

# The United States and the Holocaust

During World War II, rescue of Jews and others targeted by Nazi Germany was not a priority for the United States government. Nor was it always clear to Allied policymakers how they could pursue large-scale rescue actions in Europe.

## IMMIGRATION TO THE UNITED STATES IN THE ERA OF THE HOLOCAUST

US State Department policies made it very difficult for refugees to obtain entry visas. Despite the ongoing persecution of Jews in Germany, the State Department's attitude was influenced by the economic hardships of the Depression, which intensified grassroots antisemitism, isolationism, and xenophobia. The number of entry visas was further limited by the Department's inflexible application of a restrictive Immigration Law passed by the US Congress in 1924. Beginning in 1940, the United States further limited immigration by ordering American consuls abroad to delay visa approvals on national security grounds.

Nevertheless in 1939 and 1940, slightly more than half of all immigrants to the United States were Jewish, most of them refugees from Europe. In 1941, 45% of all immigrants to the United States were Jewish. After the United States entered the war in December 1941, the trickle of immigration virtually dried up, just at the time that the Nazi regime began systematically to murder the Jews of Europe. Despite many obstacles, however, more than 200,000 Jews found refuge in the United States from 1933 to 1945, most of them before the end of 1941.

## US STATE DEPARTMENT RESPONSE TO NEWS OF THE "FINAL SOLUTION"

In August 1942, the State Department received a report sent by Gerhart Riegner, the Geneva-based representative of the World Jewish Congress (WJC). The report revealed that the Germans were implementing a policy to physically annihilate the Jews of Europe. Department officials declined to pass on the report to its intended recipient, American Jewish leader Stephen Wise, who was President of the World Jewish Congress.

Despite the State Department's delay in publicizing the mass murder, that same month Wise received the report via British channels. He sought permission from the State Department to make its contents public. Undersecretary of State Sumner Welles asked Wise not to publicize the information until the State Department confirmed it. Wise agreed and after three months the State Department notified him that its sources had confirmation. On November 24, 1942, Wise held a press conference to announce that Nazi Germany was implementing a policy to annihilate the European Jews. A few weeks later, on December 17, the United States, Great Britain, and ten other Allied governments issued a declaration denouncing Nazi Germany's intention to murder the Jews of Europe. The declaration warned Nazi Germany that it would be held responsible for these crimes.

## US PRESS COVERAGE OF THE "FINAL SOLUTION"

During the era of the Holocaust, the American press did not always publicize reports of Nazi atrocities in full or with



Poster (issued by the Jewish War Veterans of the United States) calling for a boycott of German goods. New York, United States, between 1937 and 1939.

— Jewish War Veterans Museum

prominent placement. For example, the *New York Times*, the nation's leading newspaper, generally deemphasized the murder of the Jews in its news coverage. The US press had reported on Nazi violence against Jews in Germany as early as 1933. It covered extensively the Nuremberg Laws of 1935 and the expanded German antisemitic legislation of 1938 and 1939. The nationwide state-sponsored violence of November 9-10, 1938, known as *Kristallnacht* (Night of Crystal), made front page news in dailies across the US as did Hitler's infamous prediction, expressed to the *Reichstag* (German parliament) on January 30, 1939, that a new world war would mean the annihilation of the Jewish "race."

As the magnitude of anti-Jewish violence increased in 1939-1941, many American newspapers ran descriptions of German shooting operations, first in Poland and later after the invasion of the Soviet Union. The ethnic identity of the victims was not always made clear. Some reports described German mass murder operations with the word "extermination." As early as July 2, 1942, the *New York Times* reported on the operations of the killing center in Chełmno, based on sources from the Polish underground. The article, however, appeared on page six of the newspaper. Although the *New York Times* covered the December 1942 statement of the Allies condemning the mass murder of European Jews on its front page, it placed coverage of the more specific information released by Wise on page ten, significantly minimizing its importance.

# What is Genocide?

## THE TERM "GENOCIDE"

The term "genocide" did not exist before 1944. It is a very specific term, referring to violent crimes committed against groups with the intent to destroy the existence of the group. Human rights, as laid out in the US Bill of Rights or the 1948 United Nations Universal Declaration of Human Rights, concern the rights of individuals.

In 1944, a Polish-Jewish lawyer named Raphael Lemkin (1900-1959) sought to describe Nazi policies of systematic murder, including the destruction of the European Jews. He formed the word "genocide" by combining *geno-*, from the Greek word for race or tribe, with *-cide*, derived from the Latin word for killing. In proposing this new term, Lemkin had in mind "a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves." The next year, the International Military Tribunal held at Nuremberg, Germany, charged top Nazis with "crimes against humanity." The word "genocide" was included in the indictment, but as a descriptive, not legal, term.

## THE CRIME OF GENOCIDE

On December 9, 1948, in the shadow of the Holocaust and in no small part due to the tireless efforts of Lemkin himself, the United Nations approved the Convention on the Prevention and Punishment of the Crime of Genocide. This convention establishes "genocide" as an international crime, which signatory nations "undertake to prevent and punish." It defines genocide as:

*[G]enocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

- (a) Killing members of the group;*
- (b) Causing serious bodily or mental harm to members of the group;*
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- (d) Imposing measures intended to prevent births within the group;*
- (e) Forcibly transferring children of the group to another group.*

While many cases of group-targeted violence have occurred throughout history and even since the Convention came into effect, the legal and international development of the term is concentrated into two distinct historical periods: the time from the coining of the term until its acceptance as international law (1944-1948) and the time of its activation with the establishment of international criminal tribunals to prosecute the crime of genocide (1991-1998). Preventing genocide, the other major obligation of the convention, remains a challenge that nations and individuals continue to face.



Professor Raphael Lemkin, left, and Ricardo Alfaro of Panama (chairman of the Assembly's Legal Committee) in conversation before the plenary meeting of the General Assembly at which the Convention on the Prevention and Punishment of Genocide was approved.

— *United Nations Archives and Records Management Section*

# The Aftermath of the Holocaust

In 1945, when Anglo-American and Soviet troops entered the concentration camps, they discovered piles of corpses, bones, and human ashes—testimony to Nazi mass murder. Soldiers also found thousands of survivors—Jews and non-Jews—suffering from starvation and disease. For survivors, the prospect of rebuilding their lives was daunting.

After liberation, many Jewish survivors feared to return to their former homes because of the antisemitism (hatred of Jews) that persisted in parts of Europe and the trauma they had suffered. Some who returned home feared for their lives. In postwar Poland, for example, there were a number of pogroms (violent anti-Jewish riots). The largest of these occurred in the town of Kielce in 1946 when Polish rioters killed at least 42 Jews and beat many others.

With few possibilities for emigration, tens of thousands of homeless Holocaust survivors migrated westward to other European territories liberated by the western Allies. There they were housed in hundreds of refugee centers and displaced persons (DP) camps such as Bergen-Belsen in Germany. The United Nations Relief and Rehabilitation Administration (UNRRA) and the occupying armies of the United States, Great Britain, and France administered these camps.

A considerable number and variety of Jewish agencies worked to assist the Jewish displaced persons. The American Jewish Joint Distribution Committee provided Holocaust survivors with food and clothing, while the Organization for Rehabilitation through Training (ORT) offered vocational training. Refugees also formed their own organizations, and many labored for the establishment of an independent Jewish state in Palestine.

The largest survivor organization, Sh'erit ha-Pletah (Hebrew for "surviving remnant"), pressed for greater emigration opportunities. Yet opportunities for legal immigration to the United States above the existing quota restrictions were still limited. The British restricted immigration to Palestine. Many borders in Europe were also closed to these homeless people.

The Jewish Brigade Group (a Palestinian Jewish unit of the British army) was formed in late 1944. Together with former partisan fighters displaced in central Europe, the Jewish Brigade Group created the Brithah (Hebrew for "flight" or "escape"), an organization that aimed to facilitate the exodus of Jewish refugees from Europe to Palestine. Jews already living in Palestine organized "illegal" immigration by ship (also known as *Aliyah Bet*). British authorities intercepted and turned back most of these vessels, however. In 1947 the British forced the ship *Exodus 1947*, carrying 4,500 Holocaust survivors headed for Palestine, to return to Germany. In most cases, the British detained Jewish refugees denied entry into Palestine in detention camps on the Mediterranean island of Cyprus.

With the establishment of the State of Israel in May 1948, Jewish displaced persons and refugees began streaming into the new sovereign state. Possibly as many as 170,000 Jewish displaced persons and refugees had immigrated to Israel by 1953.



Soon after liberation, surviving children of the Auschwitz camp walk out of the children's barracks. Poland, after January 27, 1945.

— US Holocaust Memorial Museum, courtesy of Lydia Chagoll

In December 1945, President Harry Truman issued a directive that loosened quota restrictions on immigration to the US of persons displaced by the Nazi regime. Under this directive, more than 41,000 displaced persons immigrated to the United States; approximately 28,000 were Jews. In 1948, the US Congress passed the Displaced Persons Act, which provided approximately 400,000 US immigration visas for displaced persons between January 1, 1949, and December 31, 1952. Of the 400,000 displaced persons who entered the US under the DP Act, approximately 68,000 were Jews.

Other Jewish refugees in Europe emigrated as displaced persons or refugees to Canada, Australia, New Zealand, western Europe, Mexico, South America, and South Africa

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## War Crimes Trials

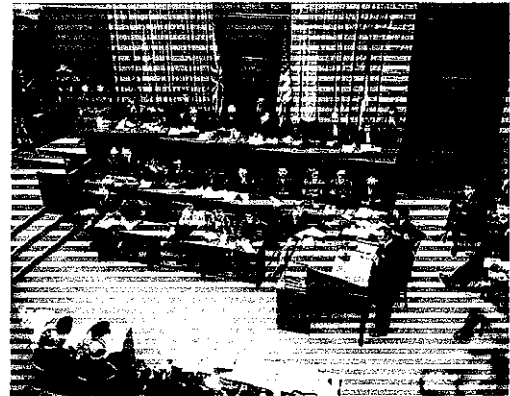
The law is one way to seek justice after genocide. After World War II, both international and domestic courts conducted trials of accused war criminals. Beginning in the winter of 1942, the governments of the Allied powers announced their determination to punish Axis war criminals. On December 17, 1942, the leaders of the United States, Great Britain, and the Soviet Union issued the first joint declaration officially noting the mass murder of European Jews and resolving to prosecute those responsible for crimes against civilian populations.

Signed by the foreign secretaries of the governments of the United States, the United Kingdom, and the Soviet Union, the October 1943 Moscow Declaration stated that at the time of an armistice persons deemed responsible for war crimes would be sent back to those countries in which the crimes had been committed and judged according to the laws of the nation concerned. "Major" war criminals, whose crimes could be assigned no particular geographic location, would be punished by joint decisions of the Allied governments. The trials of leading German officials before the International Military Tribunal (IMT), the best known of the postwar war crimes trials, took place in Nuremberg, Germany, before judges representing the Allied powers.

Between October 18, 1945, and October 1, 1946, the IMT tried 22 "major" war criminals on charges of crimes against peace, war crimes, and crimes against humanity, and conspiracy to commit such crimes. The IMT defined crimes against humanity as "murder, extermination, enslavement, deportation...or persecutions on political, racial, or religious grounds." Twelve of those convicted were sentenced to death, among them Reich Marshall Hermann Goring, Hans Frank, Alfred Rosenberg, and Julius Streicher. The IMT sentenced three defendants to life imprisonment and four to prison terms ranging from 10 to 20 years. It acquitted three of the defendants.

Under the aegis of the IMT, US military tribunals conducted 12 further trials of high-ranking German officials at Nuremberg. These trials are often referred to collectively as the Subsequent Nuremberg Proceedings. Between December 1946 and April 1949, US prosecutors tried 177 persons and won convictions of 97 defendants. Leading physicians, Einsatzgruppen members, members of the German justice administration and German Foreign Office, members of the German High Command, and leading German industrialists were among the groups who stood trial.

The overwhelming majority of post-1945 war crimes trials involved lower-level officials and functionaries. In the immediate postwar years, the four Allied powers occupying Germany (and Austria)—the United States, Great Britain, France, and the Soviet Union—held trials in their zones of occupation and tried a variety of perpetrators for wartime offenses. Many of the earliest zonal trials, especially in the US zone, involved the murder of Allied military personnel who had been captured by German or Axis troops. In time, however, Allied occupiers expanded their juridical mandate to try concentration camp guards and commandants and others who had committed crimes against Jews and others who suffered persecution in areas the Allies now occupied. Much of our early knowledge of the German concentration camp system comes from the evidence and eyewitness testimonies at these trials.



Chief US Counsel Justice Robert Jackson delivers the prosecution's opening statement at the International Military Tribunal. Nuremberg, Germany, November 21, 1945.

— *National Archives and Records Administration, College Park, Md.*

Allied occupation officials were interested in a denazification of Germany and saw the reconstruction of the German court system as an important step in this direction. Allied Control Council Law No. 10 of December 1945 authorized German courts of law to pass sentence on crimes committed during the war years by German citizens against other German nationals or against stateless persons. For this reason, occupation officials left Euthanasia crimes—where both victims and perpetrators had been predominantly German nationals—to newly reconstructed German tribunals. These proceedings represented the first German national trials in the early postwar period. Both the German Federal Republic (West Germany) and the German Democratic Republic (East Germany) continued to hold trials against Nazi-era defendants in the decades following their establishment as independent states. To date, the Federal Republic (in its old manifestation as West Germany and in its current status as a united Germany) has held a total of 925 proceedings trying defendants of National Socialist era crimes. Many detractors have criticized German proceedings, particularly those held in the 1960s and 1970s, for doling out acquittals or light sentences to aging defendants or defendants who claimed superior orders.

Many nations which Germany occupied during World War II or who collaborated with the Germans in the persecution of civilian populations, especially Jews, have also held national trials in the years following World War II. Poland, the former Czechoslovakia, the Soviet Union, Hungary, Romania, and France, among others, have tried thousands of defendants—both Germans and indigenous collaborators, in the decades since 1945. The Soviet Union held its first trial, the Krasnodar Trial, against local collaborators in 1943, long before World War II had ended. Perhaps Poland's most famous postwar national trial was held in 1947 in Krakow. The proceedings tried a number of functionaries of the Auschwitz concentration camp and sentenced Auschwitz camp commandant Rudolf Höss and others to death. One of the most famous national trials of German perpetrators was held in Jerusalem: the trial of Adolf Eichmann, chief architect in the deportation of European Jews, before an Israeli court in 1961 captured worldwide attention and is thought to have interested a new postwar generation in the crimes of the Holocaust.

Unfortunately, many perpetrators of Nazi-era criminality have never been tried or punished. In many cases, German perpetrators of National Socialist crimes simply returned to their normal lives and professions in German society. The hunt for German and Axis war criminals still goes on today.

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# Liberation of Nazi Camps

As Allied troops moved across Europe in a series of offensives against Nazi Germany, they began to encounter tens of thousands of concentration camp prisoners. Many of these prisoners had survived forced marches into the interior of Germany from camps in occupied Poland. These prisoners were suffering from starvation and disease.

Soviet forces were the first to approach a major Nazi camp, reaching Majdanek near Lublin, Poland, in July 1944. Surprised by the rapid Soviet advance, the Germans attempted to hide the evidence of mass murder by demolishing the camp. Camp staff set fire to the large crematorium used to burn bodies of murdered prisoners, but in the hasty evacuation the gas chambers were left standing. In the summer of 1944, the Soviets also overran the sites of the Belzec, Sobibor, and Treblinka killing centers. The Germans had dismantled these camps in 1943, after most of the Jews of Poland had already been killed.

The Soviets liberated Auschwitz, the largest killing center and concentration camp, in January 1945. The Nazis had forced the majority of Auschwitz prisoners to march westward (in what would become known as "death marches"), and Soviet soldiers found only several thousand emaciated prisoners alive when they entered the camp. There was abundant evidence of mass murder in Auschwitz. The retreating Germans had destroyed most of the warehouses in the camp, but in the remaining ones the Soviets found personal belongings of the victims. They discovered, for example, hundreds of thousands of men's suits, more than 800,000 women's outfits, and more than 14,000 pounds of human hair.

In the following months, the Soviets liberated additional camps in the Baltic states and in Poland. Shortly before Germany's surrender, Soviet forces liberated the Stutthof, Sachsenhausen, and Ravensbrueck concentration camps.

US forces liberated the Buchenwald concentration camp near Weimar, Germany, on April 11, 1945, a few days after the Nazis began evacuating the camp. On the day of liberation, an underground prisoner resistance organization seized control of Buchenwald to prevent atrocities by the retreating camp guards. American forces liberated more than 20,000 prisoners at Buchenwald. They also liberated Dora-Mittelbau, Flossenbürg, Dachau, and Mauthausen.

British forces liberated concentration camps in northern Germany, including Neuengamme and Bergen-Belsen. They entered the Bergen-Belsen concentration camp, near Celle, in mid-April 1945. Some 60,000 prisoners, most in critical condition because of a typhus epidemic, were found alive. More than 10,000 of them died from the effects of malnutrition or disease within a few weeks of liberation.

Liberators confronted unspeakable conditions in the Nazi camps, where piles of corpses lay unburied. Only after the liberation of these camps was the full scope of Nazi horrors exposed to the world. The small percentage of inmates who survived resembled skeletons because of the demands of forced labor and the lack of food, compounded by months and years of maltreatment. Many were so weak that they could hardly move. Disease remained an ever-present danger, and many of the camps had to be burned down to prevent the spread of epidemics. Survivors of the camps faced a long and difficult road to recovery.



General Dwight D. Eisenhower and General Troy Middleton, commanding general of the XVIII Corps, Third US Army, tour the newly liberated Ohrdruf concentration camp. Ohrdruf, Germany, April 12, 1945.

— *National Archives and Records Administration, College Park, Md.*



# Holocaust Deniers and Public Misinformation

Holocaust denial and minimization or distortion of the facts of the Holocaust is a form of antisemitism.

Holocaust deniers ignore the overwhelming evidence of the event and insist that the Holocaust is a myth, invented by the Allies, the Soviet communists, and the Jews for their own ends. According to the deniers' "logic" the Allies needed the "Holocaust myth" to justify their occupation of Germany in 1945 and the "harsh" persecution of Nazi defendants. Holocaust deniers also claim that Jews needed the "Holocaust myth" to extract huge payments in restitution from Germany and to justify the establishment of the State of Israel. Holocaust deniers claim that there is a vast conspiracy involving the victorious powers of World War II, Jews, and Israel to propagate the Holocaust for their own ends.

Holocaust deniers assert that if they can discredit one fact about the Holocaust, the whole history of the event can be discredited as well. They ignore the evidence of the historical event and make arguments that they say negate the reality of the Holocaust in its entirety.

Some Holocaust deniers argue that, since there is neither a single document that outlines the Holocaust nor a signed document from Hitler ordering the Holocaust, the Holocaust itself is a hoax. To make this argument, they reject all the evidence submitted at Nuremberg. They denounce as fabrications the genocidal intention of the Nazi state and the thousands of orders, memos, notes, and other records that document the process of destruction. When they cannot sustain arguments that documents are forged, they argue that the language in the documents has been deliberately misinterpreted. Furthermore, some Holocaust deniers insist that the Allies tortured the perpetrators into testifying about their role in the killing process and that the survivors who testified about Nazi crimes against Jews were all lying out of self-interest.

Some Holocaust deniers claim that those "few" Jews who perished died from natural causes or were legitimately executed by the Nazi state for actual criminal offenses. They assert that Jews and the Allied powers deliberately inflated the numbers of Jews killed during the war. Holocaust historians have placed the number of Jews killed in the Holocaust between 5.1 and 6 million, based on legitimate available historical sources and demographic methods. Holocaust deniers cite uncertainty about the exact number of deaths within this accepted range as proof that the whole history of the Holocaust has been fabricated and that the number of Jewish deaths during World War II has been grossly exaggerated.

Some Holocaust deniers assert that the Nazis did not use gas chambers to kill Jews. They deny the reality of the killing centers. Deniers have focused their attention on Auschwitz and believe if they could just disprove that the Nazis used gas chambers in Auschwitz to kill Jews, the whole history of the Holocaust would also be discredited.

Holocaust deniers often mimic the forms and practices of scholars in order to deceive the public about the nature of their views. They generally footnote their writings by citing the publications of other Holocaust deniers and hold pseudo-scholarly conventions.

Holocaust denial on the Internet is especially a problem because of the ease and speed with which such misinformation can be disseminated. In the United States, where the First Amendment to the Constitution ensures freedom of speech, it is not against the law to deny the Holocaust or to propagate Nazi and antisemitic hate speech. European countries such as Germany and France have criminalized denial of the Holocaust and have banned Nazi and neo-Nazi publications. The Internet is now the chief source of Holocaust denial and the chief means of recruiting for Holocaust denial organizations.