



## Editorial

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## Foreword

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In their extraordinary study of a photograph of looting from the Treblinka extermination camp, *Golden Harvest*, Jan Gross and Irena Grudzinska Gross remind us that “Wartime plundering of Jews became a continent-wide affair. It took place from the Atlantic Ocean in the west to as far east as German armies reached in their campaign against the USSR, and was accompanied by opportunistic behavior of the local population” (Gross and Gross 2012, 78). The economic war against the Jews was an essential part of the Nazi antisemitic program. The corrosive corruption that set in under the combination of traditional Christian and nationalistic antisemitism viewed “the Jews” as an exploiter of native society and, as Gross and Grudzinska wrote, “demanded the elimination of the Jews from the national economy...in order to liberate subjugated peoples from alleged Jewish enslavement” (Gross and Gross 2012, 11). Economic elimination was integral to the physical extermination of Jews from the European continent.

This themed issue of the Journal of Eastern European Holocaust Studies is a welcome attempt to focus on the question of the spoliation of the Jews of Eastern Europe and the results of post war efforts at restitution. It brings together a number of specialized studies that range over several countries and offers an overview of the latest research on the topic. These articles are an important reminder of the necessity of confronting this issue in the very region where most of the Nazi murders took place and that for too long have been receiving only minimal attention. This is evident for example in the 2007 collection of studies *Robbery and Restitution: The Conflict over Jewish Property in Europe* (Dean, Goschler and Ther 2007). Out of nine case studies of restitution discussed there, only three articles refer to countries in Central and Eastern Europe. A few new academic works on the restitution of Jewish property confiscated in Eastern Europe have since appeared, but significant gaps in scholarship persist, particularly regarding the return of

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**Correction note:** Correction added 05 June 2025 after online publication April 10: In paragraph 2 on page 4 the number of countries that endorsed the Terezín declaration was updated to 38.

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Jewish property seized by the Nazis and subsequently nationalized in the former Soviet republics (Ionescu 2024).

Countries that fell under Communist rule after the Second World War were subject to Holocaust distortion for many decades, greatly delaying a reckoning with this past. For the Communists, historical reality was secondary to political aims, and everything, including the Holocaust, was contorted to fit the Marxist/Stalinist paradigm. Thus, since Communism did not recognize religious and ethnic identity, the specific Jewish nature of the Holocaust was often subsumed under a generic “victim of fascism” rubric that was used to build a national identity. In her article in this issue, Eugenia Mihalcea has described the situation well, writing that “the selective denial of the Holocaust was the Communist authorities’ approach to the topic after the end of the Second World War. Especially after 1948, they carefully avoided tackling the issue of country’s own involvement in the persecution of its citizens, externalizing the blame on Nazi Germany. Additionally, in the official narrative the focus was on anti-Fascist resistance and Communists’ martyrdom during the Holocaust and not on Jewish sufferings” (Mihalcea 2025). Such Holocaust distortions, however, are not limited to the murder or genocide of the Jews, but have become an integral part of a narrative relating to both the plunder of Jewish assets and postwar efforts at restitution.

In Eastern Europe, as in the West, national myths have been invented after the war to exculpate the citizenry of responsibility for the crimes of the Holocaust. Such mythology denies or minimizes the plunder of the Jews and creates a smoke screen around the actors involved in the theft of Jewish property. It invariably turns state actors and ordinary citizens into victims, neutrals, or even rescuers, who bear little responsibility for the injustices that occurred.<sup>1</sup> In the decades since the fall of the Iron Curtain, however, a new generation of historians and researchers have been able to access archives that were once sealed and have been able to dig deeper into the documents that tell the story of the greatest theft in history. Using for example military files, legal decisions, political and diplomatic records, deliberations of Jewish communal organizations, press stories and business accounts they have been able to uncover much more than had once been conceivable. Taken together with the survivor testimony, we now have a much fuller picture of Nazi spoliation, its vast labyrinth of “legal” measures and endless acts of unsanctioned profiteering. Today we now know more about local collaborators and enablers without whom the Nazi plan to murder and rob the Jews could not have succeeded; about those who benefitted from this unspeakable crime; and about how post war restitution efforts

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<sup>1</sup> For more on national mythology and Holocaust-era restitution, see Irwin Cotler. 2001. “The Holocaust, ‘Thefticide’ and Restitution: a Legal Perspective,” in *The Plunder of Jewish Property during the Holocaust. Confronting European History*, ed. Avi Beker, with a Foreword by Edgar Bronfman and Israel Singer (New York: New York University Press), 66–82.

sometimes succeeded but often failed as well. Knowledge, however, is only the first step.

The landmark JUST Act (Justice for Uncompensated Survivors Today) report issued by the U.S. State Department in 2020 noted that “Most countries in Western Europe were able to launch restitution measures almost immediately after WWII. Countries in Eastern and Central Europe, however, had a much different experience.”<sup>2</sup> In 1993, the World Jewish Restitution Organization (WJRO) was founded to “address the restitution of Jewish property and to remind the world that the time has come to redress the enormous material wrongs caused to European Jewry during the Holocaust.”<sup>3</sup> The collapse of the Iron Curtain created the opportunity for the national Jewish communities weakened by the Holocaust and immigration to have international representation to deal with the new post-Communist governments for the restitution of their property wrongfully seized since the Holocaust.

As is known, the transition from Communism to democracy and rule of law in Eastern Europe was anything but straightforward. Serious economic difficulties experienced by these countries fed into political instability, and both made negotiations for the return of Jewish property a slow and challenging process. Still, there has been some progress (Weinbaum 2001, 83–110). In the three decades of WJRO’s existence, important restitution and compensation agreements have been reached with a number of formerly Communist countries, such as Romania, Latvia and Serbia, among others.<sup>4</sup> However, significant issues remain unresolved in these and other countries resulting in limited redress. In Croatia, for example, even after 15 years of high-level conversations, the restitution for heirless, formerly Jewish-owned property has not been settled, nor the condition of Jewish cemeteries or the exclusion of foreign citizens and non-direct descendants from private property claims. In Hungary, too, a pressing and much delayed issue is the restitution of heirless and unclaimed Jewish property. In Poland and Moldova unreturned communal property tops the list. In addition to not having a comprehensive restitution law, Poland also passed measures making it even harder for survivors to claim the return of Nazi-stolen property that was nationalized by the

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<sup>2</sup> JUST Act Report, p. 6, <https://www.state.gov/wp-content/uploads/2020/02/JUST-Act5.pdf>. Accessed March 4, 2025.

<sup>3</sup> <https://wjro.org.il/about-wjro/about-us-our-mission/>. Accessed March 4, 2025

<sup>4</sup> For a country by country progress survey until 2018, see Michael J. Bazyler et. al., eds. 2019. *Searching for Justice After the Holocaust. Fulfilling the Terezin Declaration and Immovable Property Restitution* (Oxford: Oxford University Press). For progress from 2020 to 2022, see WJRO’s report, “Holocaust-Era Property Restitution Key Updates on Immovable and Movable Property Restitution Since the Release of the JUST Act Report,” available online at [https://wjro.org.il/wp-content/uploads/2022/11/terezin-conference-report\\_nov-2022\\_digital-edition.pdf](https://wjro.org.il/wp-content/uploads/2022/11/terezin-conference-report_nov-2022_digital-edition.pdf). Accessed March 6, 2025.

Communists after the war.<sup>5</sup> Bosnia and Herzegovina is another country where, despite repeated calls from WJRO and its national partners there, legislation providing restitution or compensation for wrongfully seized communal and private property, as well as heirless property, does not yet exist. It is no coincidence that in the countries mentioned above Holocaust distortion has been embraced by nationalist governments to create what Yehuda Bauer called a “usable national past”, a past that uses Holocaust distortion to “strengthen nationalistic authoritarianism by presenting a unified, positive image of the nation’s past as a counter to its detractors, whether real or imagined” (Bauer 2020, 215).

In November 2022, at the second Terezin Declaration Conference held in Prague, 38 countries (among them many Central and Eastern European nations) have reaffirmed their own pledges given in 2009 to address the restitution of property wrongfully seized during the Holocaust and/or subsequently nationalized. They voluntarily agreed to provide justice for survivors, their heirs, and Jewish communities, and to combat antisemitism.<sup>6</sup> And just last year, out of 31 countries that have already endorsed the Best Practices for the 1998 Washington Conference Principles on Nazi-Confiscated Art, 11 East European governments have committed anew to trace looted cultural property in their respective countries and return it to its rightful owners.<sup>7</sup> Katalin Andreides’ assessment in this journal issue of the status of the return of Nazi-looted art in Eastern Europe holds true for other stolen Jewish property as well: “To date, Eastern European countries have performed rather poorly in their commitments as per international accords concerning the restitution of Nazi-confiscated art...” (Andreides 2025). Without comprehensive legislation and supported by demonstrated political will, these laudable efforts will not achieve their goal.

It is clear from the articles published in this issue that the struggle for restitution and compensation needs to be included in any discussion of the Holocaust. For far too long, it has been viewed in isolation or treated as a “post” Holocaust issue. Today we have learned that restitution is an essential part of the history of the Holocaust, and while it is important for understanding this tragic event, it also has wider implications for a nation’s self-image. The variety of topics and countries discussed in this journal issue give us some idea of just how deep and wide the scholarship on restitution has grown today; but even more importantly, it shows us how crucial is to

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<sup>5</sup> See “Poland’s Restitution Law sparks row with Israel and the US,” Politico, August 13, 2021, available at <https://www.politico.eu/article/poland-parliament-restitution-law-property-compensation-nazi-communists/>. Accessed March 6, 2025.

<sup>6</sup> For list of countries and commitments, see the Terezin Declaration Conference, 2022, <https://mzv.gov.cz/terezindeclaration>. Accessed March 7, 2025.

<sup>7</sup> For a current list of countries endorsing the Best Practices to the Washington Conference Principles, see <https://www.state.gov/office-of-the-special-envoy-for-holocaust-issues/best-practices-for-the-washington-conference-principles-on-nazi-confiscated-art>. Accessed March 6, 2025.

set the historical record straight and acknowledge what has been accomplished and what still remains to be done for the victims of economic crimes perpetrated by the Nazis and their collaborators.

US diplomat Stuart Eizenstat, who has been a central figure in restitution efforts for decades, stated it bluntly: “To do justice is in part a financial task. But it is also a moral and political task that should compel each nation involved in these tragic events to come to terms with its own history and responsibility” (Eizenstat 2001, 45). The articles gathered in this themed issue widen our knowledge of the history of restitution and compensation in Central and Eastern Europe. They highlight the complexity of pursuing this goal against the politics of the Cold War and then in the post-Soviet era, and put the onus on democratic governments to live up to their commitments. In their totality, these studies also remind us of the need to complete the task of restitution as a measure of justice that honors the victims of the Holocaust and restores the dignity of the ever-dwindling number of Holocaust survivors living in the borderlands of Europe and beyond.

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