy*. p. 19-20.

<sup>385</sup> *Ibid.*,

<sup>386</sup> Paul Bogdanor. *Kasztner's Crime*. Location 6000.

<sup>387</sup> Ben Hecht. *Perfidy*. pp. i-ii.

the trial would have devastating consequences for Kastner's image, as well as his own family.<sup>388</sup>

After the trial Kastner, was devastated and spiraled into what seems to be a depression coupled with the fact that he stayed out of the public's eye. It is without a doubt that Halevi's most famous line "that he sold his soul to the devil" rang in his ears after the trial.<sup>389</sup> However, despite the harm that came to his public image as well as other consequences the trial proved to be fatal in 1957.<sup>390</sup> An Israeli Security Agency report that has been made public deemed the assassination of Kastner on March 3-4, 1957 as something undoubtedly political.<sup>391</sup> The report recounts how on the night of March 5th upon his arrival home in Tel Aviv a shooter jumped out of a Jeep, approached him and asked whether he was Kastner.<sup>392</sup> Once he said that he was, the man pulled a gun and shot him on the spot. Two men along with six others were responsible: Yosef Menkis and Yaacov Heruti - however a man by the name of Zeev Eckstein remained responsible for the shooting that night.<sup>393</sup> Kastner died on March 15th from his wounds and Eckstein was charged and convicted as the main conspirator with two others. They were given life sentences however in 1963 they were pardoned and released.<sup>394</sup> The report interestingly makes the case that:

This message permeated all social classes and led to a long period which lacked radical and intensive activity both from the right and the left wing elements as well as lack of underground groups.<sup>395</sup>

The report was undeniably right however that this had an effect on the means by which Kastner was viewed as after his death, as in 1958 the Supreme Court of Israel dropped

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<sup>388</sup> Lob, Ladislaus. *Rezso Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. pp. 252-263.

<sup>389</sup> Robert Mnookin. *Bargaining with the Devil: When to Negotiate, When to Fight*. p. 54.

<sup>390</sup> "The Kastner Affair." compiled by the Israeli Security Agency. Accessed Publicly through the Shabak Government Website. p. 1.

<sup>391</sup> *Ibid.*, p. 2.

<sup>392</sup> *Ibid.*

<sup>393</sup> *Ibid.*, p. 3. Also see: "Israeli Trial Opens: Three Men Plead Innocent in Kastner Slaying" in *The New York Times* (July 31, 1957). Proquest Historical Newspapers and "Israeli Shot in Street: Kastner, Libel Case Figure, Wounded by Assailant" in *The New York Times* (March 4th, 1957). Proquest Historical Newspapers.

<sup>394</sup> *Ibid.*

<sup>395</sup> *Ibid.*

the charges that were levied against him. It is interesting to note that one of the judges Shneur Zalman Cheshin said that “On the basis of the extensive and diverse material which was compiled in the course of the hearing, it is easy to describe Kastner as blacker than black and place the mark of Cain on his forehead, but it is also possible to describe him as purer than the driven snow and regard him as ‘the righteous of our generation.’ A man who exposed himself to mortal danger in order to save others.”<sup>396</sup>

From the trial until his assassination and the reinforcement of the original appeal by the judges, the trauma of the Israeli nation and individuals was being exhibited in the totality of their beliefs. The same way that Gruenwald exhibited an intense hatred for Kastner, and Eckstein even acted on that hatred in a more extreme way there are facets of this affair that are more interesting on whether Kastner was indeed a collaborator or not. It is here where the obvious inability to define Kastner within the absolutist ‘black’ and ‘white’ thought that makes this case that much more intriguing. Although historians such as Porter, Lob, Bogdanor and many others have made a concerted effort to dissect the trial and dealings of Kastner, less attention has been played on what did trial meant for Israeli society and the Jewish world as a whole -something which was undeniably exhibited in part by the response seen from the media at the time.<sup>397</sup>

## 5.2 The Media’s Response

The atmosphere in regards to Nazi collaborators both in Israel as well as in other places in Europe was to be expected. There is an instance that Haaretz - a liberal newspaper in Israel reported on. There was a man in 1946 who was a Jewish policeman in a ghetto, he was surrounded by a few Jews who recognized him and they publicly humiliated him.<sup>398</sup> Thus was the reaction to many who were considered to have been in

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<sup>396</sup> Joanna M. Seidel. “Deal with the devil.” in *The Times of Israel*, November 3d. 2013.

<sup>397</sup> All three authors, which have provided excellent works on the Kastner affair, each with its own well argued thesis do not contemplate in depth the importance this played on Holocaust historiography. These examples never prove that there has been a lack of concentration of the impact of the trial on wider society, besides those such as Yechaim Weitz, and Leora Bilsky. The Kastner affair as always been placed within a process of trying to figure out what happened and for what reason, rather than the larger impacts.

<sup>398</sup> Jennifer Ring. *The Political Consequences of Thinking: Gender and Judaism in the Work of Hannah Arendt*. p. 80.

anyway part of the killing machine of the Nazis.<sup>399</sup> It was finally in 1950 that the Israeli government passed the “Collaborators Law” which invariably sought to target Jews who had immigrated to Israel but had helped Nazi whether in ghettos or even the Sonderkommando which were hated.<sup>400</sup> Within this context, the media, whether on the left or right did indeed form certain preconceived notion around the time of trial but also after the final judgment, and Kastner’s assassination.

It is interesting to note that in 1955, in the July 1955 issues of the *Jewish Criterion* the editor chose specifically to run the quote by Kastner: “It was not I who collaborated with the Germans, but some Germans, particularly the Nazi leader Col. Kurt Becher who collaborated with me.”<sup>401</sup> The article continues on detailing the case using language that alludes to Kastner’s implication and end by saying that Dr. Kastner said he hoped to write a book on the Jewish tragedy in Hungary, but he did not believe this was a propitious time for such a work. He expects to wait a decade so as to have a better perspective.<sup>402</sup> Of course Kastner would be dead two years. The language of such articles implied at least to an extent the political nature of the case, and how it gripped the entire nation. It is no surprise that scholars such as Leora Bilsky chose to concentrate on the use of language in the trial, especially by Halevi, to show the means by which it was to an extent politicized.<sup>403</sup> Yet there is also some value to looking at its use in Israeli, and international newspapers.

The New York Times covered the trial extensively particularly because of the interest of the Jewish community in New York with the events in Israel, and yet here also there were tinges of bias that do prove useful. On August 1st, 1955 an article entitled “Israeli Case Revived” circulated in the New York Times letting American Jews know that the allegation made by Greenwald were sustained by the head judge Dr. Benjamin Halevi.<sup>404</sup> A year later as the case was still open an article mentioned how “the second

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<sup>399</sup> Ibid.

<sup>400</sup> Hanna Yablonka. “The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials.” p. 2.

<sup>401</sup> “Dr. Kastner Denies Collaborating with Nazis” in *The Jewish Criterion*, July 22, 1955.

<sup>402</sup> Ibid.

<sup>403</sup> Leora Bilsky. “Judging Evil in the Trial of Kastner” in *Law and History Review*. p. 121.

<sup>404</sup> “Israeli Case Revived: Perjury Trial of Dr. Kastner Moved to Jerusalem.” in *The New York Times*, Aug. 1st, 1955. ProQuest Historical Newspapers.

round of Israel's most dramatic courtroom battle closed." referencing how the perjury counts against Kastner were dropped albeit he continued to be vilified for his apparent collaboration with Eichmann.<sup>405</sup> Yet perhaps the most interesting point that the article made was that "the acquittal of Dr. Kastner was a political victory for the government."<sup>406</sup> Although Gruenwald was only a small figure, "a gray-bearded figure, hunched over a cane," it was the politics of the trial that seemed to interest the media and the public.<sup>407</sup> However by 1957 the international and Israeli media seemed to have made up its mind of how to categorize character as around the time of his assassination an article entitled "Israeli Quisling Dead of Wounds" circulated in March. The choice of quisling was important, as it was a defamatory term universally known for collaboration.<sup>408</sup>

According to Ladislaus Lob the right wing press was "having a field day."<sup>409</sup> What he means by this is that Tamir's friend, Uri Avneri, the editor of the Haolam Hazeh newspaper was supporting Tamir's cause of not only proving that Kastner was a Nazi collaborator but also to show the incredulity of the Mapai party, which was left wing.<sup>410</sup> This adds another layer of complexity, and also shows that the trial was truly something political as it might have been used as a reason for conflict between the left and right wing in Israel - especially when such conversations took center stage at the time when the nation was still young.<sup>411</sup> The idea of 'imagined' past and presents is an important concept here, especially in regards to how it is related to state formation. It is not too bold to consider that the conflict between the left and right in Israel did have this dimension to it.

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<sup>405</sup> "Key Israeli Case Takes New Turn: Jurist Drops Perjury Count Against Kastner, Branded a Nazi Collaborator" in The New York Times, Mar. 16, 1956. ProQuest Historical Newspapers.

<sup>406</sup> Ibid.

<sup>407</sup> "Accused Found Guilty of Libel As Israeli Court Clears Kastner: Majority Decision of Supreme Tribunal Rules Man Charged With Aiding Nazis Risked Life for Jews in Hungary" in The New York Times, Jan 18th, 1958. ProQuest Historical Newspapers.

<sup>408</sup> "Israeli Quisling Dead of Wounds: Dr. Kastner, Branded a Nazi Collaborator, Succumbs to an Assassin's Bullets" In The New York Times, March 16th, 1957. ProQuest Historical Newspapers.

<sup>409</sup> Lob, Ladislaus. *Rezsó Kastner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 249.

<sup>410</sup> Ibid.

<sup>411</sup> Leora Bilsky. "Judging Evil in the Trial of Kastner." p. 119-120.

In her famous article Leora Bilsky reiterates that “The Kastner judgment, therefore, was an attempt to reorder the historical facts according to legal doctrines.”<sup>412</sup> This concept along with the fact that Tamir was on a mission to attack the Mapai party in Israel, and the fact that the Ben-Gurion government sued Gruenwald on Kastner’s behalf is why the trial was a great deal more than just about Nazi collaboration.<sup>413</sup> Yet interestingly this might have been an important part that signifies the entire correlation of the trial with the formation of Israeli identity in those early years. In her book *Law, Meaning, And Violence : Transformative Justice : Israeli Identity on Trial*, Leora Bilsky argues quite simply that:

In the background lurked the political controversy over Prime Minister Ben-Gurion’s decision to enter into negotiations with Germany over reparations. Herut’s leader, Menachem Begin, used this debate as a political tool to delegitimize Mapai’s willingness to negotiate with Germany and he succeeded in transforming a political disagreement into a matter of morality.<sup>414</sup>

The importance of this statement is that in part Leora Bilsky is very much correct to categorize the trial as an inherently political conflict. She even continues to acknowledge that perhaps it played a role in how Israeli society saw to define its Zionism, or what being a Zionist mean within the dichotomy, and the counterpart of “Kastnerism.”<sup>415</sup> She inherently argues that through this trial, Eichmann and a few others Israeli identity was put on trial, however the problem which she doesn’t tackle and which this thesis has tried to tackle is the obvious dilemma of the ‘hero’ and ‘villain’ as proposed by Paul Saunders.<sup>416</sup> This however will be further developed in the next chapter.

Yechiam Weitz’s piece “The Herut Movement and the Kasztner Trial” goes into the details of the political entanglements surrounding the entire case, with a particular concentration on the Herut movement responses.<sup>417</sup> The Herut movement was a

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<sup>412</sup> Ibid., p. 123.

<sup>413</sup> Ibid.

<sup>414</sup> Leora Bilsky. *Law, Meaning, And Violence : Transformative Justice : Israeli Identity on Trial*. (University of Michigan Press:2011). p. 22.

<sup>415</sup> Ibid., pp. 24 and 77.

<sup>416</sup> Paul Sanders. “The ‘strange Mr. Kastner’ - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands.” p. 5.

<sup>417</sup> Yechiam Weitz. “The Herut Movement and the Kasztner Trial.” in *Holocaust and Genocide Studies*(1994) 8 (3). p. 349.

right-wing Zionist organization, that Tamir was very much involved with. It is interesting to point out that the trial was set in motion by Chaim Cohen one month after the election in the Knesset which resulted with significant Mapai victories.<sup>418</sup> It was the Herut newspaper that covered the Kastner trial extensively as it used the case in order to delegitimize the government as argued by many historians.<sup>419</sup> Weitz writes:

The attitude of the radical Right to the trial paralleled the radical Left's view. Both parties perceived the trial as a means to destroy the power and credibility of the Jewish Agency-Mapai establishment.<sup>420</sup>

Yet surely there was something more than the political gains from the trial, as although individual actors within the Herut movement such as Tamir, and others in the Mapai and others left parties took sides on the issue, the impact it had on Israel as a nation was rather different.

Despite all of the contention within the Israeli media the most telling recharacterization of the Kastner story was oddly found in the form of a narrative based story in the American *Coronet* magazine in July 1961.<sup>421</sup> The importance of this lies in the date, as at that time in 1961 the Eichmann Trial became a household topic, and not just something for New York intellectuals. In the article entitled "Eichmann's Last Victim," by Meyer Levin one of the most striking lines reads:

The tangled passionate story of Rudolf Kastner still casts a long shadow over Israel and the Eichmann trial since it spotlights an agonizing question that remains to torment us. Is a man justified in bargaining with the devil to save a human life?<sup>422</sup>

This question remains a salient point in regards to the general atmosphere found in Israel between the two trials, even after the Supreme Court overruled the original charges levied against Kastner in 1958. A moral idea which still complicates the narrative even further. In this context there is a distinct difference between collective

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<sup>418</sup> Ibid., p. 350.

<sup>419</sup> Ibid., p. 342.

<sup>420</sup> Ibid.

<sup>421</sup> Meyer Levin. "Eichmann's Last Victim" in *Coronet Magazine*, July 1961. p. 98.

<sup>422</sup> Ibid., p. 99.



identities, and individual ones whose complexity must be highlighted. Although there were and still are many who believe Kastner deserved to be labeled as such, and many who firmly defended him - it is this very process which can portray the conflict between 'imagined' pasts and presents.<sup>423</sup>

Leora Bilsky, Hannah Yablonka, Marouf Hasian, and Yechiam Weitz have all struggled with the meaning of the Kastner trial, its impact not only on Israeli society, but also Jewish identity, the way that the Holocaust is inherently remembered, as well as the importance of law and its effect on social norms and identity.<sup>424</sup> Yet they all deal solely with the Kastner trial as the epitome of the affair, and do not place much importance on the early days of the deportations in Cluj, and Kastner's meeting with Eichmann. Interestingly, from those moments there was an obvious correlation with the idea of the "gray zone" and the idea that an individual Jew could be neither a hero, nor a villain - and that conceptual idea is what remained central to the trial, and more importantly the way that it was narrativized. In retrospect, the idea of trauma as something purely transformative, and something that can be transmitted is not enough to comprehend the transformation of Israeli and Jewish identity in between the Nuremberg and Eichmann trial.

There are some similarities between the Eichmann trial and Kastner. It was the 1950 Nazi Collaboration Law that was used against Eichmann in 1961 to levy fifteen charges against him, in a judicial system that was inherently primed by the Kastner trial years earlier.<sup>425</sup> The amount of evidence and eyewitnesses however were interminably overwhelming, and in the end the Israeli nation as the world knew that Eichmann's guilt was absolute, and the trial was meant to no pass judgment only on Eichmann but also his kind, and the atrocities of the Nazis as a whole.<sup>426</sup>

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<sup>423</sup> Benedict Anderson. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. (Verso: 2006). p. 166.

<sup>424</sup> Leora Bilsky. "Judging Evil in the Trial of Kastner." p. 119-120; Hanna Yablonka. "The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials." p. 2; Marouf, Hasian. "Collective Amnesias: The Rudolph Kastner Trial and Holocaust Consciousness in Israel, 1948-1955." p. 138; Yechiam Weitz. "The Holocaust On Trial: The Impact of the Kastner and Eichmann Trials on Israeli Society." in *Israel Studies*. p. 2-3.

<sup>425</sup> Pearlman Moshe. *The Capture and Trial of Adolf Eichmann*. p. 165.

<sup>426</sup> *Ibid.*, p. 44.

The only difference is however that at Kastner's trial there was no figure such as Moshe Pearlman or Hannah Arendt who would both write some of the most important works in Holocaust historiography.<sup>427</sup> Rather Ben Hecht, a journalist and playwright would attend Kastner's trial and then would commence to write *Perfidy*, which was so problematic due to the fact that Ben Hecht would flourish information from the trials in order to attack Kastner and the Labour Party.<sup>428</sup> Politics again could not be separated from Kastner's trial. It is evident at least in part that trauma played a role in both trials, as experienced both by individual actors but also an entire nation.

### 5.3 National and Individual Trauma

In the context of the trial it is almost undeniable that the ideas of individual and national trauma played a role in the vilification of Rudolf Kastner.<sup>429</sup> Hannah Yablonka categorizes the period of 1948 to 1960 as a time when Israel transitioned from an "Yishuv" state to a complete "sovereign state," a period in which the guilt of the victim was coming to the foreground as the collective trauma of people seemed to be pouring out into wider and general Holocaust consciousness.<sup>430</sup> In this context "the guilt of the victim: can have a myriad of different meanings, but it usually meant the guilt that one felt for surviving the Holocaust, while others survived."<sup>431</sup> Yablonka uses this concept and explains that it was crucial to the way that the early 'Kapo Trials' in the 1950s played out when people who worked as Sonderkommandos in the camps were found out and put on trial for their collaboration. In regards to the Kastner trial, Yablonka believes:

The conclusion to this tragic and bitter story parallels its beginning. In early 1957 the highest forum of the Israeli judicial system convened to weigh the appeal, and in January 1958, four years from the inception of the legal process, the Supreme Court overturned Halevi's verdict.<sup>432</sup>

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<sup>427</sup> In particular *Eichmann in Jerusalem* by Arendt, and *The Capture of Adolf Eichmann* by Pearlman.

<sup>428</sup> Ben Hecht. *Perfidy*. p. i-ii.

<sup>429</sup> Ibid. *Perfidy* was very much against Kastner.

<sup>430</sup> Hanna Yablonka. "The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials." p. 2

<sup>431</sup> Ibid., p. 3-4.

<sup>432</sup> Ibid., p. 14.

Yet the conclusion albeit interconnected to the idea of the guilt of the victim, was also very much connected to the idea of passing blame, in the search of acquiring both a hero and victim identity. It is ultimately for this reason why “Judge Halevi’s decision left its singular linguistic legacy intact in Israeli consciousness.”<sup>433</sup> A perfect example of this is the way that collaboration and collaborators were used in the post-Shoah era, and what they meant for wider society. Although such a label for Jews, such as the Kapos was inherently a negative term, it did force the reconsideration of the ‘in-between.’

Although this view might have some merit it does not take into account the varied multiplicitous complexity in the parallel connection between Holocaust consciousness and Israeli identity.<sup>434</sup> Both at the individual and national level it is paramount to understand that the self-identification of being a victim and ‘feeling guilt’ for one’s survival, and thus the need for heroization.<sup>435</sup> A process which undeniably occurred from the individuals that made up the Israeli nation and was transplanted on a much wider appeal as made obvious by Kastner’s vilification and the need to reaffirm that fact again in 1961 through Eichmann.

Weitz presents an interesting study of the comparison of the Eichmann and Kastner trials.<sup>436</sup> He invariably argues that the similarities between the two albeit mostly technical, were not as pronounced as the difference. Yet the two trials were connected by a transition into different atmospheres. For instance, in the Kastner trial the judiciary was divided amid political lines, while in Eichmann the consensus was on the same page.<sup>437</sup> It is also here that Weitz argues rather persuasively that the Kastner trial was inherently the result of trauma, but Kastner’s dramatic assassination created its own drama during a time of national consolidation. Which relates to Yablonka’s statement:

Halevi’s verdict dragged the Holocaust discourse in Israel into the realm of emotion, horror, fear, and the sense of predetermined fate that nullified

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<sup>433</sup> Ibid., p. 15.

<sup>434</sup> Ibid., pp. 1-3.

<sup>435</sup> Ibid., p. 10.

<sup>436</sup> Yechaim Weitz. “The Holocaust On Trial: The Impact of the Kastner and Eichmann Trials on Israeli Society.” p. 1-2.

<sup>437</sup> Ibid., p. 5-6.

humanistic-historical discussion on the nature of human beings and their ability to choose.<sup>438</sup>

The relationship between the Eichmann and Kastner trials albeit important, as was their relationship in 1944 in Budapest, their impact did not stem solely out of the concept of victimhood, or the guilt of the victim, but a complicated process which can be best described in the narrativization of the trial. As aforementioned, the way Judge Cheshin put it best describes the situation: regardless of all the fact which have been revealed, one can make Kastner out to be a saint, or a devil.<sup>439</sup> It is inherently this 'gray zone' which does not completely satisfy Yablonka and Weitz's arguments on the Kastner's trials effect on Israeli society and identity.

As aforementioned the issue of trauma however within this context is central, and more specifically the concepts of 'cultural' and 'collective' trauma which to an extent were exhibited by the Israeli national as well as the Jewish communities that resettled after the war, such as in Cluj.<sup>440</sup> Without delving further in the conceptual and overtly intellectual categorization of collective trauma, for the purposes of this thesis it is meant to imply the shared suffering as caused by the Holocaust for the Jewish people.<sup>441</sup> There is undeniably a connection, according to Dominick LaCapra with the means by which collective trauma invariably influences identity - something perhaps which was appropriated by the Kastner trial.<sup>442</sup> After all, it is La Capra that suggests that "the tendency for a given subject-position to overwhelm the self and become a total identity becomes pronounced in trauma," to suggest that the absolutism found in individual decisions are of course affected by the idea of both direct but also a collective trauma.<sup>443</sup> The judgement of Kastner as well as the verdicts, despite the political and social implications, were clouded by a national trauma that needed to be confronted and

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<sup>438</sup> Hanna Yablonka. "The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials." p. 431.

<sup>439</sup> Joanna M. Seidel. "Deal with the devil." in *The Times of Israel*, November 3d. 2013.

<sup>440</sup> Raz Yosef. *The Politics of Loss and Trauma in Contemporary Israeli Cinema*.(Routledge: 2012). p. 8-9.

<sup>441</sup> Jeffrey C. Alexander, Ron Eyerman, Bernard Giesen, Neil J. Smelser, Piotr Sztompka. *Cultural Trauma and Collective Identity*.(University of California:2004). p. 112.

<sup>442</sup> Dominik LaCapra. *Representing The Holocaust: History, Theory, Trauma*. (Cornell University Press:1996). p. 12.

<sup>443</sup> Ibid.

judged, in the Arendtian way.<sup>444</sup> Namely the means by which judgment is inherently sublimely subjective, and more importantly the realization of the fact that when faced with the Holocaust even the conceptual form of objectivity is even more impossible.

In the way that John H. Meray, now a doctor in the United States, recounted his experience as a child in Budapest in the days before the Kastner trains were to leave, is evident of the totality of the situation in which he found himself in.<sup>445</sup> He recounts how his uncle had said if we do not go on the train we will perish one hundred percent, if we go on the trains we might perish ninety percent.<sup>446</sup> This however is only one story of many, a trauma which still lived on with Meray, as he made it evident that Kastner's negotiations are what saved him and his family.<sup>447</sup> Yet many others who could not be saved condemned Kastner for favouritism.

It is within this moral question and problem that the entire concept of traumatic experience and its transference not by direct contact, but the national formation is what in a way led to the creation of collective identities within Israel.<sup>448</sup> An identity found undoubtedly amid plurinationalities, and pluri-identities a made evident by the diversity of Jews from across Europe, yet still a trauma bound by the ever present concepts of 'victim' and 'hero.' It is perhaps best expressed by Peretz Reves, who worked alongside Kastner and Brand:

Many times I was asked to tell the truth about Kastner. Among the Hungarian Jews it made no deference, because they stick to their version: "It doesn't matter how many Jews he saved, he didn't save my family".<sup>449</sup>

The question that must be answered and which is problematic is whether trauma inherently seen by this affair, did in fact play a role in the identity of Israel, at least in part.

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<sup>444</sup> Hannah Arendt. *Responsibility and Judgement*. (Knopf Doubleday Publishing Group: 2009). p. 142.

<sup>445</sup> "John H. Meray Video Testimony" entitled "Kasztner Train One Survivor's Story" Nov 6th, 2009. Accessed through link:<https://www.youtube.com/watch?v=spTLDITx7rA&t=326s>.

<sup>446</sup> Ibid.

<sup>447</sup> Ibid.

<sup>448</sup> Wistrich, Robert and Ohana, David. "Political Dimensions of Holocaust Memory" in *The Shaping of Israeli Identity: Myth, Memory, and Trauma*. p. 210.

<sup>449</sup> "Peretz Reves Oral History." 1993 June 23, RG-50.120\*0126, 1995.A.1272.126. United States Holocaust Memorial Museum Collection.

This story has been retold numerous times, and in numerous ways and there is evidence for both sides of the argument. Yet it is that very conversation, that very creation of the narrative that in fact plays a role in the creation and transmission of trauma.<sup>450</sup> The fact that others supported Kastner and others did not, whether he was a collaborator or not is itself a factor, contributing in the very least, to the way that a people chose to deal with their trauma. Some such as Hansi Brand chose to believe:

Well, I am totally convinced that Kasztner wanted only to do right by the Jews. He had no intentions of doing anything for the Germans without gaining something for the Jews.<sup>451</sup>

Albeit the way that trauma was therefore transferred from individuals into groupings of collectives, is not something that is fully explained, or really explainable. There is a divide between the Jews who were saved, and those whose families could not be saved - perhaps something rooted in the 'guilt of the victim.' For instance, there were many such Menashe Lorenzy who albeit came from Cluj, he and his family were not selected to be on the Kastner trains.<sup>452</sup> The memory of Kastner therefore for the majority of Jews after the war was not one of a heroic figure, but reminded them of the chance of being saved, and yet not being saved from Auschwitz and the other death camps. Those such as Moshe Greenberg, a Polish Jew for instance showed more understanding towards Kastner and his work with the Cluj Jewish Council.<sup>453</sup>

The conflicting stories, which continue to this very day of whether Kastner was a villain or a heroic figure, was and is in my belief connected the concept of the Israeli state and nation stuck in a dichotomy of considering itself collectively both a 'victim' and a 'hero.' The traumatic events, coupled with this trial exhibited highlighted this dichotomy,

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<sup>450</sup> "The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials." p. 5.

<sup>451</sup> "Claude Lanzmann Shoah Collection, Interview with Hansi Brand" and "Supplementary Material: RG-60.5002\_Transcript Lanzmann." 1978-1981. RG-60.5002, 1996.166. Claude Lanzmann Shoah Collection. United States Holocaust Memorial Museum.

<sup>452</sup> "Menashe Lorenzy Oral Interview." RG-50.120\*0095, 1995.A.1272.95. United States Holocaust Memorial Museum Collection.

<sup>453</sup> "Moshe Greenberg Oral Interview." 2000, April 6th, RG-50.120\*0373, 1995.A.1272.373. United States Holocaust Memorial Museum Collection, courtesy of the Jeff and Toby Herr Foundation.

but also in the process in which the story continues to be retold over and over again to the point where recontextualization becomes the norm.

## Chapter 6. Victim and Hero

It is no mistake that Merav Michaeli, the granddaughter of Rudolf Kastner, and a Knesset member stood in front of the Israeli parliament in 2016 and said: “If there’s something I learned from my grandfather’s story, it is not to be a victim.”<sup>454</sup> The history of Israel, as established with its connection to Eichmann where it proved that it would never be a “victim,” nation was concretized, and yet the victimhood after the unthinkable circumstances of the Shoah is something which still follows generations of Jews, and surely will follow generations of unborn tomorrow. Yet as seen through the Kastner affair, his relationship with Eichmann and then his heartbreaking trial, it is obvious that the process of both being a ‘victim,’ and a ‘hero’ played an essential role in his vilification. Namely, the way his narrative was constructed after his assassination to this very day, where debates rage on in Israel’s leading newspapers such as The Times of Israel, the Jerusalem Post and Ha’aretz.

The conversation on whether Kastner was a hero or a villain is not over, and it might never be, however this process has shed light on the function of not just Israeli society, as that is merely a side-factor, but the very understanding of Shoah historiography, the way that we can frame Jewish identity in the post-Holocaust era, and the means by which narratives are constructed in regards to traumatic events. Traumas which travel through the generations, not just through pain and suffering, but transformative qualities that are more subtle such as the way that individuals place themselves in the world.<sup>455</sup>

The concept of Israeli identity, especially the self-image seen as a ‘victim-hero’ to conqueror and occupier is not something new in the post-Shoah intellectual discourses, yet it has not been yet discussed within the context of Kastner.<sup>456</sup> Perhaps the most salient example of this depiction can be found in the 1994 Israeli Television series “The

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<sup>454</sup> Ron Kampeas. *Knesset member Merav Michaeli wants Israel to stop playing the ‘victim’ card*. The Jewish Telegraphic Agency. April 20, 2016.

<sup>455</sup> Dominik LaCapra. *Representing The Holocaust: History, Theory, Trauma*. p. 30 and 103.

<sup>456</sup> Glenda Abramson. *Drama and Ideology in Modern Israel*. (Cambridge University Press:1988). p. 36.



Kastner Trial” which depicts the minutia of the courtroom in a dramatized fashion.<sup>457</sup> In the series Kastner is depicted as a man stuck in the moral grey zone, and he is shown to have been placed to take decisions which no man could possibly take.<sup>458</sup> In this depiction the idea of Israeli ‘self-perception,’ is subtly given a hint at, an idea which stems back to the heroic feats of not only the Israeli War of Independence but even the Warsaw ghetto resistance movement.<sup>459</sup> By taking a step back it is understandable that people with such a collective trauma would have a self-perception of this quality.<sup>460</sup> Namely the idea of victimhood caused by unbelievable suffering, coupled with the heroism that was provided by the creation of the Israeli state out of ‘nothing.’ A phenomenon that also changed Zionism from its original ‘Herzelian’ form to the Zionism of post-1945 which was inherently structured around ‘heroism.’<sup>461</sup> It is within this concept that the 1994 television series finally presented a subtle opportunity to study the complexities of the event, and even present an opportunity for the Israeli public to try and understand the nation’s means by which it finally dealt with the idea of ‘collaborators.’

With all the political motivations in mind the way in which the narrative is created also seems to be affected by the hero and victim dichotomy. In any book or documentary in which Kastner is depicted as a hero, he is invariably being played within the narrative of a hero, and the Zionist efforts to save European Jewry.<sup>462</sup> In every aspect in which Kastner is vilified for his actions, the theme of victimhood is constantly reinforced.<sup>463</sup> In Shoah theory, the way that narratives are constructed implies the over-dramatization of events through the lens of perceived third-generation return.<sup>464</sup> A dramatization that in a way demands absolutism. In other words the creation of the narrative, with the use of micro-narratives and histories cannot in itself be differentiated from the means by which

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<sup>457</sup> “Mishpat Kastner.” 1994, Israel Broadcasting Authority.

<sup>458</sup> Ibid.

<sup>459</sup> Uri Ram. *Israeli Nationalism: Social Conflicts and the Politics of Knowledge*. (Routledge:2012). p. 77.

<sup>460</sup> Dominik LaCapra. *Representing The Holocaust: History, Theory, Trauma*. p. 175.

<sup>461</sup> Uri Ram. *Israeli Nationalism: Social Conflicts and the Politics of Knowledge*. p. 77.

<sup>462</sup> The best example of this is Anna Porter’s *Kasztner Train*.

<sup>463</sup> The most relevant and recent example is Paul Bogdanor’s *Killing Kasztner*.

<sup>464</sup> Alan. L. Berger. “Life After School.” in *Third-Generation Holocaust Narratives: Memory in Memoir and Fiction*, ed. Victoria Aarons. (Lexington Books:2016). p. 74.

even Arendt argues that death as an “equalizer” those not play a role in political philosophy.<sup>465</sup>

In other words, the way that Shoah narratives are constructed perhaps are to an extent based on the individual spirit which tries to conceive of events and ideas which they did not take part in. This coupled with the cultural phenomenon of victimization and heroization, even as expressed by Maria Bucur, to an extent leads to the vision of the absolute and in part the inability to think of people like Kastner as someone stuck in between the moral totality which dictates the narratives itself. It is therefore the very horror experienced in the Shoah, that does not allow for one in the process of self-perception to not use a certain complexity.<sup>466</sup> The totality experienced in the Shoah, namely the absolute contrast between life and death, as well as the almost unnameable inability to make a distinction between the two in the camps, in the deportation and ghettos, is what bred the absolute nature of thought in post-Holocaust consciousness.<sup>467</sup> It is best described in the words of David Astor who partook in the Eichmann trial:

This inability is also connected with the type of tragedy. We can feel concern for one another’s ordinary misfortunes, but survivors of horrors, such as concentration camps, have found that others, no matter how sympathetic or personally devoted, find it had to take an interest in what they experience.<sup>468</sup>

The questions which are asked daily such as “How could this happen?” and “What would you have done?” are asked in a cloud in which absolutism necessitates absolutism. It is also within this context that the process of creating narratives, forces the one who creates or listens to a narrative to place themselves in that situation.<sup>469</sup> In other words to be able to study an event such as the Shoah, one cannot solely rely on the methodological tools afforded by the discipline of history, but must also take into account

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<sup>465</sup> Hannah Arendt. *On Violence*. (Houghton Mifflin Harcourt: 1970). p. 68.

<sup>466</sup> Uri Ram. *Israeli Nationalism: Social Conflicts and the Politics of Knowledge*. p. 77.

<sup>467</sup> Hanna Yablonka. “The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials.” pp. 2-3.

<sup>468</sup> David Astor. “The Meaning of Eichmann.” p. 1; Also see “No Tears Will Help” June 11, 1983. *The Globe and Mail*. p. 10.

<sup>469</sup> Katalin Orban. *Ethical Diversions: The Post-Holocaust Narratives of Pynchon, Abish, DeLillo, and Spiegelman*. (Routledge:2013). pp. 83-84. Orban discusses the “self” in regard to the creation of narratives.

wider philosophical issues, as is made evident in some of the leading texts on Shoah historiography.<sup>470</sup> The mindful abstractions used to create barriers in the intellectual's mind, are broken by the need to materializes the unthinkable experiences of so many - which invariably must lead to a categorization found somewhere between the 'either' and 'or.' The true reason why Arendt was criticized for *Eichmann in Jerusalem*, was not that she suggested that all historians must place subjective judgment, but the fact that she made it clear that such a thing is innate to all, and it is impossible to prevent.<sup>471</sup>

There is a definable difference between the way events such as the Warsaw Ghetto Uprising or the Sonderkommando resistance in Auschwitz have been chosen to be commemorated, and Kastner saving nearly 1685 people. It has become a consensus that the decision to partake in any form of Jewish resistance in the ghetto and death camps, was invariably the same as choosing a way to die.<sup>472</sup> It was both the futility of the resistance groups as well as their decision to die fighting their Nazi oppressors that immortalized them in the hearts and minds of Jews and Israelis to this very day.<sup>473</sup> However, with the story of someone like Kastner which presents so many complications and so many different turns and twists the ability to process the narrative within the dichotomy of 'evil' and 'good' is the reason why it has made it so contentious to this very day.

The Kastner story is always changing at times always in the course of a few years. In 2009 an article entitled "Once Reviled as Nazi Collaborator, Now a Savior" by Ralph Blumenthal in The New York times talking about Kastner as a hero.<sup>474</sup> The article circulated around the time of Anna Porter's book. Perhaps simply the headline "Not Quite Schindler, but perhaps heroic" is enough to give an idea of the way that Kastner was perceived only in the late 2000s.<sup>475</sup> However only recently Paul Bogdanor published book has evidence, and argues that Kastner was in fact engaged in a 'crime.'

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<sup>470</sup> Dan Stone. *The Holocaust and Historical Methodology*. p. 3-4.

<sup>471</sup> Hannah Arendt. *Eichmann in Jerusalem. A Report on The Banality of Evil*. p. 273.

<sup>472</sup> "One Day in Auschwitz." Documentary, February 1st 2015. Director Steve Purcell, USC Shoah Foundation Institute.

<sup>473</sup> Kerry P. Callahan. *Mordechai Anielewicz: Hero of the Warsaw Ghetto Uprising*. (The Rosen Publishing: 2001). p. 53.

<sup>474</sup> Ralph Blumenthal. "Once Reviled as Nazi Collaborator, Now a Savior." in *The New York Times*, Oct. 21, 2009.

<sup>475</sup> Istvan Deak. "Not quite Schindler, but perhaps heroic." in *The Globe and Mail*, Sep. 22, 2007.

The point is that there are numerous writers and historians that are on both sides of the aisle but only few who have looked at the sheer complexities and significance of the affair - something perhaps that the public is not ready to try and understand. It is here that I must stress that this affair must be taken out of the hands of journalists, and put into those of historians who are able to provide far more contextual reexaminations, on more transnational scales where comparisons are available, as can be seen in the comparative approach I took with Filderman and Kastner. Judy Gondos Jacobs, a survivor, recently wrote an op-ed in the *Jerusalem Post* where she argues that “perhaps the time for ultimate appraisal of all of Kastner’s deeds has not yet arrived...historians in the future may be better able to provide an evaluation.”<sup>476</sup>

To return back to the comparison between Kastner and Wilhelm Filderman, the way that Filderman's story is retold has been usually following the same line since the fall of Communism in Romania in 1989. Filderman is represented continually as a hero both by Romanian media, and the Jewish communities within Romania.<sup>477</sup> The only sources that try to diminish Fildermann’s work are right-wing and usually antisemitic groups such as the New Iron Guard. It is interesting to point out however that the Kastner affair has also been used by some to spread their incessant anti-semitic propaganda against the Israeli state, as made evident by the Palestinian Media Watch.<sup>478</sup> The source produced a small series in which Kastner and Eichmann are depicted as collaborating to destroy the Jewish people, with sequences which alluded that Zionists such as Kastner in fact learned quite a bit from Nazis.<sup>479</sup> Such anti-semitic provocations shed light on how the Kastner story can be modeled and used for political reasons, whatever they might be. The Kastner story has also been used by revisionists to imply the connections between Zionists and Nazis which are used to depict current Israeli

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<sup>476</sup> Judy Gondos Jacobs. “Thoughts on Rudolf Kastner.” December 27th, 2016. *The Jerusalem Post*.

<sup>477</sup> Adriana Cioflanca. “Pogromul de la București. O evocare la 75 de ani.” 2016 -01-09. *Revista 22*.

<sup>478</sup> The Palestinian Media Watch makes it evident that a series entitled “The Diaspora” produced and directed in Syria, circa 2003(AL-Shatat). It evokes anti-semitic content and references. The depiction is one fraught with manipulation of historical facts.

<sup>479</sup> *Ibid*.

Zionism to have a connection with Nazism.<sup>480</sup> Such an attempt to discredit the Israeli state however is not at all singular.

There were other processes of self-identification that were not wholly connected to the Israeli experience of the Holocaust. For instance upon the return of Jews that survived in Transylvania, then annexed to Romania, they were stuck ideally on whether they were to be considered Hungarian Jews, or Romanian Jews. The newly established pro-Soviet government did not give the much of an option, as they were once again 'Romanized.'<sup>481</sup> Zoltan Tibor Szabo makes the case that a great deal many of Jews who returned to Romania at the time, were only passing through by finding shelter in Transylvania as their end goal was to immigrate to Israel, especially in the 1946-47 period.<sup>482</sup> Many of which were concerned with their own placement after survival within the complexities of the geopolitical region in which they found themselves. Yet there was another issue which had already contended in Romania during 1942-43, and deserves to be compared in this respect.

## 6.1 Romania's forgotten proposal

In 1942 the Romanian government under Antonescu put forward a proposal to the Jewish Agency Executive in Jerusalem, to allow seventy thousand Jews to leave Transnistria, for 200,000 lei per head.<sup>483</sup> This was some time before the Eichmann-Becher deal, yet it was proposed under a period of great stress for the Romanian army. The plan was to have thousands of Jews transported to the Black Sea ports and taken by boats to Palestine upon payment. The Jewish Agency did not act immediately, but in fact elaborated on whether the Romanian government would stick to its side of the deal, and even considered whether the condition of Jews in Transnistria was worth the massive funds which would be transferred to an Axis ally.<sup>484</sup>

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<sup>480</sup> Ibid.

<sup>481</sup> Zoltan Tibori Szabo. "Metamorfoza constiintei identitatre a evreimii transilvane in perioada de dupa Holocaust." in *Holocaust Studii si Cercetari*, Institutul National pentru Studierea Holocaustului din Romania Ellie Wiesel. (Bucuresti:2009). p. 129-131.

<sup>482</sup> Ibid., p. 133.

<sup>483</sup> Dina Porat. *Israeli Society, the Holocaust and its Survivors*. (Tel Aviv University:2008). p. 147.

<sup>484</sup> Ibid., pp. 148-149.

In the end, however because of the lack of inaction from the part of the Jewish Agency nothing transpired, and the Jews of Transnistria, the ones that survived, were repatriated into Romania starting in 1943. This is only one such instance, as there were many more that occurred across Europe. However, the point is that The Jewish Agency did not have the power that was attributed to it, and in fact although it did try to save as many lives as possible it could not because a lack of resources, and connections.<sup>485</sup> There is an important difference between exacting such negotiations and deals from Palestine, and actually being in Europe with the individuals who controlled the extermination process.

A great deal of the leadership at the Jewish Agency were part of the Mapai Central who would later be part of the Ben-Gurion establishment that Tamir wanted to overthrow. Yet how could it be possible to condemn the agency for not doing enough when it had such indirect control over the events in Europe? Kastner, on the other hand, did have direct control, and his proximity is what made him a perfect candidate for the political ends of the right-wing in Israel.<sup>486</sup> The difference ultimately between Romania's proposal, and the Kastner affair at least in how it was perceived is that the latter resulted in actually saving people, at a cost, as the former did not result in anything. Therein lies the dilemma of the situation, it was Kastner's results and their price which seemed unforgivable.

The Eichmann trial was and is forever suspended in the 'absolute,' and albeit completely different than Kastner's, still exceptionally interconnected. Leora Bilsky argues that the "separation" of the the trials was achieved "in order to induce a change of attitude in Israeli society – from blaming the victims to blaming the perpetrators."<sup>487</sup> This although true, does not explain the totalizing similar features of the two men, as well as their trials. It is in my opinion that it was not merely the change from blaming victims to blaming perpetrators, but rather the reinforcement of the 'victim-hero' narrative.<sup>488</sup> A

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<sup>485</sup> Ibid., p. 165.

<sup>486</sup> "Kastner Affair." 2008. Knesset - Israel. Accessed through [https://www.knesset.gov.il/lexicon/eng/kastner\\_eng.htm](https://www.knesset.gov.il/lexicon/eng/kastner_eng.htm).

<sup>487</sup> Leora Bilsky. "Breaking the Acoustic Wall between the Kastner and Eichmann Trials." in *The History of Law in a Multi-Cultural Society* (2002). p. 124.

<sup>488</sup> Ibid.

narrative in which Kastner could not possibly have a place as he could not be fully categorized as a hero or a villain, as easily as Eichmann.<sup>489</sup> Yet there are some voices of survivors such as Peter Rosenfeld Span which have expressed different views:

Our saviors were Eichmann and Kasztner. If Kasztner hadn't existed, maybe the Jews needed by the mayor of Vienna would have come from Rumania, or anywhere else. I owe my life to Kasztner. I have no way of proving it, but there is no one who can disprove it.<sup>490</sup>

There is undeniably a difference in the views of those who survived through the Kastner trains and the construction of the narrative by those who were not immediately affected by Kastner. This of course ultimately adds another layer of complexity to the idea of the victim-hero paradigm

## 6.2 Victim-Hero as a Concept

It is only in the context of the unthinkable, and in facing the horrific that history is thrown into the study of the conceptual.<sup>491</sup> Albeit this might be problematic it becomes a necessity to study that which cannot be experienced, or even for the most astute Shoah scholars understood. The 'victim-hero' concept therefore also is a necessity in understanding the way that the Kastner affair played out. It is however not something totally new, albeit not discussed in length within the discipline of the Shoah. In his book *The Victim As Hero: Ideologies of Peace and National Identity in Postwar Japan*, Orr discusses the way in which Japanese society attributed the idea of the victim as a hero, and specifically argues how "in the 1960s conservatives tried to impute value to patriotism by making victim-heroes."<sup>492</sup> This in a way was also the case in Israel in the post-war period as seen by the fact that the Zionist view of Israel being born from the

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<sup>489</sup> This is made self-evident by virtue of the fact that Eichmann's trial was an important moment in Jewish history on which "evil" was brought on trial.

<sup>490</sup> "I owe my life to Kasztner, and to Himmler, Kaltenbrunner, Becher, Eichmann and Blaschke"- An Interview with Holocaust Survivor Peter Rosenfeld Span. Interviewed by Sheryl Ochayon. YadVashem.

<sup>491</sup> Dominik LaCapra. *Representing The Holocaust: History, Theory, Trauma*. p. 146.

<sup>492</sup> James Joseph Orr. *The Victim As Hero: Ideologies of Peace and National Identity in Postwar Japan*. (University of Hawaii Press: 2001). p. 169.

destruction of Europe, and resurrection of the state was something that continues to be a part of Israeli culture to this very day.

The differences between traumatic effects are wider and cannot truly be compared to other events in history. The Holocaust stands on its own as one of the worst systematic genocides in human history, yet the issue of trauma and how individuals dealt with it does indeed have some overlapping elements. In his work Jerry Bryant states that “victims and heroes tend to be constantly shifting and changing shapes.”<sup>493</sup> Although he does this within the context of the experience of African Americans within the racial violence in the United States, there are some points of similarity. In essence, the way that Israeli identity came to be formed after the two trial was indeed an era in which the victim-hero concept continually become fluid, and the line between the two became thinner. The same way that Romanians chose to commemorate their war veterans and the nation's wars within the same concept. As Maria Bucur argues, there is most definitely a complication in the way we define how “people place themselves and their community on the spectrum of the victim-hero-perpetrator.”<sup>494</sup> This ultimately leads back to the idea of facing the horrific, it is within the unthinkable that the discussion of who is a hero, victim, and perpetrator thus plays out. The retelling of Kastner's case has been in every way placed within those categorizations, and in many varying degrees.<sup>495</sup>

It is undeniable that the testimonies of the people who had lived through the ghettoization of Cluj, and those who were saved on the trains were inherently different from those such as Michael Gruenwald who felt cheated by Kastner, however the issue is that his vilification was inherently based on the single varied experiences of many people. For people such as Magdalena Berkovics the Kastner trains did not save her from unbearable suffering. A resident of Cluj, she was taken on one of the transports to Auschwitz in 1944, where she recalls that she was put into a train car with 70 other people for 3 to 4 days until she arrived at the camp.<sup>496</sup> She mentions how she could not

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<sup>493</sup> Jerry H. Bryant. *Victims and Heroes: Racial Violence in the African American Novel*. (University of Massachusetts Press: 1997). p. 3.

<sup>494</sup> Maria Bucur. *Heroes and Victims: Remembering War in Twentieth-century Romania*. p. 201.

<sup>495</sup> See Chapter 2.

<sup>496</sup> “Interview with Magdalena Berkovics.” by Gail Schwartz, October 15, 2009. U.S. Holocaust Memorial Museum Volunteer Collection Interview.



say farewell to her relatives, all of whom did not survive after the war.<sup>497</sup> Such was the case in Hungary, which unlike Romania did not experience some repatriation of which Jews, as many would perish in the death camps, and those who survived would only return after the war. It was in a letter by Miklos Kraus in 1944 that states that “the passive attitude of the population” encouraged the government to speed up deportation.<sup>498</sup> With all of these considerations, which were not singular, the way that the Shoah in Romania and Hungary has been represented therefore does seem to have the principle of victim-hero. If we look at the individuals who took part in resistance for instance, their memorialization is of course always positive.

It is therefore in dealing and facing the horrific that plays a part in how this principle works. Even during the Shoah many could not believe what had happened, as it was unthinkable, this through process through second, and third generation Jews and Israel was diminished by the after-fact, yet still continued - the suspension of utter disbelief which was dealt with both in Kastner and Eichmann trials, and in any study of the Shoah is what inherently plays a role in the collective consciousness as supported by Yablonka.<sup>499</sup> For example Miklos Kallos, a survivor, describes such a situation:

And many claim that the Council is deeply responsible for not having informed the Jewish population. I have a different opinion: they simply refused to believe it, just like we didn't believe those Polish Jews who were telling us about Auschwitz at our table. But there were people who knew and who believed. For instance, there was a Zionist leader in Cluj who negotiated with Eichmann himself through some intermediaries.<sup>500</sup>

This is entirely understandable considering the circumstances that those such as Miklos Kallos found themselves in. It is after the war, and particularly after the period of silence

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<sup>497</sup> Ibid.

<sup>498</sup> “Letter describing the situation of the Jews in Hungary written by Miklos Kraus and appended to an abridged copy of the Auschwitz Protocol.- 1944, June 19” N16143.02 Budapest, [Pest-Pilis-Solt-Kiskun] Hungary. United States Holocaust Memorial Museum, courtesy of Enrico Mandel-Mantello

<sup>499</sup> Hanna Yablonka. “The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials.” p. 2.

<sup>500</sup> “Interview with Miklos Kallos.” by Cosmina Paul, 2004, Cluj-Napoca, Romania. Centropa Organization.

caused by utter 'disbelief,' that this trend continues amid intellectual and historians.<sup>501</sup> The issue of disbelief stands as something that is rooted out of the inability to conceive of such suffering and destruction, and in part plays into the idea of "never again" that many Jews, and Israelis hear throughout their lives.<sup>502</sup> This concept also is part of the 'victim-hero' narrative, and is used by a great deal by Israeli institutions, as well as the Israeli Defense Forces. The innumerable different narratives, micro-narratives and individual experiences all play to form a picture of the inherent creation of the widely believed or best named "standardized" narrative, but also the form in which it is represented.<sup>503</sup>

Trauma is indeed exceptionally multidimensional, especially when connected to the idea of how it affects identity. It is for this reason why it must be said, that this thesis cannot cover the full scope of this phenomenon. This examination serves only as a start, and better said, an invitation for other academics to try and take such discussion out of the popular media into their own perspective fields where the connection between trauma and identity can be further examined.

It is also important to consider the problem of representation, and more exactly how the Shoah is and was represented within culture.<sup>504</sup> Gregory Kendrick argues that "throughout most of western history, intellectual and the educated lay public tended to attribute all progress in human affairs to the ideas and deeds of a handful of extraordinary individuals with exceptional abilities."<sup>505</sup> There is undeniably a similar pattern in Israeli society throughout the 20th century, as the interlocking of heroic figures from resistance movements were connected with the Haganah and in more contemporary times the Israeli Defense Forces. Within this context the issue of narrative on a cultural level is also divided between the 'micro-narrative' and 'grander narratives.' Bernard Bailyn for instance states that the political and cultural trends of the 1970's directed historians towards the study of the underclass and away from the "grand

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<sup>501</sup> Dan Stone. *The Holocaust and Historical Methodology*. p. 137.

<sup>502</sup> Sylvia Levine Ginsparg. *Never Again: Echoes of the Holocaust As Understood Through Film*. (Xlibris Corporation: 2010). p. 107.

<sup>503</sup> *Ibid.*, p. 28.

<sup>504</sup> Tim Cole. "Holocaust History into Holocaust Memory." in *Image and Remembrance: Representation and the Holocaust*. (Indiana University Press:2003). p. 282.

<sup>505</sup> Gregory Kendrick. *The Heroic Ideal: Western Archetypes from the Greeks to the Present*. (McFarland: 2010). p. 2.

narrative.”<sup>506</sup> The point however in this case is that the numerous micro-narratives of individuals are interminably connected to the grander picture. In essence the way that a victim-hero is portrayed, in part is connected to the cultural and social matters of the time.

The “great man narrative” which is considered to be the mythological hero, is inherently something that affects the “common man” trend of historiography.<sup>507</sup> In the sense that the common man per se as in fact affected by his exposure to the ‘great man’ narrative. In this context Israelis and Jews therefore are inherently affected by the myth making process of someone like Kastner yet also by his vilification.<sup>508</sup> The absolute ‘either’ and ‘or’ paradigm therefore implies that very paradox. I myself have been at fault for taking part in the creation of the transition from victim to hero. In 2014 I wrote an op-ed about Rae Kushner and her time as a Jewish partisan. In a particular excerpts I explain her and others’ attempt to escape:

It was in the spirit of struggle, and defiance against tremendous odds, that the very cornerstones of a country for a people that have remained without a home for far too long were founded. It was in those forests, and in those moments of pain and hunger, and when those men and women were digging for their lives, that it became evident that it was either Israel, or nothing.<sup>509</sup>

It is immediately apparent that as done before the op-ed used the struggle of Jewish resistance, and their heroization, as a means to imply the need for Israel and its foundation under heroic circumstances. The same has been done by many articles to explain Kastner’s dealing with Eichmann, yet unlike Kushner many have also vilified him considerably. That is not to say that there is some form of deliberative conceit in the middle, but rather the point remains that the narratives can be told in multiple ways, and each has a discerning effect. Albeit at first it might seem problematic the reason I have used myself as an example is in order to explain how my role as both a journalist and a

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<sup>506</sup> Bernard Bailyn. *On the Teaching and Writing of History*.(Dartmouth College:1994). p. 40.

<sup>507</sup> Sarah Brown Ferrario. *Historical Agency and the ‘Great Man’ in Classical Greece*. (Cambridge University Press: 2014). p. 11.

<sup>508</sup> Idit Gil. “The Shoah in Israeli Collective Memory:Changes in Memory and Protagonists.” in *Modern Judaism*, Volume 32, Number 1, February 2012. p. 76-78.

<sup>509</sup> Milad Doroudian. “Rae Kushner: A Story of Jewish Resistance.” in *The Jerusalem Post*. 17th Dec., 2014.

historian impacted the way I viewed the Kastner affair before the indepth research I took upon myself for the completion of this project. The reality is that the heavily politicized portrayals take away from the possibilities that scrutiny can offer within academia. Narratives can be told in many ways, yet within the scruples of academic study, the possibility of highlighting that process is made evident.

The problem of identity, and self-identification remains paramount however. David Ohana, and Robert Wistrich write that there is an interesting “Israeli fixation on the collective Jewish trauma of the Holocaust and the weakening of allegiance to the symbols of national unity.”<sup>510</sup> Such a “fixation” however becomes apparent and understandable considering the effects of the Holocaust on the creation of the Israeli nation.<sup>511</sup> The general period of Israel at the time in the 1950’s was one that was very much concentrated on commemoration. It was in 1951 that the Holocaust Martyrs' and Heroes' Remembrance Day was established, and two years later the Yad Vashem authority established and later the museum opened. Three institutional pillars of commemoration were being established, and it is no mistake that Kastner’s trial occurred right in the middle of that decade.

This natural occurrence and even the fluidity of Israeli Identity in the post-Shoah era has led many anti-semites and Holocaust deniers to use this process, as a means to exploit the self-perception of Jews, and their suffering, for their own political gains. This new trend of ‘new anti-semitism’ has become prolific in part has used Israeli identity and its inalienable connection to the destruction of Jewry in Europe. Deborah Lipstadt explains that Holocaust denial has been integral be certain Palestinian media sources, and individuals who claim that the gas chambers were a “lie” used by the U.N. so the Israeli state could be established.<sup>512</sup> This view is still present today amid numerous thinkers, and campus colleges.

The sheer complexity of suffering and trauma however has numerous political implications as made obvious by the Kastner and Eichmann trial. The intermingling of

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<sup>510</sup> Wistrich, Robert and Ohana, David. “Political Dimensions of Holocaust Memory.” p. xiii.

<sup>511</sup> Ibid.

<sup>512</sup> Deborah E. Lipstadt. *Denying the Holocaust: The Growing Assault on Truth and Memory*. (Simon and Schuster: 2012). p. 16-20.

the court, the state, and the media in Israel together worked to try to either defend or villainize Kastner as seen by the right-wing movement, Herut for instance. What is telling are the differences in views between the judges' verdicts of the trial, and the verdicts of survivors. For instance Rifka Glatz, who was saved by the Kastner trains recounts in her interview in 1995:

Just like Kastner thought that we will all wind up in Turkey, and we wound up in concentration camps instead. And he himself, I think, put his life on the line every minute of the day when he entered these negotiations and traveled as a Jew all over the country for meetings and different things. His life was on the line constantly. His family was just in as much jeopardy as anybody else.<sup>513</sup>

This is to be expected as Kastner had saved her family, however this would be framed a rather more ominous manner by Benjamin Halevi:

Kastner has tried to escape through every crack he could find in the wall of evidence. When one crack was sealed in his face, he darted quickly to another.<sup>514</sup>

These are just two voices, and individuals who took part in the long-winded affair. The evidence supports both of their conclusions, which is central to the inexplicable ability to provide judgement. It is Shoshana Felman who reiterates that in regards to trauma individuals feel the need to tell their stories in different forms and "in the courts of history, evidence will fail or fall short."<sup>515</sup> The way that the narrative is constructed therefore uses the evidence in regards to the Kastner trial in a myriad of ways. There is a difference in the way that Ben Hecht wrote about the trial as he sat in the courtroom in 1955, to the historian who recounts it in our contemporary. Each voice has had a different opinion on Kastner, as each person was affected in different ways by his actions. In her testimony, Shoshana Deutsch Hartman explains however that certain transport papers, also known as certificates to move to Palestine in 1944, yet they were hijacked by Kastner, before the start of Nazi activity in Hungary.<sup>516</sup>

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<sup>513</sup> "Rifka Muscovitz Glatz Interview." 1995. United States Holocaust Memorial Museum, Washington.

<sup>514</sup> Judgement of Judge Benjamin Halevi, Criminal Case 124/53; Attorney General v. Malchiel Greenwald, District Court, Jerusalem, June 22, 1955. Translated from Hebrew to English. p. 1-2.

<sup>515</sup> Shoshana Felman. *The Juridical Unconscious: Trials and Traumas in the Twentieth Century*. (Harvard University Press: 2002). p. 96.

<sup>516</sup> "Shoshana Deutsch Hartman Interview." (1995), RG-50.120\*0365, United States Holocaust Memorial Museum/Jeff and Toby Herr Collection.

In a sense it is Charles Liebman that makes a case that Israel in the last few decades, really since the 1967 war has been a post-Zionist state.<sup>517</sup> This means of course that in part the Israeli nation, has been gradually been moving away from a concretized Jewish identity due to a myriad of factors, or at least the definition of what it means to be 'Jewish' is inherently different from what it was in 1947 within the nation.<sup>518</sup> The correlation is interminably best made evident by Israeli cinema in the 60's and 70s, which produced films that portray some IDF soldiers as the sons of Shoah survivors, and even survivors themselves fighting for the Israeli nation.<sup>519</sup> In essence, the narrativization from victim to hero was made evident, yet the line between the two has blurred and is even used sporadically in wider cultural markers. To develop this idea further one must turn towards the idea of the heroic and what it is meant to be not simply in the narrativization of the Shoah, but the creation of all such narratives. It is invariably difficult to listen to the survival stories of survivors, as the listener or the one who 'bears witness' is hit with a sense of trauma which one did not experience.<sup>520</sup> Within this intellectual paralysis one cannot therefore help but find themselves in the process of creating a narrative as one listens, and in the case of the Rudolf Kastner affair it is easy to either takes sides on, mainly as evidenced by the historiography present. Representations therefore, especially in the post-witness era are becoming increasingly more difficult to steer away from the 'absolute.'<sup>521</sup> The 'grey zone' however is interminably that much more problematized by the way that perception works.

For example such as when one listens to the story of Saloman Arpad, a resident of Cluj, who in 1944 was detached in a forced labour battalion along with his brother in Oradea.<sup>522</sup> One day when working they heard their names called out from a nearby train which arrived in the station. They went over and to their horror they found out it was their

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<sup>517</sup> Charles S. Liebman. "Jewish Identity in the United States and Israel." in *New Jewish Identities*. (Central Univeristy Press: 2003). p. 302.

<sup>518</sup> *Ibid.*, p. 301.

<sup>519</sup> Miri Talmon, Yaron Peleg. *Israeli Cinema: Identities in Motion*. (University of Texas Press:2011). p. 59-60.

<sup>520</sup> *Ibid.*

<sup>521</sup> Diana I. Popescu. "Introduction:Memory and Imagination in the Post-Witness Era." in *Revisiting Holocaust Representation in the Post-Witness Era*. (Springer: 2015).

<sup>522</sup> "The Testimony of Saloman Arpad - 4th August, 1945." in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

wives and children stuck in the train cart.<sup>523</sup> A nearby gendarme let them talk to their family while the train was stationed, where Arpad's wife recalled how she was beaten by police officers and shoved into the train with many others. She later ended up in Auschwitz.<sup>524</sup>

Tenner Olga, whose fiance was Hungarian, yet she herself was Romanian and Jewish tells the story of how the gendarmes came from her dragged her out of the house, after the porter denounced her by point out that she was hiding in her apartment. Tenner recalls that when she was going down the stairs she turned to the porter and asked her whether she was happy that she denounced her, when she replied with a firm "yes."<sup>525</sup> The porter then turned around and said "if you took all of the Jews, take this one too."<sup>526</sup> After being moved across Europe innumerable times she finally ended up in Dachau and then Bergen Belsen. It is through such life stories that one can begin to understand the interminable association of the micro-narrative to the larger whole. Kastner knew of this suffering, and perhaps the most tragic aspect is that he did not have really the power to persuade Eichmann to put an end to it.

It is in relation to language and its ultimate connection to the Kastner trials that it becomes, figuratively, and even I dare say, formally evident that as Pierre Bourdieu suggests "all the symbolic strategies through which agents aim to impose their vision of the divisions of the social world and of their position in that world can be located between two extremes."<sup>527</sup> It is therefore ultimately the relationship between the way that Kastner is portrayed through the use of harsh language such as collaborator, and the saying of 'selling his soul to the devil' that create that extreme precondition and in fact lay the perfect atmosphere for a context in which only two extremes can be allowed. Essentially two extremes of a man, and never the intricacies of his narrative.

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<sup>523</sup> Ibid.

<sup>524</sup> Ibid.

<sup>525</sup> "The Testimony of Tenner Olga - 2nd November, 1945." in *Procesul Ghetourilor Din Nordul Transilvaniei-Ghetoul Cluj*.

<sup>526</sup> Ibid.

<sup>527</sup> Pierre Bourdieu. *Language and Symbolic Power*. (Harvard University Press: 1991). p. 239.

In a sense it is important to consider the victim-hero as a process. It must be considered a fluid ever-interchangeable process in self-identification, as a concept that is connected to Hegel's idea of negation. What I mean by this essentially is that in Hegel's conception of identity, he argues that it is not merely what one 'is,' yet also something which one is 'not.'<sup>528</sup> In other words the qualities of negation are part of one's identity. In this dichotomy of hero-victim however this negation happens in parallel at all times. When the Israeli Defense Forces for instance uses Shoah imagery contrasted by the strength of the military the identity of the victim is inherently negated, yet also reinforced. The heroic ideal therefore is connected to the utter negation of victimhood, but it is still used as a reminder in order to reinforce nationalistic ideas. It is here that Jacques Lacan comes into play with his thought that "aside from that reservation, a fictive tale even has the advantage of manifesting symbolic necessity more purely to the extent that we may believe its conception arbitrary."<sup>529</sup> Kastner's affair has been used numerous times within this process as made evident by the media evaluated so far. A phenomenon which moves to ask the question of how trauma is indeed transferred between generations. The importance of micro-narratives cannot be expressed enough with dealing with abstractions such as the victim-hero concept. To be able to frame such a phenomenon, and process, the stories of people must be placed at the epicenter of such an analysis. The Cluj ghetto narratives, and the stories of those saved on the Kastner trains therefore play a role in the way that trauma and the 'victim-hero' idea have played within the concept of Israeli and Jewish identity.

The transmission of trauma, the vilification of Kastner, the concept of the victim-hero, and commemoration are all interconnected by the issue of 'totality.' It was the total destruction of Jewry as seen in Europe, that promoted the unthinkable traumatic experience of so many, and absoluteness in regards to the reformation of the Jewish homeland. It was in essence totality that passed judgment on Kastner as a villain by the courts, and a hero by people. Today it is the same totality that suspends Kastner in the inability to conceive of him as a person found in the 'in-between.' This cycle seems unbreakable, and yet is a part in essence of Jewish and Israeli identity. It is perhaps best

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<sup>528</sup> Andrew Hass. *Hegel and the Art of Negation: Negativity, Creativity and Contemporary Thought*. (I.B.Tauris: 2013). p. 161.

<sup>529</sup> Jaques Lacan. "Seminar on The Purloined Letter" in *Essential Papers on Literature and Psychoanalysis*. Ed. by Emanuel Berman. (NYU Press: 1993). p. 272.



stated by Rabbi Nissan Dovid Dubov: “The true response to the Final Solution is to build a true Jewish life and home.”<sup>530</sup> Yet the question that cannot be evaded by any Jew, Israeli or historian of the Shoah, was asked by Moshe: “why do the righteous suffer and the wicked prosper?”<sup>531</sup>

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<sup>530</sup> Nissan Dovid Dubov. “Belief After The Holocaust.” Chabad Organization. Accessed: [http://www.chabad.org/library/article\\_cdo/aid/108398/jewish/Belief-After-the-Holocaust.htm](http://www.chabad.org/library/article_cdo/aid/108398/jewish/Belief-After-the-Holocaust.htm)

<sup>531</sup> Ibid.

## Conclusion

Rudolf Kastner's long walks through the streets of Budapest, while preparing himself for his meetings with Eichmann, were undeniably fraught with the enduring stress of what was to be done to save people from Cluj, amid which his family and friends were a part of.<sup>532</sup> A decade later he would have to defend himself in front of a court, and answer the resounding question of "why didn't he save more Jews?" On the other hand Lob was still in Cluj, worried by the fact that ordinances went up around town calling for Jews to pack their belongings into bags.<sup>533</sup> The numerous narratives, interlocked and suspended in interconnected events have been retold a few times, in different ways, with numerous effects on the parties involved. It was only recently that Eckstein, the man who shot Kastner in 1957 came out and said that he wishes he never pulled the trigger.<sup>534</sup> It is only recently that perceptions of the affair seem to be in favour of trying to understand its complexity, rather than its rudimentary trappings.

There has been a gap in this narrative in regards to the Cluj ghetto and Kastner's part in the organization of the transports, as well as his relationship with the Judenrat. In 1944, due to the pressure of the Red Army that was approaching, Eichmann liquidated Northern Transylvania, where Kastner's hometown was located. His work in his deals with Eichmann to try and save his family, friends as well part of his community was the source of his vilification within the courts. Yet, that particular chapter has shown that the numerous testimonies of survivors depicted and events that were layered in different stories, all of which were essential to Kastner. Especially considering the potential escape to Romania was also used against Kastner in court, seemed at least from the evidence available an impossibility.

It was of course also Eichmann's proximity to Kastner which was used to finally brand him as an individual who 'sold his soul to devil.' The deals with Eichmann in order

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<sup>532</sup> Anna Porter. *Kasztner's Train: The True Story of Rezso Kasztner, Unknown Hero of the Holocaust*. p. 34-35.

<sup>533</sup> Ladislaus. *Rezso Kasztner: The Daring Rescue of Hungarian Jews: A Survivor's Account*. p. 27-28.

<sup>534</sup> Elad Zeret. "Kasztner's killer: I would never have shot him today." (2014) YNet News. Accessed through: <http://www.ynetnews.com/articles/0,7340,L-4585767,00.html>.

to organize the Kastner trains, and other possible interventions was ultimately the reason why Kastner was vilified. His constant meetings with Eichmann, and the development of a relationship with him was one of the reasons why Michael Gruenwald chose to pick on Kastner especially after the Nazi Collaboration law passed by the Knesset in 1950. The question of whether Kastner was in Budapest to try and save his family in Cluj, or whether he truly wished to do further work for the influx of refugees pouring in from other countries is still debated over.

The comparison between Kastner and Filderman, two different men yet within a similar circumstance has shown paradoxically first the uniqueness of Kastner's position, yet also the reasons why he was treated differently in the post-war era. In essence, the fact that Filderman was a long-standing community leader for over twenty years in Romania, while Kastner was not well known in 1944 outside of his own community might have played a reason in why his image was smeared. Moreover, the fact that Kastner chose to become politically active in the early years of the Israeli state also made him a target to the courts, and the media.

The media and the courts, both worked together within Israel's political struggle between the left and right to try and use Kastner as a pawn in vilifying not only him but the entire Ben Gurion establishment which he was a part of. Tamir's reluctance to depict Kastner as the collaborator, and thus imply that the entire Mapai movement was in essence the same in order to bolster his own right-wing sensibilities played a role in the idea of facing the Holocaust, yet also using it for his own political ends. Yet this was not enough to explain the way that Kastner was viewed by all of Jews, and even the world which covered the event, who did not have any political stakes similar to Tamir, which is why the idea of the victim-hero paradigm can still be attributed to societal frameworks in our own contemporary.

This thesis has made four substantial contributions. It has attempted to answer the question of why Kastner was vilified the way he was within the context of Israeli society, and how this played within the context of our own contemporary. There has been a renewal of testimonies used to give a clearer, and more succinct picture of the events in Cluj, something the historiographical literature is lacking. Third, the comparison

between Filderman and Kastner, which has never been done before, has portrayed the interlocking differences between the two and responses of survivor communities in the post-Shoah era. This thesis has also opened up the opportunity both through Kastner and Filderman to continue the study of the comparisons between the way the Shoah played out in Romania, compared to Hungary. Finally, and most importantly, the concept of the 'victim-hero' has been used to contextualize the reasons why Kastner has always been stuck in either being portrayed as a 'hero' or a 'villain,' and rarely placed in the gray zone.<sup>535</sup>

The connection between all of these contributions however is absolutely salient, when considering the fact that the Kastner affair must be placed in a lens of re-examination when considering identity. The very process of identity formation and self-identification has shown to have some weight, especially when considering the layered complexity to which it arrived through the Kastner affair. The 'victim-hero' concept is invariably attached to this process as had been displayed by the media itself in Israel. This concept which is a contribution to the wider historiography of this thesis, is not merely an abstraction but in fact has been found in various politicized channels such as the media. The next step for post-Shoah historiography therefore is to ground this, at times problematic, concept systematically within wider histories and narratives. Whenever there is trauma, the opportunity ultimately arises to examine the way in which identity is constructed not just by individuals but wider societal forces as well. Even when considering the paradoxes and dilemmas, different binaries such as the 'victim-hero' concept arise to play a part in the creation of a narrative. The Kastner affair is one of those examples which blatantly exhibits the sublime nature in which paradoxical complexity is defined by the way in which political actors chose to pursue totality, or better said the total stance of identity.

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<sup>535</sup> Paul Sanders. "The 'strange Mr. Kastner' - Leadership ethics in Holocaust-era Hungary, in the light of the grey zones and dirty hands." p. 8-9 ; David Luban. "A Man lost in the Gray Zone." p. 161-162; Both have established the complexity of the grey zone and its relation to Rudolf Kastner, however none have discussed the idea of the victim-hero paradigm and its relation to the 'in-between' as they have been developed from this thesis. I have tried to use their works as foundations, but I have expanded on the idea to show exactly the detailed circumstances in which it was developed. Moreover I have discussed how the grey-zone itself played a role in the creation of the narrative through different mediums.

There is even a great opportunity to further explore this phenomenon by employing further comparative history. The comparison between Kastner and Filderman has served to show how an individual copes with trying to negotiate with those in absolute power, however there is an opportunity to see how the Kapo trials for instance played a role in trying to discern how the Israeli judicial and political systems reacted to such events. This, however, must always be done with a concentration on the stories of a myriad of individuals, whose stories must be told.

The principal aim of this thesis which is to show how Kastner's depiction in Israel ran contrary to actual experiences in Cluj, and that the reason for his vilification was the aspiration of the creation of the victim-hero narrative has been outlined specifically through the chapters, yet a number of other conclusions have arisen as well. The fact that the Cluj ghetto situation was used against Kastner paints a picture of the difficulty in which he was placed, albeit the fact that it is still unclear whether the community was aware of its ultimate fate in Auschwitz. His deal with Eichmann inherently portrays the utter difficulty of negotiating with an individual which held virtually absolute power over the people of Northern Transylvania, and thus power over Kastner himself. The differences between him and Filderman show the way that the individual's political and social connection prior to the events of their "collaboration" as well as after affect the way in which they were judged. Moreover, Kastner's role was established as a negotiator had adverse effects on his depiction, compared to Filderman who was indeed a 'petitioner' based on his talks with Antonescu in 1942-1944.

The media, the trial, and the politics behind the affair used Kastner in order to finally 'face' the Holocaust as a collective, which inherently served as an important stepping stone to the Eichmann trial a few years later. The 'victim-hero' concept is inherently central to the way that Kastner was vilified, in the way that it played into the ideal of commemoration and the reasoning that Israel could no longer be considered a 'victim-nation,' but rather one made of heroes - albeit this was far more complex considering the very fluidity of Jewish and Israeli identity itself. The transmission of trauma therefore, albeit a problematic concept, does play a role in the way suffering is related to the creation of the Israeli nation, yet also a need to let go of that suffering by efforts of 'heroization.' It has been made clear in this thesis that the ideas of totality, and

absolutism played a role, in terms that the cycle of absolutism leads to the refusal of the complexity of the 'in-between' and the 'gray zone.' This point albeit problematic does prove useful when considering the fact that massive trauma must indeed play a role in the self-identification process of any individual at whatever level that may be.

There is a need for further exploration as a result of a gap not only in the historiography and methodology of how identity is inherently connected to the transmission of trauma, beyond the grand narrative. In other words the use of the 'complex,' and the paradox to further the concentration on micro-narratives to explain abstractions such as the victim-hero. This bridge between conceptual frameworks and historical narratives must play a salient role in trying to discern not just the immediate way in which the Shoah affected generations, but also the subtle way in which facing the Shoah continues to play a transformative role in identity. The importance of this thesis, beyond the contributions which I have highlighted, is to introduce another way of understanding of how creating and interpreting narratives are not simply connected to self-identity, but can, in turn, reinforce or mold that identity. Experience, which is so varied and different, must be continually highlighted, which is why such topics must be moved away from political mediums such as journalism, into the hands of historians.

In the United States Holocaust Memorial Museum archives lies an ominous postcard of Bergen-Belsen. The fashion was in numerous camps to have newly arrived transports of people fill out cards to be sent back home in order to calm the Jews who had not yet arrived at camps. This particular postcard which the museum believes was most likely drawn by Robert (Imre) Irsay portrays barracks 10 and 11 where the Kastner train group were housed while on their way to Switzerland, and in fact might be commemorative.<sup>536</sup> This is more probable due to the fact that the dates also correspond to when they would have been held there.

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<sup>536</sup> "Bergen-Belsen Postcard." courtesy of the United States Holocaust Memorial Museum. Accessed at: [https://www.ushmm.org/wlc/en/media\\_ph.php?ModuleId=0&MediaId=8942](https://www.ushmm.org/wlc/en/media_ph.php?ModuleId=0&MediaId=8942)



Figure 3. Bergen-Belsen Postcard<sup>537</sup>

Along with this postcard one can also find handkerchiefs, children's dolls and suitcases all of which were left by some such Bela Gondos, who survived the war due to Kastner's actions. The halls filled with belongings in Auschwitz are innumerable larger as they hold the personal objects of those who perished. The micro-narratives, and traumas were very different across the entire Shoah, albeit the common themes of loss and despair seemed to loom everywhere nonetheless.

Hitler's plans to create an empire based on 'blood,' and founded in the colonization of the east, necessitated someone such as Eichmann to remove as what he saw the threat of Jewry in his plans for German domination of the European continent.<sup>538</sup> Hitler wished to remove Jewry from Europe yet when the war with the Soviet Union turned sour it was Eichmann who tried to make concessions in the elimination of Jews for the German war effort. In 1944, the world was to some degree privy to the atrocities committed by the Nazis. While in Romania the imminent defeat of Antonescu was looming, Eichmann sped up the deportations from Northern Transylvania to the remaining death camps, and Kastner found himself, or better said forced himself into a situation in which he could save lives. In 1954 however he found himself on trial, sweating on the stand while being questioned fiercely by Tamir, with the undoubted feeling of being put on trial not only by the people present, but the entire Jewish and Israeli people, and even history itself. Kastner 'broke' as a result of Tamir and the

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<sup>537</sup> Ibid.

<sup>538</sup> Timothy Snyder. *Black Earth: The Holocaust as History and Warning*. p. 153.

audience, yet the story that had been told so many times has always tried to project one of the two sides of him, and never truly as a person who was neither a hero, nor villain.



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