

JEWISH WAR CLAIMS IN THE NETHERLANDS: A CASE STUDY

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There is probably a greater discrepancy between the benign image and the harsh reality of Dutch wartime and postwar behavior than for any other country. An analysis of the Holocaust assets issue and its background in The Netherlands can be relevant in a much larger European context in view of its multiple financial, political, historical, cultural, psychological, social, educational, and moral implications.

Negotiations with major Dutch counterparts are now completed and over 750 million guilders will be available for payments, mainly to survivors. More than half of this figure originates from the Dutch government. However, this represents less than 5 percent of the real, current value of assets looted and not restored and only 35-40 percent of the money Dutch Jews should rightfully have received now from the government. The government's apology for the injustice done to the Jews after the war included a new fallacy: that the postwar failures were unintentional. For other reasons as well, the Dutch Holocaust assets issue and related matters will not disappear from the Jewish public agenda and that of Dutch society.

On March 21, 2000, the Dutch government published a concluding document in reaction to the reports of various commissions of inquiry into the postwar restitution issue.¹ The document

was also sent to parliament where it was approved on April 18. It dealt not only with the looted Holocaust assets of Jews and the small gypsy community of The Netherlands, but also with postwar restitution in Indonesia, formerly the colony known as the Dutch East Indies.

The mixing, in a single document, of incomparable problems in different circumstances and territories is an example of the relativization of Holocaust issues. It deals, on the one hand, with a problem complex deriving from genocide and, on the other, with aspects of a colonial war in which a large number of Dutch civilians lost their lives.

This reflects the questionable manner in which the Dutch government has handled various aspects of the restitution issue over the past three years. In the document, the government recognizes that “looking backwards with today’s knowledge and eyes,” there was “too much formalism, bureaucracy and, above all, chill in the postwar restitution process.” In view of this, “the government expresses sincere regrets and apologizes to those who suffered then without, however, presuming wrong² intentions by those responsible.”³ A similar apology was expressed by Prime Minister Kok, under government pressure, at the end of January 2000.

In its March document, the government quotes the Scholten Commission of Inquiry: “At various times, the government allowed the interests of the stock exchange and the stock market to prevail over appropriate, effective measures to restore the rights of victims of persecution and, by doing so, undermined the legal procedures enshrined in the restitution legislation. For this and other reasons, even where it could be proven that Jewish-owned securities had been purchased in bad faith, virtually no securities were restored to their rightful owners until 1953.” The commission pointed out that the government had even gone so far as to change the law to specifically accommodate the stockbrokers.

A number of further examples of what most people would call “wrong intentions” have been documented by historians. The government document to parliament also contains many euphemisms and distortions. It confronts in only a very limited way the government’s moral responsibility for the postwar treatment of Jews. No reference was made to the war period.

On April 3, 2000, in an interview with Israeli radio, Prime Minister Kok repeated his statement the previous day to the representatives of the Dutch community in Israel: “The Dutch have never been responsible for the misbehavior of the Germans in The Netherlands during the war.” He made no reference at all to the

responsibility for the wartime misbehavior toward the Dutch Jews by the Dutch authorities, institutions, and many individuals.⁴

The attitude of the Dutch prime minister has other problematic aspects. At the intergovernmental conference in Washington at the end of 1998, which focused on the looting of private property and assets, a Task Force for International Cooperation on Holocaust Education, Remembrance, and Research was set up. The chair of the task force rotates and will be held by The Netherlands from November 1, 2000, to May 31, 2001. How can one educate without honestly facing one's own past?

Material Restitution

Furthermore, the government's recommendation in the concluding document to pay 400 million guilders to the Jewish community is far below the realistic contemporary value of the restitution amounts which were illegally or immorally withheld from Jews, whose nominal values have been established by the commissions of inquiry. These include looted accounts, securities, private and communal properties, and insurance policies.

The proposed payment is less than 5 percent of the real, current value of the assets looted from Jews and not restored. The figure is probably only 35-40 percent, at most, of the money Dutch Jews should rightfully have received by now from the government. One international Jewish leader, wishing to remain anonymous, commented: "Every so often, governments pay small Jewish communities some money and cuddle them a bit, and then they forgo their rights."

The roof organization representing Dutch Jewry, the *Centraal Joods Overleg*⁵ (CJO), announced that it had reached an agreement with the government on the issue of restitution of Jewish Holocaust assets.⁶ This announcement was not coherent with the government document: it had not used the word "agreement" but had only written of talks with the CJO. In his interview with Israeli radio, Kok said: "without negotiating we reached full agreement with the central Jewish organization in the Netherlands."⁷

The CJO did not react to the many distortions in the government document, and even expressed "satisfaction" with the prime minister's apology after the international Holocaust conference in Stockholm in January 2000.

The CJO's attitude provides an insight into the condition of the small and weak Dutch Jewish community and how it perceives its status in Dutch society. An analysis of the Holocaust assets

issue and its background in The Netherlands is of relevance in a much larger Western European context.

A Europe-Wide Phenomenon

Many European governments, corporations, institutions, and individuals benefited from assets looted from Jews during World War II. A substantial number of them have kept these holdings to the present day. Although difficult to quantify, it is probable that more Europeans participated in robbing Jews than in killing them.

Over the past decades, Jewish organizations and individuals have been trying to recover these assets and, in recent years, these efforts have suddenly emerged as an international issue which continues to draw considerable media attention. A number of countries in both Western and Eastern Europe are involved. The issue has many facets, such as the return of public and private buildings, looted art, bank deposits and contents of safe deposit boxes, insurance policies, and compensation for slave and forced labor.⁸

Long-known facts which governments and institutions have not wanted to acknowledge are now raising worldwide interest and evoking strong reactions, even from people not directly concerned with the issue. Wrongful behavior displayed more than 50 years ago by European governments and corporations against (non-American) Jews has been forced onto the national agenda of the United States.

Impact on the Jewish Polity

Some consider the common memory of the Holocaust to be the prime element of world Jewish identity. The issue of Holocaust assets is gradually becoming an important part of the picture. Material restitution goes hand in hand with "moral restitution"; present governments are acknowledging their predecessors' failures and often recognize moral responsibility for their behavior.

The Jewish polity is undergoing changes as a result of the war-claims process. The international collaboration of Jewish bodies gives greater strength to the cause. The organizational structure of some Jewish communities is already being modified. The need to negotiate collectively is forcing Jewish organizations to collaborate with each other for a specific purpose.

Internal Conflicts and External Relations

At the same time, the Holocaust assets controversy may accentuate internal conflicts within Jewish communities and with international organizations. The subject is highly emotional, and there are radically different opinions among Jews as to what policies to pursue. These attitudes often reflect different Jewish self-images and also the perceived or real personal interests of some of the individual players. The debate covers such questions as whether Jews should press their rights, which might mean confronting their national governments like other interest groups, or whether they should waive their rights because they think that raising the issue might harm the way they are perceived by non-Jews. According to some psychologists, this anxiety is a mixture of *galut* attitudes and Holocaust trauma. Occasionally, the Holocaust assets controversy also causes Jewish individuals occupying political and other positions of prominence in non-Jewish society to feel that they must come to grips with apparent conflicts of interest in the two spheres in which they live.

From a political viewpoint, the present controversy is also leading to a change in the external relations of the Jewish polity with elements of European society, which is likely to influence the situation of Jews throughout the continent. For example, the battle over Holocaust assets may well be a prologue for the debate over the future inclusion in the European Union of several countries where anti-Semitism is endemic even though few Jews live there anymore. These countries have confronted their past even less than in Western Europe and their inclusion may challenge European normative thinking in many areas. The controversy over Holocaust assets also concerns these countries in a major way and their method of dealing with the issue may be indicative of future problems that their membership in the EU might cause.

Who Speaks for the Jews?

There are many facets to the public debate and the negotiations of Jewish organizations with their public and private counterparts in Europe. One important question is: who is entitled to speak for the Jews and represent them in negotiations? Survivors who have emigrated to Israel, for example, rightly claim that the remaining Jewish community in the country where they lived must also take their interests and opinions into account.

The Polish situation is an extreme case. An estimated one million Jews of Polish origin live abroad — mainly in Israel and the United States — while only a few thousand have remained in the country. Another example among several is the Czech republic, where the number of Jews abroad is at least ten times the number of those living there today.

The governments concerned would prefer to deal with weak local communities rather than international Jewish organizations such as the World Jewish Congress and the World Jewish Restitution Organization. Sometimes, however, it is so inconvenient to small communities to confront their government on restitution issues that they prefer the intervention of international Jewish organizations.

Those involved in the claims against Swiss banks were Jews from all over the world and it was logical that their representatives should be international Jewish bodies. What, however, should the role of international Jewish organizations be with regard to claims in a national context in Norway, France, and The Netherlands? Local Jewish organizations may ask whom these international Jewish bodies represent. International Jewish organizations, however, claim that Jews were persecuted because of their ethnicity and not because of the passport they held, and that local communities are too weak to defend their claim.

Other major issues of both a financial and a political nature are the size of the restitution payments and who is entitled to them. To whom does the money of the murdered Jews belong? Who will oversee the distribution of the money returned? There are several possible interested parties: the local Jewish community, the survivors living in that community, those who emigrated, and the children of survivors who passed away. Furthermore, there are the double victims who survived Nazism and then lived under communist dictatorship. International Jewish organizations are of the opinion that part of the funds should be allocated to maintain the memory of those who died in the Holocaust and the education of new generations so that similar events will not recur.

Another important question, with political overtones, is: With whom should Jewish organizations create alliances on these matters? This is particularly relevant in the negotiations on the issue of slave and forced labor, but is also evident in several other situations. One unexpected scenario has been American state insurance commissioners, supported by Jewish allies, exerting pressure on European insurance companies, threatening to punish their American subsidiaries if they do not deal appropriately with the matter. Another major example is the committee of American

state and city funds, headed by New York City Comptroller Alan Hevesi, which includes 900 managers and manages a trillion dollars' worth of assets. The committee exerted pressure, *inter alia*, in the controversy with the Swiss banks, and more recently with regard to the Dutch banks and the Amsterdam Stock Exchange.

A Heavy Psychological Toll...

An additional financial aspect of the claims settlement is that, despite dwindling numbers, many Jewish organizations in Europe will have a stronger material base. This will enable them to provide better religious, educational, and cultural services to individual Jews. This may be different from community to community. In some small Eastern European communities such as Croatia, the number of members of the community is increasing because the local Jewish community organizations are involved in the distribution of the funds.

The renewed debate is also taking a heavy psychological toll, opening up old wounds for survivors who are reliving the traumatic events of their youth. Some indications of this impact may be learned from Dutch data. The number of people receiving socio-psychological help from JMW (the organization for Jewish social work) had been declining for some years. However, in 1998 — in the aftermath of the publicity on the restitution issue — this number increased by 14 percent. It then declined slightly during 1999, but increased again with the publication of the reports of the commissions of inquiry in late 1999 and early 2000.⁹

Those negotiating on behalf of the Jewish people are also sometimes affected because the ongoing display of material documenting the perfidy against the Jews of so many Europeans, who were not Nazi-sympathizers and were sometimes even their opponents, is depressing. The cover of *Pack of Thieves* by the American author Richard Z. Chesnoff summarizes this well in its subtitle: "How Hitler and Europe Plundered the Jews and Committed the Greatest Theft in History."¹⁰

...Or Catharsis?

For other survivors, the debate has a cathartic character. It is providing some with a therapeutic opportunity to express their suffering. Holocaust psychologist Nathan Durst, who came to Israel from The Netherlands, notes: "There are often ambivalent

and contradictory feelings. This is evident, for example, in the inner struggle between remembering and forgetting. I can imagine that, at the bottom of the ambivalence caused by the trauma, the diaspora survivors' insecurity about their identity is even stronger than for those in Israel."¹¹

Another psychological aspect is the differing attitudes of survivors at different periods in their lives. According to Durst, "The anger of the survivors is a sign of undigested mourning and a reaction to all the injustices that they have suffered. We often see that, at a later age, when the old memories get stronger and the end of life gets closer, the feelings which were always there come more strongly to the surface."¹² He sees in this the explanation for the greater interest in the issue among child survivors who are now reaching a particular age.

There are also psychological aspects to individual attitudes regarding restitution payments. According to Shai Schellekes, a Dutch-born Holocaust psychologist living in Israel, "Attitudes toward Holocaust restitution are very different. Some people say: 'I have rights and I am going to claim them.' I think that to express one's claims is a healthy type of assertiveness, a part of overcoming the oppression of the Holocaust. Others see it as 'blood money' and claim that they do not want to earn money from the Holocaust, especially if they perceive the money to be another attempt to make good again the unforgivable."¹³

Moral and Educational Issues

One moral obligation of great importance is for Jewish organizations dealing with Holocaust assets claims to refrain from creating false hopes among survivors. Another concerns the moral responsibility of the Allies for the fate of their Jewish citizens at the time of German occupation. In recent years, for instance, government apologies have been offered in France for war crimes committed by French authorities against Jews.

In Austria in the decades before the *Anschluss*, anti-Semitism permeated many aspects of social life, including all political parties.¹⁴ The country continues to minimize its role as a perpetrator of crimes and has also done little about the restitution of Jewish property.¹⁵ The country's coalition government that was formed at the beginning of 2000 included the right-wing Freedom Party led by Joerg Haider, which led to strong international criticism. By contrast, Alfred Gusenbauer, the leader of the Social Democrat party, now in opposition, acknowledged in April 2000 that after

the war his party had been too lenient in courting former members of the Nazi party. He also apologized to Simon Wiesenthal for false accusations made against him in the past by the Socialists.¹⁶

Avoiding the Falsification of History

Sweden has recently started, rather suddenly, to play an important role in education about the Holocaust. Although a neutral country during the war, its wartime past is problematic due to its role as a trading partner with Nazi Germany.¹⁷ Swedish Prime Minister Goran Persson has taken the initiative for systematic Holocaust education in Swedish schools, and also organized a world conference on the subject in Stockholm in January 2000.

European nations have often written their wartime history in a very one-sided manner. The emergence of the war claims issue begs a thorough revision of these stories and may also serve to weaken the phenomenon of Holocaust denial.¹⁸ In the writing of wartime and postwar history, the countries occupied by the Nazis have been inclined to overemphasize the importance of their resistance movements, often ignoring the role in these of the Jews, and minimizing any accommodation or collaboration with the Nazis. Much historical research also remains to be done on how several democracies and the Vatican helped important Nazis to escape punishment after the war.¹⁹

The war claims issue is also shedding light not only on the substantial wartime collaboration with the Nazis in several European countries, but also how — even after the restoration of their respective democracies in the postwar period — these countries often discriminated against their surviving Jews. This reveals the continuing influence of Nazi ideas about Jews in Western society.

Investigations in recent years have brought to light many additional cases of postwar discrimination against Jewish citizens, even in such countries as Norway and The Netherlands, which view themselves as model nations ruled by law. Although not its purpose, the Holocaust assets issue has become a detailed, documented indictment of the behavior of European democratic governments and societies in past decades.

The Dutch Case

The war claims issue in The Netherlands illustrates many of the aspects already discussed. The fact that the percentage of Jews from The Netherlands murdered by the Germans and their associates in World War II was higher than in any other Western European country had a significant effect on the extent of the looting, the ability of victims to recover their property after the war, and the strength — or, rather, the weakness — and structure of the postwar Jewish community.

There is probably a greater discrepancy between the benign image and the harsh reality of Dutch wartime and postwar behavior than for any other country. For many decades the myth has persevered — even in The Netherlands — that the majority of the Dutch population made an extraordinary effort to help their Jewish neighbors. As Durst reminds us: “Most people forget to read the last page of Anne Frank’s diary: those who betrayed her were Dutch.”²⁰

According to Avraham Roet, chairman of Platform Israel, the representative body of the Dutch Jewish organizations in Israel, The Netherlands has high pretensions of justice, which its treatment of Jews in the first decade after the war certainly does not warrant. “The Dutch government still tries to escape the essence of its responsibility for the injustice which was done to the Jews by the Dutch authorities more than fifty years ago. In view of this, is it not hypocrisy that the International High Court of Justice is based in The Hague?”²¹

The fate of the Jews in The Netherlands during the war has been relatively well documented. The Netherlands Institute for War Documentation (NIOD; previously RIOD) was established at the end of the war. It possesses important archives and has published numerous studies on a large number of war-related issues.

Furthermore, in recent years major investigations have been undertaken by commissions of inquiry appointed by the Dutch government which have dealt with many important aspects of the looting of Jewish property. Although a number of facets have been insufficiently covered and much additional research still needs to be done,²² new material has become available and has been integrated with existing information in a number of easily accessible documents. The last of the main reports, by the van Kemenade Commission, was published in January 2000.²³ In addition, a body called SOTO was established to assess the postwar treatment of returnees (mainly Jews) after the war.

The Dutch Jewish community in both The Netherlands and Israel is dealing systematically with several aspects of this issue through roof organizations. This means that, on the Jewish side, the relevant information is now concentrated in an orderly fashion, even though, especially in The Netherlands, much of it has not been made available to the public.

The Destruction of Dutch Jewry

The Germans invaded The Netherlands on May 10, 1940, and the Dutch capitulated a few days later. Before the capitulation, Queen Wilhelmina fled to England without consulting with her government; and the Dutch cabinet followed her into exile. Hitler filled the political vacuum with a civilian government headed by the Austrian Nazi leader Seyss-Inquart, who reported directly to Hitler and was assisted by a number of other Austrian Nazis. He was later condemned to death in the Nuremberg trials and hanged.

Seyss-Inquart was a skilful politician who had already gained experience in Austria turning Jews into second-class citizens. The highest remaining Dutch civil authorities he worked with were the secretaries-general of the ministries, who had no background in politics.

Gradually, a number of measures were taken against the Jews to expel them from society. When non-Jews were made to sign a declaration that they were Aryans, the issue came before the High Court of Justice whose members had been appointed under the democratic prewar government. A majority of judges approved the German measure, despite the fact that it contradicted the country's constitution.

Dutch Assistance to the Germans

The German occupiers needed to employ only a limited number of their own personnel against the Jews. Dutch policemen rounded up Jewish families — including babies, the elderly and the infirm — to be sent to the east. Those involved in these actions knew very well that the task of the police was to arrest criminals and not innocent people. Trains of the Dutch railways, staffed by Dutch employees, transported Jews to camps in The Netherlands which were transit points to Auschwitz, Sobibor, and other death camps. Jews were guarded in the transit camps by Dutch policemen.²⁴

In their actions against the Jews, the Germans could also rely on the assistance of many other elements of the efficient — and sometimes zealous — Dutch government bureaucracy and institutional apparatus, including the ministries and municipalities, banks, the stock exchange, insurance companies, and many individuals. These included Dutchmen who betrayed Jews to the Nazis for a few guilders; members of the Dutch National-Socialist Party (NSB); those who stole Jewish property, including policemen; and notaries who assisted in the transfer of stolen goods.

There were approximately 140,000 Jews in The Netherlands at the outbreak of the war, representing 1.6 percent of the Dutch population; in Amsterdam they comprised as much as 9.5 percent of the city's population. Some 107,000 Jews were deported from The Netherlands, of whom 102,000 were murdered. Most of the remainder went into hiding, were married to non-Jews and thus freed from deportation, or fled abroad. Fewer than 1,000 survived the war in Westerbork, the transit camp from which most Dutch Jews were sent to their deaths in the east.

Myth and Truth²⁵

The Dutch government in exile made little effort to help the Jews. Nor was it prepared to ease the plight of returning Jews after the war.²⁶ In five years of radio speeches from London, Queen Wilhelmina devoted only five sentences to the fate of her Jewish subjects.²⁷ Nevertheless, an international myth grew about her identification with the persecuted Jews.

Despite this positive international image of wartime Netherlands, only a very small proportion of the Dutch population helped Jews during World War II. The numbers of Dutch Nazi collaborators during the war exceeded those active in the resistance. Relative to the size of its population, The Netherlands had the most Waffen SS volunteers in Western Europe.²⁸

The main issue today is not that few Dutch were heroes, but that the present Dutch government continues to categorically deny the legal, moral, and financial responsibility of their wartime predecessors for what happened. The government reiterated in its March 2000 report to parliament that it “did not consider itself liable for the looting and the damage wrought by the German occupying forces,”²⁹ ignoring the substantial assistance given to the Germans by the Dutch authorities. Nor have Dutch governments ever apologized for the behavior of Dutch authorities toward Jews during the war. According to the Dutch Minister of Finance, “On

the question of guilt with regard to the fate of the Dutch Jews during the Holocaust, the Dutch Government is of the firm belief that it has not forsaken its civic duties toward its Jewish citizens.”³⁰

However, there is overwhelming proof that the Dutch government has indeed forsaken its civic duties toward its Jewish citizens. Petrus Buwalda, a former Dutch ambassador to the Soviet Union, attributed the positive Dutch attitude toward Israel and its willingness to represent Israel in the Soviet Union for many years to the guilt feelings of the Dutch for their collaboration in sending large numbers of Jews to their deaths in World War II.³¹

The Looting of Jewish Property in The Netherlands

Before the Germans sent Dutch Jewry to their death in Eastern Europe, they followed a systematic policy of looting. The Germans used the name of an expropriated, well-reputed Dutch bank owned by Jews in order to create confidence in their victims, and they established a pseudo-branch in 1941, specifically for the purpose of robbing Jews of their assets. This “looting bank,” Lippmann-Rosenthal & Co (Sarphatistraat) was known as LIRO. Jews were forced to deposit their possessions with this institution before being arrested and deported. In this endeavor, the Germans could count on the assistance of large sectors of the Dutch administrative infrastructure. At LIRO, the theft of Jewish property by Dutch employees was also a regular occurrence. Elsewhere, too, Dutch individuals massively stole Jewish property. Jews who were arrested and then temporarily released often came home to find all their possessions missing. The phenomenon was so frequent that the Jewish Council set up a special department to help such people.³²

Various estimates have been made of the wealth of Dutch Jews at the outbreak of the war.³³ According to some sources, the assets looted from Jews may have exceeded 90 percent of their possessions.³⁴ What was looted has been estimated to have been at least 1 billion guilders in the value of the time.³⁵ Allowing for inflation and some modest interest, this translates into about 20 billion guilders today or close to \$10 billion.

Giving the Dutch Nazi Helpers a Face

Many aspects of both the looting of Jewish property and the assistance given by the Dutch to the German occupiers are well-

documented and several studies have been published on this subject.³⁶

In June 2000, TROS television in The Netherlands broadcast a two-part documentary entitled "They Did Their Duty," by Jewish film-maker and Emmy award-winner Willy Lindwer. In the first part of the documentary, Lindwer gives a face, as it were, to the ordinary Dutchmen who, in their daily work, helped the Germans in their persecution of the Jews. Because the Germans did not have enough manpower, they relied on the help of ordinary Dutch citizens including clerks, railway personnel, policemen, bank employees, and the like. The Dutch government co-financed the production of this segment for showing in the schools.

The second part of the documentary focused on the looting. *Inter alia*, it showed Dutchmen who had enriched themselves with Jewish property, as well as Jewish survivors who told their story of how ordinary Dutchmen had stolen their belongings.

These documentaries received major attention in the press. The daily *Algemeen Dagblad* wrote about the first part of Lindwer's film:

The notion that The Netherlands did not play the heroic role during the war that it attributed to itself over decades is gradually gaining ground. Even in Israel, where our reputation was indestructible, it is now becoming clear that the Jewish part of our population in that black period could count on little solidarity and support to escape the deportations....The frightening aspect of all these stories is that one is not confronted with criminals but with ordinary people. One's neighbor, the acquaintance from the bridge club, the leader of a youth team: "decent" people who have in common with 95 percent of the Dutch population that they are no heroes....How do you justify your deeds, to yourself also, which have been shown afterwards to have disastrous consequences and are thus unjustifiable?³⁷

After the War: Alienation, Discrimination, and Indifference

During the war, Jews were effectively removed from Dutch society. Although many Dutch people were strongly affected by the war, few suffered in a way comparable to the Jews. Large sectors of Dutch society became accustomed to the absence of Jews. In many cases, Jews coming out of hiding or returning from the death camps were clearly made to feel unwelcome.³⁸ When the

survivors spoke of their past, they often encountered disbelief or a wish not to hear.³⁹

The wartime experiences of the Jews were radically different from those of the average Dutchman, and made them even greater outsiders in Dutch society. As historian Bob Moore writes, "there was resistance to accepting that the Jewish experience of the occupation had been far worse, both because it diminished the importance of the shared experience, and because it questioned the efficacy of the resistance in having been able to counteract German plans."⁴⁰

The returning Jews faced not only a lack of understanding, but sometimes also overt anti-Semitism.⁴¹ In July 1945, two months after the liberation of The Netherlands, a group of mainly non-Jewish intellectuals found the situation worrying enough to start a working group to deal with the question of whether there was an anti-Semitic mood in The Netherlands.⁴²

The immediate postwar attitude of the Dutch government reflected not only coldness, but also an abuse of power against this vulnerable community. The remnants of the decimated community had to fight an uphill battle to return Jewish war orphans to Jewish family members or institutions. The government-appointed commission that decided on these cases was stacked with Christians as well as baptized and assimilated Jews.⁴³

In a document prepared for the government in exile in London by its officials, it was even proposed that deported parents not be allowed to resume their parental authority "until they have demonstrated that they are fit to do so. It will be bitter enough for them to understand this, and therefore it is desirable that in the bill it does not state so directly."⁴⁴

In another example of Dutch insensitivity, for several months after the war, a number of stateless Jews of German origin were incarcerated in the same camps as Nazis and their collaborators.

In an interview in 1974, the Chief Rabbi of Amsterdam, A. Schuster, indicated that for the first ten years after the war, the Dutch government was quite indifferent to the Jewish community, probably due to the persistence of German racial doctrine. There was strong feeling against Jewish ritual slaughter, and Jews were badly treated with regard to the returning of war orphans⁴⁵ and financial reparations. Rabbi Schuster recalled that in 1955, he had complained publicly about this general attitude on the occasion of the ten-year commemoration of the liberation, in the presence of Queen Juliana and the government. He noted that only upon the queen's direct intervention did the situation partially improve.⁴⁶

In 1956, a newspaper reported that during the war, the current Mayor of The Hague, F.M.A. Schokking, then mayor of a small town, on his own initiative had three Jews arrested and delivered to the Germans, which led to their deaths. Government ministers and several other prominent Dutch politicians insisted that Schokking did not have to resign. When he ultimately was forced to do so, he was offered another government position after finally offering his apologies. This incident illustrates the weak public position of Jews in postwar Netherlands. The historian Ido de Haan wrote, "Attempts to silence Jewish survivors were certainly successful in the mid-1950s. When Jews did have the courage to raise their voices, they were forcefully admonished."⁴⁷

Rechtsherstel (Reparations)

After the war, the Dutch government adopted a law dealing with reparations which made no special provisions for Jews, despite the fact that as a group they had been singled out, excluded from society and robbed — with considerable assistance from the Dutch authorities and at least part of the Dutch citizenry.

The government claimed, absurdly, that extra assistance to the Jews would be another form of discrimination. Not only did the country's bureaucracy not come to the aid of this small community and its individual members, but in the important area of the restitution of looted securities, the government changed the law four days before parliament reconvened after the war, to make this even more difficult.⁴⁸ All of this points to a pattern of discrimination against the Jews by postwar Dutch governments.

The Fear of Donations to the Jews

Officials in the Dutch government in exile in London were also concerned about the possible impact of Jews receiving significant donations from Jews abroad. "It is possible...that large donations may be made available from the United States especially for Dutch Jews. Should a similar drive grow too large, it might accentuate the gap between the non-Jewish and Jewish sector of our people. The Government should manage to convince the donors [of this danger], however well-intentioned they may be."⁴⁹

The Dutch historian Gerard Aalders, an employee of NIOD and author of an important book on the wartime looting of Jewish assets, drew attention to another, even more fundamental, aspect

of the restitution legislation itself.⁵⁰ With respect to the financial rehabilitation of Jews after the war, he wrote, "No extra provisions were made for the robbed Jews who had been harder hit than any other group. A public discussion as to whether that was desirable or not has never been held."⁵¹

Fifty-five years after the war, this matter still awaits a full discussion. At the end of January 2000, Dutch Prime Minister Kok was forced by his colleagues to offer the apologies of his government for the attitude of postwar Dutch governments toward the Jews, after he had explicitly refused to do so two days earlier at the Stockholm Holocaust Conference. Kok's initial silence had been especially pointed in view of the apology presented at the conference by Swedish Prime Minister Persson for his country's attitude toward the Jews during the war.

According to the Dutch daily *De Volkskrant*, published the morning after Kok's speech in Stockholm, Kok did not consider the comparison with Sweden valid. He considered Swedish shortcomings far worse than those of the Dutch, a statement which was neither diplomatic nor easy to prove.

Kok's eventual apology included a new fallacy that the postwar administrative failures were unintentional, a statement not supported by the conclusions of the Dutch commissions of inquiry.⁵² This fallacy was repeated in the document the government subsequently presented to parliament.

The historian Jozeph Michman, a Dutch Holocaust survivor and former director-general of Yad Vashem, describes a visit to the first postwar Dutch prime minister, Schermerhorn, a member of the Dutch Labor party, by Leib de Leeuw, a professor at the Technion who had been a university colleague of Schermerhorn before the war. Also present was Karel Hartog, then secretary of the executive of the NZB, the Dutch Zionist organization. Hartog later reported on the visit to his organization's executive, of which Michman was a member. The Dutch prime minister said that they could not expect him, as a socialist, to help restore money to Jewish capitalists.⁵³

Michman also records the statement of Joop Voet, later Dutch honorary consul in Tel Aviv, who had worked at the Beheersinstituut, the government body which acted as custodian of the property of enemies as well as missing persons, nearly all of them Jews. Voet was often told that "full legal restitution to the Jews would be in conflict with the postwar economic reconstruction of The Netherlands."⁵⁴ The reports of the commissions of inquiry confirm that this was indeed the attitude.

As the historian P.W. Klein wrote in the report of the van Kemenade Commission, "Judging the postwar restitution process...is judging The Netherlands."⁵⁵

The Re-emergence of the Issue

Until recently, only a few historians had written about the material and non-material aspects of postwar discrimination by democratic Dutch governments against Jews in The Netherlands.

One of the first to address the issue was the political scientist Isaac Lipschits, now the main Dutch expert on the Holocaust assets issue.⁵⁶ Lipschits has termed the postwar behavior of Dutch authorities and institutions toward the Jews "the little Shoah."

The reemergence of the issue of restitution on the Dutch public agenda was also catalyzed by several internal developments.⁵⁷ One was the revelation that, in 1968, Dutch government employees in charge of the restitution of looted Jewish property auctioned off some of it among themselves at ridiculously low prices. Another was the accidental discovery of over 3,000 cards from the LIRO archive in an empty Amsterdam building once belonging to the Ministry of Finance. The Dutch authorities had destroyed the other cards at the end of the 1970s. These cards contain specific details about what had been stolen from individual Jews.

In 1997, the Dutch government decided to appoint commissions of inquiry rather than have a parliamentary investigation, preferring a process and instruments over which it had some influence and control. This approach indicated that the Dutch government had understood from the Swiss experience that it was better to appear as pro-active rather than as trying to stall. By appointing senior Dutch personalities and several prominent Jews to the commissions of inquiry, the government assumed that the weight of these personalities would give the findings national credibility and thus end the controversy once and for all.

The Commissions of Inquiry Confirm Postwar Discrimination

The three main commissions of inquiry were the Kordes, Scholten, and van Kemenade Commissions, each named after its chairman, which published their final reports in December 1998,⁵⁸ December 1999⁵⁹ and January 2000,⁶⁰ respectively. These reports

leave many questions open, are uneven in quality, and are generally written in euphemistic, bureaucratic language. One document, the KPMG report prepared for the van Kemenade Commission, is comprehensible only to readers possessing a high level of financial understanding. Nonetheless, when read together with a number of other documents now available, the reports of the commissions of inquiry offer a number of important conclusions.

The first is that after the war, Dutch Jews were seriously discriminated against by the reparation laws. The postwar Dutch government which instituted these laws was well aware of this and decided that economic interests should prevail over those of the robbed and traumatized survivors. This approach was instituted under Prime Minister Schermerhorn and Minister of Finance Liefstinck, both socialists.

A second conclusion is that, on several occasions, these discriminatory laws were not even adhered to, but were interpreted in a manner even more detrimental to the interests of the Jews. The commissions of inquiry identified a number of important cases where the postwar Dutch authorities treated Jews either unfairly or obviously worse than other citizens.⁶¹

According to the Kordes Commission, the wartime occupation government took 25.9 million guilders from looted Jewish accounts in order to build, maintain, and operate the camps of Westerbork and Vught, from where Jews were deported to their death. After the war, the government returned to the Jewish community 5.6 million guilders, this being the appraised value of the camps after the Jews had been killed. The Kordes Commission concluded that the refusal of the Dutch postwar democratic government to pay the remaining 20.3 million guilders at the time meant "that the Jews themselves paid for this part of the deportation." The commission wrote: "This must be an unbearable thought for The Netherlands."⁶²

The German administrators of the LIRO Bank paid taxes of 8 million guilders to the Dutch tax authorities in 1943. Many of these payments were taxes taken from accounts whose owners had already been gassed.⁶³ After the war, only 2.5 million guilders were restored. The Kordes Commission concluded that it was illegal not to restore this money to the Jews, since the payment had been made on the basis of a German law which was cancelled retroactively by the Dutch government. It was also illegal in The Netherlands to take tax money from accounts without the express agreement of the account holders.

The costs of the postwar restitution process from two major looting bodies (LVVS and VVRA⁶⁴) were borne by the Jews

themselves: a total of 12.9 million guilders. The Kordes Commission concluded that the restitution was a normal governmental task and that the government should have borne the costs. The report states: "The situation is not like that of a bank which gives service to an account holder and charges fees for it. We are dealing here with an action undertaken on behalf of the government in order to do justice to victims. The costs of this must be borne by the government."⁶⁵

Various administrative costs incurred by the NBI (*Nederlandse Beheersinstituut*⁶⁶), the body which acted, *inter alia*, as the postwar custodian of the property of missing persons — nearly all of them Jews — were charged to the accounts of murdered Jews: around 4 million guilders. Again, the Kordes Commission stated that these costs should have been borne by the Dutch government.

In the 1960s, the Dutch government negotiated claims with the West German government for restitution. For this purpose, the government set up a special body, CADSU (*Centraal Afwikkelingsbureau voor Duitse Schade-Uitkeringen*), which withheld a percentage of each claim paid out. Jews thus had to pay for a government service which was given in order to restore possessions stolen at a time when the government had been unable to protect them. Costs charged to the Jews amounted to 5.7 million guilders. The Kordes Commission wrote that this money should have been paid by the Dutch government. "A service of this type is comparable, for instance, with the mediation of employment agencies or the allocation of social payments or measures against sudden floods. The costs of such actions are never charged to those concerned. The same policy must be followed toward the Jewish victims. The looting of their property is clearly a part of the suffering they have undergone."⁶⁷

Although these issues are subject to the statute of limitations, the commission recommended that a payment now be made to the Jewish community. While the associations of banks and insurance companies made it clear that they would forgo the statute of limitations and pay whatever money they still retained in real actual values, the Dutch government was not prepared to do the same.

The commissions of inquiry avoided calculating indexation and interest on the payments they recommended, giving only a nominal figure, mainly in values of the 1940s and 1950s. Because of this, the financial parts of the van Kemenade report, in particular, which were meant to cover all claims against the government, were totally misleading. This commission proposed as a payment an arbitrary figure of 150-250 million guilders as a "gesture" to-

ward the Jews, as compared to the draft report's recommendation of 150 million guilders.⁶⁸

The Dutch Bureaucracy's Mental Abuse of the Jews

Another important conclusion to be drawn from the reports of the commissions is that, not only had there been an abuse of law, but also that in executing these unfair laws, the Dutch bureaucracy psychologically abused many survivors for many years. This was best expressed by Jacques Presser, a Jewish historian who wrote the official history of the persecution of Dutch Jewry during the war. He cites a letter from a Jewish war survivor in 1951 to the editor of a newspaper: "The years after the war have broken my spirit. I had infinite difficulties to regain my equilibrium from a spiritual and material viewpoint. Where there should always have been commiseration, I found the amorphous being which one calls bureaucracy difficult to approach....I can tell you that these years have been a horror for me but without adventure."⁶⁹

According to the reports of the commissions of inquiry, for many years after the war, the beleaguered Jews were given the choice of fighting on for fair restitution or reaching a compromise, thereby giving up some of their justified claims. Many of the compromises reached can only be described today as having been reached under duress.

The Scholten Commission identified an additional candidate for restitution. On its own initiative, the Amsterdam Stock Exchange had collaborated heavily with the Nazis and had requested and received their permission to trade looted Jewish securities. As a result, the present Stock Exchange became subject to Jewish restitution claims.⁷⁰

Private conversations between various Jewish representatives and Dutch officials and politicians indicated that, whatever the findings of the commissions of inquiry, the Dutch government intended to pay out as little money as possible. The CJO had few staff to carry out independent research and was forced to rely on the data released by the commissions. The CJO then published a detailed reaction to the Kordes report and the Scholten interim report.⁷¹ No such CJO reaction was published after the final Scholten and van Kemenade reports. Thus, members of the Jewish community in the Netherlands remained largely uninformed about the CJO's disagreements with these reports.

Declared and Undeclared Government Aims

Analyzing the motivations of the Dutch government months before the negotiations with the Jewish community started, this author suggested the four main goals of the government:⁷²

1. To avoid trouble with the world Jewish community.
2. To reach a final agreement accepted by as many representatives of Dutch Jewry as possible.
3. To reach an historically accepted truth about the systematic looting of Dutch Jewry during World War II, and the restoration of rights and compensation after the war, causing as little damage as possible to the image of The Netherlands.
4. To pay as little as possible to the Jews.

The Dutch government's desire to avoid trouble with the world Jewish community was obvious from all its actions. Several observers of the Dutch scene note in private that the government believes a powerful Jewish lobby influences the American government and that, if the Dutch are not careful, they may feel the wrath of this combined force. The Dutch government sees itself as the weaker party in a struggle against world Jewry, as represented by organizations such as the Jewish Agency and the World Jewish Congress.

At one stage — in a highly unusual move — the Dutch government retained Hill and Knowlton, a well-known American public relations firm, to deal with some of the issues concerning its restitution policies in the American media. The Dutch were clearly aware of the Swiss experience, where the state and its institutions experienced worldwide criticism by the media, boycotts by some American institutions, and problems with American justice.

Ten Billion Dollars Stolen

Only approximate figures are available as to how much money was stolen from the Jews during the war. How much was returned is more clearly documented. The KPMG accountancy firm was charged by the van Kemenade Commission with the job of investigating several financial aspects of the looting of Jewish assets, but its report contains such serious flaws that its main conclusions were largely useless. It presents figures without any linkage to inflation, even though they cover several decades.⁷³

This author undertook a rough assessment of the amount looted in current values, using the same method as that used in the agreement reached between the CJO and the Dutch Association of Insurers (*Het Verbond van Verzekeraars*) in November 1999. Based on the conservative multiplier of 22, at least 22 billion guilders in current values were looted from Jews, and about 10 billion guilders (\$4.5 billion) have not been returned.

The Jewish community never intended to claim this amount from the Dutch government. All the CJO initially sought was the current value of what the commissions found to be money unlawfully and immorally withheld by Dutch governments and institutions since the war. Since the KPMG report did not produce such a figure, the CJO hired the accountancy firm of Paardekooper and Hoffman, which estimated the sum at between 750 million guilders (based on indexation without interest) and 2.2 billion guilders (\$350 million to \$1 billion), which were only a small part of Jewish assets looted and not returned.

In the process of its negotiations with the government, the CJO asked Paardekooper and Hoffman to revise its calculations based on different assumptions. The resulting figure was 400 million guilders, a sum the government indicated it was willing to pay. The CJO decided to forgo the payment of interest and set it off against the costs of the search for survivors entitled to payments, which the government will undertake. This ignored the Kordes report which had noted that such tasks were the responsibility of the government and ought not to be charged to the community they were meant to benefit.

Who Represents the Dutch Jewish Community?

The CJO was established in 1997 for the purpose of representing the Dutch Jewish community to the government. One specific purpose at that time was to react in case of actions by extremist Moslems. With the reemergence of the war claims issue, the community and the CJO suddenly found themselves confronted with an issue of a magnitude with which they were unprepared to deal. The organization lacked not only the organizational infrastructure, but also the business skills and the historical understanding necessary for such an undertaking.

Most of the CJO's board members are volunteer leaders whose professional careers lie outside the Jewish community. Whereas volunteer leaders in the United States are often wealthy individuals with a strong background in the business sector, the CJO

board is composed mainly of people who, besides their day-to-day work, also head a CJO member organization which consumes part of their time.

The members of the CJO are the Ashkenazi, Portuguese, and Liberal religious communities, JMW (the organization for Jewish social work), FNZ (the Federation of Dutch Zionists), and CIDI (the Center for Information and Documentation on Israel). The CJO's main task in recent years has been dealing with the issues of wartime looting and postwar reparations. For the Holocaust assets issue, a special advisory council was established in which various organizations representing survivors participate.⁷⁴

Membership in Jewish organizations in The Netherlands has declined substantially in recent decades. Furthermore, many potential leaders of the community emigrated in the decades after the war. The organizations grouped in the CJO have only about 8,000 members with very diverse opinions. The highest estimate of Jews in The Netherlands today is about 40,000, which may include up to 10,000 Israelis and a significant number of Russian immigrants.

Yet the Dutch government, banks, insurance companies, and stock exchange consider the CJO their counterpart in negotiations on Holocaust assets. In November 1999, after the CJO reached a settlement with the Dutch Association of Insurers for wartime insurance policies that belonged to Jewish Nazi victims, both parties were taken to court by a Dutch organization and a California-based organization representing Jewish war victims.⁷⁵ The Dutch court rejected their claim, determining that the CJO represents the Dutch Jewish community and is the most suitable body to sign such an agreement.⁷⁶

Disagreements with the World Jewish Congress

The CJO settlement with the insurers was criticized by the World Jewish Congress after the leading Dutch insurer, Aegon, sought to ignore the commission chaired by former U.S. Secretary of State Lawrence Eagleburger, which had been created in 1998 to deal with unpaid Holocaust insurance policies. Aegon claimed that it had settled all its problems concerning this issue with the CJO. In the U.S., it negotiated a separate agreement with Chuck Quackenbush, the California insurance commissioner, at a cost to the Dutch company of several million dollars. It is unclear, however, whether this agreement has yet been carried out.

The CJO considers itself competent to negotiate exclusively on local matters, while the World Jewish Congress takes the position that Dutch Jews were persecuted not as Dutch citizens but as Jews, and that the international Jewish polity should thus participate in these negotiations. The WJC points out that, as a result of the Holocaust, Dutch Jews have dispersed around the world.

Although there have been a number of contacts between the CJO and the WJC on this matter, the WJC has not been included in the Dutch negotiations due to personal incompatibilities, the desire of the Dutch Jews not to involve an organization which might claim part of the money received for non-Dutch survivors, and the fear of involving a non-Dutch organization in a struggle against the Dutch government.

Pooling Resources Against the Banks and Stock Exchange

When the negotiations with the Dutch banks and particularly the Amsterdam Stock Exchange failed to progress, however (the Stock Exchange offered a payment of only eight million guilders),⁷⁷ the CJO, through the mediation of Platform Israel, decided that only the WJC could bring the necessary pressure to bear. On May 21, 2000, the three organizations agreed to coordinate their actions.⁷⁸

The WJC then brought the matter before the Hevesi Committee on May 25; it was decided to give the Dutch bodies thirty days to make an acceptable offer, with the implication that sanctions might be instituted after that date. Elan Steinberg, WJC executive director, said that "the postwar Dutch government and Stock Exchange [were] accomplices in an effort to prevent the rightful owners from acquiring their assets."⁷⁹ The WJC also threatened to approach U.S. regulators to block the multi-billion dollar takeover of the American insurer ReliaStar Financial Corporation by the major Dutch banking and insurance group ING.

The pooling of Jewish forces against the banks and the Stock Exchange found support in leading Dutch dailies. The financial daily *Financieele Dagblad* wrote about the looted securities: "Shortly after the war, 90 percent of the financial damage was restored. That there is again a conflict about this 50 years later is only justified because the compromise at the time was only reached after the securities traders went on strike in order to prevent their being dealt with severely [by the Government]. This is unsatisfactory, even 50 years later."⁸⁰

The conservative *NRC Handelsblad* stated:

The role of the Stock Exchange in and after the war is documented in ink-black pages, whereas for the insurers grey is the dominant color....It may be incidental, but at almost the same moment a report has been published in New York that was prepared by the American government in 1946. In it, LIRO and other looting organizations in The Netherlands are indicated to have been "the most fantastic thieves in modern history." The loot is estimated to have been about 3 billion guilders, which is substantially more than the 1.65 billion guilders which the British expert Helen Junz calculated for the Volcker Commission and the sum of 1 billion that the van Kemenade Commission arrived at.⁸¹

With their major U.S. business interests threatened, the Dutch banks that also control the Amsterdam Stock Exchange rapidly caved in. On June 15, 2000, they reached an agreement with their Jewish counterparts. The banks, the AEX, and its legal predecessor agreed to pay 314 million guilders. This was more than five times their offer before the CJO and Platform Israel involved the WJC in the controversy.⁸² One can only wonder how much more the Dutch government would have paid to the Jewish community had the WJC been a party to the negotiations.

The Distribution of the Restitution Funds

The CJO's role as the representative of Dutch Jewry was further contested after the government sent the concluding document and its financial proposal to parliament. Hanneke Gelderblom, a former parliamentarian of the left-of-center D66 party, which is part of the government coalition, and who had been hidden during the war, said in an interview: "the fact that the CJO has obtained the money does not give it the right to decide on its destiny or, even worse, to appropriate it....The money belongs to survivors who have to decide themselves on what they do with it. This is a club of men who have appointed themselves and think they can decide about my inheritance." She added that the part of the money destined to go to a trust fund should be managed by Dutch Jews who do not fulfill functions in the Jewish community, and should be controlled by parliament.⁸³

Said Corrie Hermann, a parliamentarian of the leftist Green party: "My father was murdered in Auschwitz and I do not feel myself represented by the CJO. Jews have lived for centuries in The Netherlands as full citizens. It is the duty of the authorities to search for the citizens it has treated unjustly after the war and to do them justice."⁸⁴

According to political scientist Isaac Lipschits,

The CJO claims to represent the Jewish community. I have not had much objection to that, but it means that the CJO has an obligation to report to us in a responsible manner....How does the CJO know that the Dutch Jewish community wants to express solidarity with Jews and non-Jews abroad? Perhaps we ourselves may decide which part of the money — which belongs to us by right — we want to devote to *tzedaka*, to solidarity with other people.

Where does this idea of 50 million for humanitarian purposes abroad come from? Is it a spontaneous idea raised by the CJO delegation: the CJO as generous donor, but at our expense?...Or was it perhaps a condition of the Dutch government: you Dutch Jews get 400 million guilders if you give 50 million guilders to Jews and non-Jews abroad.⁸⁵

Platform Israel

An additional question of representation concerns Dutch Jewish survivors living abroad in North America, Australia, and other countries. The main organization of the 9,000 Dutch Jews estimated to be living in Israel is the Irgun Olei Holland (the Dutch Immigrants' Organization). However, a more representative body was needed to encompass all Dutch bodies in Israel in an effort to deal with war claims. This led in 1997 to the creation of HONI (*Hulp aan Oorlogslachtoffers uit Nederland in Israel*) and, in 1999, to Platform Israel, an umbrella organization grouping the cultural, social, and financial interests of Dutch Jews in Israel. The CJO then invited Avraham Roet, the chairman of Platform Israel, to become an observer at its board meetings and participate in negotiations with Dutch counterparts.

Although a Dutch Holocaust survivor organization exists in the United States, its role in the process is marginal.

The interests of the CJO and Platform Israel, as well as their *modus operandi*, are not totally identical. When in March 2000, the CJO suddenly lowered its financial demands from the government, Platform Israel announced that this did not represent its position. Nor was Platform Israel represented in a final meeting of the CJO with Prime Minister Kok on March 21, 2000.

Kok's Visit to Israel

When Kok visited Israel in April 2000, he initiated a meeting with the Platform Israel board, wherein he was informed that the financial restitution recommended by the Dutch government was insufficient, even if Platform Israel felt it should not undertake any further action in the matter. Platform Israel representatives also stressed that the Dutch government should have shown more understanding for the situation of the Jews in the document presented to parliament and should not have included other restitution issues in it.

In a meeting organized by the Dutch embassy a few days after Kok's visit, former Israeli diplomat Yaakov Yannai said: "It is regrettable that Prime Minister Kok is not willing to speak clear language in the same dignified way as did President Chirac, Prime Minister Jospin, and the prime ministers of Sweden and Norway. Mr. Kok, your government has not been a party to the injustice we underwent, but as the successor of previous governments and authorities you have indirect co-responsibility for it. That is all we want to hear from you."⁸⁶

The Dutch Jews in Israel are less influenced by the Dutch government than is the CJO, which enables them to take a more independent position. While other Platform Israel leaders have restrained themselves from publicly criticizing the CJO, Platform Israel vice-chairman Philip Staal told a Dutch newspaper that the CJO regrettably was composed of volunteers who were no match for the experts of the banks, the insurers, and the government.⁸⁷

One independent initiative undertaken by Platform Israel concerned the major Dutch bank ABN-AMRO. When it was reported in the Israeli press that the bank was considering opening a branch in Israel, the organization asked the Bank of Israel not to grant permission until Holocaust restitution matters had been settled in a satisfactory way.

Platform Israel chairman Roet was also instrumental in finding a formula which permitted the Dutch Association of Insurers to join the Eagleburger Commission, after earlier efforts, including those by Dutch government officials, had not been conclusive.

What Did the CJO Accomplish?

The role of the CJO in the Holocaust assets controversy has covered a number of areas.⁸⁸ Its first step was to convince the government that the assignment of the van Kemenade Commission

— initially limited to research on the monetary gold looted during the war and sent to Switzerland — be extended to investigate what could still be found of looted Jewish property.

The CJO also played an important role in reacting to some of the documents issued by the various commissions of inquiry. It published its reaction to the final report of the Kordes Commission and the interim report of the Scholten Commission in February 1999, calling the Scholten report “extremely thin.”⁸⁹

In May 1999, the Dutch parliament accepted the CJO’s criticism of the Scholten report, which was described as “cold,” “not very clear,” and “difficult to control.” The parliament asked the Minister of Finance to reestablish the contact between the Scholten Commission and the CJO in order to weigh seriously the CJO’s criticism and to involve the organization in its research.⁹⁰

In November 1999, the CJO reached an agreement with the Dutch Association of Insurers⁹¹ on behalf of all Dutch Jews, with a payment of 50 million guilders agreed upon. As a direct result of the criticism voiced by the WJC, CJO representatives traveled with the director of the insurers’ association to the United States to defend the agreement and explain it to Jewish organizations in that country. This step was criticized in private by the WJC which opposed having the CJO act as a lobbyist on behalf of the insurers with American Jewish organizations.

The CJO also initiated negotiations with the NVB, the Bankers’ Association, in July 1999. Besides dealing with money left with the banks themselves, the possibility of returning assets transferred to American banks by Dutch banks at the beginning of the war was also discussed.

Negotiations commenced in February 2000 with the AEX Exchanges, the successor of the Association for Securities Trade, which consistently acted in bad faith toward Jews during the war, and in the immediate postwar years systematically sabotaged restitution efforts. The initial offer by AEX Exchanges of eight million guilders was only a tiny fraction of what the representatives of the Dutch Jews are claiming.

After Dutch Prime Minister Kok’s disappointing speech at the Stockholm Holocaust Conference, CJO board member Ronny Naf-taniel requested that he issue an apology on behalf of the Dutch government for the injustices done to Jewish Holocaust victims by the democratic postwar Dutch governments. When this apology was made two days later, the CJO expressed satisfaction, ignoring the fact that Kok’s statement contained a serious new fallacy: the claim that the government’s postwar failures were “unintentional.” When asked about this, a CJO board member replied that

it was not so important what Kok apologized for, as long as he apologized.

After the van Kemenade report was published, the CJO expressed its dissatisfaction, mainly with the financial recommendations. It then commissioned an independent auditor's report which showed that the amount to be claimed from the Dutch government should be much higher. However, in subsequent negotiations with the Dutch government, the CJO agreed to a figure much below the lower limit indicated in that analysis. CJO representatives indicated that they wished to conclude the negotiations rapidly in order not to let the survivors wait any longer for their money.

The CJO attaches importance to the fact that, at its insistence, the Dutch government has abandoned the use of the term "gesture," which the commissions of inquiry had recommended. The money paid is now seen as "moral recognition."

The CJO had also insisted that the Jewish community itself should determine to whom the money should be distributed, in contrast to the initial government position that a public body should deal with this. It was argued that since the money belonged to the Jews, it was a matter of Jewish pride to be in charge of its distribution. However, this may create substantial problems when deciding on the criteria as to which individuals are entitled to the funds. Possible delays in the distribution may lead to attacks on the CJO. Thus, it is questionable whether the CJO policy is a wise step.

The Asymmetry of Power

For many reasons, the CJO has found itself in an inferior position in its confrontation with the Dutch government. After the war, the traumatized and impoverished remnants of Dutch Jewry were in neither a political nor a psychological position to carry out tough negotiations for reparations, nor to fight the distortions of history which characterized the postwar period. Many of the survivors were ill, and most had to start from scratch to build an economic existence. The Jewish organizations only partially represented the survivors, as many no longer wanted to identify with the community and did not want to be registered anywhere as Jewish.

It is also difficult for Dutch Jewish leaders to take a strong position against the Dutch government and the society in which they live. Community leaders often say in private: "After this negotiation, I have to continue to live in The Netherlands" or "I

have to think of the future of my children.” One community leader said he feared that if the Dutch Jews took a strong position against the government, it might retaliate by forbidding ritual slaughter.

Several Dutch Jews asked Israeli friends to moderate criticism of the Dutch government, fearing that it might lead to anti-Semitism. Others, however, commented that it was good that the spokesmen of the Dutch Jews in Israel were willing to say what the Jewish leaders in The Netherlands dared not say.

Two Dutch journalists from VPRO Television were permitted by the CJO to film various meetings of the organization, on condition that the film would only be shown after the parliamentary debate on April 18, 2000. However, the documentary was broadcast on April 10. In the program, CJO’s financial adviser Chris van Gent suggested that more professional negotiators than the CJO board might have been able to obtain a payment from the government as much as 50 percent higher. Although several Dutch Jewish leaders privately considered the government payment far too low, the journalists searched in vain for someone in The Netherlands willing to argue this in detail on television.

The CJO’s handicap in the negotiations with the Dutch government was particularly severe because the interests of the Jewish people and the Dutch Jewish community are far removed from what the Dutch government intended to achieve.

The CJO should have insisted that the Dutch government recognize its own legal co-responsibility for the fate of the Jews it could not protect during the war. In addition, the Dutch government should admit its moral responsibility for its failures during the war with respect to the Jewish people. Thirdly, the CJO should aim for a detailed investigation of whether the postwar restitution laws were fair toward the Jews, a sector of the population which had suffered infinitely more than the average Dutchman. Fourthly, attention should be drawn in detail to the immoral application of the unfair laws.⁹² After stating these claims, it would then have been appropriate to state the financial claims.

The moral issues were a minor part of the CJO’s agenda for the negotiations and were hardly mentioned in its communiqués. The CJO’s main *de facto* aim in the negotiations seems to have been to obtain more money from the government than was recommended by the van Kemenade Commission without risking a serious confrontation. This opinion was confirmed by van Gent in the aforementioned television documentary. The role of the CJO raises fundamental questions about the position and self-image of Jews in The Netherlands.

Digging deeper, one finds that, despite the fact that many Dutch Jews live a materially comfortable life in The Netherlands, the view of a substantial number of them of Dutch society tends not to be very positive. So, for instance, in 1978, Mau Kopuit, editor of the Dutch Jewish weekly *NIW* — in reaction to the publication of the part dealing with the persecution of Jews of *Het Koninkrijk der Nederlanden in de Tweede Wereldoorlog*, the *magnum opus* of historian Lou De Jong on The Netherlands' war history — expressed doubts about the usefulness of describing the cruelties the Jews had suffered: on the one hand, it was impossible for the survivors and their descendants to ever forget; on the other, such descriptions might give other Dutchmen evil ideas.⁹³

The Nature of Dutch Society

After the van Kemenade report was published in January 2000, some newspaper reports suggested that the recommended figure of 250 million guilders was chosen because the commission members estimated that this was what Dutch society would consider “socially acceptable.” They were afraid that any higher amount might rekindle anti-Semitism.⁹⁴

Former Dutch Ambassador to Israel Como van Hellenberg Hubar told a Dutch Jewish paper that he was aware that many Dutch Jews did not come to Israel out of Zionist motives but because they did not feel at ease in The Netherlands. He suggested, however, that one should not destroy the myth of the “good Dutchman.”

The myth of the “good Dutchman” can have a positive effect. A myth can serve as an ideal, an example which one has to match. The positive norm which this myth contains is part of the norms and values of The Netherlands. If one attacks the myth, then the danger exists that the norm, in this case tolerance, is also affected. Tolerance in itself is not something obvious, but a result of the conscious choice to give space to others. One has to work on this. In this context, the destruction of the myth could be problematic.⁹⁵

Holocaust psychologist Schellekes views the same issue differently:

In a way, an ambassador is a P.R. man for his country and its people. He gets paid to show their most wonderful side. He has to show that his country is beautiful, thus he does not want the image of his country to be destroyed. From an educational point of view,

though, it is much better to tell Dutch children that there is a choice between good and evil, while the collective is neither good nor evil. There were people who felt the need to risk their lives and others did the opposite. The collective myth of the good Dutchmen is only an educational hindrance.⁹⁶

The Jewish Members of the Commissions of Inquiry

Both the Kordes and the van Kemenade Commissions had Jewish members, one and three, respectively. They had gone along with recommendations of the commissions which were severely criticized by the CJO. These included the opinion of the Kordes Commission that it was correct to levy heavy inheritance taxes on Jews; or the opinion of the van Kemenade Commission to make a “gesture” of only 250 million guilders to the Dutch Jewish community.

On several occasions, van Kemenade himself stressed that the decisions in his report were reached unanimously, meaning that the Jewish representatives on the commission had agreed with what had been written. In this way they served, as one Dutch Jewish observer commented, “as a Jewish flag on a doubtful Dutch boat,” serving as a fig-leaf for the non-Jewish members of the commission and the government.

They neither resigned nor presented a minority report along the lines of the one presented in Norway by Berit Reisel and Bjarte Bruland, members (by recommendation of the Jewish community) of the committee investigating the theft of the property of Norwegian Jews.⁹⁷ The Norwegian government eventually accepted the minority report instead of that of the committee’s majority.

The End of the Negotiations

In the weeks before the Dutch government presented its recommendations to parliament, several meetings took place between the government and the CJO. The government had initially mentioned that it would accept the recommendation of the van Kemenade Commission, which included a payment of 250 million guilders to the Dutch Jewish community. By March 2000, the offer had been raised to 350 million guilders, to which another 50 million guilders for international humanitarian aid was added.

The CJO stated that it had decided to distribute these 50 million guilders to humanitarian projects abroad, explaining that the Dutch Jewish community wanted to show "its solidarity with Jews and non-Jews abroad who suffer the consequences of war and controversy."⁹⁸ By inviting the World Jewish Congress to advise on this, the CJO sought to avoid WJC opposition.

When the CJO agreed to the government's proposal, the government had achieved most of its strategic aims. It now could move to the one issue still unresolved: describing the issue in a way which was not too damaging to the Dutch image. This was what the government did in the document it sent to parliament.

The Concluding Document

The government's concluding document sent to parliament contains a number of distortions and euphemisms which deserve analysis. While partly admitting what happened, an effort is still being made to sanitize history. The document says, for example: "The hardships of the war caused much distress, which continues to this today. The people of the Netherlands as a whole were affected, some groups disproportionately so."⁹⁹

"Looking back from today's perspective, with the knowledge now available, the government fully acknowledges that the procedures adopted were excessively formal, bureaucratic, and, above all, unfeeling."¹⁰⁰

In contrast, Israeli journalist Itamar Levine, who has specialized in the field of Holocaust assets, told a Dutch journal: "The Netherlands has a dark, ambiguous relationship to the destruction of the Jews. Contrary to generally accepted views...the truth is that many Dutch citizens profited from the looting of their Jewish neighbors....The few Jews who returned to The Netherlands had to fight to get their possessions back. The latter remained with profiteers, collaborators, and the government itself."¹⁰¹

The Dutch government had also combined the restitution of Jewish assets in postwar Netherlands with those of Dutch colonists in the former Dutch East Indies (now Indonesia). Joel Fishman, a contemporary Israeli historian who has published on postwar Dutch history, notes that it is possible to identify the clear but unstated agenda of the Dutch government by a deceptively simple choice of terminology and definition of the problem. Through a process of "relativism," Jewish claims have been grouped with those of the colonists who indeed suffered, but on an incomparably different scale. By doing so, the government has

minimized and denied the fact that Dutch Jewry was targeted in a totally different manner.¹⁰²

This type of formulation closely parallels the slogan of the Dutch government in exile and of the immediate postwar years, that “Jews are Dutchmen just like all other Dutchmen,” a form of denial of responsibility whose inhumane results Presser thoroughly analyzed in the epilogue to his wartime history of Dutch Jewry.¹⁰³

Fishman also observed: “By examining the choice of terminology and definition of the issue, it is possible to see how, at an official level, governmental civil servants planned to limit discussion and prejudge the outcome of the public debate. A similar policy may be identified in the government’s treatment of the Jewish war orphans in the immediate postwar years. It created the term, the ‘War Foster Children’ — *Oorlogspleegkinderen* — obfuscating the identity of the overwhelming majority of these children, who were simply Jewish orphans.”¹⁰⁴

Fishman further states: “Once, it was the policy of countries of the East Bloc formerly ruled by Communist regimes to dedicate memorial inscriptions on mass graves of Jews to ‘The Victims of Fascism,’ denying the identity of those who perished and their martyrdom.”¹⁰⁵ The cases described above have much in common.¹⁰⁶

The Future

There are many reasons why the Dutch Holocaust assets issue and related matters will not disappear from the agenda. A significant number of Dutch Jews in Israel are outraged at the way official bodies in The Netherlands are distorting the past.

Other events will also keep these issues on the agenda. The Ekkart Commission, which deals with the origins of stolen art in state possession, is expected to report in 2002, while the SOTO report on the postwar treatment of returnees is due in 2001.

According to Lipschits, “SOTO has very close connections with NIOD (Netherlands Institute for War Documentation). The NIOD director, Blom, is a member of the board and plays a key role in SOTO research. If NIOD already says that the Dutch authorities treated the return of Jewish properties ‘reasonably correctly,’ then I do not have much confidence in the results of SOTO’s research.”¹⁰⁷

Another future event will be the “digital monument” for Dutch Jews (*Digitaal Monument Joodse Gemeenschap in Nederland*) in

which the life of all Dutch Jews before their deportation will be reconstructed. This project, to be financed by the Association of Insurers, will be headed by Lipschits, who raised the idea.¹⁰⁸

Many issues are still open. Money obtained will have to be distributed. An initial proposal to carry out a referendum among survivors and perhaps their descendants on how to divide the funds has been abandoned. It was meant to clarify whether the money should be distributed to individuals, Dutch Jewish institutions, or a fund for international humanitarian needs. It has now become clear that most of the money will be distributed among survivors or, in case of their death, to their children.¹⁰⁹

Several financial issues remain to be investigated. After the war, through accumulated inheritance rights, the Dutch state expropriated important parts of the estates of murdered Jews. The Dutch inheritance laws were meant for a society in which generations die normally and slowly, and the average difference between deaths of parents and children is perhaps 25 years. They were not adequate for the unprecedented situation in which 75 percent of a single community were murdered within two years. After the war, however, the Dutch government acted as if this was the case, rather than choosing a single date of death for all murdered Dutch Jews — which would have meant that inheritance taxes would have been applied to each estate only once rather than a number of times. After this, little remained of many inheritances.

Lipschits has pointed out that the researchers of the van Kemenade Commission neglected two major archives, that of JOKOS, a Jewish institution dealing with restitution matters, and the Omnia archive which contains information on Jewish businesses expropriated during the war.¹¹⁰

Others issues to be investigated concern the behavior of the Central Bank (*De Nederlandse Bank*), patents and authors' rights, and funds in the hands of notaries. Finally, in the Dutch government's restitution negotiations with Germany in the 1960s, the then-West German government paid only 80 percent of what was due, because the remainder was the responsibility of East Germany. Now that Germany is united, there is a further outstanding claim for the remaining 20 percent.

The present Holocaust assets controversy is a major event in the history of Dutch Jewry and, indeed, world Jewry and one that will have an important impact on similar issues being raised throughout the countries of Europe.

Notes

1. Government of The Netherlands. *Regeringsreactie naar aanleiding van de rapporten Tegoeden Tweede Wereldoorlog*, March 21, 2000 (Dutch).
2. This is a literal translation from the official Dutch text; the English version uses the word "bad," which does not reflect the Dutch properly.
3. Government of The Netherlands, *op. cit.*
4. Interview with Gidon Remez, *Israel Radio Network B*, April 3, 2000.
5. The Central Jewish Council.
6. CJO, press release as contained in CIDI Israel *Nieuwsbrief*, March 22, 2000 (Dutch).
7. Interview with Gidon Remez, *Israel Radio Network B*, April 3, 2000.
8. An overview of the prewar economic position of the Jewish population in Nazi-occupied countries is given in Paul A. Volcker, *Report on Dormant Accounts of Victims of Nazi Persecution in Swiss Banks*, Independent Association of Eminent Persons, December 1999.
9. Personal communication, Hans Vuijsje, Director JMW.
10. Richard Z. Chesnoff, *Pack of Thieves: How Hitler and Europe Plundered the Jews and Committed the Greatest Theft in History* (New York: Random House, 1999).
11. Personal communication. The Dutch community in Israel was the first to provide psychosocial help to its survivors and their children, and Dutch psychologists and psychiatrists have played a pioneering role in this field
12. *Ibid.*
13. Personal communication
14. Bruce F. Pauley, *From Prejudice to Persecution: A History of Austrian Anti-Semitism* (Chapel Hill: University of North Carolina Press, 1992).
15. Itamar Levine, *The Fate of Stolen Jewish Properties: The Cases of Austria and the Netherlands*, Policy Study No. 8 (Jerusalem: Institute of the World Jewish Congress, 1997).
16. *Jerusalem Post*. April 7, 2000.
17. See, for instance, Gerard Aalders and Cees Wiebes, *Zaken Doen: Tot Elke Prijs* (Amsterdam: SDU, 1990) (Dutch).
18. For a survey on Holocaust denial, see Deborah E. Lipstadt, *Denying the Holocaust: The Growing Assault on Truth and Memory* (New York: Free Press, 1993).
19. Mark Aarons and John Loftus, *Unholy Trinity: The Vatican, the Nazis, and the Swiss Banks* (New York: St. Martin's Griffin, 1998).
20. Personal communication.

21. Manfred Gerstenfeld, "Yachas haHollandim l'Yihudim b'Shoah ulAchareha: Haemet Vehamitos," *Nativ*, 1/2000, pp. 57-65 (Hebrew).
22. See Manfred Gerstenfeld, "Investigating Much, Paying Little: The Dutch Government and the Holocaust Assets Inquiries," *Jerusalem Letter*, No. 424, February 15, 2000.
23. Commissie van Kemenade, *Tweede Wereldoorlog: Roof en Rechtsherstel. Eindrapport van de Contactgroep Tegoeden WO II*, (Amsterdam: January 27, 2000 (Dutch).
24. For the extent of Dutch collaboration, see Gerhard Hirschfeld, *Bezetting en collaboratie* (Haarlem: Becht, 1991) (Dutch).
25. See Manfred Gerstenfeld, "Wartime and Postwar Dutch Attitudes Toward the Jews: Myth and Truth," *Jerusalem Letter*, No. 412, August 15, 1999.
26. See Dienke Hondius, *Terugkeer*, rev. ed. (The Hague: Sdu, 1998), and Michal Citroen, *U Wordt Door Niemand Verwacht* (Utrecht: Spectrum, 1999) (Dutch).
27. Nanda Van der Zee, *Om Erger Te Voorkomen* (Amsterdam: Meulenhoff, 1997), pp. 194 (Dutch).
28. Sytze Van der Zee, *Voor Fuehrer, Volk en Vaderland: De SS in Nederland* (Alphen a/d Rijn: Sythoff, 1997), pp. 56-57 (Dutch).
29. Government of The Netherlands, see note 1.
30. Letter of A.W.B.M. Hendriks, Director of Legislation, Government and Judicial Affairs, on behalf of the Minister of Finance, to Prof. E. Landsberg, September 29, 1999, private communication (Dutch).
31. Avi Beker, "Shlach et Ami: HaMa'avak Lema'an Yehudei Brit-haMo'atzot beMabat le'Achor," *Gesher*, vol. 44, no. 137 (Summer 1998):82-98 (Hebrew), based on Petrus Buwalda, *They Did Not Dwell Alone: Jewish Emigration from the Soviet Union, 1967-1990* (Washington, D.C.: Woodrow Wilson Center Press, Johns Hopkins University Press, 1997), p. 23.
32. Personal communication from I. Lipschits based on data from the archive of the *Joodsche Raad* (Jewish Council).
33. See, for instance, Volcker, *op. cit.*, Appendix 5, pp. A 152ff, which arrives at an estimate of 1.75 billion guilders in values on the eve of the war.
34. See Commissie van Kemenade, *op. cit.*, p. 93.
35. *Ibid.*, p. 90.
36. See, for instance, Gerard Aalders, *Roof* (The Hague: Sdu, 1999) (Dutch).
37. *Algemeen Dagblad*, June 2, 2000 (Dutch).
38. See Hondius and Citroen, *op. cit.*
39. *Ibid.*
40. Bob Moore, *Victims and Survivors: The Nazi Persecution of the Jews in The Netherlands 1940-1945* (St. Martin's Press, 1997), p. 250.
41. Hondius, *op. cit.*, chapter 6.
42. *Ibid.*, p. 181.

43. The relevant archive has disappeared and has been misappropriated by one of the commission members. See Joel Fishman, *NIW*, July 8, 1994 (Dutch).
44. RIOD, Doc II-592 A (*Oorlogspleegkinderen*) 12: Proposal of a law with provisions concerning the war orphans (No. E 1/44). As quoted in Chaya Brasz, *Removing the Yellow Badge: The Struggle for a Jewish Community in the Postwar Netherlands, 1944-1955* (Jerusalem: Institute for Research on Dutch Jewry/Ben-Zion Dinur Institute for Research on Jewish History, Hebrew University of Jerusalem, 1995), p. 65.
45. On this subject, see Joel S. Fishman, "The War Orphan Controversy in The Netherlands: Majority-Minority Relations," in Jozeph Michman, ed., *Dutch Jewish History: Proceedings of the Symposium on the History of the Jews in the Netherlands*, November 28-December 3, 1982 (Jerusalem: Tel Aviv University/Hebrew University of Jerusalem/Institute for Research on Dutch Jewry, 1984), pp. 421-432. On the same subject, see Elma Verhey, *Om het Joodse Kind* (Amsterdam: Nijgh and Van Ditmar, 1991) (Dutch).
46. Joel Fishman, interview with Rabbi A. Schuster, May 6, 1974 (unpublished private communication).
47. Ido de Haan, *Na de Ondergang: de herinnering aan de Jodenvervolgving in Nederland 1945-1995* (Den Haag: Sdu Uitgevers, 1997), p. 116 (Dutch).
48. Commissie Scholten, *Tweede Wereldoorlog: Roof en Rechtsherstel. Eindrapport van de Begeleidingscommissie onderzoek financiële tegoeden WO-II in Nederland*. Leiden, December 15, 1999 (Dutch).
49. Brasz, *op. cit.*, p. 67.
50. Aalders, *Roof, op. cit.*
51. *NRC Handelsblad*, November 25, 1998 (Dutch).
52. See Gerstenfeld, *Jerusalem Letter*, No. 424, *op. cit.*
53. Jozeph Michman (personal communication).
54. *Ibid.*
55. Commissie van Kemenade, Final Report, *op. cit.*, p. 87.
56. Lipschits detailed some elements in his book *100 Years of the Dutch Jewish Weekly, NIW* (Amsterdam: Polak & Van Gennep, 1966), and in *Tzedaka; Een Halve Eeuw Joods Maatschappelijk Werk in Nederland* (Zutphen: Walburg Pers, 1997) (Dutch).
57. See Gerstenfeld, *Jerusalem Letter*, No. 412, *op. cit.*
58. Commissie Kordes, *Tweede Wereldoorlog: Roof en Rechtsherstel. Archieven Tastbare goederen Claims*. Second Report. The Hague, December 9, 1998 (Dutch).
59. Commissie Scholten, *op. cit.*
60. Commissie van Kemenade, *Tweede Wereldoorlog: Roof en Rechtsherstel. Eindrapport van de Contactgroep Tegoeden WO II*. Amsterdam, January 27, 2000 (Dutch).
61. See Gerstenfeld, *Jerusalem Letter*, No. 424, *op. cit.*
62. Commissie Kordes, *op. cit.*, p. 8.
63. *Ibid.*, p. 70.

64. *Liquidatie Vermogensverwaltung Sarphatistraat and Vermogensverwaltung- und Rentenanstalt.*
65. Commissie Kordes, *op. cit.*, p. 25.
66. The Property Administration Institute.
67. *Ibid.*, p. 31.
68. Commissie van Kemenade, draft report, unpublished, p. 71 (Dutch).
69. J. Presser, *Ondergang. De vervolging en verdelging van het Nederlandse Jodendom 1940-1945*. Vol. 2. (Den Haag, Staatsuitgeverij/Martinus Nijhoff, 1965), p. 512 (Dutch).
70. See Commissie Scholten, *Tweede Wereldoorlog: Roof en Rechtsherstel. Eindrapport van de Begeleidingscommissie onderzoek financiële tegoeden WO-II in Nederland*. Final Report. Leiden, December 15, 1999, Part Two (Dutch).
71. Centraal Joods Overleg, *Interim-Reactie Centraal Joods Overleg*. Amsterdam: CJO, 1999 (Dutch).
72. Manfred Gerstenfeld, "What Should Dutch Jews Want and Why?" Lecture at seminar of Platform Israel, Tel Aviv, July 5, 1999.
73. See Commissie van Kemenade, *op. cit.*, Appendix 4, January 12, 2000 (Dutch).
74. The members of this *Adviescollege Restitutie & Verdeling* are: *Het Nederlands Auschwitz Comité, Comité Ex-Nederlandse Vervolgden uit de Bezettingstijd in Californie, Vereniging Belangen Vervolgingslachtoffers (VBV), het Ondergedoken Kind (HOK), Joodse OorlogsKinderen (JOK), Pressiegroep Afwikkeling Joodse Oorlogsclaims (PAJO), Jooze Naoorlogse Generatie (JONAG), and Stichting Wetenschappelijk Onderzoek Onteigend Joods Bezit (SWOOJB).*
75. Respectively, *Vereniging Belangenbehartiging Vervolgingslachtoffers* and *Californische Comité Ex-Nederlandse Vervolgden uit de Bezettingstijd*.
76. Press release, CIDI, *Rechter stelt Centraal Joods Overleg en Verbond van Verzekeraars in het gelijk inzake de overeenkomst oorlogspolissen*, November 11, 1999.
77. *NRC Handelsblad*, April 6, 2000.
78. *NRC Handelsblad*, May 26, 2000.
79. *Reuters*, May 31, 2000.
80. *Financieel Dagblad*, May 30, 2000.
81. *NRC Handelsblad*, May 26, 2000.
82. *NRC Handelsblad* June 16, 2000.
83. *Trouw*, March 28, 2000 (Dutch).
84. *Ibid.*
85. Isaac Lipschits, Lecture for *Verbond Belangenbehartiging Vervolgingslachtoffers*. March 25, 2000.
86. Meeting in Kfar Maccabiah, April 6, 2000.
87. *De Volkskrant*, March 31, 2000 (Dutch).
88. CJO *Nieuws*, vol. 1, no. 1, September 1999, and vol. 1, no. 2, November 1999 (Dutch).
89. CJO, *Interim-Reactie, op. cit.*

90. CJO *Nieuws*, vol. 1, no. 1, *op. cit.*
91. *Het Verbond van Verzekeraars*.
92. See Manfred Gerstenfeld, "After the Commission Reports, What is Next?" Lecture for Platform, Tel Aviv, January 17, 2000 (unpublished). Published in Dutch summary: *Ajalah*, Info 22, February 2000, and available at: <http://www.sisanit.com/ajalah/news>.
93. *NIW*, March 24, 1978, quoted in Conny Kristel, *Geschiedschrijving als Opdracht* (Amsterdam: Meulenhoff, 1998), p. 282 (Dutch).
94. *De Volkskrant*, January 25, 2000 (Dutch).
95. *Joodse Journaal*, Winter 2000, pp. 68-69 (Dutch).
96. Personal Communication.
97. See Berit Reisel and Bjarte Bruland, "Report on the Confiscation of Jewish Property in Norway during World War II," part of *Official Norwegian Report 1997*, June 22, 1997.
98. CJO press release, *op. cit.*
99. Government of The Netherlands, *op. cit.*
100. *Ibid.*
101. *De Volkskrant*, March 31, 2000 (Dutch).
102. Personal communication.
103. Jacques Presser, *op. cit.*
104. This phenomenon was first identified by Joel Fishman, "The War Orphan Controversy in the Netherlands; Majority-Minority Relations," in J. Michman and T. Levie, eds., *Dutch Jewish History* (Jerusalem: Institute for Research on Dutch Jewry, 1984), p. 425.
105. Judith Miller, *One by One by One; Facing the Holocaust* (New York: Simon and Schuster, 1990).
106. See Lipstadt, *op. cit.*, p. 215ff.
107. Interview with I. Lipschits, *De Groene Amsterdammer*, October 14, 1998 (Dutch).
108. *NRC Handelsblad*, January 29, 2000.
109. CJO, press release, *op. cit.*
110. Personal communication.