

**YLJC Judaism 101**

**AFTER-EFFECTS  
OF THE  
HOLOCAUST ON  
THE JEWISH  
PEOPLE**

Study pack

GW 19.01.17



## THE KAPO TRIALS

### **Text 1: so what happened?**

From a moral perspective, convictions under the Nazi and Nazi Collaborators Law can stain a person more than regular convictions. Therefore, I find it necessary to write for the sake of memory that I have no reason to doubt that up to the Nazi Holocaust the defendant was a decent, fair tempered person, and a good Jew throughout his life. I also believe that this nature did not change due to the horror of the Nazi Holocaust. So, what happened?

First, it is impossible to sustain a human community without installing order, and a place of confinement is no exception. As of necessity, the Jewish policemen were also investigators, judges and executioners for the purpose of sustaining this order, and had no means of execution other than blows. According to the evidence presented to me, and I have nothing more than what my eyes could see, the general routine of the Jewish police in these places of confinement did not deviate from what had seemed to it to be reasonable for the maintenance of good order. Second, the concentration of investigative, judicial and execution powers in the hands of one person may put a man to a test few men would not fail to one degree or another. I assume that the defendant had even reached, at least to some extent, the point where resorting to blows was a means of first, rather than last resort. But I did not find in his behaviour the vice of sadism, and in his case, one may say publicly 'do not judge your fellow-man until you have walked in his shoes'. I am convinced that the defendant did not behave any differently than any other ordinary person would have behaved once the rings comprising the social chain have melted.

*The Tel Aviv District Court in Attorney-General v Goldstein (Cr C 93/52), 1952. Translated by Orna Ben-Naftali and Yogev Tuval in 'Punishing International Crimes Committed by the Persecuted', Journal of International Criminal Justice, 2006.*

## **Text 2: there but for the grace of God...**

It will be presumptuous and self-righteous on our part, us who never walked in the shoes of these people, to be critical of these 'small people' who were incapable of transcending into an ultimate level of morality, at the time when they had been persecuted severely by a regime the primary purpose of which was to wipe out their humanity; and we must not interpret the elements of the special offences defined in the Nazi and Nazi Collaborators Law by some standard of moral behaviour that only the few could stand up to.

One should not ascribe to the legislator an intent to require a standard of behaviour that the public cannot meet.

Let us not delude ourselves that if we subject the acts committed by our persecuted brethren there to criminal justice on the basis of pure moral standards, we would ease the weight of the distress in our heart regarding the horrid blow our people suffered.

Criminal law prohibitions, including the Nazi and Nazi Collaborators Law, were not written for exceptional heroes, but for ordinary mortals, with their ordinary weaknesses.

*Landau J in Barnblatt v Attorney-General (Cr A 77/64), 1964. Translated by Orna Ben-Naftali and Yogev Tuval in 'Punishing International Crimes Committed by the Persecuted', Journal of International Criminal Justice, 2006.*

## THEOLOGICAL RESPONSES

<b>Jewish theologian</b>	<b>Position</b>
Eliezer Berkovitz	God's non-intervention was an act of respect for the free will of humankind. A consequence deserved is better than a consequence gifted. This accords with the kabbalistic notion of 'tzimtzum' (Divine contraction).
Emil Fackenheim	To reject or deny God on account of the Holocaust would be giving Hitler a posthumous victory. We must search for God within the events of the Holocaust.
Harold Kushner	We should not worship power or assume that omnipotence is the most wonderful quality we should ascribe to a perfect god. It is better to believe in an all-loving God with some limits on Divine power, than an all-powerful God who sometimes acts in an unloving way.
Ignaz Maybaum	In Auschwitz Jews suffered vicarious atonement for the sins of mankind.
Irving Greenberg	The Holocaust was a 'breach of covenant' by God, because its events were of a nature that would have been the worst possible punishment for the Jewish people's breaches of the covenant. This broke the whole system. Now we must heal it.
Milton Steinberg	God is affected by temporal processes and thus not omnipotent.
Richard Rubenstein	There is no God in the conventional sense of a God who takes an interest in human affairs and cares about the world. Life is meaningless.
William Kaufman	God is not omnipotent in the sense of not being coercive, but can persuade.

## LEARNING FROM THE PAST

We tend to think of a prophet as a foreteller of the future. But the word doesn't necessarily mean that, either in Greek or in Hebrew. It simply means a person who speaks for another. In the case of the great Hebrew Prophets, what they say about the future always flows from their understanding of the past, and most of all they are concerned with the present; and in all three they have one overriding interest, which is the will of God.

Politicians interpret history politically, economists interpret it economically. Prophets probe further. They look beyond the operation of political and economic laws to discover the workings of the *moral law* which, at a still deeper level, governs history. The questions they ask about the past are questions of right and wrong, so that the correct remedies may be applied in the present for the sake of the future.

They may make predictions, and they may back up their message with signs and wonders. But that, says our Torah portion, is not the point. The truth of the message is in itself. Never mind the pyrotechnics. If what the prophets say rings true, if it coheres with what deep down we know to be true and good, then we may believe them. Otherwise they are charlatans.

When the Hebrew Prophets look into the past what they chiefly see there is all the mistakes that were made, morally speaking: all the violations of the Divine Law of justice and mercy, on the part of many nations, but particularly on the part of Israel. Most of the time, therefore, they urge the people not to continue or repeat those mistakes, and warn them about the disasters which will undoubtedly befall them if they do.

Occasionally, however, they draw reassuring lessons from their reading of history, and the prime example of that unusual, optimistic mood is the Second Isaiah. Israel, he thinks, has suffered long enough. Relief is on the way in the person of Cyrus, king of Persia, who will shortly conquer Babylonia.

How did the Prophets do it? The traditional view is that they received revelations unavailable to ordinary mortals. And yet they

were human and fallible, and the best proof is that they were sometimes wrong. Zechariah, for instance, wrongly predicted the success of Zerubbabel.

But if that is so, if Prophets are human and fallible; if what they have to say is not, after all, due entirely to supernatural knowledge but rather to sustained reflection on the implications of God's Law, then, though it is of course immensely difficult, it should not be entirely impossible for us to read history as they read it: to read it morally. And there are people – rare individuals – who do that, or try to.

These, at any rate, are the lines on which we should be thinking as we strive to understand, not only politically and economically, but *morally*, what is happening. If enough people do that, maybe catastrophe will be avoided. Maybe by this time next year we shall again be able to write: 'The world is safer than it was.'

*Rabbi John D Rayner, 1990 in A Jewish Understanding of the World, Berghahn Books, 1998*

### SOME MINOR PURIMS

<b>Community</b>	<b>First year</b>	<b>Commemoration</b>
Champagne	1191	Chief Jew-baiter executed
Shiraz	1200 or 1400	Allowed to practice Judaism once again after forced conversion to Islam
Verona	1607	Permission granted to lock ghetto gates from the inside rather than the outside
Frankfurt	1616	Expelled Jews readmitted
Prague	1622	Beadle of the synagogue reprieved from execution for possessing stolen curtains
Baghdad	1733	Relieved from Persian oppression
Ancona	1741	Synagogue escaped destruction by fire
Hebron	1741	Saved from bankruptcy
Kaunas	1783	Grant of civic rights by the King
Vilnius	1794	Saved from destruction during the Russo-Polish war
Cueno	1799	Synagogue saved from destruction by shell
Vidin	1806	Saved from annihilation following false accusation of regicidal poisoning against a Jewish physician
Tunisia	1891	Jewish quarter saved from natural disaster
Casablanca	1943	Escaped riot and Nazi persecution (known as 'Purim Hitler')

*Source: Encyclopaedia Judaica, 'Purim Katan'*