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### The Problem of Jewish Agency in The Holocaust: 1939-1945

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## **Introduction**

The question of human agency as an ethical concern is applicable to the events of human history. Discussing this question is necessary, for if one does not consider a human being's ability to function, then the result is an inevitable diminishing in human empathy and sympathy for the past and its inhabitants. This could then lead to a lack of empathy and sympathy for contemporary humankind. To demonstrate this process, one may look no further than the example of the Holocaust, or Shoah, of the Second World War during the National Socialist (NS) occupation of Germany. Ronald J. Berger's work *Agency, Structure, and Jewish Survival of the Holocaust: A Life History Study* exemplifies this perfectly as he speaks on the issue of agency whilst using two different examples of Jewish agency. Berger argues that "Successful agency, however, was in large part a collective accomplishment and dependent on factors beyond individuals' control."<sup>1</sup> While I do not disagree with Berger's claim, I do believe that the restriction of agency is determined on a particular scale involving the individual. The only way for one to eliminate another being's agency entirely is to kill them. That is why, until the moment of one's death, every human being is capable of agency, which can only be limited, as Berger says, by "factors beyond individuals' control."

The Holocaust is such an interesting case because the National Socialists were unable to accomplish their goal as one third of European Jews were able to avoid capture and death entirely whilst living in occupied territory. Thus, there is evidence that the National Socialists were unable to restrict the agency of the Jewish people in their entirety, as evident by Jews from various backgrounds, exerting what remaining agency they had left to defy the NS regime to

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<sup>1</sup> Ronald J. Berger, "Agency, Structure, and Jewish Survival of the Holocaust: A Life History Study," *The Sociological Quarterly* 36, no. 1 (1995): 15-36. [www.jstor.org/stable/4121275](http://www.jstor.org/stable/4121275). 15.

their greatest capacity. Full genocide was thwarted by individual efforts which can illustrate a picture of collective defiance. Utilizing Berger's definition of agency as, "the capacity to exert control and even to transform to some extent 'the social relations in which one is enmeshed.'"<sup>2</sup> Focusing my attention to after 1939 in ghettos and camps, I will investigate period sources such as ghetto witness accounts, orders, and diary entries. This will allow for a comprehensive depiction of Jewish agency as neither entirely heroic, as Berger tries to avoid, or lachrymose, as painted by popular depiction.

### **Defining Terms**

To define agency without a proper connection to its relationship with resistance would be foolish, as many instances of Jewish agency could be interpreted as resistance against agents of National Socialist regime. However, Berger's definition of agency, as stated previously, and this analysis of individual accounts and narratives seem unable to be classified within two major contemporary terms in German historiography that define different forms of resistance; *Widerstand* and *Resistenz*. Both were coined by scholar Martian Broszart in his *Bayern in der NS-Zeit*. *Widerstand* is denoted as a physical, purposive, direct, and sometimes violent, counteraction against the state. *Resistenz* describes steps that are taken quietly as to subvert the ruling power in a way that poses less of a risk to one's life physically. Agency in the Holocaust, as expressed by Jews, cannot fit seamlessly into either one of these categories. Instead every action could be classified as either *Widerstand* or *Resistenz* as National Socialists inflicted punishment onto Jews or forced them to commit certain acts. This is the determining factor in why analyzing Jewish agency during the Holocaust is important, as we barely begin to scratch

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<sup>2</sup> Berger, "Agency," 18.

the surface of human decision-making when thousands of people are forced to commit particular acts so much so that one's very survival could be determined as an act of resistance.

I have been using the terms “Jew(s)” and “National Socialist(s)” to distinguish between two groups that appear to be historically opposed in hierarchical structure. However, the accuracy of using such terms is problematic. Not all National Socialists condemned “Jews” to death or oppression; some, however, eagerly participated. Nor were National Socialists the only ones to force “Jews” into submission. Thus, for the rest of this essay, when speaking about those who were physically responsible for the oppression and deaths of determined “Jews” I will refer to them as non-Jewish perpetrators. Unless made explicitly clear, National Socialist(s), or NS, will only be used when speaking about policy carried out by the party or clearly denoted military affiliates. As for a universally accepted definition of “Jew”, scholars are still trying to find one. For the sake of simplicity and distinction for this essay, I will look to how non-Jewish perpetrators determined the term “Jew.” Such designations went beyond even the laws of the National Socialist regime. This definition says something about the level of agency Jews had as a collective group. They were not even allowed enough agency to distinguish themselves as either being “Jewish” or anything else, to deny “Jewishness.” It did not matter if one was Orthodox or Secular, Reformed, Conservative or Convert. If the perpetrators determined one to be a Jew, then they were targeted.

### **National Socialist Policy**

The diminishment of agency would not have been possible without the implementation of NS policies which contextualize agency restriction throughout the Holocaust. Reinhard Heydrich was the Director of the Reich Main Security Office from 1939 to 1942. He and Heinrich Himmler arguably the leading architects behind the Holocaust, as supported by many obtainable

documents. One of which was his “Policy and Operations Concerning Jews in the Occupied Territories.” In this document Heydrich outlined his plans for Jewish internment in concentrated cities (ghettos) and the establishment of “Councils of Jewish Elders.”<sup>3</sup> This section states that “The Council is to be made *fully responsible*, in the literal sense of the word, for the exact and prompt implementation of directives already issued or to be issued in the future.”<sup>4</sup> This order could have easily been taken as a preventive measure to ensure that the oppression of Jews would continue within ghetto communities. However, this would later allow NS officials to further order the council to, unknowingly, evacuate groups of Jews to death and work camps where they would either be killed immediately or worked until death. This order does not mention evacuation or the systematic killing specifically. However, the entirety of Wannsee Protocol written in 1942 speaks upon the operations to evacuate Jews. It states that,

Another possible solution of the problem has now taken place of emigration, i.e. the evacuation of the Jews to the East... Approximately 11 million Jews will be involved in the final solution of the European Jewish question... The begging of the individual larger evacuation actions will largely depend on military developments.<sup>5</sup>

These orders were given in succession in 1939 and 1942 respectively and they demonstrate the progression, restriction, and oppression by non-Jewish perpetrators. This oppression of course would not cease, as evident by the Auschwitz Protocols by Alfred Wetzler and Rudolf Vrba which state explicitly that the total number of Jews killed between April 1942 and April 1944 at Auschwitz, was approximately 1,765,000.<sup>6</sup> This is the world in which Jews had to fight to survive, and in doing so were forced by perpetrators to commit desperate acts. Some of these acts

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<sup>3</sup> Reinhard Heydrich, “Policy and Operations Concerning Jews in the Occupied Territories,” *The Third Reich Sourcebook*, ed. Anson Rabinbach (Berkeley: University of California Press, 2013) 749-750.

<sup>4</sup> Heydrich, “Policy,” 750.

<sup>5</sup> “Wannsee Protocol,” *The Third Reich Sourcebook*, ed. Anson Rabinbach (Berkeley: University of California Press, 2013) 753-755.

<sup>6</sup> Alfred Wetzler and Rudolf Vrba, “Auschwitz Protocols,” *The Third Reich Sourcebook*, ed. Anson Rabinbach (Berkeley: University of California Press, 2013) 802.

might be characterized as heinous under normal circumstances. However, the circumstances were anything but normal for Jews during German occupation. The questionable ethics that were applied during this period leads into serious inquiries regarding personal agency.

### **Constraining Situations**

One must consider the roles and opportunities that Jews had inside and outside of the ghettos to help determine the degree of agency that individuals held. It should be noted that, one individual does not represent the agency of the entire European Jewish population. Yet, it is looking at individual cases that one will come closer to understanding the unique positions of Jews working within the confines of persecution. One such individual was Dr. Israel Milejkowski who had conducted a remarkable study of hunger in the Warsaw Ghetto. In his “Evaluating the Ghetto” Milejkowski described the limitations of the ghetto while at the same time acknowledging the important role of survival in the ghetto.

The chief curse of the ghetto is that there we can not be creative. Under brutal outside pressure we have lost the possibility and also the qualities of creativity... one thing is terribly clear: the ghetto demoralizes! What is a blessing for the ghetto-smuggling, for example- is from the national standpoint a curse.<sup>7</sup>

Milejkowski went on to suggest that the generation to come out of these smugglers would be considered deplorable, and he gave no information on whether they were able to move out of the ghetto by covert means. His idea of future generations, however, does not impact the choices and free agency that these smugglers have in comparison to other residents of the ghetto. They were able to provide luxuries that would have previously been taken for granted before the occupation. Even Dr. Milejkowski himself would go on to provide for the ghetto in a way that non-Jewish perpetrators were unable to control. However, Milejkowski arguably had more agency than

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<sup>7</sup> Hillel Zeitlin and Israel Milejkowski, “Evaluating the Ghetto,” *The Third Reich Sourcebook*, ed. Anson Rabinbach (Berkeley: University of California Press, 2013) 762-763.

others, such as Zalmen Gradowski, who were forced to escort other Jews to the gas chambers. Gradowski had witnessed extraordinary amounts of death as he was assigned this task by NS officers. His particular case shows how Jewish agency diminished throughout the Holocaust from the ghettos to the gas chambers. In his testimony he speaks solemnly about the final words of a group of female victims.

Others spoke to us quietly and calmly: “We’re still young. We want to live, just a little more life.” They weren’t pleading with us, for they knew that we were victims just like themselves. They simply spoke, spoke just like that, because their hearts were heavy and before they died they wanted to tell their sorrow to those who would survive them.<sup>8</sup>

Gradowski counts himself among the victims. Obviously, he would not be among those he had just escorted to be killed, but he assumed that these women are speaking not out of a plea, but for the sake of venting their sorrow to those who would understand. Transporters like Gradowski were among those persecuted and whose agency had significantly been diminished. With what little agency he had left, he could not have improved the situation of those he had led to the camps, as his capability as an individual would not have been enough. This does not mean that he was completely unable to do anything, for there are many cases, even within Gradowski’s testimony, that suggest differently, which will be spoken about later. The capabilities of those that Milejkowski and Gradowski describe are largely different. Yet, they both bring up questions of how Jews responded to their new environment and forced submission by the non-Jewish perpetrators.

### **Demonstrations of Limited Agency**

Ethical concerns must be raised regarding forced participation of Jews in the destruction and systematic oppression of their loved ones and compatriots. Stefan Ernest raises such

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<sup>8</sup> Zalmen Gradowski, “The Czech Transport,” *The Third Reich Sourcebook*, ed. Anson Rabinbach (Berkeley: University of California Press, 2013) 807.

concerns as he debates the actions of Adam Czerniaków, president of the Warsaw Ghetto Council, after he had committed suicide as an act of protest against non-Jewish perpetrators. Ernest condemns the action of the president stating that “[He] committed a major error, possibly even an act of cowardice...[He] should have lived and led the rebellion...For the sake of honor he should have let them assume responsibility for shedding their own blood.”<sup>9</sup> Was Czerniaków’s suicide an act of a final choice, or was it a restriction of others’ agency, as Ernest suggests? Did he effectively slow the killing of more Jews as a sacrifice, or did he give into the goal of non-Jewish perpetrators? This case, due its ethical conundrum, is what I argue to be one of the closest possible cases of complete erasure of one’s agency, second only to death. Although, there are similar cases in which another in the same position did not commit suicide. One might argue that those who were led into the gas chambers at death camps would have had a similar, if not worse, restriction of agency. A counter to this is that the victims held some sense of agency once they realized the inevitability of their own death. Once again in Gradowski’s accounts he tells of disrobed women who try to persuade the officers into touching them before they were killed. Gradkowski specifically mentions the stories of two women in his journal. One of which, after a rebuking speech toward the officers, spat in the face of a female SS officer before going into the crematoria.<sup>10</sup> Another women also rebuked the officers, only this time, attacked the director of the crematoria which resulted with her being clubbed, after which she calmly and willfully went to her death. In both instances neither women had to deal with the ethical conundrum of dealing with the lives of others. They only had themselves and still had the choice to take, what was deemed as, impactful action against their oppressors. As Gradowski

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<sup>9</sup> Stefan Ernest, “Warsaw Ghetto Diary,” *The Third Reich Sourcebook*, ed. Anson Rabinbach (Berkeley: University of California Press, 2013) 765.

<sup>10</sup> Gradowski, “Czech Transport,” 809-810.

states, “The officers stood silent, stunned...They had let her speak even though they knew what she would say, compelled to listen to this Jewish woman on her way to die.” We cannot know with certainty if Gradowski’s account is accurate, but even if this particularly detailed case did not happen, there is still a likelihood that something similar to it did. He too was a Jew and would have likely felt responsibility to some degree. The next question to ask would be what restrictions had Gradowski encountered that would have determined his level of agency. Unfortunately, Gradowski does not speak about himself enough to speak about his level of agency.

One must consider the gendered aspect of Gradowski’s testimony as well. He speaks on behalf of a group of women who could not speak for themselves. One cannot expect to receive testimony from any of the victims unless they survived due to extraordinary circumstances. Otherwise the evidence presented is already skewed in favor of a male perspective. Visiting the role that gender has played within accounts of Jewish oppression, one can find a great example in the testimony of Stefania Staszewska. Staszewska had been transferred from the Warsaw Ghetto and recounts witnessing its fiery destruction due to conflict involving agents of the NS regimen and armed resistance. Due to unfortunate circumstances Staszewska and others are accused of escaping and are escorted to be, to her knowledge, executed. In the meantime, a young boy from her group tries to run away,

One boy tries to escape and takes a series of bullets in the stomach. He runs a few more meters, curling up like a cat. He’s writhing with pain; the Germans order us to carry him by his arms and legs to the Befehsstelle...The wounded boy is howling with pain; his brother asks the Germans to put him out of his misery but they just laugh. “You’ll all look like that in a minute.”<sup>11</sup>

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<sup>11</sup> Stefania Staszewska “Warsaw Ghetto Diary,” *The Third Reich Sourcebook*, ed. Anson Rabinbach (Berkeley: University of California Press, 2013) 779.

Once again, we have an example of a person speaking about an instance that happen to someone else of the opposite sex. A significant difference between Staszewska and Gradkowski is that in Staszewska's case, the NS officer that was spoken to responded with joking cruelty. She also separates herself, as a Jew, from the soldiers, as denoted by her use of "Germans." This is important as she later refers to specific onlookers as "Poles" separating herself from both her oppressors and bystanders. The deduction can be made that she is a Jew, but more importantly one who makes the distinction between the three. This account seems to contradict efforts made by Jews before the NS occupation to unify Jewish and German identities for themselves and to fight against prevailing Anti-Semitic attitudes. Staszewska has added yet another layer of complexity to this debate. The ethical component to specific narratives of Jewish agency underscores an entire subfield regarding Jewish resistance.

### **Ethical Conundrums & Religious Denunciation**

In his article "Jewish Resistance" Robert Rozzet gives a historiographical overview of scholarship regarding Jewish resistance to National Socialists and non-Jewish perpetrators alike. Rozzet states that,

Many early writers considered armed resistance to the Nazis to be the only legitimate response for Jews, who had shed their Diaspora-like behavior. Those who did not resist with arms (or at least flee in the face of the Nazi onslaught) were denigrated, and they were bunched together under the rubric of having gone to their deaths 'like sheep to the slaughter'. This became a common view in Israel of the behavior of Jews during the Holocaust.<sup>12</sup>

This historical line of inquiry since its inception seems to disregard any accounts that would advocate for the "passive" nature of interned Jews. Granted, rebellion and rescue are serious

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<sup>12</sup> Robert Rozzet, "Jewish Resistance," In *The Historiography of the Holocaust*, edited Dan Stone (New York: Palgrave Macmillan, 2005) 341-342.

topics of consideration when looking at agency. However, collective agency utilizing an act of rebellion or rescue could not have been accomplished without outside help, pre-planning, or spontaneous group insurrection. When one breaks events down to an individual level judgment becomes comprised as situations become grayer. Take the earlier example of Adam Czerniaków in the Warsaw Ghetto. He believed his unfortunate action would be suicide. On a strictly individual level one could argue that his suicide was a final act of agency that would release him from oppressive control by his superiors. However, the strikingly harsh result of his death was a contribution to the end goal of the NS regime and non-Jewish perpetrators. To them he was likely just one more dead Jew. What complicates matters further is that Czerniaków had to consider the lives of other Jews within the ghetto. Perhaps his suicide was to serve a larger purpose of slowing down forced relocation of Jews to concentration and death camps. If this was the case, then his agency was still restricted up until he died, for he made a choice out of a pressured circumstance. Not only that but whether he did something or nothing, he would have restricted the agency of fellow Jews. This is arguably a worse situation than those heading into a gas chamber of their own fruition without having to choose whether others live or die. Pressured suicide resulting from a forced ethical choice is not a justified final act of agency. To quote womanist theologian Eboni Marshall Truman, "If one's whole life is already on a trajectory of death, how redemptive is the use of death for political activism?"<sup>13</sup> Czerniaków would not have known what his death might have led to, all that anyone can say is that his suicide was a tipping point.

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<sup>13</sup> Michelle Wolff, "Madonna and Child of Soweto: Black Life Beyond Apartheid and Democracy," *Political Theology*, vol. 19, no. 7, (2018) 586.

## **Conclusion**

The argument that the National Socialist's goal of complete genocide was in part thwarted by individual efforts illustrating collective defiance is entirely supported by the fact that no human being can be limited to having absolutely no choice. To inquire about individual cases is to also create an ethical basis for analyzing collective action in examples of rebellion, rescue operation, or escape attempts, as Rozzet's article points to. This claim obviously delves into the realm of philosophy, but it is a question that must be addressed to help adequately describe the experiences of historical figures and oppressed groups. It raises questions like whether suicide is a valid final expression of agency under given circumstances. When asking about historical inquiry we must begin to look to the voices of those who lives where complicated by an oppressive force. Doing so helps gauge action that was taken, so that in future situations actions like it could either be followed or avoided. Exemplifying Jewish agency speaks to the principles of inclusive scholarship. By viewing and investigating these narratives we limit the risk of overwhelming apathy to history as well as to the contemporary era.