

## **Compensation for and Acknowledgement of Former State Violence in Germany – An Implicit Comparison with Taiwan**

*Stephan Feuchtwang*  
*London School of Economics*

### **Abstract**

*German acknowledgement of the injustices committed under its Nazi regime is exemplary in two senses. One is the sheer scale of atrocity to be acknowledged. The other is the scale and depth of the acknowledgement organized and paid by the federal and local states of Germany. The precondition for acknowledgment was a sudden change of narrative and regime, initially imposed by the occupation forces, but taken up with increasing amplitude by the Federal German state. This is comparable with the changed narrative and regime in Taiwan, precondition for acknowledging the White Terror, a human injustice on a very much smaller scale. I use the idea of 'contexts of redemption' to describe this precondition. They are contexts created by world politics, in which world powers are engaged in the creation of new nations. Issues of international justice and the precedent of an international, cosmopolitan court of justice to try war criminals soon became enveloped in the ideological and military confrontation of the Cold War. In Germany for some historians this became a way of avoiding the centrality of Nazi annihilation of Jews and Gypsies, and in school history the derogatory description of the former East Germany was a similar deflecting issue. At the same time, guilt for the programme of annihilation and enslavement has been amply acknowledged. This mix of guilt, shame and deflection is examined. The prevalence of victimhood as the basis for nationalism is regretted and questioned.*

### **Introduction**

When Shih Fang-long and I were in Taipei pursuing our research on the Luku Incident, we spent some time with the person in charge of the White Terror Compensation Fund, who organized financial and ceremonial reparation for its victims. At one point we went to lunch with him. I had told him about the whole comparative project of which the Luku Incident was one third; the other parts concerned the Mainland Great Leap famine and the German (Nazi) Third Reich. On the way to lunch he asked how compensation and acknowledgment were handled in Germany. What I am going to present now is by way of an extended answer. At the time, the great difference upon which I dwelt and in which he was interested, was that in Germany some of the perpetrators were tried, whereas in

Taiwan none were. I could also have commented that the compensation paid out was incomparably larger in Germany. This reflects the difference in scale of the state violence for which reparations were made, but it also reflects the fact that in Taiwan compensation was a one-off payment, whereas reparation to the descendants of killed Jews and to the Jews forced to flee the Nazi programme of murdering Jews were continuing payments, like a pension, until they died.

Most of the victims of the White Terror were compensated for gaol sentences; relatively few (in what was of course a much smaller number of victims in the first place) were executed. The nature as well as the scale of state terror called 'the White Terror' was altogether different than that of the Nazis. But the contrasts may bear some points of significant difference or some concepts for thinking about them both.

### **The Scale of State Violence: War And Holocaust**

The largest single incident of the White Terror, the one in Luku, was devastating in Luku, but to have an idea of the devastation brought about by the Nazi leadership of Germany taking the country into a war of conquest of its neighbours, let alone the attempted annihilation of Europe's Jews and Gypsies, you would have to multiply Luku into every part of Taiwan, and that is just thinking about the devastation of Germany, not the devastations wrought by the invasions and occupations of Europe by the Nazi-led armed forces.

Another point of contrast is that the Luku Incident was an event in a continuation in Taiwan of a civil war, between the Guomindang and the Chinese Communist Party, whereas the war in Germany was a Nazi war of aggression, eventually opposed by allied forces who fought against the Nazi axis. They did so as an act of justice in at least two senses. One was that of honouring a treaty with Poland, signed by Britain and France, in case of invasion to come to the others' aid. Until his invasion of Poland, Hitler's war of expansion was to some extent justified by the unjust restrictions put upon Germany by the Treaty of Versailles that settled the armistice with which the First World War had ended. Even his annexation of large parts of Czechoslovakia that were German speaking could have been justified. But the Nazi invasion of Poland was blatantly not about restoring the injustices of the Treaty of Versailles that ended the First World War. It was to remove most of the Polish people into various forms of forced labour and take their land for Germans to farm or build on (Evans 2008: 11). Continued conquest of Eastern Europe and the USSR (Ukraine, Belorussia, and Russia) had the same rationale. So a second sense of a just war could be invoked; it was a war to free the people of Poland and then the other countries enslaved by German occupation and rule.

Justice opposed Destiny. The promise of the Nazi leadership was that Germany's racial destiny of greatness and prosperity would now be fulfilled. Any doubts were forbidden or, in the last two years of the war, when German cities were being fire-bombed and the German forces were thrust back onto battle lines within Germany, Goering and Hitler said that if the German people were defeated, they did not deserve their destiny.

The Chinese civil war was fought on both sides with a strong sense of justification, each claiming to represent the future of China, each portraying the other side as betrayers of that future. They were civilizational claims, as well as

being nationalist, with the Communist claim coming closest to the anti-Nazi allies' claim to represent a world justice, but by 1952 each side had become separated in another ideological divide that became known as the Cold War between two kinds of political economy and their ideologies of Freedom and of Socialism. State violence, such as that committed in Taiwan, and that committed by the Nazis and their opponent states, is not just a matter of geopolitics, nor reducible to interests in a political economy or in reasons of state. It is also irreducibly ideological: Hitler's intention to exterminate the Jews of Europe cannot be reduced to a reason of state, nor can Jiang Jieshi's claim to represent Chinese civilization and its modern fate, even though many of their officials and they themselves also sought to promote themselves and aggrandize their leadership. In terms of world history, the White Terror was a product of the Cold War that followed and created quite different conditions to the different kinds of fascism and wars against fascism that characterized the twentieth century until the Cold War. The Cold War's actual wars became subject to the growing body of precedents for a system of what has been called cosmopolitan justice, international courts trying crimes against humanity, the earliest precedents being precisely those created in the improvised court in Nuremburg that set up justice against the Nazi pursuit of racial destiny. Incidentally, Nuremburg was well chosen since it was there that the Nazi regime devised the anti-Semitic laws of racial exclusion implemented in 1934. But here there is a contrast to note. None of the leaders of the main powers in the Cold War was ever brought before a court of justice. The Cold War was, by contrast, like a global civil war, neither side able to claim universal justice against the other.

### **Justice Imposed: Germany's Defeat and Occupation**

I move now to the complete change brought about by the defeat and occupation of Germany, a long process continuing now, something to compare with the change brought about by the ending of military and Guomindang rule in Taiwan from 1987 onwards. This will take me from world history and the acts of state violence committed in it down to the much more intimate and personal responses to these acts and their transmission in the changed political regimes of Germany and Taiwan.

Concentration camp guards had forced the nearly dead inmates to pile the dead into open pits, now some of the guards were forced to bury them properly. At the top of the hierarchy, some Nazi leaders were tried in Nuremburg for the newly minted crime of genocide. The allies also enforced a complete change of school curricula. Under Hitler history was a triumphant arrival at what he called a Third Reich that would last a thousand years, a triumph of destiny. This was changed to a completely new trajectory of two kinds of democracy – socialist in the Russian zone of a victory over capitalism responsible for fascism, without accepting any responsibility for the Nazi past, plural democracy in the American, British and French zones, a history that had to acknowledge its Nazi past.

How did the German survivors of the war, the soldiers and the far more numerous women and children, many of whom had fled west from the advancing Russian army and were refugees in the devastated cities, respond to this victory of justice over destiny?

Two of the most notable general responses were silence and victimhood. Silence about what was before their eyes, the devastation that was material witness to the horrors of fire and the stink of buried bodies, a silence that remained until very recently, and so was not simply the result of a preoccupation with basic survival. It became a frantic energy of clearing the rubble into piles from which to salvage building materials and rebuild the cities, an energy that produced the German economic miracle. Victimhood could with justice be claimed by all. But non-Jewish, non-Gypsy Germans were victims of a regime that many had supported and from which most had benefited. It was also a victimhood that was professed as a way of denying responsibility for the disappearance of Jews and Gypsies and the deaths in forced labour of Slav peoples, from whose work and expropriated property so many had benefited.

Reconstruction, with the help of the US Marshall Plan, required the continuance of the main economic corporations and the state and legislative organizations, including ex-Nazi judges. Many Nazis remained in Germany. So it is of interest to learn how the following two generations descended from these Nazis saw their parents and grandparents.

Welzer and the other authors (2002) of *Opa War Kein Nazi (Grandpa was no Nazi)* conducted 142 interviews in 40 families, a snowball sample, done between 1997 and 2000. From these interviews they isolated 2535 stories and classified them (2002: 11). Here are two of their conclusions:

In our view, our most important finding is that the child and grandchild generations of German families show a strong tendency to stylize their parental and grandparental generations as heroes of everyday resistance... Another central element of the stories of the Third Reich handed down is the conviction that the Germans were victims – victims of war, rape, being prisoners of war (*Kriegsgefangenschaft*), scarcity and destitution (*Mangel und Not*). (Welzer *et al* 2002: 16)

They conclude that victimhood is also a displacement, a way of avoiding war guilt. That was already the prime response of Germans immediately after defeat. It is also true and beyond doubt that millions did suffer dreadful hardship in the firebombings, battles, refugee trains, treks and ships away from the advancing Russian front. Nevertheless, one of the most interesting ideas of *Opa War Kein Nazi* is that the transmission of Third Reich experience works in a framework of exchange or *transposition (Wechselrahmen)*, transposing to Germans the German atrocity of victimization of Jews. They point out the same had happened immediately after the war, when the icon of skeletal figures behind barbed wire was used to portray German prisoners of war (Welzer *et al* 2002: 91). A similar transposition occurs in stories of German prisoners of war and refugees transported in that other icon of the Holocaust, cattle-wagons.

Another of their findings is that the younger generations seek ways of retaining a good relationship with parents and grandparents, diminishing the possibility of interrogating their elders, by sympathizing with the fact learned at school that they must have been terrified of the Nazi comradeship and then of the 'Russians' (Welzer *et al* 2002: 88). Further, they find that the younger generation edit out even those things that parents and grandparents say about their being complicit

witnesses of the killing of Russians and Jews, telling only preferred stories of their protecting Jews or of their being forced to join the SS or the SA, the more specifically Nazi Party armed forces.

This is just one of a very large number of different kinds of investigation conducted in Germany by German scholars about the bearing of responsibility for the Nazi regime.

Has there been any equivalent in Taiwan, for instance of interviews with Guomindang police and prison guards and government officials from the White Terror period, and their children?

### **The Federal German State**

State acceptance of responsibility came about through international relations, not through a political movement. The process of remembering the Nazi annihilation of Jews had already started with the British and other occupation forces making perpetrators face the sights of the camps. Then, from 1951 Konrad Adenauer as Chancellor, who employed as his state secretary a lawyer who had contributed a legal commentary for the implementation of the Nuremberg Racial Laws under the Nazi regime, committed the German state to reconciliation with the state of Israel and with Jews throughout the world, as an act less of moral compunction than of *realpolitik* in Germany's interests (Fulbrook 1999: 61, 66). He committed the German state financially to compensate the state of Israel and eventually with regular remittances to compensate identified Jewish survivors of Nazi persecution wherever they now lived.

Adenauer's self-interested agreement to compensate then began to expand into other acknowledgments of the Nazi annihilation of Jews. After the Nuremberg trials of Nazi war criminals by allied international judges and prosecutors in 1945, the first *German* trials of Nazi war criminals began in 1958. These trials continued in various West German cities culminating in the Auschwitz trial in Frankfurt, December 1963-August 1965, which coincided with the trial in Jerusalem of Adolf Eichmann, the main administrator of the final 'solution' to the Jewish problem, including the rounding up of mixed-race Jews in 1944. As Mary Fulbrook comments, the sentences in the German courts were extraordinarily mild but the facts had been put before the German public in ways more home-grown and forcefully effective than what the Allied occupiers forced upon ex-Nazi military and government personnel in the months after their defeat. The Frankfurt Auschwitz trial may well have sparked off the questioning of the older generation in the post-war generation that began in the late sixties (1999: 67-95).

Many among the generation that became university students in the late 1960s and the 1970s made it their political duty to investigate the guilt of the senior generation. But this was still a minority activity, the fervour of which was against the backdrop of at best partial acknowledgement. In April 1985 the visit of reconciliation, as it was called, by US President Reagan and West German Chancellor Kohl to the Bitburg cemetery that included not just regular soldiers but also the dead of the SS (Secret State) battalions who had been made responsible for the final annihilation of Jews, became a prime trigger for vigorous and tense demonstrations and for debate about victimhood among German historians and politicians. The debate among historians was set alight by the comparison of Nazi

atrocities with previous Stalinist atrocities – the deportation and starvation of millions of those labelled rich peasants and purges of thousands suspected of plotting against Stalin. It was not just an analogy. Some German historians treated it as a partial justification: repeating the Nazi claim to have been a bulwark against Bolshevism, but now in the matured world division of the Cold War on the side of Freedom against Communism.

Against this, the guilt of perpetrating the atrocities against Jews was made ever more evident and substantial in the form of memorials for the victims of the Holocaust and Jewish museums recalling the communities of Jews that had been eliminated. They reinforce what has long been part of state schools' history curricula. It is compulsory to teach about the Nazi period: Hitler's rise to power, the establishment of his dictatorship, its persecution of political opponents, its racial elimination policies, the reticence and opposition of German citizens, the instigation of world war, and the suffering of the German population as a result. These are topics for history classes in high school. It is a curriculum of facing up to the Nazi past but also of treating it as a regime both of and against the German people, a people pictured as reticent at worst, resisting at best.

German textbooks now are de-nationalized. They stress the division of Germany in the Cold War, the place of Germany in a European Union and its unification within that Union. The memoirs, collections of witness testimonies, museums, and television and radio programmes available to students are various and numerous, many of them recommended in school textbooks. A new history and a new Europe is a contextual redemption, the provision of a new context for a new history born of past suffering, and the displacement of guilt and shame.

On tours of Berlin, the tour guide refers to the Nazi Period as 'the Second World War', as if she were non-German<sup>1</sup>. Defeat and occupation were suffered as guilt and as shame. Now some of the young seek simply to disown it. Other young Berliners openly acknowledge guilt, without claims of victimhood. They express shame about their nationality by preferring to identify themselves with the part of Germany in which they were brought up, rather than with the whole country. So there is an interesting amalgam of acknowledgment and avoidance at the same time in Germany.

### **The New Jewish Community Organizations: Clear and Unambiguous Victims**

Watchfulness against anti-Semitism, keeping records of incidents and drawing them, especially politicians' anti-Semitism, to the attention of the Federal government is a major function of the Federation of Jewish Communities. It and the municipal Jewish Communities themselves are semi-state representative organizations. Jewish populations have grown, largely by immigration from the USSR/Russia. This is part of the reminder of the *shoah* (catastrophe), which is the preferred Hebrew name for what elsewhere is now called the Holocaust. Every year, in the Fasanen-street synagogue of the Berlin Community (Gemeinde), the chosen anniversary of this reminder, the Day of Remembrance for the Shoah, includes the reading of every name of Berlin Jewry driven to death or gassed in the camps, 55,696 names taking 36 hours to read out, in which politicians in the local

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<sup>1</sup> Thanks to Ursula Howard for this information.

and central government feel obliged to take part. It also upholds a standard of loyalty to the state of Israel, the longed-for security of a homeland for Jews. A huge white banner is hung across the front of the Berlin Community synagogue, as a fixture, on which was written in large black letters 'Berliner Juden für Israel' (Berlin Jews for Israel).

Israel is another contextual redemption, to add to the European Union. Israel redeems Jewry from the long history of European Christian scapegoating and modern anti-Semitism. It is the prime example of a state built on righteous victimhood, built as one among the world's nationalisms by a Zionism that was then overdetermined by the Holocaust after the defeat of the Nazis as the one safe place for Jews in the world, built by Jewish self-help and the aid of the USA, which was also the source of the main financial aid for the reconstruction of Europe and of Germany in particular. The European allies and the USA redeem the guilt and shame of the Holocaust by the creation and support of Israel.

It could be said that the new histories and the recognition of the White Terror as a crime against humanity, including the apologies offered for it by the Guomindang, including its current leader, is a contextual redemption of the same party's guilt. But the context is a new kind of nationalism, of Taiwan as a distinctive Chinese state, a multi-party democracy.

### **Conclusion**

Recognition of responsibility for crimes against humanity requires a turning of the past into a past with which the present has broken. The state that recognizes responsibility is never the same state that was responsible, despite some continuities with it. It must already have undergone a transformation and its justifying history, in its schools and memorials. It is already part of a new narrative of itself and the people it represents.

No acknowledgment can be 'adequate' to such atrocity, to those who have lived through it. But no state has done more to acknowledge its responsibility for the crime.

No state has as abundantly as has the German Federal State accepted and made sure that responsibility for such crimes is known to its population.

The Nazis represented the German people as a race victimized by an unjust Treaty and a conspiracy of Jews and Bolsheviks. Victimhood is the stance that seeks acknowledgment, and realization in emancipation that can be described in many ways as just, though in the case of the Nazis it was described rather in terms of destiny than of justice. In the new history of a Germany to be reconstructed eventually as a powerhouse of a unified European economy, victimhood has remained a claim to recognition that Germans did suffer – and that claim is both just and a displacement of shame and guilt for being beneficiaries and bystanders if not perpetrators of the worst atrocities on the largest scale that the world has ever known.

Is it possible to accept and or assign responsibility without taking the position of a claimant when every nationalism poses itself as an emancipation from victimhood?

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*Address for correspondence: Prof. Stephan Feuchtwang, Department of Anthropology, London School of Economics, Houghton Street London, WC2A 2AE, UK*