

NAZI POLICY,
JEWISH WORKERS
GERMAN KILLERS

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NAZI POLICY

Decisions for the Final Solution

Historians have offered a broad spectrum of conflicting interpretations concerning the nature and timing of the decisions for the Final Solution. To outsiders the debate on the decision-making process in general, and both Hitler's role and the timing of decisions in particular, may often seem the arcane equivalent of a medieval scholastic dispute over the number of angels that can stand on the head of a pin. But to participating scholars this debate has remained of central importance because understanding the decision-making process has proved inseparable from understanding both the wider historical context for these decisions and the structure and functioning of the Nazi system. The debate over decision making has quite simply refused to go away precisely because it is indispensable for shedding light on other questions.

This debate over the decision-making process for the Final Solution has now entered a third stage. In the first stage — the intentionalist/functionalist controversy of the late 1970s and early 1980s — the debate encompassed an extraordinarily wide spectrum of interpretation, ranging from those who argued for a basic Hitler decision in the 1920s to those who argued that he made no decision at all.¹ In a second stage, the debate in the late 1980s and early 1990s was conducted on the much narrower front of the single year of 1941. American historian Richard Breitman argued that there was a fundamental decision early in the year as part of the preparation for Operation Barbarossa. Swiss historian Philippe Burrin argued that there was a decision in early October, made within the context of the

collapse of Hitler's plans for quick victory against the Soviet Union and the looming entry of the United States into the war on the one hand and Hitler's preexisting "conditional intention" to murder the Jews of Europe if he found himself caught in a war on all fronts on the other. I argued that there was a two-stage decision-making process, one for Soviet and another for European Jewry, with each stage reaching closure at the successive peaks of Nazi victory euphoria in mid-July and early October 1941, respectively.²

Though Burrin and I disagreed over the military context of frustration or euphoria, we agreed on dating Hitler's decision sealing the fate of European Jewry to early October. And Breitman's chronology placed what he considered Hitler's implementation decisions (as opposed to a basic decision) in late August and early September, only a month ahead of the date agreed upon by Burrin and me. The subsequent interpretations of Dieter Pohl,³ Götz Aly,⁴ and Peter Witte⁵ likewise emphasized October as a turning point.

Now, however, the debate has entered a third stage, in which December 1941 has been suggested as a key chronological turning point and the entry of the United States into the war as a key factor in the explanatory historical context. Hans Safrian,⁶ L. J. Hartog,⁷

² For my summary of this second stage, see: Christopher R. Browning, *The Path to Genocide* (New York, 1992), pp. 86–121.

³ Dieter Pohl, *Von der "Judenpolitik" zum Judenmord: Der Distrikt Lublin des Generalgouvernements 1939–1944* (Frankfurt/M., 1993), pp. 97–101, 105–6.

⁴ Götz Aly, "Endlösung": *Völkerverschiebung und der Mord an den europäischen Juden* (Frankfurt/M., 1995), especially pp. 333 and 358–9, accepted mid-August as the point by which Himmler had ordered the mass murder of Jewish women and children on Soviet territory and the first two weeks of October as the "political caesura" (*politische Zäsur*) when confusion and uncertainty gave way to goal-directed decisions for systematic mass murder of European Jewry. Though Aly emphasizes the "dashed expectation of victory" (*enttäuschte Siegeserwartung*) as vital to the overall radicalization of Nazi racial policy, he admits that it is "conceivable" (*vorstellbar*) that Hitler had "illusions" about the possibility of victory in early October. (p. 358, fn 73). Aly's interpretation differs from mine most sharply in the relatively diminished role he attributes to Hitler in the decision-making process.

⁵ Peter Witte, "Two Decisions Concerning the 'Final Solution to the Jewish Question': Deportations to Lodz and the Mass Murder in Chelmo," *Holocaust and Genocide Studies*, 9/3 (winter 1995), pp. 318–45.

⁶ Hans Safrian, *Die Eichmann-Männer* (Vienna, 1993), especially pp. 149, 154, and 169–73.

⁷ L. J. Hartog, *Der Befehl zum Judenmord: Hitler, Amerika und die Juden* (Bodenheim, 1997), initially published in Dutch in 1994. Hartog's study is based on printed documents interpreted almost entirely within a framework of ideology and foreign policy, and with the United States rather than the USSR at the center of Hitler's concerns.

¹ For my summary of this first stage, see: Christopher R. Browning, *Fateful Months: Essays on the Emergence of the Final Solution* (New York, 1985), pp. 8–38.

and Christian Gerlach⁸ have all placed the key decision in December 1941, and the latter two have offered extraordinarily precise dates – December 8 and 12, respectively. Safrian has argued that expulsion of Jews into the Soviet Union was foreclosed by the failure of Operation Barbarossa and the Soviet counteroffensive in early December, and the Wannsee Conference was rescheduled from December 9 to January 20 to allow the Nazis time to consider a different option. Hartog argues that the Japanese attack on Pearl Harbor, bringing the United States into the war, ended the usefulness of European Jews as hostages for U.S. neutrality, fulfilled the conditions of Hitler's January 1939 Reichstag prophecy, and freed him to carry out the mass murder he had long desired but pragmatically postponed. As Christian Gerlach's highly stimulating, deeply researched, and powerfully articulated recent article, published in Germany in December 1997 and in English translation in the United States in December 1998,⁹ includes both these and additional arguments, as well as much fuller – and in some cases new – documentation, I will return to it in greater detail later.

Before focusing on the contested issues of this latest stage in the debate over the decision-making process, however, it is useful first to review the many areas in which disagreement has diminished and something approaching a general consensus – however temporary we do not yet know – has been achieved. First, most historians agree that there is no “big bang” theory for the origins of the Final Solution, predicated on a single decision made at a single moment in time. It is generally accepted that the decision-making process was prolonged and incremental. The debate is really about the nuances of weighting and emphasis. Which in a series of decisions should be considered more important, more pivotal, than others? For instance, both Gerlach and I accept that important decisions were made in both October and December 1941, but we disagree on the meaning, location, and relative significance of those decisions.

⁸ Christian Gerlach, “Die Wannsee-Konferenz, das Schicksal der deutschen Juden und Hitlers Grundsatzentscheidung, alle Juden Europas zu ermorden,” *Werkstattsgeschichte* 18 (1997), pp. 7–44.

⁹ Christian Gerlach, “The Wannsee Conference, the Fate of German Jews, and Hitler's Decision in Principle to Exterminate All European Jews,” *Journal of Modern History* 12 (1998), pp. 759–812.

Second, there has been a shift toward emphasizing continuity over discontinuity in the decision-making process. In the early 1980s, for instance, I referred to the decision for the systematic mass murder of Soviet Jewry as a “quantum leap” in Nazi Jewish policy. I still think this step was one of the two most important turning points in the decision-making process, but today I would not use language that implied such a dramatic rupture. In recent years historians have increased their focus on the hitherto relatively ignored period of 1939–40 and taken the Nazis' expulsion plans and visions of demographic engineering more seriously than before.¹⁰ But in doing so they have also seen the Nazi policies of this period not as sharply juxtaposed to the Final Solution but rather as destructive and murderous steps in their own right in a process of “radicalization” and “escalation” leading toward the Final Solution.

Peter Longerich, perhaps the most emphatic advocate of an explicit continuity thesis, has argued that the decisive transition from *Judenpolitik* to *Vernichtungspolitik* should be dated to the fall of 1939 and that all policies thereafter implied murderous destruction.¹¹ Magnus Brechtken concluded, in his recent book, that the Madagascar Plan amounted to a “death sentence” for European Jewry that differed from Auschwitz only in the place and method of murder.¹² And Christian Gerlach has articulated the notion of a German “hunger plan” on the eve of Operation Barbarossa that had vast genocidal implications.¹³ As I argued in my previous lecture, I still think that there is

¹⁰ The pathbreaking work in this regard is: Götz Aly, “Endlösung”: *Völkerverschiebung und der Mord an den europäischen Juden* (Frankfurt/M., 1995), which has the added merit of also integrating aspects of the so-called euthanasia program into the evolution of Nazi policy. For the earliest pioneering work on Nazi population policy, see Robert L. Kochl, *RKFDV: German Resettlement and Population Policy 1939–1945* (Cambridge, MA, 1957).

¹¹ Peter Longerich, “Die Eskalation der NS-Judenverfolgung zur ‘Endlösung’: Herbst 1939 bis Sommer 1942,” presented at the University of Florida/German Historical Institute Symposium on the Origins of Nazi Policy, Gainesville, Florida, April 1998. Not available at the time this lecture was originally written is Peter Longerich's massive and important *Politik der Vernichtung: Eine Gesamtdarstellung der Nationalsozialistische Judenverfolgung* (Munich, 1998).

¹² Magnus Brechtken, “*Madagaskar für die Juden: Antisemitische Idee und politische Praxis 1885–1945*” (Munich, 1997), esp. p. 295.

¹³ Christian Gerlach, *Krieg, Ernährung, Völkermord: Forschungen zur deutschen Vernichtungspolitik im Zweiten Weltkrieg* (Hamburg, 1998), pp. 13–30.

merit in identifying and preserving the distinctions between policies of population decimation, genocide, and Final Solution, but I am fully in accord with this recent tendency to recognize and emphasize the elements of continuity in German racial policies between 1939 and 1941.

Third, most – though certainly not all – scholars in the field have gravitated toward the position first articulated by Christian Streit and Alfred Streim some 20 years ago that the decision and dissemination of orders for the murder of all Soviet Jewry down to the last man, woman, and child, with only a temporary exemption for indispensable skilled workers, did not occur until after the initial invasion.¹⁴ On the empirical side, it is generally accepted that in the first weeks of Operation Barbarossa the Jewish victims were primarily adult male Jews, and that beginning in late July – at different times in different places at different rates – the killing was gradually expanded to encompass all Jews except indispensable workers – a process that was nearly complete in the Baltic by the end of the year but not yet elsewhere on occupied Soviet territory until 1942.

There is still considerable difference of interpretation on at least two issues concerning this transition to the systematic and total mass murder of Soviet Jewry: first, the relative roles of regional and local authorities on the one hand and Hitler and the central authorities on the other, and second, the historical context of euphoria of victory or growing frustration and desperation. A number of very important regional studies incorpo-

rating the archival sources newly available in the 1990s have recently appeared,¹⁵ and others are forthcoming.¹⁶ The interpretive trend is now toward placing greater emphasis on local and regional decision making as a frustrated response to local and regional problems as opposed to my interpretation, which has emphasized the impact of a premature victory euphoria on Hitler in mid-July and the important role of Himmler in disseminating the new policy over the following weeks. This current scholarship, incorporating the new archival sources, is producing many new trees; the shape of the forest, however, remains to be seen.

A fourth area of emerging agreement is that the decision-making process did not end in 1941. Peter Longerich has argued that there was a fourth “stage of escalation” (“*Eskalationsstufe*”) in May 1942, characterized by the “indiscriminate murder of all Jews at the end of the deportation.”¹⁷ I have sketched out the importance of July 1942 as the point of a “final decision” for the Final Solution.¹⁸ And now Christian Gerlach has developed a much more detailed argument concerning an “acceleration” of the mass murder in the summer of 1942, focusing in particular on the murder of Jewish labor in connection with the height of the Reich’s crisis in food production.¹⁹ The fate of Jewish labor is a theme to which we will return later.

And finally, there is considerable agreement among historians that the destructive acceleration during these “fateful months” ought not be studied with sole focus on the roles of central authorities in decision making and the SS in implementing policy. Rather, there is a growing

¹⁴ For example, Peter Longerich, “Vom Massenmord zur ‘Endlösung.’ Die Erschiessungen von jüdischen Zivilisten in den ersten Monaten des Ostfeldzuges im Kontext des nationalsozialistischen Judenmords,” *Zwei Wege, Nach Moskau: Vom Hitler-Stalin-Pakt zum ‘Unternehmen Barbarossa*,” ed. by Bernd Wegner (Munich, 1991), pp. 251–74; Ralf Ogorreck, *Die Einsatzgruppen und die ‘Genesis der Endlösung’* (Berlin, 1996); Christian Gerlach, *Krieg, Ernährung, Völkermord*, pp. 56–81. For recent scholarship on Lithuania, where the transition to the Final Solution was first implemented, see: Jürgen Matthäus, “Jenseits der Grenze: Die ersten Massenerschiessungen von Juden in Litauen,” *Zeitschrift für Geschichtswissenschaft* 2 (1996), pp. 101–17; Christoph Dieckmann, “Der Krieg und die Ermordung der litauischen Juden,” *Nationalsozialistische Vernichtungspolitik 1939–1945: Neue Forschungen und Kontroversen*, ed. by Ulrich Herbert (Frankfurt/M., 1998), pp. 292–329; Konrad Kwiet, “Rehearsal for Murder: The Beginning of the Final Solution in Lithuania in June 1941,” *Holocaust and Genocide Studies* 12 (spring 1998), pp. 3–26; and Michael MacQueen, “The Context of Mass Destruction: Agents and Prerequisites of the Holocaust in Lithuania,” *Holocaust and Genocide Studies* 12 (spring 1998), pp. 27–48. For a dissenting opinion to the general trend toward accepting the Streit/Streim thesis: Daniel Jonah Goldhagen, *Hitler’s Willing Executioners: Ordinary Germans and the Holocaust* (New York, 1996), pp. 148–53.

¹⁵ Galicia has been particularly well served by two monographs: Dieter Pohl, *Nationalsozialistische Judenverfolgung in Ostgalizien 1941–1944: Organisation und Durchführung eines staatlichen Massenverbrechens* (Munich, 1996); and Thomas Sandkühler, “Endlösung” in Galizien: *Der Judenmord in Ostpolen und die Rettungsmassnahmen von Berthold Beitz 1941–1944* (Bonn, 1996). For Latvia, see: Andrew Ezergalis, *The Holocaust in Latvia 1941–1944* (Washington, D.C. and Riga, 1996).

¹⁶ For Byelorussia, see: Christian Gerlach, *Kalkulierte Morde: Die deutsche Wirtschafts- und Vernichtungspolitik im Weissrussland* (Hamburg, 1999). Christoph Dieckmann’s on Lithuania in particular. The Ukraine is until now the least well served.

¹⁷ Longerich, “Die Eskalation der NS-Judenverfolgung zur ‘Endlösung’: Herbst 1939 bis Sommer 1942.”

¹⁸ Christopher R. Browning, “A Final Decision for the ‘Final Solution’? The Riegner Telegram Reconsidered,” *Holocaust and Genocide Studies* 10 (spring 1966), pp. 3–10.

¹⁹ Christian Gerlach, “Die Bedeutung der deutschen Ernährungspolitik für die Beschleunigung des Mordes an den Juden 1942: Das Generalgouvernement und die Westukraine,” *Krieg, Ernährung, Völkermord*, pp. 167–299.

awareness among historians that the Final Solution was based on a form of consensus politics among the Germans.²⁰ Thus the role of regional and local as well as central authorities must be studied, as must the participation of the military, civil administration, Order Police, and economic planners, as well as local collaborators and police auxiliaries, alongside the Einsatzgruppen and Security Police. Here again the issue is one of finding the appropriate balance. What were the respective roles of central, regional, and local authorities? What were the respective roles of various German and non-German participants? How did these respective roles differ from place to place?

If the focus has been widened and a fair degree of agreement has been attained on so many issues concerning the origins of the Final Solution, why – one might ask – have some historians (including me) remained so concerned with pinpointing the nature and timing of an alleged key decision by Hitler – what Christian Gerlach has called the *Grundsatzentscheidung* – for the Final Solution? I cannot speak for others, but I can explain why I have periodically revisited this question throughout my career and why I do not think this has been a trivial exercise.

I believe that the Holocaust was a watershed event in human history – the most extreme case of genocide that has yet occurred. What distinguishes it from other genocides are two factors: first, the totality and scope of intent – that is, the goal of killing every last Jew, man, woman, and child, throughout the reach of the Nazi empire; and second, the means employed – namely, the harnessing of the administrative/bureaucratic and technological capacities of a modern nation-state and western scientific culture. It is precisely these elements that both define the singularity of the Holocaust and distinguish the Nazi Final Solution in its ultimate form from the regime's prior policies of population decimation, genocide, and even the systematic and total mass murder of Soviet – as distinguished from all European – Jewry. It is not, therefore, a trivial historical question to ask when Hitler and the Nazi regime passed the point of no return and committed themselves to a vision of

²⁰ A pioneering study that demonstrated the importance of regional studies and emphasized the consensus politics behind the Final Solution is: Dieter Pohl, *Von der "Judenpolitik" zum Judenmord: Der Distrikt Lublin des Generalgouvernements 1939–1944* (Frankfurt/M., 1993).

murdering all the Jews of Europe through the most modern and efficient methods available to it.

In addition, I would note, there is a need particularly for Holocaust scholars, insofar as possible, to get the facts right, because there are people who do not wish us well. They stand malevolently prepared to exploit our professional mistakes and shortcomings for their own political agenda. I do not wish to make their dishonest tasks easier.

Whatever nightmarish dreams might have lurked in Hitler's mind and for how long, we can only guess. But I think the preponderance of evidence points to the conclusion that in mid-July 1941 Hitler instigated Himmler and Heydrich to undertake what amounted to a "feasibility study" for the mass murder of European Jews, and in early October 1941 he shared with Himmler and Heydrich his approval of their proposal to deport the Jews of Europe to killing centers in the east. These two dates, mid-July and early October 1941, coincided with the two peaks of victory euphoria on the eastern front, which – as in September 1939 and May 1940 for the Lublin and Madagascar Plans, respectively – provided a conducive context for the radicalization of Nazi Jewish policy. Thereafter, notwithstanding regional variations, temporary exceptions and postponements, trial-and-error experimentation, and a remarkably unsystematic and gradual dissemination of the regime's intentions, Nazi Jewish policy was directed toward realizing this vision.

The most recent alternative interpretation is that of Christian Gerlach. According to Gerlach, prior to December 12, 1941, the fate of German and west European Jews – in contrast to that of Soviet and at least some Polish Jews – was still undecided. As of that date, only 6 of 41 Jewish transports to Lodz, Kovno, Minsk, and Riga had been liquidated upon arrival, so no general destruction order could yet have been given. What became known as the Wannsee Conference, originally scheduled for December 9, was at that time intended primarily to clarify issues relating to the ongoing deportation and still undecided fate of German Jews, he has argued.²¹ And Belzec, admittedly under construction in the fall of 1941, had too little gas chamber capacity to indicate an intention to murder all Polish, much less all European,

²¹ Gerlach, "Grundsatzentscheidung," pp. 8, 14, 16–20.

Jewry.²² Insofar as planning and preparation for mass murder were underway in the fall of 1941, Gerlach has characterized these efforts as the product of regional authorities trying to solve regional problems while seeking approval and support from above.

In Gerlach's account, this situation was dramatically transformed in early December. The Japanese attack on Pearl Harbor deprived the Jews of their value as hostages for U.S. neutrality and inaugurated the world war that was the condition of Hitler's January 1939 Reichstag prophecy dooming the Jews to destruction. In the grip of a "fortress mentality" that saw the Jews as a "partisan" threat and determined to retaliate against those he blamed for the war, Hitler acted. As a recently published portion of Joseph Goebbels' diary now reveals, on December 12, 1941, the day after declaring war on the United States, Hitler addressed the top party leaders in his private apartment. He explicitly invoked his Reichstag prophecy: "The world war is here, the destruction of the Jews must be the necessary consequence. . . . The instigators of this bloody conflict must pay for it with their own lives." According to Gerlach, this was not only an "announcement" ("*Bekanntgabe*") to party leaders but also the "basic decision" ("*Grundsatzentscheidung*") sealing the fate of German and west European Jewry.²³ Only then could "systematic planning" for the Final Solution (as opposed to transitional, regionally initiated programs of mass murder) begin.

According to Gerlach, previously known but not fully understood documents of Alfred Rosenberg's meeting with Hitler and Himmler's meeting with Rudolf Brandt on December 14 and Hans Frank's speech on December 16 confirm this interpretation of Hitler's speech.²⁴ But the new "smoking pistol" document is Himmler's *Terminkalender* from the Moscow Special Archives,²⁵ with its cryptic entry from a Himmler - Hitler meeting on December 18: "*Judenfrage. Als Partisanen auszurufen.*" For Gerlach, this is to be understood neither literally nor as a sug-

²² Moreover, he claims, it was visited by Eichmann only in December after Heydrich and the RSHA (Reichssicherheitshauptamt [Reich Security Main Office]) began searching for ways to implement Hitler's basic decision. Gerlach, "Grundsatzentscheidung," pp. 9, 12, 31.

²³ Gerlach, "Grundsatzentscheidung," pp. 25-8.

²⁴ Gerlach, "Grundsatzentscheidung," pp. 22-5, 29-30.

²⁵ Moscow Special Archives (hereafter cited as MSA), 1372-5-23.

gestion of *Tarnsprache* or camouflage language but in the "global sense" ("*globalen Sinn*") as an "instruction" ("*Weisung*") concerning the imaginary Jewish threat everywhere.²⁶ The postponed Wannsee Conference was rescheduled for January 20, 1942, an unusual and previously unexplained 6-week delay, to give Heydrich and his minions in the Reich Security Main Office time to prepare for the new task posed by the "announcement" of Hitler's "basic decision" of December 12, 1941.²⁷

To explain why I do not find this interpretation persuasive, I would like to examine several key documents from the months leading up to December 1941 in light of Gerlach's arguments. Gerlach and especially L. J. Hartog emphasize the key relationship between Hitler's Reichstag prophecy concerning world war and the destruction of European Jewry on the one hand, and the U.S. entry into the war on the other. They suggest that Hitler made a sharp distinction between a "European war" with the Soviet Union and a "world war" against the United States, and that he viewed only the latter as activating his prophecy of January 1939. Such a literal and restrictive interpretation is made doubtful by another entry in Goebbels' diary from August 19, 1941:

The Führer is convinced that his Reichstag prophecy is coming true; that should the Jews once again succeed in provoking a world war, this would end in their annihilation. It is coming true in these weeks and months with a certainty that appears almost sinister. In the east the Jews are paying the price; in Germany they have already paid in part and they will have to pay still more in the future.²⁸

Hitler assured Goebbels that Berlin Jews would be deported to the east as soon as the campaign was over and transportation was available. "Then they will be worked over in the harsh climate there."²⁹ Here Hitler's prophecy and the murder of Jews, already being realized on Soviet territory and anticipated for German Jews following victory, are clearly not tied to a "world war" defined primarily by American involvement.

²⁶ Gerlach, "Grundsatzentscheidung," pp. 22, 27.

²⁷ Gerlach, "Grundsatzentscheidung," pp. 32.

²⁸ *Die Tagebücher von Joseph Goebbels*, Teil II, Bd. 1, p. 269 (entry of 19.8.41).

²⁹ *Die Tagebücher von Joseph Goebbels*, pp. 266 and 278 (entries of 19 and 20.8.41).

But what exactly was being anticipated in late August concerning what German Jews "would pay still more in the future"? In mid-July, I have argued, Hitler solicited a plan or "feasibility study" for the destruction of European Jewry. The written authorization for preparing this plan (*not yet a decision or order* for the Final Solution) was drafted by Heydrich and signed by Göring on July 31. This authorization explicitly requested a plan for a "total solution" encompassing all Jews within the German sphere and made no mention whatsoever concerning the distinction between German and west European Jews on the one hand and east European Jews on the other that is so central to Gerlach's argument. Nor, for that matter, do any other documents of this period, although in contrast many refer explicitly and inclusively to all European Jews.

Heydrich's authorization for planning was not an insignificant document containing empty rhetoric. By late August it was no secret to Eichmann that plans were being prepared. To his year-old formulaic answer to the Foreign Office rejecting requests for Jewish emigration from occupied territories "in view of the imminent Final Solution," he now added the ominous phrase "now in preparation" ("*im Hinblick auf die kommende und in Vorbereitung befindliche Endlösung der europäischen Judenfrage*").³⁰

The nature and scope of the proposals under consideration and awaiting approval can be seen in a document submitted to the Reich Security Main Office just days later on September 3, 1941, by Rolf-Heinz Höppner, the head of the Emigration Central (*Umwanderzentrale* or UWZ) in Poznan, who had been in charge of expelling "undesired" Poles and Jews from the Warthegau into the General Government. Höppner's proposals had been drafted "on the basis of the recent consultation" ("*auf Grund der letzten Rücksprache*") with Eichmann, and they did not concern just local solutions to his local problems in the Warthegau. Höppner wanted an expanded Emigration Central — headquartered in Berlin — to be in charge of both deportation and "reception territories" ("*Aufnahmegebiete*") for the resettlement ("*Aussiedlung*") of all "undesired" ("*unerwünschten*") ethnic elements in the Greater German Reich. Concerning the Jews in particular, he took it for granted that "the final solution to the Jewish question . . . will include all states

³⁰ Politisches Archiv des Auswärtigen Amtes (hereafter cited as PA), Inland II A/B 47/1, Eichmann to Rademacher, 28.8.41.

within the German sphere of influence in addition to the Greater German Reich." He made no distinction between east and west European Jews. But Höppner complained that his proposals concerning "reception areas" had to remain "patchwork" ("*Stichwerk*") for the moment, however, because he did not yet "know the intentions" of Hitler, Himmler, and Heydrich:

I could well imagine that *large areas of the present Soviet Russia* are being prepared to receive the undesired ethnic elements of the greater German settlement area. . . . To go into further details about the organization of the reception area would be fantasy, because first of all the basic decisions must be made. It is essential in this regard, by the way, that total clarity prevails about what finally shall happen to those undesirable ethnic elements deported from the greater German settlement area. Is it the goal to ensure them a certain level of life in the long run, or shall they be totally eradicated.³¹

When were the "basic decisions" made and "total clarity" achieved — at least concerning the European Jews if not yet other "undesired" elements — that Eichmann was openly discussing and Höppner was impatiently awaiting?

As Peter Witte has documented, on September 16 and 17, 1941, Himmler met with Hitler as well as with a number of other middle-ranking Nazi leaders like Joachim von Ribbentrop, Otto Abetz, Ulrich Greifelt (RKFDV or Reichskommissariat für die Festigung deutschen Volkstums), and the author of the Generalplan Ost, Konrad Meyer.³² The topics of discussion with Greifelt included the "Jewish Question" and "settlement in the east" ("*Siedlung Ost*").³³ Previously Hitler had repeatedly rejected proposals to begin the deportation of German Jews until "after the war." Now, during this busy weekend of meetings, he apparently concluded that the time for deportations had finally come. On September 18, Himmler informed Gauleiter Arthur Greiser in the Warthegau of Hitler's wish to empty the Old Reich and Protectorate of Jews as soon as possible. This meant deporting Jews to Lodz that fall,

³¹ United States Holocaust Memorial Museum (hereafter cited as USHMM), RG 15.007M, roll 8/file 103/pp. 45–62 (Höppner to Eichmann and Hans Ehlisch, 3.9.41, with proposal of 2.9.41).

³² Peter Witte, "Zwei Entscheidungen in der 'Endlösung' der Judenfrage," *Holocaust and Genocide Studies* (hereafter cited as HGS), 9/3 (winter 1995), pp. 318–45.

³³ MSA, 1372-5-23: Himmler Terminkalender, entry of 16.9.41.

"in order to deport them yet further to the east next spring."³⁴ Hitler then seemed to hesitate, offering a series of reasons why implementation of the decision he had just made might have to be held in temporary abeyance. On September 24 he expressed concern about "clarification of the military situation in the east," and on October 6 he noted "the great shortage of transport."³⁵

One consideration that was at least weighed by Hitler in mid-September 1941 but apparently not found to be of sufficient importance to delay further the deportations of Jews from Germany was the American factor. Before officials of the German Foreign Office knew of the reversal of policy, one of them wrote: "The Führer has not yet made a decision about reprisals against German Jews . . . the Führer considers to hold this measure for an eventual entry of America into the war."³⁶ Hitler's decision nevertheless to begin deporting Jews from Germany would seem to indicate that the American factor was not decisive after all.

Hitler's last hesitations seem to have disappeared in the euphoria of early October, following the capture of Kiev and in the midst of the great double-encirclement victory at Vyazma and Bryansk, when the road to Moscow seemed open. When Hitler arrived in Berlin on October 4, Goebbels noted:

He looks at his best and is in an exuberantly optimistic frame of mind. He literally exudes optimism. . . . The offensive has been surprisingly successful so far. . . . The Führer is convinced that if the weather remains halfway favorable, the Soviet army will be essentially demolished in fourteen days.

Three days later, Goebbels again noted: "It goes well on the front. The Führer continues to be extraordinarily optimistic."³⁷ On October 10, at the peak of victory euphoria, Heydrich in Prague announced the deportation of Reich Jews to camps of the Einsatzgruppen comman-

³⁴ National Archives, T175/54/2568695; Himmler to Greiser, 18.9.41.

³⁵ *Die Tagebücher von Joseph Goebbels*, Teil II, Bd. 1, pp. 480-83 (entry of 24.9.41); Koeppen's note of 7.10.41, cited in: Martin Broszat, "Hitler und die Genesis der 'Endlösung': Aus Anlass der Thesen von David Irving," *Vierteljahrsheft für Zeitgeschichte* (hereafter cited as *VfZ*), 25/4 (1977), 751.

³⁶ Werner Koeppen's note of 20.9.41, cited in: John Lukacs, *The Hitler of History* (New York, 1997), pp. 191-2. A slightly different translation can be found in Witte, "Two Decisions," p. 343.

³⁷ *Die Tagebücher von Joseph Goebbels*, Teil II, Bd. 2, pp. 49-50 and 73 (entries of 4 and 7.10.41).

ders in Riga and Minsk as well as the Lodz ghetto, and that therefore "all pending questions must be solved immediately."³⁸

Indeed, many "pending questions" were solved immediately. On October 15, the deportation of Reich Jews began, and on October 18 Himmler ordered the emigration gates closed. And sometime in October sites for the future death camps at Chelmo and Belzec were also selected. It is this cluster of events, coinciding with Hitler's mistaken victory euphoria, that I have interpreted as signifying closure to the second stage of the decision-making process of the Final Solution and sealing the fate of European Jewry.

This does not mean that some specific plan was approved or that clear-cut and comprehensive orders were given at this point. Rather it is the point, in my opinion, at which Hitler, Himmler, and Heydrich - and a widening circle of initiates thereafter - were aware that the ultimate goal or vision of Nazi Jewish policy was now the systematic destruction and no longer the decimation and expulsion of all European Jews. No clear and uniform plan as to how this would be accomplished was imposed from above, for no such plan yet existed. Much that would happen in the next months would indeed take place on local or regional initiative. But when such initiatives dovetailed with the vision of the Nazi leadership, they were seized upon with alacrity precisely because they met perceived needs. Those initiatives that did not were rejected or ignored. Berlin was not passive but interacted in a goal-directed manner with local authorities in the surge of killing actions and preparation for killing actions that characterized the fall of 1941.

Christian Gerlach has disagreed with my interpretation of the meaning of this cluster of events. "That the decision to deport German Jews was equivalent to the decision to kill them is proven by nothing," he has written. As for Belzec, he concluded: "What conceptions about the future were linked to the construction of Belzec are still shrouded in mystery."³⁹ Indeed, taken alone, the decision to deport German Jews does not prove a decision for the Final Solution. It is precisely the *conjunction* of the deportation decision with other events - the closing of emigration and the planning and construction of gassing facilities and death camps - that is key.

³⁸ Notes on conference of 10.10.41 in Prague, printed in: H. G. Adler, *Theresienstadt 1941-1945* (Tübingen: second edition, 1960), pp. 720-2.

³⁹ Gerlach, "Grundsatzentscheidung," pp. 42-3.

Let us first turn to the end of Jewish emigration, with focus on one telling incident from mid-October 1941. Before the war German policy had been to create a *judenfrei* Germany through Jewish emigration. After the outbreak of war, Jewish emigration from the occupied territories was banned in order to monopolize the increasingly scarce emigration possibilities for German Jews. For non-German Jews within the German empire, as well as for the bulk of German Jews who would be unable to emigrate, the Nazis planned a succession of three expulsion schemes whose respective destinations were Lublin, Madagascar, and inhospitable regions of the Soviet Union.⁴⁰

This was the state of German policy toward European Jews when the Germans rounded up thousands of Jews in Paris in August 1941 in retaliation for an attack on German soldiers. Included in the roundup were numerous Jews holding Spanish citizenship, and the Spanish government pressed for their release. As an incentive, the Spanish government even offered to evacuate all Spanish Jews – some 2,000 – from France to Morocco, and Undersecretary Martin Luther in the German Foreign Office urged Heydrich to accept the Spanish proposal. It was, after all, very much in line with previous German policy.

However, on October 17, 1941, just one day before Himmler officially closed the gates for Jewish emigration, Heydrich, in a phone conversation with Luther, rejected the Spanish proposal for evacuating Spanish Jews from German-occupied France to Morocco. He gave two reasons for his surprising opposition to this proposal. First, the Spanish government had neither the will nor experience to guard the Jews in Morocco. "In addition these Jews would also be too much out of the direct reach of measures for a basic solution to the Jewish question to be enacted after the war." (*"Darüber hinaus wären diese Juden aber auch bei den nach Kriegsende zu ergreifenden Massnahme zur grundsätzlichen Lösung der Judenfrage dem unmittelbaren Zugriff allzusehr entzogen."*)⁴¹

What did Heydrich mean by "measures for a basic solution" to be enacted after the war that were incompatible with the evacuation of Spanish Jews to Morocco, if the eventual murder of German and west

⁴⁰ For the first two expulsion plans, see: Christopher R. Browning, "Nazi Resettlement Policy and the Search for a Solution to the Jewish Question, 1939–1941," *German Studies Review*, 9/3 (1986), 497–519; and now in much greater detail and with convincing evidence concerning a third expulsion scheme, see: Götz Aly, "Endlösung": *Völkerverschiebung und der Mord an den europäischen Juden* (Frankfurt/M., 1995).

⁴¹ PA, Politische Abteilung III 245, Luther memoranda, 13 and 17.10.41.

European Jews was still undecided? Did Heydrich really prefer to take on the diplomatic and logistical burden of shipping 2,000 Spanish Jews in France over the Urals to Siberia as part of some future expulsion plan rather than simply to allow the Spanish to evacuate them to Morocco immediately? I consider such a scenario most implausible. To my mind Heydrich's actions become quite explicable, however, if the Nazi leadership was now committed to the murder of all Jews in the German grasp. Let us turn then to the issue of German conceptions about and preparations for the construction of death camps in the fall of 1941.

Construction of Belzec was underway by November 1, 1941. Preconstruction preparations – such as site selection, design, and assembly of materials – must therefore have taken place in October. Even if the proposal to construct Belzec was to some degree an initiative of Odilo Globocnik, the SS and police leader in Lublin, to kill the Jews of the General Government as part of his own plans for total Germanization and not solely due to instructions from above, it was an initiative that Himmler apparently approved almost instantaneously in mid-October and incorporated into his own agenda.⁴² Whatever the origins of Belzec and the respective roles of central policy and regional initiative, if Eichmann's visit there took place in the early autumn after he had learned from Heydrich of Hitler's decision for the Final Solution (as he repeatedly stated after the war), Gerlach's thesis for a December *Grundsatzentscheidung* is untenable.

Gerlach has not questioned that actual construction was underway in Belzec in November, but he has minimized its significance in several ways. First, because of the relatively small capacity of the initial gas chambers in Belzec, the Germans could not yet have constructed them to murder all Jews in the General Government but rather simply to test the possibility for the mass killing of Jews with poison gas.⁴³ Second, he has claimed that Eichmann could have visited Belzec in December 1941 at the earliest, given his description of the state of construction

⁴² Nürnberg Document NO-5875: Helmut Müller, Lublin SS PF, to Gruppenf. Hofmann, 15.10.41, in: *Trials of the War Criminals before the Nürnberg Military Tribunals*, IV, pp. 864–6. Pohl, *Von der "Judenpolitik" zum Judenmord*, 99–102. The early transfer of euthanasia personnel from Berlin to the General Government in connection with Belzec would indicate that Berlin was not merely the passive recipient of Globocnik's initiatives but an active partner in the planning process.

⁴³ Gerlach, "Grundsatzentscheidung," pp. 9, 43.

there, and that "Eichmann's testimony would fit well with a Hitler decision of early December 1941."⁴⁴ I am not persuaded.

Let us examine the Eichmann testimony first.⁴⁵ Eichmann testified that 2 or possibly 3 months after the invasion of the Soviet Union, "in any case late summer," Heydrich informed him of the Führer's order for the physical destruction of the Jews. Eichmann was then sent to report on progress in Lublin, where Globocnik had already been informed of the Führer's order and was going to use antitank ditches. Eichmann was driven from Lublin by a member of Globocnik's staff, Hermann Höfle. After a 2-hour ride, they arrived at a wooden house on the righthand side of the road. There, a police captain, one of only two people he saw there, received Eichmann and led him across the road into a forest to two or three wood huts "under construction" ("*noch im Bau*"). The captain said he had to seal one hut to serve as a gas chamber, which was the first time Eichmann allegedly learned that gassing was the intended technological method for the mass murder program "now in preparation." The motor for producing carbon monoxide (allegedly a Russian U-boat engine) was "not yet there" ("*noch nicht einmal da*") and "the installation had not yet been put into operation." ("*die Anlage war noch nicht einmal in Betrieb gewesen*").

Eichmann vividly remembered that the trees were "in full color"⁴⁶ ("*im vollen Schmuck*"), the police captain – who spoke a southwest German dialect – was "in shirtsleeves" ("*in Hemdeärmeln*"), and that he stopped in Prague both coming and going, where he shared all he knew

⁴⁴ Gerlach, "Grundsatzentscheidung," p. 31.

⁴⁵ Eichmann's testimony is found in a number of sources: "Eichmann tells his own damning story," *Life Magazine* 49/22 (28.11.60); the handwritten "Meine Memoiren" (Bundesarchiv Koblenz [hereafter BAK], All. Proz. 6/119); the pretrial interrogations (BAK, All. Proz. 6/1-6), Eichmann's *Zeitplan* that he prepared for his defense attorney Servatius (BAK, All. Proz. 6/169), the court testimony; and *Ich Adolf Eichmann. Ein historischer Zeitungsbericht*, ed. by Dr. Rudolf Aschenauer (Leoni am Starnberger See, 1980). This last source is, in my opinion, the least reliable for reconstructing Eichmann's chronology, due to Aschenauer's own intrusive agenda and strange omission of many events included in all other Eichmann accounts. Yet this is the account Gerlach cites most prominently. Gerlach, "Grundsatzentscheidung," pp. 30-1 and fn 136.

⁴⁶ In his recent response to the initial version of this paper, Gerlach has suggested that fall colors would not have reached their peak yet in eastern Poland in October. Christian Gerlach, *Krieg. Ernährung. Völkermord* (Hamburg, 1998), p. 270. Yet Goebbels noted on October 9, 1941, for Berlin: "*Der Winter kündigt sich zwar schon langsam an, das Laub an den Bäumen wird braun und fällt herab.*" If the leaves had turned brown and were falling in Berlin on October 9, surely it is not unlikely that the fall colors reached their peak in eastern Poland in the same month. *Die Tagebücher von Joseph Goebbels*, Teil II, Bd. 2, p. 84.

with his associate Hans Günther. It should be noted that Eichmann was present in Prague on October 10, when Heydrich announced the deportations to Lodz, Riga, and Minsk. It should also be noted that in his notes for his defense attorney Robert Servatius, Eichmann associated this trip to Lublin and Belzec with a "double battle" ("*Doppelschlacht*") that he named Minsk and Bialystok. As these two cities fell to the Germans in the first days of the war, I do not think it wild conjecture to suggest that Eichmann meant instead the double encirclement battle of Vyazna and Bryansk that raged October 2-18, 1941.⁴⁷

A team of 20 Polish workers undertook construction of two barracks and the gas chambers at Belzec between November 1 and December 23, under the supervision of a young ethnic German *Baumeister*. By December Josef Oberhauser (who had been transferred to Lublin in November) was on the scene with a band of 20 black-uniformed Ukrainian guards from Trawniki and was joined by Christian Wirth before Christmas. Thereafter 70 Jewish workers were added, and fencing, guard towers, and further barracks were constructed.⁴⁸ This busy scene is hardly the virtually empty site and state of construction described by Eichmann. Quite simply, despite a few minor problems (as occur in virtually any witness accounts given years later), there is much in the Eichmann testimony that strongly indicates on October visit to Belzec, which he remembered as taking place *after* Heydrich informed him of Hitler's decision.⁴⁹ On the other hand I can find nothing in it to support

⁴⁷ In his subsequent response, Gerlach has suggested that this mention of the *Doppelschlacht* Minsk and Bialystok by Eichmann was an attempt by association to remember the travel destination of Minsk. Gerlach, *Krieg, Ernährung, Völkermord*, p. 270. But Eichmann used this association when constructing a chronology or *Zeitplan* for Servatius – that is, when he was attempting a temporal or chronological, not geographical, association to aid his memory.

⁴⁸ Zentral Stelle der Landesjustizverwaltungen (hereafter ZStL), 8 AR-Z 252/59: IV, pp. 656-60 and 763-5 (testimony of Josef Oberhauser, 26.2.60 and 20.4.60); VI, pp. 1037-40 (testimony of Josef Oberhauser, 15.9.60), 1112 (testimony of Ludwik Obalek), 1117-20 (Eustachy Urkanski), 1129-40 and 1195 (Stanislaw Kozak), 1138-40 (Edward Luczynski), 1142-3 (Tadeusz Misiewicz), 1150 (Michal Kusmierczak), 1153 (Maria Baniel), 1156 (Jan Glab), 1184 (Alojzy Berezowski), 1222 (Edward Ferens); IX, pp. 1680-87 (Josef Oberhauser, 12.12.62).

⁴⁹ In his subsequent response, Gerlach notes that "once" ("*einmal*") during his interrogation, Eichmann referred to the Belzec trip as taking place during the Wannsee Conference. Gerlach, *Krieg, Ernährung, Völkermord*, p. 272. I do not think one such inconsistent statement can outweigh the many other times in which Eichmann dated this trip to the fall of 1941, including when he had time to reflect and was preparing confidential notes for his attorney.

the notion of a December visit "at the earliest" except Eichmann's reference to two or three "wood huts" under construction.

If Gerlach tried to appropriate the Eichmann testimony without success, Hans Saffrian tried to discredit the dating of Eichmann's Belzec visit as a defense strategy falsification.⁵⁰ Again, I am not persuaded. As Eichmann's chronology and notes for Servatius indicate, he consistently placed the Belzec trip in the fall of 1941, whereas his major obsession was the claim in the memoirs of the Auschwitz commandant Rudolph Höss that Eichmann had visited Auschwitz repeatedly in 1941 and been involved with the search for a suitable gas. As he wrote for Servatius: "Why do I put so much value on all this? Because I must prove Höss the arch-liar, that I had nothing at all to do with him and his gas chambers and his death camp, because I . . . cannot have been with him at all at this time." (*Warum lege ich auf all dieser einen solch grossen Wert? Weil ich den Erzleugner Höss beweisen musste, dass ich mit ihm und seinen Gaskammern und seinen Tötungslager überhaupt nichts zu tun gehabt habe, weil ich . . . um diese Zeit gar nicht bei ihm gewesen sein kann.*)⁵¹ Insofar as there was a resulting tendency by Eichmann to modify dating, therefore, it was to move events to a later date so that he could only have been in Auschwitz for the first time in the spring of 1942. He certainly had no defense strategy or motive to move events, such as his visit to Belzec, to an earlier date. And although Eichmann might have confused some elements of different visits or telescoped them into one, I find it most implausible that he invented out of thin air an early visit to Belzec that was both described in considerable detail and contrary to the interests of his defense strategy.

Concerning Gerlach's point about the relatively small capacity of the gas chamber being constructed at Belzec, it may be true that viewed according to the later standards of Auschwitz, the first gas chambers at Belzec were indeed very small. However, I would note that for the Germans at that time they represented a significant increase in scale over the "euthanasia" killing centers in Germany. Furthermore, even Himmler's quick approval to construct and "test" such enlarged gassing facilities was far more likely to have occurred after a decision for the Final Solution than before.

⁵⁰ Hans Saffrian, *Die Eichmann-Männer*, p. 171.

⁵¹ BAK, All. Proz. 6169, Eichmann chronologies for 1941 and 1942.

More importantly, the construction of Belzec at this time ought not be viewed in isolation but rather in conjunction with the evidence of other Nazi plans for gassing facilities in the fall of 1941. Polish judge Jan Sehn and subsequently Frenchman Jean-Claude Pressac have accepted December 1941 as the date of the first gassing in the old crematorium in Auschwitz I,⁵² but I am inclined to accept the dating provided by Danuta Czech that the experimental gassings on Soviet prisoners of war (POWs) began in Bunker 11 in late August and in the old crematorium in mid-September.⁵³ Thereafter Jews rather than Soviet POWs were the test subjects. Particularly persuasive to my mind is the testimony of Hans Stark that in October 1941 he personally participated in gassings in the old crematorium of two groups of Silesian Jews brought to the camp in trucks. On one of these occasions he admitted shaking out the Cyclon B pellets. Stark had no reason to invent such self-incriminating testimony. Moreover, as he was on leave, from Auschwitz from December 1941 to March 1942, he could not have been confusing events from the fall of 1941 with the gassing of Silesian Jews in the old crematorium that occurred in late February 1942.⁵⁴

On October 25, 1941, the day Reichskommissar Hinrich Lohse arrived in Berlin to protest the planned deportation of Reich Jews to Riga, the Ostrministerium Jewish expert Eberhard Wetzell met with Viktor Brack, the euthanasia coordinator in the Führer's chancellery. According to the draft of a letter that Wetzell prepared for his boss, Alfred Rosenberg, Brack declared himself ready to aid in the construction of "gassing apparatuses" ("*Vergassungsapparate*") on the spot in Riga because they were not in sufficient supply in the Reich. They had yet to be built. (At that time, in fact, the gas van prototype

⁵² Jean-Claude Pressac, "The Machinery of Mass Murder at Auschwitz," *Anatomy of the Auschwitz Death Camp* (Bloomington, IN, 1994), pp. 209 and 242-3.

⁵³ Danuta Czech, *Kalendarium der Ereignisse im Konzentrationslager Auschwitz-Birkenau 1939-1945* (Hamburg, 1989), pp. 115-19, 122. See also: Franciszek Piper, "Gas Chambers and Crematoria," *Anatomy of the Auschwitz Death Camp*, p. 157; *Nationalsozialistische Massentötungen durch Giftgas*, ed. by Eugen Kogon, Hermann Langbein, and Adalbert Rückerl (Frankfurt/M., 1983), p. 204; ZStL, IV, p. 402 AR-Z 37/58 (LG Frankfurt 4 Ks 2/63), Sonderband 16, p. 2475 (testimony of Edward Pys).

⁵⁴ ZStL, IV p. 402 AR-Z 37/58, Bd. I, pp. 240-2, and Sonderband 6, p. 970 (testimony of Hans Stark).

was just being constructed and tested.⁵⁵) Brack offered to send his chemist Dr. Helmut Kallmeyer to Riga, where he would take care of everything on the spot. According to Wetzel, Eichmann was in agreement with the sending of Kallmeyer and confirmed that Jewish camps were about to be set up in Riga and Minsk to receive German Jews. Wetzel's draft for Rosenberg concluded that those capable of labor would be sent "to the east" later, but under the circumstances there were no objections "if those Jews who are not fit for work are removed by Brack's device" ("*Brackschen Hilfsmitteln*") in the meantime.

By late October use of "Brack's device" was also planned for the Warthegau. According to Walter Burmeister, the chauffeur of Herbert Lange, the future commandant at Chelmno, Burmeister drove his chief around the Warthegau in the fall of 1941, searching for a suitable site for a camp. Lange then drove to Berlin for consultations and returned to the village of Chelmno in late October or early November to begin construction. His chronology was confirmed by the local *Volksdeutsche Amtskommissar*.⁵⁶ According to Jan Piwonski, the station master at Sobibor, a group of SS officers arrived there sometime in the fall of 1941 to measure the track and ramp.⁵⁷ And ironically, no one has documented more clearly Nazi plans for a death camp with gassing facilities in Mogilev in the fall of 1941 than Christian Gerlach himself.⁵⁸

In sum, in the fall of 1941, "experimental" gassing of Jews had been undertaken in Auschwitz and the construction of death camps at Belzec and Chelmno was underway. Gassing facilities were also envisaged at

⁵⁵ Landgericht Hannover, 2 Ks 2/65, Strafverfahren gegen Pradel und Wentritt: VIII, pp. 221-2 (testimony of Helmut H.); IX, pp. 16-19, and XIV, pp. 118 (testimony of Theodor L.). Matthais Beer, "Die Entwicklung der Gaswagen," VZ 35/3 (1987), p. 411, dates the Sachsenhausen test to November 3, 1941.

⁵⁶ ZStL, 203 AR-Z 69/59, IV, pp. 62-43, and VI, pp. 961-89 (testimony of Walter Burmeister); VII, pp. 1288-93 (testimony of Konrad S.).

⁵⁷ ZStL, 298 AR, pp. 643-71 (Staatsanwalt Hamburg, 147 Js 43/69, investigation of Streibel), II, p. 442 (testimony of Jan Piwonski). The forthcoming work of Dr. Bogdan Musial adds additional evidence that preparations for a death camp at Sobibor were already underway in the fall of 1941.

⁵⁸ Christian Gerlach, "Failure of Plans for an SS Extermination Camp in Mogilev, Belorussia," HGS, 11/1 (spring 1997), pp. 60-78. See also: Jean-Claude Pressac, "The Machinery of Mass Murder at Auschwitz," *Anatomy of the Auschwitz Death Camp*, pp. 201, 208; Pressac, *Les Crématoires d'Auschwitz* (Paris, 1993), pp. 31-40; and Aly, "Endlösung," pp. 342-47. See also: Richard Breitman, *Official Secrets: What the Nazis Planned. What the British and Americans Knew* (New York, 1998), p. 77.

Riga, Mogilev, and Sobibor. Belzec was not an isolated phenomenon. Moreover, three of these sites were near precisely those cities - Lodz, Riga, and Minsk - to which Reich Jews were being transported and from which the reluctant recipients of these transports were assured that the presence of these Jews was temporary and that they would be sent further east next spring. And it was precisely at the one destination to which five transports of Reich Jews were sent but no gassing facilities were planned - Kovno - that all the deportees were murdered immediately upon arrival. Was all this just coincidence? I do not think so.

Indeed, talk of gassing Jews was so widespread at this time among even lower-echelon Nazi planners that on October 23 the Jewish expert of the Foreign Office, Franz Rademacher, could receive a casual note from the foreign editor of *Der Stürmer*, Paul Wurm:

Dear Party Comrade Rademacher!

On my return trip from Berlin I met an old party comrade, who works in the east on the settlement of the Jewish question. In the near future many of the Jewish vermin will be exterminated through special measures. (*In nächster Zeit wird von dem jüdischen Ungezeifer durch besondere Massnahmen manches vernichtet werden.*)⁵⁹

Moreover, the same Rademacher had just learned - presumably from Eichmann's deputy Friedrich Suhr with whom he had traveled to Belgrade - that the interned Jewish women, children, and elderly in Serbia - that is those totally incapable of heavy labor - would be deported to a "reception camp" ("*Auffanglager*") in the east "as soon as the technical possibility exists within the framework of the total solution of the Jewish question"⁶⁰ ("*sobald dann im Rahmen der Gesamtlösung der Judenfrage die technische Möglichkeit besteht*"). In such circumstances Gerlach's contentions that the fate of German and west European Jews was still undecided, that Belzec was merely a single test site about whose future role and significance the Nazis were still in the dark, and that the mass murder programs under preparation in the fall of 1941 were manifestations of local and regional initiatives unconnected to the regime's wider vision of a Final Solution strike me as quite untenable.

⁵⁹ PA, Inland II A/B 59/3, Wurm to Rademacher, 23.10.41.

⁶⁰ PA, Inland IIg, p. 194, Rademacher report, 25.10.41, printed in: *Akten zur Deutschen Ausserpolitik*, D, XIII, pp. 570-2.

Several key documents from November 1941 render Gerlach's contentions even less persuasive yet in my opinion. One of these documents – Rosenberg's remarkable press briefing of November 18, 1941 – Gerlach acknowledges but seriously minimizes. According to Gerlach, Rosenberg's remarks "could" be taken to mean that Soviet territory was to be the site of a total extermination of European Jewry but only "in the sense of a slow destruction"⁶¹ ("Im Sinn einer langsamen Vernichtung") But is this the most plausible or reasonable interpretation of this document? On November 15, 1941, Himmler had an extraordinarily long 4-hour meeting with Rosenberg, during which they discussed the relationship of the local Jewish experts to the HSSPF and Reich commissars (*Reichskommissaren*) in the east.⁶² Three days later Rosenberg gave a "confidential" background report to the German press.⁶³ Reporters were not to print the details of what was happening in the east, but they needed sufficient background so that the press could give its treatment the proper "color" ("Farbe"), he explained. Among the topics Rosenberg dealt with was the Jewish Question:

At the same time this eastern territory is called upon to solve a question which is posed to the peoples of Europe; that is the Jewish question. In the east some six million Jews still live, and this question can only be solved in the biological eradication of the entire Jewry of Europe. [italics mine] The Jewish question is only solved for Germany when the last Jew has left German territory, and for Europe when not a single Jew lives on the European continent up to the Urals. That is the task that fate has posed to us. . . . It is necessary to expel them over the Urals or eradicate them in some other way.

It is this reference to expulsion over the Urals, I presume, that Gerlach would cite as justification for his claim that this document "could" mean a total eradication of European Jewry only "in the sense of a slow destruction."

But several other passages of Rosenberg's speech indicate anything but a scenario in which nature would be left to take its gradual course

⁶¹ Gerlach, "Grundsatzentscheidung," p. 43.

⁶² MSA, 1372-5-23; Himmler Terminkalender, 15.10.41; and Nuremberg Document, NO-5329 (Himmler file note of 15.11.41 on conversation with Rosenberg).

⁶³ PA, Pol. XIII, VAA Berichte, Rosenberg speech, 18.11.41.

in decimating expelled Jews. First, there was a sense of urgency to accomplish the task now: ". . . we must be on our guard that a romantic generation in Europe does not again raise up the Jews." Furthermore, this was a program to be carried out by Germans, not a process to be passively left to nature. "You can imagine that for the implementation of these measures, only those men are assigned who conceive of the question as a historical task, who do not act out of personal hatred, but rather out of this very mature political and historical perspective."

Historians including Gerlach have no doubt that Frank's infamous December 16 speech in the General Government reflected his initiation into the Final Solution. And Gerlach has gone even further to note the degree to which Frank virtually parroted sections of Hitler's speech of December 12.⁶⁴ But he resists a parallel and to me equally obvious conclusion that Rosenberg learned of the Final Solution on November 15 and 3 days later gave a speech that represented not only a turnaround from his previous stance but resonated with Himmler-style rhetoric. But such a conclusion, of course, would necessitate Himmler's awareness of a Hitler decision long before Gerlach's date of December 12.

Shortly after his lengthy meeting with Rosenberg, Himmler met with State Secretary Wilhelm Stuckart of the Interior Ministry on November 24, 1942, during which the Reichsführer had insisted: "Jewish questions belong to me."⁶⁵ It is probable that Stuckart learned much more than Himmler's jurisdictional ambitions at this time. When a distressed Bernhard Lösener met with Stuckart on December 21, 1941, he relayed graphic reports of the recent massacre of Berlin Jews in Riga. Stuckart replied: "Don't you know that these things happen on the highest orders?"⁶⁶ This is yet another indication that Himmler was initiating key personnel in November, weeks before the alleged Hitler *Grundsatzentscheidung* of December 12.

Finally, we must turn to Hitler himself. On November 28, 1941, he met with the grand mufti of Jerusalem. Hitler stated: "Germany was resolved, step by step, to ask one European nation after the other to

⁶⁴ Gerlach, "Grundsatzentscheidung," pp. 29–30.

⁶⁵ MSA, 1372-5-23; Himmler Terminkalender, 24.11.41.

⁶⁶ Bernhard Lösener, "Als Rasseferent im Reichsministerium des Innern," VfZ, IX (1961), pp. 310–11.

solve its Jewish problem, and at the proper time, direct a similar appeal to non-European nations as well." When Germany had defeated Russia and broken through the Caucasus into the Middle East, Germany would have no imperial goals of its own and would support Arab liberation, Hitler assured the grand mufti. But Hitler did have one goal. "Germany's objective would then be solely the destruction of the Jewish element residing in the Arab sphere under the protection of British power."⁶⁷ Is it conceivable that if Hitler were already contemplating the murder of Jews throughout the Middle East, the fate of German and west European Jews was still undecided at this time?

The initial invitations to the Wannsee Conference were sent in late November for a meeting originally scheduled for December 9, 1941, 3 days before Hitler's alleged *Grundsatzentscheidung*, and the meeting eventually held on January 20, 1942, clearly presumed a Hitler decision. Thus Gerlach seeks to establish that the conference as initially planned had a different purpose from the one that was actually held. He claims, on the basis of the November invitation list and text of the invitation, that it was originally planned for the discussion of problems arising primarily from the deportation of German Jews, including the as yet undecided question of their ultimate fate.⁶⁸ Yet the reaction of the one invitee that can be documented, the German Foreign Office, was a memorandum outlining eight "desires and ideas" that spanned the continent, including specifically the deportation of Jews from Romania, Slovakia, Croatia, Bulgaria, Hungary, and Serbia.⁶⁹ Apparently the Foreign Office thought that the initial conference was to deal with the Jewish question throughout Europe and not only with German Jews. Two officials from the Ostministerium (Alfred Meyer and Georg Leibbrandt) were included in the invitation list, as was Greifelt from Himmler's ethnic German resettlement office. And following a conversation with the HSSPF Friedrich Wilhelm Krüger of the General Government, Heydrich added invitations to Krüger and Frank's state secretary, Josef Bühler, precisely because Krüger had led Heydrich to believe that "the General Governor aspires to completely

⁶⁷ *Documents on German Foreign Policy*, D, XIII, No. 515, pp. 882-4.

⁶⁸ Gerlach, "Grundsatzentscheidung," pp. 8, 11, 16.

⁶⁹ PA, Inland Ilg, p. 177, unsigned memorandum "Wünschen und Ideen," and Luther and Rademacher marginalia on Heydrich to Luther, 29.11.41.

monopolize the treatment of the Jewish problem."⁷⁰ Thus 6 of the 12 invitees (Luther, Bühler, Krüger, Meyer, Leibbrandt, Greifelt) did not represent agencies narrowly focused on technical issues related to German Jews. And the invitation letter included Heydrich's Göring July mandate to prepare a solution to the Jewish question throughout the German sphere. In short, neither the list of invitees nor the invitation letter convincingly supports Gerlach's speculation that the agenda of the meeting was initially rather narrow and then significantly broadened after Hitler's speech of December 12. And finally, the second invitation list did not change in a way that would suggest the radical change in purpose that Gerlach claims for the rescheduled Wannsee Conference. Here again I find his argument unpersuasive.

Gerlach also argues that no general destruction order could have been given before mid-December because only 6 of 41 transports of Reich Jews were liquidated immediately upon arrival before Hitler's December 12 speech.⁷¹ What Gerlach omits mention of, however, is that only 2 of the next 39 transports between mid-December and the end of April were liquidated upon arrival. A significant *reduction* in the number of transports subject to liquidation following Hitler's speech of December 12 is hardly convincing evidence for the Hitler *Grundsatzentscheidung* that Gerlach has claimed for that date.

Gerlach has provided much new evidence concerning a flurry of activity related to Nazi Jewish policy in December 1941. If the scenario he provides for this flurry of activity is unpersuasive, what did happen that month? I have argued that Hitler solicited the preparation of a plan for the Final Solution in mid-July 1941 and approved the resulting outline in early October. In the following month initial steps were taken: the deportation of Reich Jews and death camp construction began, Jewish emigration came to an end, and various officials of the Foreign Office and Ostministerium joined a widening circle of initiates. Until late November the deported Reich Jews were interned in ghettos in Lodz and Minsk. Then, suddenly, on November 25 and 29, 1941, all five transports from Berlin, Munich, Frankfurt, Vienna, and Breslau

⁷⁰ Eichmann note and draft letters, 1.12.41, facsimile in: "A Preparatory Document for the Wannsee 'Conference,'" ed. by Yehoshua Büchler, HGS, 9/1 (spring 1995), pp. 121-5.

⁷¹ Gerlach, "Grundsatzentscheidung," pp. 12-14.

to Kovno were massacred at Fort IX. Did this occur as the result of local initiative, as Gerlach has intimated?⁷² Or was it the point at which the Nazi regime officially crossed the threshold between deporting and murdering German Jews not just in conception but also in practice? I would suggest the latter interpretation.

As Gerlach's own research has shown, the deportation and killing of Reich Jews killings in Kovno gave rise to complications and complaints.⁷³ Therefore, as the first transport of German Jews destined for Riga was arriving on November 30, Himmler telephoned, from Hitler's headquarters, to Heydrich in Berlin with the message: "Jewish transport from Berlin. No liquidation." Such an intervention, I think, suggests that prior to this telephone call both Himmler and Heydrich, as well as HSSPF Friedrich Jeckeln in Riga, understood that these transports of Reich Jews were to be liquidated; there would have been no occasion for a message to the opposite effect if it was not needed to countermand existing policy. This intervention was too late, however, and the Berlin transport that arrived in Riga in the midst of the ghetto liquidation was immediately massacred.⁷⁴

The following day Himmler discussed "executions in Riga" with Heydrich. Moreover, he sent Jeckeln an angry radio message on December 1, 1941, that was intercepted by the British: "The Jews resettled into the territory of the Ostland are to be dealt with only according to the guidelines given by me and the Reich Security Main Office acting in my behalf. I will punish unilateral acts and violations."⁷⁵ And on December 4, 1941, Himmler met with Hitler in the morning and Jeckeln, recalled from Riga, in the afternoon.⁷⁶ Given Himmler's insistence that German Jews in the east be treated only according to his guidelines and the lack of any repercussions against Karl Jäger for the Kovno massacres (similar to those threatened against Jeckeln), I think this episode and the surviving documentation indi-

⁷² Gerlach, *Krieg, Ernährung, Völkermord*, pp. 276-7, in contrast to the cautious discussion in "Grundsatzentscheidung," 13, in which he provides evidence that the SS (Jäger) and the Ostmysterium (Kleis) discussed the killing action at least 3 days beforehand.

⁷³ Gerlach, "Grundsatzentscheidung," pp. 13, 15-16.

⁷⁴ David Irving, *Hitler's War*, p. 505; Broszat, "Genesis der Endlösung," pp. 760-1; Raul Hilberg, *The Destruction of the European Jews* (New York: Revised and expanded ed., 1985), p. 353; Andrew Ezergailis, *The Holocaust in Latvia*, p. 253.

⁷⁵ Richard Breitman, *Official Secrets*, p. 83.

⁷⁶ MSA, 1372-5-23: Himmler Terminkalender, entry of 4.12.41.

cates that the five Kovno transports were liquidated on Himmler's directive and the first to Riga was liquidated simply because Himmler's new policy was not countermanded in time. Given the complications that emerged, Himmler temporarily retreated from killing German Jews, and thereafter, with just two exceptions, the winter transports to Riga that completed the first wave of deportations were lodged in the recently cleared Riga ghetto or in the nearby camps of Jungfernhof and Salispils.⁷⁷ It would appear, therefore, that early December 1941 was not the date of a decision by which the Nazi regime sealed the fate of German Jewry but rather the date at which the murder of German Jewry was briefly postponed when the Himmler-sanctioned executions at Kovno resulted in too many complications.

The Red Army's Moscow counteroffensive on December 5, the Japanese attack on Pearl Harbor on December 7, and the German declaration of war on the United States on December 11 clearly overshadowed the repercussions from the Kovno - Riga massacres. Heydrich postponed the Wannsee Conference on December 8, 1 day before it was scheduled to be held. There would be no "announcement" ("Bekanntgabe") to the ministerial bureaucracy at this unpropitious moment. But with all the leading party figures in Berlin for his Reichstag speech, Hitler met with them on December 12 in his apartment and did make his "announcement." For many, like Hans Frank, it was their initiation, but for others like Alfred Rosenberg it was not.

Thus, the flurry of activity in December 1941 did not revolve around a basic Hitler decision for the Final Solution but concerned four other issues. First, Himmler dealt with the unease and uncertainty caused by the massacres of Reich Jews in late November by postponing any further such killing until it could be done more discretely and at a less uncertain time militarily and politically. Second, Hitler affirmed that

⁷⁷ The second transport of elderly Czech Jews from Theresienstadt, departing January 15, 1942, was liquidated upon arrival. H. G. Adler, *Theresienstadt*, p. 799. Of the February 10, 1942, transport from Vienna, 700 of 1,000 deportees were killed in the newly arrived gas vans. Saffrian, *Die Eichmann-Männer*, pp. 180-1. According to Jeckeln's postwar testimony, Himmler was still wrestling with alternative killing methods for Reich Jews. More transports would come but "he had not yet decided in which way they were to be destroyed . . . to be shot in Salispils or to be chased off somewhere into the swamp" ("dass er noch nicht entschieden habe, auf welche Weise die zu vernichten seien . . . in Salispils zu erschiessen oder irgendwo auf dem Sumpf zu jagen"). Helmut Krausnick and Hans-Heinrich Wilhelm, *Die Truppe des Weltanschauungskrieges* (Stuttgart, 1981), p. 568.

the Final Solution would go forward despite the changed military circumstances. This affirmation and clarification was especially necessary because in the fall of 1941, when in my opinion the basic decision had been made, the anticipated timetable had been expressed in two ways – “after the war” and “next spring.” In October these were two ways of expressing the same notion. In December, after the Red Army counteroffensive and American entry into the war, however, “after the war” and “next spring” were no longer two different expressions for the same timetable, and the conflict between the two had to be resolved. Hitler’s speech made clear that the Final Solution would go forward “next spring” and would not be delayed until “after the war.” Third, party leaders like Frank were initiated into a process already underway. And finally, issues of camouflage and rationalization were discussed in the flurry of meetings involving Hitler, Himmler, Rosenberg, and Brandt between December 14 and 18.⁷⁸

On January 8, 1942, Heydrich rescheduled the Wannsee Conference for January 20. As Eichmann later testified, Heydrich “expected considerable stumbling blocks and difficulties.”⁷⁹ Thus care was taken to minimize the most predictable problems. To preserve the plausibility that Jews were being sent to labor in the east and exclude countless intercessions, Heydrich announced his plan for an old people’s ghetto at Theresienstadt. Just months earlier he had envisaged Theresienstadt as a crude transit camp where “the Jews would have to dig their own shelter in the ground” and “would indeed be severely decimated” (“ja

⁷⁸ When Himmler met with Brandt on December 14, some euphonia personnel like Josef Oberhauser had already been transferred to the General Government. Himmler did not discuss an alleged Hitler decision but rather his concern about “camouflage” (“Tarnung”). When Rosenberg met with Hitler that same day, he noted that “now after the decision” (“jetzt nach der Entscheidung”) – which Gerlach interprets as a reference to the Final Solution and I see as a reference to the declaration of war on the United States – he would change his remarks and “not speak about the destruction of the Jews” (“von der Ausrottung des Judentums nicht zu sprechen”), a standpoint that Hitler approved. After the declaration of war on the United States, deterring “New York Jews” from inciting encirclement of Germany by openly threatening “appropriate consequences against the Jews in the east” was no longer relevant, and in the wake of the November massacres it was not prudent to draw attention to the extermination program. And again when Himmler met with Hitler on December 18, they did not discuss a new, fundamental decision but rather a rationale and possible *Tarnsprache*; the Jews were “to be destroyed as partisans.” For Gerlach’s arguments, see: “Grundsatzentscheidung,” pp. 23–25, including fn 103.

⁷⁹ Cited in Raul Hilberg, *Documents of Destruction* (Chicago, 1971), p. 101.

schon stark dezimiert wurden”) even before deportation to the east.⁸⁰ After the difficulties of late November, now instead an old people’s ghetto was cynically to be created, as Eichmann frankly admitted, “to preserve appearances to the outside.”⁸¹

Even when the deportation of Reich Jews resumed in March 1942, the transports were sent to ghettos in the Lublin district but not immediately liquidated. The first Jewish deportees from Slovakia and France in the spring of 1942 were likewise sent to labor camps, not the gas chambers. Only in mid-April did Hitler apparently decide to resume the killing of Reich Jews. Just as Himmler had personally toured the eastern front in late July and early August 1941, helping to disseminate the decision to kill Soviet Jewry, so he and Heydrich personally served as emissaries to the proposed killing sites of Reich Jews. On April 16–17, 1942, following a meeting with Hitler, Himmler traveled to the Warthegau. There he met with Gauleiter Greiser and HSSPF Wilhelm Koppe and ordered the deportation of Reich Jews from Lodz to Chelmno. Between May 4 and 15, 12 trains took over 10,000 Reich Jews to their deaths.⁸² Also in April Heydrich personally visited Minsk and told Security Police Commander (KdS) Eduard Strauch that all German and other European Jews were going to be killed. Jewish transports to Minsk would resume, and the deportees were to be killed on arrival. Strauch selected the former collective farm Maly Trostinez as the killing site, and the first transport from Vienna was dispatched on May 5, 1942.⁸³ Seventeen more transports to Maly Trostinez would follow. The first major deportations from East Upper Silesia that were gassed in Bunker 1 at Birkenau likewise began at this time.

Only in May 1942, therefore, was the mass murder of Reich Jews fully and unequivocally underway. This did not trace to a Hitler decision of December 12, 1941, but was foreseen by Himmler in the fall when he assured reluctant recipients of the first transports that the Jews would be sent further east in the following spring. A brief deviation from this timetable through the immediate liquidation of six

⁸⁰ H. G. Adler, *Theresienstadt*, pp. 721–2 (protocol of Prague meeting, 10.10.41).

⁸¹ ZStL report and document collection, “Judendeportationen aus dem Reichsgebiet,” doc. no. 18/11: report on RSHA IV B 4 meeting of 6.3.42, Düsseldorf, 9.3.42.

⁸² Peter Witte, “Two Decisions Concerning the ‘Final Solution,’” pp. 333–6.

⁸³ *Justiz und NS-Verbrechen* (Amsterdam) (JNSV), XIX (Nr. 552: LG Koblenz 9 Ks 2/62), pp. 192–4.

transports of Jews at Kovno and Riga in late November had threatened briefly to breach both the secrecy of and indifference toward the fate of the deportees. Hitler made known his full support for the murder of the Jews to the party leaders; there would be no turning back. A timetable of "next spring" and not "after the war" would be adhered to. But Himmler and Heydrich proceeded with much caution, devising camouflage language and cover stories on the one hand and delaying any immediate liquidation of transports of Reich Jews even when they resumed in March 1942 on the other hand. Only in May 1942 did the Nazi regime begin the systematic mass murder of Reich Jews that Hitler had decided upon the previous fall. A similar fate befell the transports from Slovakia and western Europe soon thereafter. And finally, in mid-July 1942, Hitler reaffirmed his Final Solution decision and demanded rapid and complete implementation, regardless of the looming labor shortage facing the Third Reich.⁸⁴

In short, I would offer the model of an incremental, ongoing decision-making process that stretched from the spring of 1941 to the summer of 1942, with key turning points in the midsummer and early fall of 1941 that corresponded to the peaks of German victory euphoria and sealed the fates of Soviet and European Jews, respectively. Within this extended, incremental decision-making process, decisions were indeed made in December 1941 and January 1942, but not that suggested by Gerlach, Safrian, and Hartog. In December the Nazi regime became aware that killing Reich Jews was a far more delicate proposition than the mass murder of Soviet Jewry. The immediate liquidation of transports of Reich Jews was suspended while Hitler simultaneously informed party leaders – many of them already initiated – of his ultimate intentions during the war. Heydrich's initiation of the ministerial bureaucracy, however, was postponed. When Heydrich finally convened the Wannsee Conference on January 20, 1942, he did not have a new list of invitees or new agenda. What was new was a greater caution concerning the treatment of Reich Jews, as seen in the more clearly articulated labor camp and Theresienstadt subterfuges. Although Heydrich was gratified by the degree of consensus he encountered, in the single most sensitive area concerning the mass

⁸⁴ Christopher R. Browning, "A Final Decision for the 'Final Solution'?: The Riegner Telegram Reconsidered," HGS 10/1 (spring 1996): pp. 3–10.

murder of Reich Jews he did not prevail, namely, the inclusion of the first-degree Mischlinge (Germans with two Jewish grandparents) and Jewish spouses in mixed marriage.

By mid-April 1942, the regime had survived the winter military crisis, and the prototype death camp at Belzec, despite its limited capacity, had proved itself capable of murdering 74,000 Jews from Lublin and Galicia in one month. At this point, just as the furious killing spree of the most fatal year of the Final Solution was getting underway, Himmler and Heydrich acted as personal emissaries carrying word of the decision that the mass murder of Reich Jews – from which the Nazi regime had temporarily shied away in December 1941 – was now to be resumed in Chelmno and Maly Trostinez. Reich Jews were now included in the Nazi program of systematic and comprehensive mass murder that Hitler had approved and Himmler and Heydrich among others had begun preparing in the fall of 1941. The Final Solution as we now understand it was fully underway.