

## Holocaust Perpetrators and Historiographic Blind Spots

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REVIEW OF: Guenter Lewy, *Perpetrators: The World of the Holocaust Killers* (Oxford: Oxford University Press, 2017). 208 pp. 13 illustrations. £21.99 (hb). ISBN: 978-0-1906-6113-7.

The historiography of the Holocaust is vast. Yet, even amidst this prodigious scholarship, blind spots remain. Political scientist Guenter Lewy tackles two of these in his new book *Perpetrators: The World of the Holocaust Killers* – the dearth of research on the perpetrators themselves, and the relative failure of Holocaust (or transitional justice) scholars to examine post-war trials in Germany. While there are notable books on individual perpetrators, such as Gitta Sereny’s interview-based biography of Franz Stangl<sup>1</sup> (commandant of the Treblinka extermination camp) or Jasch and Kreutzmüller’s *The Participants: The Men of the Wannsee Conference*; some others on perpetrator organizations, such as the *Einsatzgruppen (Masters of Death)*;<sup>2</sup> and innumerable Holocaust monographs which touch upon perpetrators, general volumes on Holocaust perpetrators are nearly non-existent. There are exceptions, of course, such as *The Good Old Days*,<sup>3</sup> which is largely a collection of primary documents; *Soldaten*,<sup>4</sup> which focuses narrowly (but brilliantly) on several recorded conversations among German POWs; and Jensen and Szejnman’s edited volume *Ordinary People as Mass Murderers: Perpetrators in Comparative Perspectives*,<sup>5</sup> which, although a significant contribution, presents a patchy analysis of Holocaust perpetrators. To this list we can add the promising and very recently published *Holocaust Perpetrators of the German Police Battalions: The Mass Murder of Jewish Civilians, 1940–1942* by Ian Rich, as well as Browning’s landmark work on Reserve Police Battalion 101, *Ordinary Men*, and Wendy Lower’s examination of female perpetrators, *Hitler’s Furies*.<sup>6</sup>

- 1 Gitta Sereny, *Into That Darkness: An Examination of Conscience* (New York: Vintage Books, 1974). A more recent example of perpetrator biography is Hans-Christian Jasch and Christoph Kreutzmüller’s edited volume *The Participants: The Men of the Wannsee Conference*, trans. by Charlotte Kreutzmüller-Hughes and Jane Paulick (New York: Berghahn, 2017).
- 2 Richard Rhodes, *Masters of Death: The SS-Einsatzgruppen and the Invention of the Holocaust* (New York: Alfred A. Knopf, 2002). A good précis of existing work, but short on original research.
- 3 Ernst Klee, Willi Dressen, and Volker Riess (eds.), *The Good Old Days: The Holocaust as Seen by its Perpetrators and Bystanders* (Old Saybrook, CT: Konecky and Konecky, 1991).
- 4 Sönke Neitzel, and Harald Welzer, *Soldaten: On Fighting, Killing, and Dying* (Frankfurt: Verlag Fischer, 2011).
- 5 Claus-Christian W. Szejnmann, and O. Jensen (eds.), *Ordinary People as Mass Murderers: Perpetrators in Comparative Perspectives* (Basingstoke: Palgrave MacMillan, 2008).
- 6 Ian Rich, *Holocaust Perpetrators of the German Police Battalions: The Mass Murder of Jewish Civilians, 1940–1942* (London: Bloomsbury, 2018); Christopher Browning, *Ordinary Men: Reserve Battalion 101 and the Final Solution* (New York: Harper, 1998); Wendy Lower, *Hitler’s Furies: German Women in the Nazi Killing Fields* (London: Vintage, 2014).

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Against this background, Lewy's book is a significant contribution, offering the first general monograph on Holocaust perpetrators. Lewy's connection to the Holocaust is immediate, and this comes through in his writing – a sense of moral outrage underpins his description of atrocities and the subsequent impunity of those who committed them. His father was interned in Buchenwald after *Kristallnacht*, and, after fleeing to Mandatory Palestine, Guenter Lewy fought in the war with the Jewish Brigade.

Lewy is a controversial figure in Genocide Studies, largely due to his refusal to characterize the Armenian and Native American atrocities as genocide. This iconoclastic perspective is not much present in *Perpetrators*. Indeed, his critiques of (early) Holocaust scholarship as wrongfully focusing on the supposed individual pathology of perpetrators, on the one hand, and the collective pathology of German culture, on the other hand (think Goldhagen's theory of eliminationist anti-Semitism),<sup>7</sup> are utterly conventional among contemporary Holocaust and genocide scholars, particularly those focused on perpetrators. Nonetheless, *Perpetrators* presents an accessible synthesis of scholarship on Holocaust perpetrators, while also incorporating archival research. This archival research mainly draws from the University of Amsterdam's monumental published records of 929 post-war German trials of Nazi perpetrators.

Lewy rejects pathological and ideological explanations for perpetration, arguing 'there was no typical perpetrator' (p. 45), and explaining that 'This range of behaviour was based on choice, for the admittedly severe system of discipline offered a surprising degree of individual agency' (p. 40). I sense, however, a tension between Lewy's (understandable) moral opprobrium of the perpetrators and his conviction that they are, for the most part, not pathological. He concludes that 'The largest group of killers was made up of individuals who carried out this unspeakable work because they had been ordered to do so' (p. 50); yet also that 'A sizable percentage of the killers were devoted Nazis who murdered out of ideological conviction' (p. 46), drawing particular attention to the role of the so-called 'old fighters' – early members of the Nazi party who were both ideologically-committed and socialised to violence (p. 47).

The strongest parts of the book are on 'Evading and Opposing the Killing' (Chapter 5) and 'The Perpetrators on Trial' (Chapter 6). Through discussing evasion, Lewy offers a nuanced portrait of Holocaust perpetrators as individuals with diverse motives acting in concert to perpetrate the crimes of The Holocaust. Some SS personnel in Dachau, for instance, were dubbed the 'white ravens' by the inmates, because of their humane treatment of the prisoners; there is also anecdotal and documentary evidence of many other prospective perpetrators resisting or avoiding full participation (p.19). However, as we know, (willing) participants outweighed conscientious objectors.

7 Daniel Goldhagen, *Hitler's Willing Executioners* (New York: Vintage, 2001).

Lewy's analysis of post-war justice in Germany is both informative and surprising. One gains the impression that post-genocide Germany 'did' collective memory 'right', but failed to deliver justice for the staggering crimes of the Nazi regime. Lewy notes that West German courts only charged fewer than ten per cent of those suspected of Nazi-related crimes, and that most of these were for crimes committed in the 1930s rather than the Holocaust proper (only seven per cent of trials were Holocaust-related, and only 981 people were convicted for crimes related to killing, despite there being 'about' 40,000 men and women serving in concentration camps, 'some' 6,000 men in Einsatzgruppen, 'an estimated' 15,000 men in police battalions, and 25,000 Waffen SS troops) (p. 88). Lewy also rightly critiques the (mis)use of accessory liability to try most perpetrators, writing that 'The courts applied a crude version of the concept of totalitarianism, according to which only Hitler, Himmler, and Heydrich and their immediate entourage were the real perpetrators of the Holocaust, while most others were judged, at worst, to be accessories to murder' (p.87). This tendency continues into the present day where, in the absence of clear statements of intent and motive, most genocide perpetrators are still tried as accessories to the crime, rather than principal offenders. Paradoxically, the sentences for many German perpetrators of genocidal mass murder were relatively light, in comparison to their crimes, a tendency that Lewy attributes to the politicisation of the German judiciary (pp.113-117).

In analysing the trials, Lewy's book contributes to the scant scholarship on transitional justice in Germany. There are, of course, several books on the Nuremberg Tribunal,<sup>8</sup> as well as on specific post-war trials (mostly the Control Council Law No. 10 trials),<sup>9</sup> but few of these books analyse the innumerable national trials of low- and mid-level perpetrators for Nazi crimes.<sup>10</sup> Although Lewy's book is quite short, and only has a single chapter focused on post-war trials, it still succeeds in shedding light on an under-addressed aspect of the Holocaust.

However, Lewy's book also sometimes traffics in truisms and clichés. In the book's preface he writes 'How could such terrible deeds happen in the heart of Christian Europe and among a nation known for its poets and thinkers...' (p. vii). This is an oft-repeated, but ahistorical sentiment, rooted in a misapprehension of European 'civilization' and non-European 'barbarity'. In addition, Lewy sometimes makes unsubstantiated arguments, such as, 'the well-known German concern for accuracy militated against any significant distortion of the number of reported victims' (p. 93).

8 See, for example, Telford Taylor's magisterial account of Nuremberg, *The Anatomy of the Nuremberg Trials: A Personal Memoir* (London: Bloomsbury, 1992).

9 Such as Hilary Earl's *The Nuremberg SS-Einsatzgruppen Trial, 1945-1958: Atrocity, Law, and History* (Cambridge: Cambridge University Press, 2009).

10 Dick De Mildt's fascinating book, *In the Name of the People: Perpetrators of Genocide in the Reflection of their Post-War Prosecution in West Germany* (The Hague: Martinus Nijhoff, 1996) sadly now appears to be out of print; Michael Bazylar and Frank M. Tuerkheimer's *Forgotten Trials of the Holocaust* (New York: NYU Press, 2014) is one of the few monographs that address Holocaust trials in national courts.

Can one really say that German perpetrators were somehow culturally immune to distorting reports to their superiors?

*Perpetrators* provides an accessible, concise, and rich summary of existing research, with some new insights. However, Lewy's restrained analysis fails to answer the fundamental question of why people perpetrate; rather, it falls back upon the usual psycho-social theories of obedience and conformity derived from the Milgram and Asch experiments. Nonetheless, *Perpetrators: The World of the Holocaust Killers* brings together wide-ranging research on Holocaust perpetrators, while also examining the post-war trials, which remain a surprising void in research.

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