

## The Cost of Spiritual Resistance: Jehovah's Witnesses During the Nazi Era

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Mr. Chairman Emanuelis Zingeris, Mr. President Valdas Adamkus, Mr. Prime Minister Andrius Kubilius, Mr. President of the Parliamentary Assembly of the Council of Europe Lord Russell-Johnston, Mr. Secretary General of the Council of Europe Walter Schwimmer, Deputy Secretary of the Treasury of the United States Mr. Stuart Eizenstat, honored colleagues, on behalf of the Watch Tower Society and Jehovah's Witness victims of Nazi persecution, I am pleased and deeply honored to address this important gathering. We have observed with interest the energetic efforts by many of you present here in working for a fair and equitable settlement of difficult issues. The progress since the conferences in Washington and London has been remarkable, thanks to your committed work.

This conference marks the first time that Jehovah's Witnesses have been formally invited to participate in discussions regarding losses sustained during the Nazi era. My brief remarks will be a presentation of diminutives. The victim group is small; therefore, in monetary terms their losses were correspondingly small. Scholarly research is scanty, having begun in earnest only in the last few years; therefore, substantive data on looted cultural assets is practically non-existent. Restitution for the victims has been sporadic at best, completely denied at worst (1). In short, little has been done; therefore, there is little to say.

Still, I am grateful to address you on behalf of the victims, to provide an overview of the toll exacted on this small Christian community, and to summarize the current status of restitution of Holocaust-era assets.

The community of Jehovah's Witnesses, or Bibelforscher, in Germany numbered about 25,000 in 1933. Several thousand Witnesses lived in countries later occupied by Nazi forces. As in all countries, Witnesses abstained from political involvement. Nazi persecution of the religious group was swift and severe. The Witnesses were among the first groups targeted by the Hitler government. The demands of the regime were wholly incompatible with the teachings of the Witnesses, whose religious tenets included strong ethical values opposed to Nazi antisemitism and violence. The Witnesses' conspicuous refusal to pay homage to Hitler, to participate in nationalistic and military activities, and to adapt their religious doctrine to the Nazi racial agenda led to severe consequences. Danish journalist Niels Jorgensen, imprisoned in Neuengamme, later wrote of the Witnesses: "Their 'crime' was that it was against their profound religious conviction to bend their knee (or stretch out their arm) to any human ruler." (2)

Witnesses also determinedly continued their religious ministry despite a series of government bans, which were instituted progressively in German states beginning in April 1933. Having firsthand experience with the criminal nature of the regime, Witnesses used their printed underground literature to expose Nazi brutality against their members. The Witnesses' international publications also carried extensive details about Nazi crimes against others, focusing particular and frequent attention on the looting and destruction of the Jewish community. The Gestapo invested considerable resources in an effort to suppress the production and distribution of The Watchtower and other Witness publications. Where underground printing operations were discovered, Nazi authorities seized printing equipment and punished offenders with utmost severity. Those executed for participation in this work included a grandmother who lived near Oberhausen, Germany. She was arrested on June 2, 1944, and beheaded. The vigor with which Nazi authorities pursued Witnesses and seized their property must be said to be in large measure due to their nonviolent resistance, as exemplified in Witness pamphlets.

Persecution increased markedly with the introduction of military conscription, and the Witnesses count among their dead 364 conscientious objectors, 260 of whom were executed following sentencing by military courts. This constitutes, by the way, the largest number of executed conscientious objectors belonging to a single group. This fact also bears heavily on subsequent efforts by surviving members to receive restitution for their losses. I will deal with this in more detail in a moment. Evangelical theologian

Martin Niemöller said of the Witnesses, "And to think that we Christians of today are ashamed of the so-called sect of the Ernste Bibelforscher, who by the hundreds and thousands have gone into concentration camps and died because they refused to serve in war and declined to fire on human beings."(3)

Among the legal measures enacted to penalize individual Witnesses were expulsions from civil service and teaching posts, confiscation of businesses and property, seizure of bank accounts, cessation of pensions and disability insurance, removal of children to reeducation facilities, sterilization, and incarceration(4). Property and assets were seized by authorities and little was recoverable after the war. Ultimately, some 10,000 Witnesses served sentences in camps and prisons. Some 500 children were taken into custody. About 2,500 Witnesses died as a result of torture, maltreatment, or execution.

The Nazi persecution of Jehovah's Witnesses was clearly based on the regime's hostility toward the Witnesses' religious ideology. The Witness victims were mostly ethnic Germans, and at first the Hitler regime hoped they could be rehabilitated; thus, they were not slated for wholesale physical annihilation. This is evident by the remarkable offer of freedom to any incarcerated Witness willing to sign a document renouncing his or her faith and pledging allegiance to the State. No such choice was given to other Nazi victims, especially not to victims of racial persecution. Few Witnesses consented to adopt Nazi ways. Hence, thousands suffered years of imprisonment and abuse and, in the process, lost everything they owned. This was true in occupied lands as well. For instance, in the Netherlands, a directive by the Municipal Police of Emmen stated that once an individual was identified as a Witness, "all possessions, houses, land or any property must be confiscated, in addition to magazines, books and name lists."

Specifically regarding losses of cultural assets, it should be said that the Witness population constituted a relatively young community in Europe with a short history and few material holdings that could be considered museum objects. Witnesses had been active in Germany since about 1902, but more than half the Witnesses in 1933 had only joined the faith during the previous five years.

Worship services were commonly held in rented meeting halls, which were usually simple and unadorned, and the manner of worship did not include ceremonial objects. However, each congregation would have had a collection of sacred books and reference works, and some also kept valuable archives of the religious life and activities of its members. With the community's emphasis on Bible scholarship, individual members also maintained personal libraries of Bibles and study books. Since "witnessing" was a key component of the faith, many congregations or individuals commonly owned printing equipment and substantial inventories of Bible literature for distribution to the public. During raids and house searches, the police and Gestapo routinely confiscated and destroyed all such valuables.

For instance, when the Magdeburg, Germany, office of the Watch Tower Society was seized and closed in late June 1933, 25 tons of literature, then valued at \$750,000, were confiscated and destroyed (5).

No systematic demographic survey has been done to determine the socio-economic composition of the community, the members of which seem to have been drawn from every level of society. Although many personal testimonies of Witness victims have been gathered, assessment of material losses has been made more difficult because their testimonies tend to focus on the spiritual battles they waged to retain their faith and values. Little mention is made of their pre- or post-War economic situation. Witnesses generally accepted their losses as the price paid for maintaining their religious convictions. With the help of donations from fellow members overseas, the victims tended to concentrate on rebuilding their family life and religious community, rather than to pursue the recovery of plundered assets.

A hindering factor in any such efforts was the reluctance of government officials to recognize the victimization of Witnesses, thus offering them little hope of ever recovering lost property.

The situation regarding restitution in individual countries is as follows:

In Austria, about 35 Jehovah's Witnesses have received a single payment out of the National Fund of the Republic of Austria. A few more have applied for and received a small pension. However, many have

found it difficult to obtain official recognition as victims of the Nazi regime. There have been special difficulties in the case of men who were executed for refusing to perform military service. Surviving relatives were initially denied compensation. Witnesses who were sent to asylums and Nazi reeducation facilities as children still find it difficult to receive any compensation.

In Belgium and France, a few Witnesses have received small payments. In the Czech Republic, Hungary, Luxembourg, Russia, and Ukraine, no known compensation has been received by victims. In Poland and Slovakia, a few dozen Witnesses received a small amount from the Swiss Fund for Needy Victims of the Holocaust. In Norway and the Netherlands, partial compensation was received by the national offices of Jehovah's Witnesses for confiscated property.

In Germany the Federal Law for Compensation recognizes Jehovah's Witnesses as a so-called group of persecution. Paragraph 1 of this law grants claims to all who were persecuted because of "reasons of religion."

However, a problem exists with regard to Witnesses who suffered as conscientious objectors. German law does not consider Jehovah's Witnesses who were conscientious objectors because of religious conviction as being entitled to compensation, nor does the German Federal Court regard the subsequent persecution of these individuals as persecution "due to reasons of religion." The court has reasoned that it was not their religious conviction that motivated Nazi courts to punish them but their denial to "perform the legally required military service." Therefore, the court has concluded that "a specific National Socialistic act of injustice" could not be established(6).

The German Democratic Republic (GDR) originally recognized Jehovah's Witnesses as "victims of Fascism" and "persons persecuted by the Nazi regime". However, in 1949 steps were taken to strip the Witnesses of this status because of their position of Christian neutrality toward the Communist government. The decision rendered on February 1, 1949 stated that:

"The status of Victim of Fascism must be awarded only on the basis of political activity and exemplary execution of vocational assignments. It cannot be expected today that special privileges are granted only because a person was persecuted during the Nazi period due to just any religious or political reason."

As a result, all qualifying Witnesses in the GDR lost their rights to compensation from 1949 to 1989, resulting in a lifelong economic loss to an estimated 6,000 persons(7).

On the positive side, Jehovah's Witnesses have been identified as one of the class categories in the Swiss Banks Settlement Agreement and many will also qualify for payments by the Foundation for Remembrance, Responsibility and the Future. The losses of the small community of Jehovah's Witnesses pale beside the inestimable and tragic losses of the Jewish community, as well as other targeted peoples. Material losses notwithstanding, the surviving Witnesses would count it among their greatest losses if the blood of their brethren, as well as their own sufferings for the sake of their God and their religious values, would go unrecognized in the record of history. I am therefore gratified to represent them here today.

(1) A special dilemma has been encountered by at least one Jewish survivor from Lwow who became one of Jehovah's Witnesses after her incarceration. She suffers severe health problems from maltreatment in Auschwitz-Birkenau and Bergen-Belsen. Her application to the Claims Conference was refused because, as stated in their letter dated Frankfurt, 26.08.99, "The financial means that the Claims Conference administrates are meant for Holocaust survivors who were Jewish at the time of persecution and are still Jewish now [emphasis in original]." This reply caused the survivor acute distress and has discouraged her from further efforts to apply for financial assistance.

(2) Jorgensen, Niels. Paa det tyske Slavemarked (Copenhagen, 1945), pp. 157-158.

(3) Niemöller, Martin. Of Guilt and Hope (New York: Philosophical Library [no date]), p. 58.

(4) Of German Witnesses, 1,687 lost jobs, 284 lost businesses, 457 had trade licenses revoked, and 826

were denied pensions.

(5) "The Society has sustained a great material loss, its name has been injured and besmirched by the action of the German authorities, thousands of books belonging to the Society, valued at about \$750,000, were burnt and destroyed without justification and without warning." (The Golden Age, April 25, 1934, p. 455)

(6) Commenting on Germany's restitution to non-Jewish victims of Nazi persecution, Special Master Judah Gribetz commented: "Persecuted Jehovah's Witnesses and Roma have been eligible for compensation virtually from the inception of these programs, such as Germany's BEG promulgated in the 1950s. . . . Nevertheless, compensation to the Roma, Jehovah's Witnesses, disabled and homosexual victims of the Nazis generally has been more limited in scope and beset by difficulties, including continuing prejudice and mischaracterization of the victims." (In Re Holocaust Victims Assets Litigation [Swiss Banks] Special Master's Proposal, September 11, 2000, p. 139ff.)

(7) Information for this summary is largely based on "Spiritual Resistance and Its Costs for a Christian Minority-A Documentary Report of Jehovah's Witnesses Under Nazism 1933-1945," October 1999, submitted to Special Master Judah Gribetz as background documentation on the history of Jehovah's Witnesses.