

UPDATE

This essay first appeared in a *Festschrift* entitled *Continuity and Change: A Festschrift In Honor of Irving Greenberg's 75th Birthday*, which I co-edited with Dr. Steven Bayme.⁶⁸ As I have already commented on the importance of studying the fate of children in situations of communal violence and high death counts, I would only add here that, for me, the uncompromising program regarding the killing of Jewish children everywhere in occupied Europe is the core of the Holocaust, and the most compelling example of its inexhaustible evil.

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THOUGHTS ON THE INTERSECTION OF RAPE AND *RASSENSCHANDE* DURING THE HOLOCAUST

First thoughts

Jewish women during the Holocaust, like many other women in other situations of social unrest, military conquest, slavery (both ancient and modern) and war, experienced sexual abuse and rape. In each of these historical contexts, women, and the men to whom they were linked, were essentially powerless to stop their sexual exploitation and assault. In these environments girls and women were at the mercy of men who, both because of their carnal appetites as well as their desire to express their domination, took unspeakable sexual liberties, often accompanied by violence and coercion of various sorts, with them. Not unsurprisingly, because of its intrinsic importance, the subject of sexual violence and rape has already been considered in detail by numerous historians in the different historical cases in which it is known to have occurred, as well as by a number of scholars of the *Shoah*.¹ Thus, the broad outlines of the story are known and need no retelling here. However, in the present essay I would like to return to this deeply disturbing issue in order to call attention to one highly repercussive factor that distinguishes – and is distinctive to – the rape of Jewish women during the Holocaust, yet which has not been properly appreciated in the relevant scholarly analyses. This unique aspect of the rape of Jewish women sheds light not only on the matter of sexual violence during the Holocaust but also on the more general ideological character of the Nazi assault on the Jewish People.

¹ The sexual exploitation and rape of women has occurred in many historical instances of war and conquest. In the twentieth century alone, it was a significant element in Japanese practice during World War II where women from Korea and other countries were forced to become so-called comfort women for Japanese troops. And rape was a part of the policy of war and conquest in the military conflict in Yugoslavia, and in Rwanda in the 1990s. For more on these atrocities, see George Hicks, *The Comfort Women: Japan's Brutal Regime of Enforced Prostitution in the Second World War* (New York, 1994); Alexandra Stiglmeier (ed.), *Mass Rape: The War against Women in Bosnia-Herzegovina*, trans. Marion Faber (Lincoln, NE, 1994); and Beverly Allen, *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia* (Minneapolis, 1996). Earlier in the twentieth century it was a significant feature in Turkish barbarities against the Armenian population of Turkey during World War I, and was a ubiquitous feature of the conquest of Germany at the end of World War II.

Here, by way of introduction, I would begin with three methodological comments. The first is that rape is a language. Within the context of the Holocaust the rape of Jewish women by German soldiers and their non-German allies is not only a sexual act but a political declaration as to the degenerate status of the Jewish victims in accordance with Nazi ideology. The action communicates that Jewish girls and women are not fully human, that they are not shielded by normal moral rules, that they stand outside police and state protection, and that they do not belong to the universe of ethical obligation that ordinarily constrains Aryan behavior.

Second, rape, when it involved a Jewish female by an Aryan man was, despite its common recurrence, in violation of the fundamental Nazi notion of *Rassenschande* (race defilement). The contravention of this essential principle, that was one of the radical foundations of the Third Reich, generated, because of the character of this National Socialist conception, unique difficulties and complications. Moreover, the problematic realities that arose as a consequence of such behavior led, necessarily, to unprecedented – and lethal – outcomes that will be discussed and analyzed below. Indeed, the Nazi belief in the need for these deadly outcomes is the central concern of this essay.

Third, as a result of my intensive study of the issue of the sexual molestation and violation of Jewish girls and women during the Holocaust I have come to believe that, while these types of acts were strictly forbidden by the most basic laws – racial and political – of the Third Reich, there was, paradoxically, something “political” about such occurrences. For the total vulnerability in which Jewish girls and women found themselves and the sexual exploitation that resulted was the outcome of more than lust and was made possible by a state that fervently held very particular notions of Jews – and of Jewish women – as racial criminals who deserved punishment and whose violation could be understood as legitimate retribution. Seen thus, the rape of Jewish girls and women was perceived, within the totality of the *Shoah*, not only as a discrete, individual, localized sexual performance, but as an assault on the collective body, the communal being, of the Jewish People. I recognize that this last observation involves speculation, and I would welcome a more extensive scholarly conversation regarding it, but the evidence relevant to this subject seems to me to be overwhelming and thus encourages this conjecture, at least for consideration as part of a larger, more complex analysis.

Instances of sexual abuse

The rape of Jewish girls and women is known to have taken place throughout the universe of the Third Reich. It took place in Germany beginning in the 1930s and spread to all the territories conquered by the Wehrmacht. Despite official military rules and the theoretically restraining effect of racial laws against miscegenation, members of the *Wehrmacht*, and other Nazi military and quasi-military groups, regularly violated Jewish women. Recent studies suggest, for example, that 50–80 percent of the SS troops and the police units that operated in Eastern

Europe were guilty of such transgressions.² This eastern context was, of course, radically different than that in Western Europe, but there too sexual violence accompanied Nazi military conquest and occupation.

To begin our close review of this difficult issue I would start with the sexual violence against Jewish women in Nazi labor camps where such behavior was common. In the Wolanów labor camp, for example, rape was a repeated phenomenon. Survivors recall the recurrent rape of Jewish women by German soldiers and a “holiday celebration gang rape in December 1942.”³ In the Starachowice labor camp, Ukrainians are reported to have been persistent perpetrators of sexual violence against Jewish women.⁴ And in the Majówka Camp, which was part of the Starachowice complex, there are multiple testimonies referring to the public rape of a young Jewish woman by a German Camp official.⁵ Neither decency nor shame, nor the law of the state, were strong enough safeguards against this obscene action. Furthermore, as Christopher Browning has accurately identified it, this sexual molestation in the sight of the entire Jewish community was both “an act of violent domination over the powerless victim” as well as “a ritual of humiliation aimed at degrading the entire camp population.”⁶ In this sense it was what I have described as a “political” action. At the Dessau *Arbeitslager*, Lucille Eichengreen had the following encounter: she stole some cloth to make a headscarf and then unexpectedly was discovered having done so by an SS officer. At that point:

His left hand moved swiftly down my body. I no longer doubted that he knew my secret. My absurd vanity would be my death. My head was still in his viselike grip as his hand came to a stop between my legs. He fingered the scarf. I stopped breathing, convinced that my life was over. Suddenly he shouted into my ear, “You filthy, useless bitch! Pfui! Menstruating!” He pushed me away in disgust.⁷

So Eichengreen escaped being raped. But other women at her forced labor camp were not so fortunate. After the war, one of her fellow inmates from Dessau told her the following tale:

A nameless, faceless SS man came every night. I feared for my life and thought it would ensure my survival in Auschwitz. I loathed him then;

2 So the research and conclusion of Birget Beck, “Vergewaltigung von Frauen als Kriegsstrategie im Zweiten Weltkrieg?” in *Gewalt im Krieg: Ausübung, Erfahrung und Verweigerung von Gewalt in Kriegen des 20. Jahrhunderts*, ed. Andreas Gestrich (Munster, 1996), pp. 34–40.

3 Christopher R. Browning, *Remembering Survival: Inside a Nazi Slave-Labor Camp* (New York, 2010), p. 190.

4 *Ibid.*, p. 190.

5 *Ibid.*, p. 191.

6 *Ibid.*

7 Lucille Eichengreen with Harriet Hyman Chamberlain, *From Ashes to Life: My Memories of the Holocaust* (San Francisco, 1994), p. 107.

I knew that he was a criminal and a killer. But as the months went by, I got used to him. He kept me out of the gas chamber. He gave me food. I didn't think of the future then. I lived one day at a time. Whatever I did was my way of surviving.⁸

Always at risk, Jewish women had few defenses against such intimate intrusions.

The mention of the exploitation at the Wolanów, Starachowice, Majówka, and Dessau camps reveals just a very small fraction of the enormous number of cases of sexual abuse and rape in the world of forced labor where women's bodies were taken advantage of in multiple ways. In every camp there were those who would capitalize on the sexual availability of Jewish women. Roman Halter, a Jewish inmate at one of the work camps built near Auschwitz remembered:

There was this big trough of disinfectant which looked like iodine and we had to submerge ourselves in that. If we didn't submerge fully, a SS would stand on you with their boots until even our heads were submerged. With the rough shaving we'd had, anyone who was cut suffered tremendously because it stung so badly. Then we were moved to showers with water. After getting uniforms, we were given numbers and then taken to our blocks. The women were not put in the women's block, but in this big block next to us. The *Kapos* and their deputies came to rape the women at night and there were terrible screams and groans coming from that block, and the husbands in our block wept because they could understand the shouts. It was a free-for-all, a sort of reward for the criminals, the German psychopaths who were sent to Auschwitz-Birkenau and who were in charge of the blocks.⁹

The nightly molestation of Jewish women, within the hearing of their husbands and brothers, by "German psychopaths" seeking uncontrolled sexual satisfaction was a powerful confirmation that the bodies of these women were there to be ravaged by whoever would take them.

Throughout the Auschwitz complex, here including the slave-labor camps created to utilize camp inmates, the rape of Jewish girls and women was an ever-present threat.¹⁰ Cecile Klein reports that on the arrival of her transport one

8 *Ibid.*, p. 190.

9 Lyn Smith, *Remembering Voices of the Holocaust: A New History in the Words of the Men and Women who Survived* (New York, 2005), p. 161.

10 Na'ama Shik, based on her research of the Auschwitz death camp, has concluded that: "Although a variety of sexually abusive practices took place in the [Auschwitz] camp, rape was the exception. Because of *Rassenschande* Germans serving in the camp were forbidden to rape Jewish prisoners," see her "Infinite Loneliness: Some Aspects of the Lives of Jewish Women in the Auschwitz Camps According to Testimonies and Autobiographies Written Between 1945 and 1948," in *Lessons and Legacies VIII: From Generation to Generation*, ed. Doris Bergen (Evanston, 2008), p. 144. This is an important methodological caution that should be taken very seriously. And, of

young Jewish girl was taken off to the officers' barracks and repeatedly raped for two days. When she was brought back to the inmate huts she was "scarcely recognizable, incoherent, face and body swollen and bruised."¹¹ Likewise, Lauren Varon, a Greek Jewess, was raped at Auschwitz by SS men. She remembered: "all of a sudden, the door opened, and three Nazis came, and they dragged us on the floor, they violated us, sexually violated us. They smelled like beer, you know. They raped us."¹² And, similarly, "Susan," another Jewish woman who was twenty-one when she arrived at Auschwitz reported being molested by a Polish "privileged prisoner." She told an interviewer: "He grabbed and raped me."¹³ Al Gordon, a Jewish man who survived Auschwitz, testified after the war:

They (the Gestapo) wanted me to bring women to these barracks every other day because they wanted to have sex with the women. Personally, I did not go for it, but I had to do, I had to do it to survive. They gave me an order to do it. To bring a woman every other night to have sex with him . . . That is what happened. Then he would rape her, and I had

course, as regards the majority of Jewish women murdered at Auschwitz who went directly from the trains that brought them to the camp into the gas chambers, this conclusion is undoubtedly correct. However, the issue is more complex than Shik's claim recognizes. And this for several reasons. First of all, Shik's conclusion does not take adequate account of what happened in the labor camps associated with Auschwitz as compared to what transpired at Birkenau. Second, given the evidence and implications of other studies, it may well be that Shik overestimates the restraining effect exercised by the rule against *Rassenschande*. Lust often trumps regulations, especially in conditions like those that existed in Nazi camps, including the death camps. Third, when seeking to measure the degree to which rape occurred in Nazi camps the methodological question regarding the reluctance of survivors to publicly testify to having been raped and otherwise sexually molested becomes crucial. Shik, herself, recognizes this concern, see her remarks on pp. 148–49, but tends to play down its salience. Readers should compare her views with those of Michael Nutkiewicz who has addressed this issue in his "Shame, Guilt, and Anguish in Holocaust Survivor Testimony," *The Oral History Review* 30.1 (2003): 1–22. Nutkiewicz argues that Holocaust survivor testimony is often self-censored. Likewise, Elizabeth Baer, agreeing with this line of argument, has pointed out that "as scholars read women's memoirs more extensively not only for what they say but also for what is coded and for elisions and gaps, we have detected much more sexual violence than had been acknowledged," "Rereading Women's Holocaust Memoirs: Liana Millu's *Smoke Over Birkenau*," in *Lessons and Legacies VIII*, pp. 162–63. Baer, moreover, explicitly criticizes Jack G. Morrison, *Ravensbrück: Everyday Life in a Women's Concentration Camp, 1939–45* (Princeton, 2000), pp. 177–78, for repeating the claim that *Rassenschande* laws were "overwhelmingly obeyed." In trying to think through the issues raised by the testimonies of female Jewish survivors in relation to the question of *Rassenschande*, it is important to remember that the Aryans involved, actually or potentially, in such sexual encounters in the Nazi camps did not usually have to worry about "race pollution" as the Jewish women abused in these contexts would, as a rule, not live long enough to have children because if they became pregnant they would, almost certainly, be immediately put to death.

11 Cecile Klein, *Sentenced to Live: A Survivor's Memoir* (New York, 1988), pp. 85–86.

12 Testimony found in Yad Vashem Archive, I cite it from N. Shik, "Infinite Loneliness," p. 151.

13 Cited from Joan Ringelheim, "The Split Between Gender and the Holocaust," in *Women in the Holocaust*, eds. Dalia Ofer and Lenore J. Weitzman (New Haven, CT, 1998), p. 341.

to take her back to her barrack. The women did not want to go, but . . . otherwise they would get killed. They would shoot them right then and there. No mercy.¹⁴

The mention of shooting Jewish women who would not participate in these forced sexual acts should not go unnoticed. It points beyond sexual violence to a more total violence that is *not* incidental to what occurred here. Jewish women could not only be subjected to any and all venereal appetites but, in addition, could be, and were, counted as nothing and murdered on the whim of a degenerate German policeman.

Then, too, Jewish women were incessantly exploited by fellow prisoners in positions of authority within both the main camp and its many related work camps. *Kapos* and other privileged prisoners had access to the bodies of Jewish women, and often took advantage of this access. Na'ama Shik is correct when, reflecting on these sexual assaults, she concludes: "To these men, the female Jewish prisoners ceased being 'human women' and became a wide-open bodily site that possessed signs of sex but contained no humanity."¹⁵

In the concentration camps incidents of rape are similarly attested. In Ravensbrück, Ruth Elias remembers:

Drunken SS men sometimes made unexpected appearances in our block; the door would suddenly be flung open, and they would roar in on their motorcycles. Then the orchestra was ordered to play, and the SS men would sing along while they continued to drink, their mood getting ever more boisterous. Young Jewish women would be pulled from their bunks, taken away somewhere, and raped. Raping Jewish women wasn't considered *Rassenschande* (race defilement), therefore it was allowed. . . . I cannot describe the pitiable state of these poor women when they came back to the barracks.¹⁶

Sarah Moses, one of these young girls raped by two German soldiers at Ravensbrück, has recounted her experience:

It is very difficult for me to talk about this because it was one of the most horrible of my experiences. This was in Ravensbrück. Someone came to get me, and I was given some candy, I believe. I remember being given some candy and then I was taken into a building and into a small room and, I don't remember the sequence of this but, there were two men there. And there were other people in the room, I think, but I remember two men. I was put on a table, from what I remember, or it could have been a tall bed.

14 Video Testimony, USC Archive, testimony of Al Gordon, TC 3:00:25–3:01:50.

15 Shik, "Infinite Loneliness," p. 151.

16 Ruth Elias, *Triumph of Hope: From Theresienstadt and Auschwitz to Israel*, trans. Margot Bettauer

I was very little, and it seemed that it was kind of high up from where I was. And I was very violently sexually abused, and I remember being hit, I remember crying and I wanted to get out of there. I was calling people, screaming. One thing that stands in my mind, I remember, one of them told me that they would stand me up on my head and cut me right in half.¹⁷

Sara Moses' age was no defense against these predators. They would satisfy their desires without regard to normal social conventions. Nor should we ignore the fact that here again there is the threat of lethal physical force in addition to the coerced debauchery.

At the Stutthof Concentration Camp the guards did whatever they liked to Jewish women and girls with impunity. This included a sadistic form of *sportmachen* that involved torture and rape. In an exceptionally disturbing narrative, the Czech Jewish woman Juliana Carpentieri (born Zelmanovich) recalled what happened to her as a teenager in the "soldiers barracks" at the camp:

There were dogs. I don't know if they were Dober[mans] or German Shepherds. They were very, very, vicious. If they tell them to get you, they rip you apart. Because when they walk with them, they put a thing, a [muzzle] on them. So, there was a woman there which I did not know. Then they brought in a boy, I think he was about my age, he looked like my size, I should say. After that, my sister said it was a girl. So, they brought this woman and her child. They played with her (the woman), they brought in the dogs [at this point the interviewer interrupts her and asked if the woman was raped, she said yes and then continues to tell about the dogs]. One of the dogs ripped her breast out. There was blood all over. But I am telling you, if it was a boy or a girl (the child), never cried. I did not cry. Then they came to me [interviewer brings her back to the woman]. The dog ripped one breast off then the other breast and the woman passed out. I don't know what happened to the woman after they took her outside. . . . The child was taken out when I was taken out. Then they said to me . . . But I have no chest. I was only a kid. So, they sodomized me, they raped me and then they said they were going to kill me. There were five of them. I cried out. All five of them raped me, laughing drinking.

And she added: "The child was there the whole time and watched [his mother] being raped."¹⁸ Savagery, sadism, and the rape of a child – plus the probable murder of a woman (and mother) and the threat to kill a second child – all mingled together in this barbaric scene. Extreme sexual deviance was here manifest in a

17 Video Testimony, USC Archive, testimony of Sara Moses, TC 4:00:40–4:04:35. Two further video testimonies that report rapes in Concentration Camps are those of Lya Cohen who was a prisoner at the Haidari Concentration Camp in Greece, TC 1:26:50–1:30:25; and Rose Argan who was imprisoned at the Kurowice Concentration Camps in Poland, TC 3:19:10–3:22:30.

18 Video Testimony, USC Archive, testimony of Juliana Carpentieri, TC 4:19:34–4:24:48.

number of forms and the life of a Jewish woman was almost certainly forfeit to amuse five German soldiers.

At Majdanek, according to the testimony of a Polish Jewish woman from Kielce who was arrested in Warsaw while trying to pass as an "Aryan" and deported to this camp in 1943, Jewish women were raped on arrival.

Then the next day we were taken to Majdanek . . . So then we arrived there, first to the bathing installation. Then in the bathing installation they proceeded with a selection. An SS man came – women also, men with dogs – we were completely naked, and they simply looked us over, like animals. Looked into our teeth, tested our muscles with their hands. And the dogs barked, and then some of the older women and the sick were pushed to one side. These did not come out of the bathhouse anymore. Afterward we were bathed, and we were . . .¹⁹

I note, too, that when this same survivor was asked: "In general to what extent did women suffer from attempts of rape or other advances by the guards?" she replied: "Officially it was prohibited. But it only appeared that way. For instance, the most beautiful girls disappeared from Majdanek."²⁰

The sexual abuse of Jewish women was also a common occurrence in the ghettos as these were spaces where Jewish women lived for quite long periods of time under the watchful eye of German military and civilian authorities. So, for example, from the inception of the Warsaw Ghetto in mid-November 1940, the rape of Jewish women here imprisoned was a regular happening. In *The Black Book of Polish Jewry*, the following is reported:

The Germans gave up the project to have the *Judenrat* establish brothels for them, but the German soldiers continually insulted and humiliated Jewish women. Many became infected with venereal diseases; many, unable to bear the moral and physical tortures, committed suicide.

I. L. states in his deposition: "In February 1940 the Germans began rounding up Jewish women for forced labor. One afternoon a truck came to Solna Street in Warsaw, and Jewish women of the district were forced into it. The procedure was frequently repeated afterward. Girls would disappear for several days and come home after having been attacked. The attractive wife of a Jew on the Iron Gate Place was abducted and permitted to return home after she had been raped."

Dr. S. S. of Warsaw in his affidavit of May 12, 1940 made before the Committee for Polish Jews in Jerusalem, states: "One continually hears of the raping of Jewish girls in Warsaw. The Germans suddenly enter a

house and rape 15- or 16-year-old girls in the presence of their parents and relatives. The surgeon-gynecologists, of course keeping secret the names of their victims, state that in their practice they have many cases of girls who have been raped under similar conditions, and it is necessary to administer antitetanus injections. In one mirror-shop in Świętojerska Street there was a mass raping of Jewish girls. The Germans seized the most beautiful and most healthy girls in the streets and brought them in to pack the mirrors. After the work the girls were raped."

In the *Free Europe* pamphlet, *The Persecution of Jews*, there appears the following report: "One of the most disgusting orgies on the part of German officers took place in the house of M. Szereszewski, a well-known Warsaw Jew, in Pius Street in Warsaw." As a result of a raid carried out in Franciszkańska Street, 40 Jewish girls were dragged into the house which was occupied by the German officers. There, after being forced to drink, the girls were ordered to undress and to dance for the amusement of their tormentors. Beaten, abused and raped, the girls were not released till 3 a.m.²¹

The diverse testimonies recorded in the Black Book are paralleled in the record of Warsaw Ghetto life provided by other chronicles of the ghetto as well. Emmanuel Ringelblum, for example, in his *Notes*, refers to the case of three Jewish women who were raped on Tłomackie Street by German men.

At 2 Tłomackie Place three lords and masters ravished some women; screams resounded through the house. The Gestapo are concerned over racial degradation – Aryans consorting with non-Aryans – but are afraid to report it.²²

And Marek Edelman, provided the following report of the rape of a Jewish girl that took place in public before a group of other Jews:

They waited in line and then raped her. After the line was finished, this girl left the niche and she walked across the whole gym, stumbling against the reclining people. She was very pale, naked, and bleeding, and she slouched down into a corner. The crowd saw everything, and nobody said a word. Nobody so much as moved, and the silence continued.²³

In the Warsaw Ghetto no Jewish girl or woman, regardless of the social or communal context, was safe from sexual depredations.

21 Jacob Apenszlak (ed.), *The Black Book of Polish Jewry: An Account of the Martyrdom of Polish Jewry Under the Nazi Occupation* (New York, 1995), pp. 28–29.

22 Emmanuel Ringelblum, *Notes from the Warsaw Ghetto: The Journal of Emmanuel Ringelblum* (New York, 1958), p. 24.

23 Hanna Krall, *Shielding the Flame: An Intimate Conversation with Dr. Marek Edelman, the Last Surviving Leader of the Warsaw Ghetto Uprising*, trans. Joanna Stasinska and Lawrence Weschler (New York, 1986), p. 44.

19 Donald Niewyk (ed.), *Fresh Wounds: Early Narratives of Holocaust Survival* (Chapel Hill, NC, 1988), p. 217.

20 *Ibid.*, p. 221.

And much the same was true in Łódź. I will cite only one paradigmatic case that should be understood to stand for many, the rape of a Jewish teenager, the daughter of Dr. Simha Mandels, by no less a person than the leading German bureaucrat in the city, Hans Biebow, during the very last days of the existence of the city's ghetto, in late August 1944. Biebow, who had worked in the administration of the ghetto almost since its creation and had been in charge of it in its last years, felt himself free to violate this young Jewish girl. In the event Biebow's forced seduction was eventually interrupted, at which point he shot the girl he had just had sex with and fled.²⁴ I would highlight this last point because, once again, it calls to attention the connection between rape and murder in this context. That is, one must understand that Biebow tried to shoot the girl he had molested even though there was no physical risk to him and he certainly knew that the victim and her family would soon be sent to Chelmno to be murdered, as indeed they were.²⁵ And, then, one must ask at least two questions: why did Biebow do what he did? and what was at stake here? These are questions to which I shall return and try to answer in the section below entitled "The 'Final Solution' as a license to rape."

Throughout the extensive territory conquered as a result of the invasion of Russia, the rape of Jewish women was a frequent occurrence. A survivor of the massacre at Babi Yar (in Kiev) later testified:

I shall never forget one girl; her name was Sarra, and she was about fifteen years old. It is hard to describe the beauty of this girl. Her mother was pulling at her own hair and crying out in a heart-rending voice, "Kill us together!" They killed the mother with a rifle butt. Taking their time with the girl, five or six Germans stripped her naked, but I saw nothing more than that.²⁶

But one very well knows what happened, what she didn't see.

In Minsk the Nazis killed the Jew Boris Semenovitch Glushkin on August 8, 1941. "The next night [German soldiers came to his home and] there was a knock at the door. The commandant came in. He demanded the wife of the executed Jew. She was crying, shaken by the terrible death of her husband; her three children were crying too. We thought they were going to kill her, but the Germans did something even more vile; they raped her right there in the yard."²⁷

24 The exact date of this incident is uncertain. It took place sometime in August 1944 during the final days of the ghetto when there were still 68,000 Jews in Łódź. Isaiah Trunk, *Łódź Ghetto: A History*, ed. and trans. Robert Moses Shapiro (Bloomington, 2006), p. 266. Other sources mention August 28 and 29. According to Trunk, based on the testimony of other survivors of the Łódź Ghetto: "Biebow practiced his sadistic whims . . . (rapes of girls in the women's camp, savage outrages on captured Jews)." *Łódź Ghetto*, p. 269. Thus, his behavior on the occasion recounted here was not unusual.

25 Gordon J. Horwitz, *Ghettostadt: Lodz and the Making of a Nazi City* (Cambridge, MA, 2008), pp. 299–300.

26 Ilya Ehrenburg and Vasily Grossman (eds.), *The Complete Black Book of Russian Jewry*, trans. David Patterson (New Brunswick, NJ, 2002), p. 9.

27 *Ibid.*, p. 212.

In the Vilna Ghetto Herman Kruk reports that Jewish women were taken at random to serve in brothels for the occupying German troops:

"German Precision"

In front of me is an interesting document – a receipt from a Wehrmacht bordello on Wielka Pohulanka Street. The receipt of the company is written out precisely, with the names of the woman partner, the number of the room, the date, etc. Aside from German precision, we see that our former descriptions are correct. On Subocz there is an official whorehouse, which uses women who once had been snatched off the street . . .²⁸

In the Dolginovo Ghetto, in Belorussia, survivor reports tell us: "Policemen raped [Jewish] girls." And a second survivor of the Belorussian ghettos, Gertrude Schneider, when asked about her experience of sexual molestation by the ghetto's non-Jewish guards replied: "The guards raped you . . . the guards were stationed outside the ghetto and walked around. They found ways to get into the ghetto and in the night looted and raped."²⁹ In the Radashkovichi Ghetto, according to Faina Ryzhikova-Elman, a survivor of this ghetto: "With the arrival of the Nazis . . . humiliations and outrages began from the very first days. They raped young women." In the Mglin Ghetto, local policemen and Gestapo, according to eyewitness accounts, sexually assaulted local Jewesses, while in the Mikoyanshakh Ghetto it was German soldiers who violated local Jewish women of all ages. Again, in the Balvi Ghetto, in Latvia, local policeman ravaged Jewish girls. And in Grajewo near Białystok, Poland, during the conquest of the city in June 1941, German troops raped a large number of Jewish girls and women.³⁰ And so it went from ghetto to ghetto. The list of locations in the

28 Herman Kruk, *The Last Days of the Jerusalem of Lithuania: Chronicles from the Vilna Ghetto and the Camps, 1939–1944*, ed. Benjamin Harshav, trans. Barbara Harshav (New Haven, CT, 2002), p. 266.

29 The testimony regarding the Dolginovo Ghetto is drawn from D. B. Mel'tser and Vladimir Levin (eds.), *The Black Book with Red Pages: Tragedy and Heroism of Belorussian Jews* (Cockeysville, MD, 2005), p. 248. The second Belorussian testimony from Gertrude Schneider is cited from Esther Katz and Joan Miriam Ringelheim (eds.), *Proceedings of the Conference on Women Surviving the Holocaust* (New York, 1983), pp. 47–48, 30.

30 The quote from the testimony of Faina Ryzhikova-Elman is cited from *The Black Book with Red Pages*, p. 293. The testimony on events in Lvov is found in *The Black Book of Russian Jewry*, p. 78. That regarding Brest, *ibid.*, p. 183. That on Stavropol, *ibid.*, p. 218. And that on Riga, *ibid.*, p. 382. The relevant information on the Mglin Ghetto is drawn from Gai Miron and others (eds.), *The Yad Vashem Encyclopedia of the Ghettos During the Holocaust*, 2 vols. (Jerusalem, 2009), vol. 1, p. 463; that on Mikoyanshakh from *ibid.*, vol. 1, p. 472; that on the Balvi Ghetto from *ibid.*, vol. 1, p. 16. In effect, Jewish girls and women were vulnerable wherever they were situated within Nazi occupied Europe. The sexual vulnerability of Jewish women and girls is testified to in many eyewitness accounts: see, for example, Etty Hillesum, *An Interrupted Life: The Diaries of Etty Hillesum, 1941–1943* (New York, 1983); Charlotte Delbo, *None of Us Will Return*, trans. John Githens (New York, 1968); *idem*, *Auschwitz and After*, trans. Rosette C. Lamont (New Haven, CT, 1995); Fania Fenelon, *Playing for Time*, trans. Marcell Routier (New York, 1977); Adina Blady-Szwajgier, *I Remember Nothing More: The Warsaw Children's Hospital and the Jewish Resistance*, trans. Tasja Darowska and Danusia Stok (New York, 1992); Liana Millu, *Smoke over Birkenau*,

occupied Soviet territory in which the rape of defenseless Jewish girls and women occurred,³¹ almost certainly involving thousands of instances, is nearly endless.³²

But this terrible history, with its innumerable victims and immeasurable quantities of suffering, while essential to an understanding of the Holocaust, is not the main point of this essay – to which we must now turn our attention.

trans. Lynne Sharon Schwartz (Philadelphia, 1991); Alicia Appleman-Jurman, *Alicia: My Story* (New York, 1988); Isabella Leitner, *Fragments of Isabella: A Memoir of Auschwitz*, ed. Irving A. Leitner (New York, 1978); and Gerda Weissman Klein, *All But My Life* (New York, 1957; reprinted New York, 1997). See also the relevant excerpts in *Different Voices: Women and the Holocaust*, eds. John K. Roth and Carol Rittner (New York, 1993). Additional material of relevance is found in Rochelle G. Saidel, "The Jewish Victims of Ravensbrück Camp," in *Lessons and Legacies VII: The Holocaust in International Perspective*, ed. Dagmar Herzog (Evanston, 2006), pp. 210–15; and *idem*, *The Jewish Women of Ravensbrück Concentration Camp* (Madison, 2004).

- 31 For more on the sexual experience of Jewish women during the Holocaust see: Myrna Goldenberg, "Memoirs of Auschwitz Survivors: The Burden of Gender," in *Women in the Holocaust*, ed. Dalia Ofer and Lenore J. Weitzman, pp. 327–39; Brana Gurewitsch, *Mothers, Sisters, Resisters: Oral Histories of Women who Survived the Holocaust* (Tuscaloosa, AL, 1998), pp. 95–218; Nechama Tec, *Resilience and Courage: Women, Men, and the Holocaust* (New Haven, CT, 2003); Judith Tydor Baumel, *Double Jeopardy: Gender and the Holocaust* (London, 1998), pp. 67–99; Elizabeth R. Baer and Myrna Goldenberg, *Experience and Expression: Women, the Nazis, and the Holocaust* (Detroit, 2003); Sybil Milton, "Women and the Holocaust: The Case of German and German-Jewish Women," in *Different Voices*, eds. J. K. Roth and C. Rittner, pp. 229–30; and Margarete Buber-Neumann, *Prisonnière de Staline et d'Hitler*, translated from German by Alan Brossat (Paris, 1988), pp. 19–27 and *passim*. The original title of this work was, *Als Gefangene bei Stalin und Hitler: Eine Welt im Dunkel* (Stuttgart, 1958). In addition, on the closely related subject of Jewish and other women being forced to serve in Nazi bordellos, consult Christa Schulz, "Weibliche Hafdinge aus Ravensbrück in Bordellen der Männerkonzentrationslager," in *Frauen in Konzentrationslagern: Bergen-Belsen, Ravensbrück*, eds. Claus Fullberg-Stolberg and others (Bremen, 1994), pp. 135–46; and Reinhild Kassing and Christa Paul, "Bordelle in deutschen Konzentrationslagern," *Krampfader-Kasseler Frauenzeitung*, 6.1 (1990): 26–31. It should be added that sexual perversions of all sorts are a part of this tale. Trudy Claycomb Grubbs, for example, gave this report:

A German soldier, a sergeant or something kept looking at me. When we were supposed to go back to the [cattle] car, he said no, you go up front. My heart stood still because I did not know what was going to happen. I was . . . by that time I was a stinking Jude. I smelled, I was not . . . but at the same time there was the fear because the look that he had was not . . . you see as a child, a child knows the first time a man looks at you that way. Fortunately, he must have had a breast fetish because he just kept playing with my breasts. I guess it would still be considered a sexual ah . . . he did it until my nipples were bleeding. I was so sore, and he kept that up for hours. He finally let me go into the cattle car. (Video Testimony, USC Archive, testimony of Trudy Claycomb Grubbs, TC3:10:04–3:12:20).

- 32 In the archives of the United States Holocaust Museum one can find, for example, testimony, given in Yiddish, about the rape of Rayzel Goldman in Gombin (Gąbin) and of Etka Iliart in Płońsk. Similarly, in Mir, Jewish girls were raped by Belorussian policemen who then murdered them, sometime before or on November 9, 1941. In Poczajów, in the Ukraine, twenty Jewish girls were forced into a brothel for Germans. I found the record of these crimes through a cursory review of a small portion of the archival holdings at the Holocaust Museum during 2011–2012 when I had the good fortune to be the Shapiro Senior Fellow at the Museum. I am confident that many other instances could – and will be – found in the future by other researchers working in the enormous archival collection that has been assembled in Washington.

Rape, *Rassenschande*, and murder

Much of the experience of rape and sexual violence undergone by Jewish women during the *Shoah* was, of course, in many fundamental ways, similar in kind to the sexual exploitation of women in other contexts of war, conquest, and subjugation over the centuries.³³ However, during the *Shoah*, such abusive carnal behavior also regularly involved two further factors that complicate this comparability and that suggests that there are distinctive features of real importance regarding the issue of rape and sexual violation during the *Shoah* that should not go unnoticed and unanalyzed.

The first of the two factors to which I here allude relates to the natural, reproductive, consequences of acts of rape. Customarily, the rapists in the various contexts of war, colonial domination, and slavery do not concern themselves with the consequences of their criminal activities.³⁴ They are not interested in the children

- 33 One might even go further and conclude that the sort of sexual misdeeds here described can be found not only in the *Shoah* but also in all societies in which the political domination of one group over another has existed. This commonality recognized, the point that I am trying to explore in this essay, and that seems to me to be distinctive about what happened to Jewish women during the Holocaust, is that the "crime" of *Rassenschande* entailed the need to murder the Jewish women who had been raped. This is not to ignore the fact that women in other contexts who were raped were also murdered. It is, however, to suggest that in other contexts there was no obligation on the part of the rapist to carry out such a murder, i.e., the act, though equally immoral to those acts that occurred during the *Shoah*, was not ideologically driven, as was the case in Nazi-dominated Europe.

- 34 This needs to be qualified in regard to New World black slavery insofar as some masters were concerned with the reproduction of slave children, seen as "cash crops" that added to the masters' wealth. In connection with slavery, women who had children, even as a consequence of rape, were valued as "good breeders." For more on this last issue see, for example, the testimony of former slaves recorded in George Rawick (ed.), *The American Slave: A Composite Autobiography*, 19 vols. (Westport, CT, 1973–76), vol. 4, p. 1203; vol. 8, p. 1241; and vol. 11, p. 300, all of which indicate that "good breeders" were highly valued. Likewise, Marli Frances Weiner reminds us that:

Being a "breed 'omans" was advantageous to Hector Godbold's Africa-born grandmother after the apparently frequent efforts she made to run away: "If dey catch her, dey didn' never do her no harm." Not all "breeding women" were targets of the sexual advances of white men, nor were all forced to accept husbands of their owners' choice. But just as all black women recognized that they were vulnerable to the advances of white men, so they knew that they and their children were economic assets for slaveholders. (*Mistresses and Slaves: Plantation Women in South Carolina, 1830–80* [Urbana, IL, 1998], p. 136).

Additionally, Charles L. Perdu, Jr., Thomas E. Barden, and Robert K. Phillips (eds.), *Weevils in the Wheat: Interviews with Virginia Ex-Slaves* (Charlottesville, 1976), p. 161, record the testimony of a slave who recalled that, "the masters were very careful about a good breedin' woman. If she had five or six children, she was rarely sold." And see also, among many other contemporary sources, Frances Anne Kemble, *Journal of a Residence on a Georgian Plantation in 1838–1839* (New York, 1863), edited and with an introduction by John A. Scott (New York, 1961), pp. 201, 238, 269, 362. A fuller analysis of the many issues raised by sexual relations between master and slave woman, including its economic implications, will be found in my *The Holocaust and New World Slavery* (New York, 2019).

who will be born as a result of these coerced sexual relationships.³⁵ Alternatively, Jewish women who were raped during the Holocaust in the coarse, brutal, manner described above or who were taken by Nazi officers and officials as lovers in a less savage way were not permitted to have children. Indeed, biological reproduction, the bringing into being of a child with half-Jewish blood as a consequence of these sexual relationships, was the great fear. And, according to the ruling ideological imperatives, it had to be completely avoided. In principle and practice the Third Reich opposed the birth of any child with a Jewish mother.

The second factor concerns what, according to the law of the Third Reich, was the deadly serious crime of *Rassenschande* (racial defilement, i.e., racial pollution). This crime involved all sexual relationships between Aryans and Jews whether the relationship was consensual or not. Already in the 1920s Hitler made a fetish of sexual relations between Jews and non-Jews and spoke of these acts as "infecting our national ethnic body by blood poisoning."³⁶ From this point on this notion remained a fixed principle in the National Socialist pantheon of racial values and was prominently incorporated in the Nuremberg Laws of September 1935. *The Law for the Protection of German Blood and Honor* made sexual relations between a Jew and non-Jew a prosecutable offense. According to this legislation "Extramarital intercourse between Jews and subjects of the state of German or related blood is forbidden." The crime was to be "punished with a prison sentence with or without hard labor."³⁷ That the Hitler State took the law on race defilement seriously is indicated by the roughly 2,000 cases brought to courts under this statute between 1935 and 1945. By 1939 the average sentence for those found guilty of this grave offense was four to five years. During the war years the crime of *Rassenschande* could mean a death sentence.³⁸ For German soldiers, and particularly *Wehrmacht* officers and those in the SS, it was seen as an especially

35 This indifference, for example, marked much of the sexual history of the Spanish and Portuguese empires in the New World. And it was present in many other colonial contexts.

36 Adolf Hitler, "Forsetzung," January 23, 1928, cited in *Reden, Schriften, Anordnungen: Februar 1925 bis Januar 1933*, eds. Barbel Dusik et al., 3 vols. (Munich, 1994), vol. 2, pt. 2, document 222, p. 646; and *idem*, "Der Kampf der einst die Ketten bricht," in *idem*, vol. 3, pt. 1, document 50, p. 238. For more on this central issue of "Race Hygiene" and maintaining the purity of German blood see Hans-Walter Schmuhl, *Rassenhygiene, Nationalsozialismus, Euthanasie* (Göttingen, 1987); Robert Proctor, *Racial Hygiene: Medicine Under the Nazis* (Cambridge, MA, 1988); and Lars Rensmann, "Antisemitismus und 'Volksgeundheit,' Zu ideologiekonomische Bindungslinien im politischen Imaginären und in der Politik," in *Medizin und Verbrechen: Festschrift zum 60. Geburtstag von Walter Wuttke*, ed. Christoph Kopke (Ulm, 2001), pp. 44–82.

37 This legislation is cited from Yitzhak Arad, Yisrael Gutman, and Abraham Margalit (eds.), *Documents on the Holocaust: Selected Sources on the Destruction of the Jews of Germany and Austria, Poland, and the Soviet Union* (Lincoln, NE, 1981; revised edition, 1999), pp. 78–79.

38 Further analysis of this subject is provided by Patricia Szobar, "Telling Sexual Stories in the Nazi Courts of Law: Race Defilement in Germany, 1933 to 1945," *Journal of the History of Sexuality* 11.1–2 (2002): 131–63. The statistics on the number of prosecutions for "race defilement" and the nature of the sentences meted out by the German courts here cited are drawn from this essay.

heinous offense.³⁹ And the worst possible outcome of such criminal liaisons was that the Jewish women involved would become pregnant and, thereby, threaten to continue the implacable, unavoidable race war between Aryans and Jews. Thus, if the Jewish women implicated in inter-racial relations became pregnant they (and their fetuses) had to be murdered by the men who were the fathers of their children (or by their comrades in arms).

Here we begin to see clearly the singular linkage between sex and murder already mentioned. In the racial universe created by National Socialism, sex, with a distinctive emphasis on nonconsensual sex – rape – had a meaning and significance beyond the physical and the biological. For it was the most basic conduit, the means, by which normative values – transmitted through race – became incarnated in time and space. Put simply, the rise and fall of nations, and all the social, economic, and political phenomena that attended and contributed to this cycle, were, in the first instance necessarily dependent on the race of those who comprised the social order. Therefore, miscegenation – including forced sexual relations – defined as *Rassenschande*, was more than a personal matter; it determined the very future of nations and the unfolding of historical events.

As a result, Jewish women impregnated by an Aryan man, had, in theory and all too often in practice, to die. So, for example, the rule in Nazi brothels in which Jewish women, in contradistinction to the normal pattern in such brothels,⁴⁰ were

39 The SS established strict rules for the marriage of SS men on December 31, 1931. All proposed marriages by SS men had to be approved by a special office (named the *Rasse- und Siedlungshauptamt der SS*), established within the SS by Himmler that dealt with issues of the racial purity of the corps. This ideal of racial purity then was carried over to cover all sexual atrocities by members of the SS. Further details can be found in R. Proctor, *Racial Hygiene*, p. 137.

40 The *Wehrmacht* established such brothels for its men. And testimony given at the postwar I.G. Farben trial indicates that this company did likewise, though the nationality and religion of the women forced to serve in this facility are unspecified. I thank Professor Peter Hayes for this information on the practices of the I.G. Farben Corporation. Insofar as the instructions issued by the Army are concerned we have, for example, a circular from the German Military Supreme Command sent on January 27, 1943, that took up the prevention of venereal disease in military brothels that included the instruction that "Jewesses are to be excluded" from work in these brothels. *Oberkommando der Wehrmacht*, signed by a Dr. Handloser, to various OKH/S, January 27, 1943. I cite this document from Doris L. Bergen, "Sexual Violence in the Holocaust: Unique and Typical?" in *Lessons and Legacies VII*, p. 186. However, Bergen suggests: "That order implies an admission that Jewish women had not always been excluded from forced labor in Nazi brothels" (p. 186). Most of the larger concentration camps such as Dachau, Mauthausen, Sachsenhausen, and Buchenwald had bordellos. Such institutions also existed in a number of forced labor camps. In these locations both German soldiers and, at times, even "privileged" prisoners were allowed to utilize the services of the women brought to serve as prostitutes. The details of these arrangements are described by Wolfgang Sofsky, *The Order of Terror: The Concentration Camp*, trans. William Templer (Princeton, 1997), p. 151. For more on this see Erika Buchmann, *Frauen im Konzentrationslager* (Berlin, 1959), Christl Wickert "Tabu Lagerbordell: Vom Umgang mit der Zwangsprostitution nach 1945," in *Gedächtnis und Geschlecht. Deutungsmuster in Darstellungen des nationalsozialistischen Genozids*, eds. Insa Eschebach, Sigrid Jacobbeit, and Silke Wenk (Frankfurt, 2002), pp. 41–58; Nanda Herbermann, *The Blessed Abyss: Inmate #6582 in Ravensbrück Concentration Camp for Women*, eds. Hester Baer and Elizabeth Baer, trans. Hester Baer

forced to service German men sexually was that if any, or all, of these individuals, became pregnant, they were murdered. Likewise, this "precautionary" action was the common practice throughout the network of Nazi forced labor and concentration camps. Consider here the evidence from the Skarżysko-Kamienna labor camp in the Radom District of Poland that is significant in itself as well as representative of a more general pattern. In all three divisions of this camp that produced munitions for HASAG, the sexual exploitation of Jewish women was to be found. But when manager Walter Glaue in Werk B impregnated the Jewess Bella Sperling, he had her murdered on the probably trumped up charge of sabotage.⁴¹ Again, when the affair between Hugo Ruebesamen, the foreman of the *Werkzeugbau* department, and a beautiful Jewess slave laborer who worked under his supervision was noticed by the plant supervisor the woman was sent to the SS headquarters at Radom and never heard from again.⁴² In January 1943, when the *Werkschutz* commander Fritz Bartenschlager had several high-ranking SS officers to dinner, he ordered three Jewish women brought to his quarters where they were first raped then murdered.⁴³ And this because these SS men were frightened to their foundations that these Jewish women would become pregnant and so to forestall any possibility of this they were required to kill them. Furthermore, they knew that Himmler, independently of the matter of pregnancy, might have had them shot for the stark, open, racial offense they had committed that evening.⁴⁴

The murderous actions of these three SS men, moreover, were in no way unusual. Milla Doktorczyk, who was a slave laborer at the Skarżysko-Kamienna camp, remembered the fate of her friend Hochma Eisenberg.

My friend, she was working alongside me in Skarżysko. One beautiful girl, tall and slim, a beauty . . . Came one time, a German, he took her away from the machine. They raped her a couple of times, everybody,

(Detroit, 2000); Christa Schikorra, *Kontinuitäten der Ausgrenzung: "Asoziale" Häftlinge des Frauen-Konzentrationslagers Ravensbrück* (Berlin, 2006); *idem*, "Prostitution weiblicher KZ-Häftlinge als Zwangsarbeit: Zur Situation 'asozialer' Häftlinge im Frauen-KZ Ravensbrück," *Dachauer Hefte*, 16 (2000): 112–24; Insa Meinen, *Wehrmacht und Prostitution während des Zweiten Weltkriegs im besetzten Frankreich* (Bremen, 2002); Christa Paul, *Zwangsprostitution: Staatlich errichtete Bordelle im Nationalsozialismus* (Berlin, 1994); Christa Schulz, "Weibliche Häftlinge aus Ravensbrück in den Bordellen der Männerkonzentrationslager," in *Frauen-Konzentrationslagern: Bergen-Belsen, Ravensbrück*, eds. Claus Füllberg-Stolberg and others (Bremen, 1994), pp. 135–46; and Reinhild Kassing and Christa Paul, "Bordelle in Deutschen Konzentrationslagern," in *Krampfader-Kasseler Frauenzeitung* 1 (1991): 26–31.

41 Felicia Karay, "Women in the Forced-Labor Camps," in *Women in the Holocaust*, eds. Dalia Ofer and Lenore J. Weitzman, pp. 289–90, 71; Witold Chrostowski, *Extermination Camp Treblinka* (London, 2004), p. 45.

42 *Ibid.*, p. 290.

43 *Ibid.*, pp. 290–91.

44 There was, for example, an SS court investigation against SS officers who had raped Jewish women in Warsaw. See the document on this case in the Bundesarchiv NS7/1147, pp. 230–303; and USHMM RG-68.051M.

and then they killed her. Her name was Hochma Eisenberg. I will never forget that. They raped her in the middle, one after another one, and they killed her. (did you see that?) I could not look. (did they do this in front of everybody?) Yes, they did. They took her to the office. It was in the middle of the factory and everybody was around it in the factory. We could see it. She was beautiful, 14 or 15 years old. Tall, slim, dark hair. I have not seen a beauty since then like that. They took her away, into the office, took off her clothes . . . there were maybe 4 or 5 of them. One after another. Then they killed her and threw her out.⁴⁵

And when asked if this murder was an isolated incident, Doktorczyk replied: "There were many incidents like that."⁴⁶

Charles Feldman, another survivor of this camp, gave this detailed testimony:

There was a German, a *Volksdeutsch*, Kelleran, he was a hunch back, a sadist because he was crippled. He spoke sort of Jewish . . . he was terrible. In Skarżysko he was doing all kind of brutal things. Like, for instance, he used to take a Jewish policeman and take out a woman and told her to lie down on a bench and he (the Jewish policeman) should lie down on her and make love to her. And everyone who passes by to stop and to watch it. Such a sadistic thing. He took a girl from time to time and did with her whatever he wanted and then would dump her. It was a well with water. He dumped her. He did all kinds of such nasty things. In Skarżysko Kamienna they were picking out all the beautiful girls. There was a man called Bartenschlager. He was the main man from the inside. He used to pick the most beautiful, nicest girls, they should do the jobs in their house. He used them for himself. They never came back.⁴⁷

In this and prior testimonies cited in this section of the present essay, sexual assault always ends in the murder of the victims (as do a number of the reports and testimonies cited in the first section). There is a deadly fatalism involved in these forced seductions that separate them from common acts of sexual violence and transforms them into unusual, enacted, rituals of extirpation.

The history of the Skarżysko-Kamienna camp reveals that "commanders chose the most beautiful young women of each newly arrived transport as personal 'housemaids.'" (Almost all these women were later killed.) In one specific instance:

When Paul Kiessling, camp commander at Werk C in 1942, tired of his "maid," he sent her to Hans Schneider, Werkschutz commander at Werk

45 Video Testimony, USC Video Archive, testimony of Milla Doktorczyk, TC 2:26:45–2:28:19.

46 *Ibid.*

47 Video Testimony, USC Video Archive, testimony of Charles Feldman, TC 5:23:00–5:24:50.

A. Schneider discovered that the woman was pregnant and dispatched her to the "shooting range."⁴⁸

Given his principles, both racial and prudential, Hans Schneider believed he had no other choice.

A Jewess who survived this same camp testified right after the end of the war:

And then I was off to a labor camp, to Skarżysko, a camp for Jews only who worked in an ammunition factory . . . There was a German foreman by the name of Krause, the most terrible in the factory. When Krause would go by, even the machinery would run differently. Sometimes he would get drunk, pick a few women and rape them, and later they were shot so that there would be no "race pollution."⁴⁹

Rassenschande, and its potential corrupting racial consequences, could not be tolerated. In consequence once this deed had been committed the violated Jewish women had to be murdered to prevent future racial degeneration. The striking result of this policy should not go unremarked for it produced the following bizarre situation: sexual relations with a Jewish woman was defined as a major criminal offense against the state and the Volk, but murdering Jewish women was not a crime at all. Instead it was seen to be a necessary public health measure.

Nor, on the testimony of the last-cited Jewish survivor of Skarżysko, was the foreman Krause alone in his practice of combining rape and homicide. For there was, as she remembered, "a well-known SS [officer at the camp who] did the same thing."⁵⁰ And had she known what we know she could have gone still further and argued that in camps of every type Nazi officials and guards took advantage of their power, not least in the realm of sexual predation and murder. At the Bruss-Sophienwalde Concentration Camp in Poland Paula Neyman observed the following incident.

There was a girl who had a boyfriend and found herself pregnant. Willie Shultz, he was not an SS but an ex Wehrmacht army man. But he was injured, and he was, for good service, given to be commandant of a camp. He was not bestial, he never personally ever beat anybody up terribly. To me, he used to joke and said I could do anything, but don't let yourself get caught. She (the pregnant girl) decided she was going to tell him that she was pregnant and maybe he would give her some better work. I begged

48 F. Karay, "Women in the Forced Labor Camps," p. 291.

49 D. Niewyk (ed.), *Fresh Wounds*, p. 221. To understand this testimony properly, readers need to know that the Nuremberg Laws of September 15, 1935, defined *Rassenschande* as a crime. According to this legislation: "Extramarital intercourse between Jews and subjects of the state of German or related blood is forbidden." The crime is to be "punished with a prison sentence with or without hard labor" (clause 5.2).

50 *Ibid.*

her not to, he is only German. One day, when the transport was going back to Stutthof, she was told not to go to work. We hid her under the straw. We had more straw where the head went. So, we took away the straw, we put her like a mock pillow and we covered her with blankets . . . The Germans ran around long enough, the truck was waiting, they found her. They dragged her out, four young Germans. Each one had a leg, or an arm and they threw her on the snow. And there was some work kommando coming back about midday. They made everybody watch. Most of them were under 25 maybe 20. And in full view, more than just the four Germans, I don't remember, six or eight, but enough, raped that pregnant girl. And then, they picked her up like a sack of potatoes, again each carrying an extremity and threw her on the truck. She was never heard of.⁵¹

There was here no respect for this woman's pregnancy, and the pressing concern with regard to her fetus was that it not survive. By law and ideology this woman was held to subhuman and outside of the circle of moral obligation. Her deeply offensive, highly threatening, sexual misadventure and pregnancy needed to be made an example of, and her life and the life of her unborn child extinguished. There could be no compromise on, no mediation over, such a fundamental violation of the iron law of race. Accordingly, the six or eight German soldiers who raped her, and then dispatched her to be murdered, were not seen by their comrades as sexual beasts. Instead, the rapists saw themselves and were seen by those they served with as warriors doing their duty in defending the Third Reich's racial first principles.

From the Janowska Road camp we have this testimony:

A few days later a truck with twenty-four women in it stops in front of our gate. The driver has been told to wait there for a further order from the Untersturmführer, who is due to arrive any minute. Suddenly we hear shots, and then the truck turns around and drives away in the direction of the remaining fireplace. After about half an hour a Schupo comes to our quarters and orders the fire chief, his assistant, and four carriers to report for duty. In a quarter of an hour they return, having tossed the women into the fire. From the Schupos we later find out what had happened to the women. There were twenty-four girls between the ages of seventeen and twenty in the truck. They were the prettiest ones in the concentration camp. Last night the SS in the camp had had a big party. They had brought these twenty-four girls to the affair, a thing that is strictly forbidden. The girls were there all night. In the morning, to rid themselves of any witnesses, the SS men brought them to the "sands."⁵²

Once again, sex and death were inseparably intertwined for Jewish women and the German men who raped them. The orgy of the night before in which these

51 Video Testimony, USC Archive, testimony of Paula Neyman, TC 3:19:30-3:22:07.

52 Leon Weliczker Wells, *The Death Brigade: The Janowska Road* (New York, 1978), pp. 189-90.

beautiful young women had been forced to participate had to be followed by their execution the next morning. Their rape could be overlooked, not reported, if they were executed to assure that there would be no Jewish issue from the sexual acts that had been performed on their bodies. The operational definition of what was criminal in this context was not rape but Jewish continuity and reproduction. Therefore, murdering these Jewish women had the effect of eliminating the crime of fornicating with a Jewess. The racial purity of the German state had, in a perfectly satisfactory way, been protected, despite the initial serious transgression of these men. It was assured by the sacrifice of these twenty-four young Jewish women on the fire. The modern moloch that was National Socialism would have its blood offerings. Through them, it would protect the health of its racial community. This was a justified maximal defense against the most menacing crime, the most destabilizing sin, racial pollution.

The same macabre choreography between sexual offenses and murder was present in the ghettos. A former resident of the Warsaw Ghetto has testified that she regularly saw a young SS officer come to the house of pretty young Jewish women, rape the women, and then shoot them. She remembered, "He always came prepared with a horse-drawn hearse."⁵³ Another ghetto survivor recalled that

... [the Gestapo head] Reisener [*sic*] ... found my niece, [my] husband's brother's daughter. She looked like a young Elizabeth Taylor. He took her out of the ghetto. He loved her. We thought he was going to kill her. He was a good-looking man. During [the] second Aktion, he knew he wasn't allowed to live with a Jewish girl. He knew she was going to be killed. He took her to the train. He killed her before she would go to Auschwitz ...⁵⁴

And still another survivor, from a town near Warsaw, has left a report: "At night the Germans would force their way into Jewish homes and rape women and girls ... Some of the girls, those of the more educated type, would be taken by the Germans to their barracks where they were raped and killed."⁵⁵

Sara Dickerman, a survivor of the Opatów Ghetto, has left the following testimony:

We came near the shul [synagogue] on (gives the name of the street – in the Beitgasse). Right across [from] the shul there was an entrance, I remember, where we used to go through to another street, to the Shul-

53 Cited from Joan Ringelheim, "Women and the Holocaust: A Reconsideration of Research," in *Feminism and Community*, eds. Penny A. Weiss and Marilyn Friedman (Philadelphia, 1995), pp. 320–54.

54 Cited from Jonathan C. Friedman, *Speaking the Unspeakable: Essays on Sexuality, Gender, and Holocaust Survivor Memory* (Lanham, MD, 2002), p. 56. Max Glauken, another survivor of the Warsaw Ghetto, has reported in his testimony regarding ghetto life: "My mom's sister was taken out and supposedly raped and killed," Eric Sterling (ed.), *Life in the Ghettos During the Holocaust* (Syracuse, 2005), p. 99. Similar testimonies will be found in other survivor memoirs.

55 This testimony is reproduced in J. Apenszlak et al. (eds.), *The Black Book of Polish Jewry*, p. 9.

gasse. A German came, he took away my little sister, and I said: please, I am older than her. Please let her go. I am going to do whatever you ask from me. He gave me ah ... he smacked me in the face, grabbed my little sister, and started to undress her right in the front. He grabbed her there, he raped her. When she came out, you could see the blood was still running. He called me, to stay in front of her and told me: now are you going to be quiet? So, I say yes. So I thought that's finished. He pulled out the gun. He killed her right in front of me (interviewee is overcome with emotion and is crying very hard at this point). I am sorry (for crying). It is very hard. She was beautiful, and she was kind. It is very hard (still crying). I am so sorry (for crying). How could he be so cruel! Oy Gotinyu. Should have killed me instead. I was the oldest one (continues to cry). I saw some Poles, men. They were standing and laughing.⁵⁶

There were, as one sees, variations within the dominant design, but most produce a similar ending: the liquidation of the Jewish girl or woman who had been raped. Life and the reproduction of Jewish life were outcomes that were not permitted by the ruling system.

In the ghettos and camps established within the captured territory of the Soviet Union German venereal appetites and German racial dogmas were the same as those in Warsaw and Kielce. Gertrude Schneider has provided the following testimony regarding SS Officer Krauser, the German Commandant in charge of her Belorussian ghetto.

[Krauser] loved young, pretty girls. He did. When he liked you, that was it, you got a better kommando. Since he made the law, he was above and beyond *Rassenschande* which means the racial sin that a German and a Jew could not have intercourse. He had one girlfriend. She was a beautiful before the war. He made a beauty salon for her in the ghetto. She was Olly Adler and she was breathtakingly beautiful. I don't care what beauties you see here, she was so striking that when she walked into the ghetto and he saw her, he actually fell apart right on the spot. She knew what kind of an effect she had on men. She had a sister whom I knew quite well. Neither sister survived ... [they were killed].⁵⁷

Even "breathtakingly beautiful" Jewish women had, after use, to be murdered. One can, of course, explain the rape of particularly attractive women without recourse to ideology but the explanation of their murder, which is counter-intuitive, needs a further explanation. And we find it in the governing circumstance that reveals that evidently SS Officer Krauser and the Jewish woman Olly Adler were, evidently, not "above and beyond" the claims, and demands, of *Rassenschande*.

56 Video Testimony, USC Video Archive, testimony of Sara Dickerman, TC 2:13:10–2:17:10.

57 E. Katz and J. M. Ringelheim (eds.), *Women Surviving The Holocaust*, p. 48.

Other examples: at the Jewish collective farm in Zelenopolye a 16-year-old girl named Rakhil "was raped and then shot."⁵⁸ During the *Aktion* in the Lvov Ghetto a survivor recalled: "the unrestrained representatives of the 'master race' did not spare a single woman during this campaign. They raped and murdered the women or threw them into burning houses."⁵⁹ In Brest, the Jew Osher Moiseevich Zisman tells us: "I saw the Germans herd young girls into a shed next to the mass graves and rape them before then shooting them. I heard one girl crying out for help; she punched the German in the snout, and in return, they buried her alive."⁶⁰ In Riga, the officers of the Wurttemberg-Baden Grenadier regiment "were having a drinking bout. They brought in dozens of young Jewish girls to join them in their orgy, forced them to strip naked, drink, and sing songs. Many of the poor girls were raped and then taken into the courtyard and shot."⁶¹ In the Mstislavl Ghetto, on October 15, 1941, German soldiers raped a large number of Jewish girls and women and then eliminated them.⁶² And in the Mir Ghetto Belorussian police raped and then killed Jewish girls just before the general massacre of November 9, 1941.

Again, in Butrimonys, Lithuania – 46 miles south of Kovno – the Germans arrived as conquerors on June 23, 1941. The running of the town was then turned over to Lithuanian nationalist allies of the Germans. And a police force of local Lithuanians was formed under the command of Leonardas Kasperiuonas. One of Kasperiuonas' lieutenants named Prams Senavaitis temporarily saved a Jewish girl, described as "exceptionally beautiful," from being immediately murdered, so that she could become his sexual slave. But, under German domination, no permanent exclusion from the law that all Jewish women must die was possible and therefore he shot his beautiful Jewess five months later in mid-November. Nor was this lethal criminal action by Kasperiuonas unusual. The record shows that he used many Jewish women to satisfy his lusts and then, as required, murdered them.⁶³ Likewise, in the camp at Tulchin in the Ukraine, that was administered during the war by Romania and annexed to Transnistria in early

58 I. Ehrenburg and V. Grossman (eds.), *The Black Book*, p. 42.

59 *Ibid.*, p. 78.

60 *Ibid.*, p. 221.

61 *Ibid.*, p. 302.

62 On the rape and murder in the Mstislavl Ghetto, see G. Miron et al. (eds.), *The Yad Vashem Encyclopedia of Ghettos*, vol. 1, p. 502.

63 Olga Zabudoff and Lily Poritz Miller (eds.), *If I Forget Thee: The Destruction of the Shtetl Butrimontz* (Washington, D.C., 1998), pp. 33, 49. See also Yad Vashem Archive Document E 146–2–8. For more on Butrimonys see: Leib Garfunkel (ed.), *Lithuanian Jewry*, vol. 4, *The Holocaust 1941–1945* (Tel Aviv, 1984) [Hebrew]; Nathan Cohen, "The Destruction of the Jews of Butrimonys as Described in a Farewell Letter from a Local Jew," *Holocaust and Genocide Studies* 4.3 (1989): 357–75; "Butrimonys," in *Pinkas ha-kehilot Latviyah ve-Estonyah: Entsiklopedyah shel ha-yishuvim ha-Yehudim le-min hivadam ve-'ad le-ahar sho'at milhemet ha-'olam ha-sheniyah*, ed. Dov Levin and Yosef Rosin (Jerusalem, 1996), p. 163; and Alfonsas Eidintas, *Jews, Lithuanians and the Holocaust* (Vilnius, 2003), pp. 297–98. Published eyewitness testimonies can be found in: Rima Dulkinieth and Kerry Keys (eds.), *Su adata Sirdyje: Getu it koncentracijos stovykle kalini atsiminimai* (With a Needle in the Heart: Memoirs of Former Prisoners of Ghettos and Concentration Camps) (Vilnius, 2003), pp. 214–15; and Laurence Rees, *The Nazis: A Warning from History* (London, 1997), pp. 182–86.

September 1941, the camp commandant "the infamous Petekau . . . asked each night for two Jewish virgins" who were then killed.⁶⁴ As an ally of National Socialist Germany Petekau needed to be above racial suspicion and to set an example regarding what the appropriate fate of Jewish women was. In his case, as in too many others that we have seen, this meant raping Jewish girls and women and then extirpating them.

Even at Sobibór, the Nazis feared the consequences of sexual relations with Jewish women. A survivor of Sobibór has recorded the following incident:

The Germans selected musicians and established a small orchestra, which would play on Sundays. More than once we were forced to dance to its music. And sometimes, when transports arrived, the orchestra would be called to play, to the wonder of the people in the transport. A cabaret singer – from Holland or France – also arrived at the camp, and she sang in many languages. Sometimes all the Germans would gather, the orchestra would play, and the singer would sing. Her voice was pure and deep, and she sang plaintive songs, and although I didn't understand their words, they made my tears catch in my throat. This was the first time I had ever heard someone sing in a performance and I was enchanted by her, but it seemed that others were also enchanted, as at the end of each song our applause was joined by the applause of the Germans as well. After a short while, the singer was taken to the Lazarett and we never heard her voice again. It was said that one of the Germans got too close to her, but the Germans couldn't permit this, so she was killed.⁶⁵

Talent may lead to temporary sexual relations, but it provided no grant of exemption from the absolute rule that sexual relations with a Jewish woman must be followed by her murder.

In the small town of Busk, in Galicia, about 1,900 Jews were gathered together in a ghetto after the town was occupied on July 1, 1941, by German military forces. The ghetto survived until May 21, 1943 when it was liquidated. During the liquidation German security forces with the aid of Ukrainian policemen, while exterminating all the other residents, kept thirty Jewish girls alive to satisfy their sexual appetites. When the girls became pregnant, a condition that was intolerable to the German "*Übermenschen*" who had impregnated them, the rapists called in the security police from Sokol to take the life of these girls in the forest five kilometers away.⁶⁶ Although it was the German soldiers and their Ukrainian partners

64 The Jewish Black Book Committee, *The Black Book: The Nazi Crime Against the Jewish People* (New York, 1946), p. 164.

65 Dov Freiberg, *To Survive Sobibor* (New York, 2007), p. 255.

66 I owe this information on the Busk Ghetto to Dr. Martin Dean. For more on Busk see the *Yizhkor* book entitled *Sefer Busk: Le-zekher Ha-kehila She-harva*, ed. Abraham Shayari (Haifa, 1965); and Patrick Desbois, *Porteur de mimos: Sur les traces de la Shoah par balles* (Neuilly-sur-Seine, 2007), pp. 237–87. There is, in addition, one memoir by a survivor, Thomas T. Hecht, *Life, Death, Memories* (Charlottesville, VA, 2002).

who had violated the law against inter-racial sex, it was the Jewish women who had been forced into having carnal relations with these men who had to die. The persistent connection here emphasized between sexual relations and murder is, of course, a hypothesis, though, as evidenced, built on a good deal of relevant testimony and other credible evidence. It seeks to call attention to an empirical relationship that existed and to explain it. At the same time, in offering this argument, I am aware that, as indicated by the incidents recounted in the section entitled "Instances of sexual abuse" of this essay, not every rape of a Jewish woman eventuated in a murder. However, it does appear, on the basis of what we do know, to have repeatedly happened; to have occurred often enough to be more than an individual action, or an accident – or the invention of the present author; and to represent the instantiation of a shared understanding that became incarnate in a compelling socio-ethical belief that was actively present in the community of the killers. It therefore, if not an illusion, must be accounted for.

The "Final Solution" as a license to rape

In the discussion just concluded the concentration was on the connection created between sexual relations and murder because of the law of *Rassenschande*. Here I would briefly point out that this relationship also ran, as it were, in an inverted manner, that is, the requirement that all Jewish women be eliminated became a license for Germans, and their allies, to rape Jewish women. In cases where this happened, ideology, that is, the fateful decision to create genocide, here meaning the knowledge that the Jewish women to be assaulted would soon be corpses, created sexual opportunity.

Four examples will make this clear.

- (1) In Kovno, Jewish women, awaiting their death, who were held prisoner in the Seventh Fort were not spared the degradation of being raped and then shot. Avraham Tory recorded in his diary for August 4, 1941:

The gray fortress barracks, permanently dank, which until recently was brimming over with Jewish women and children rounded up together, has already been emptied. Night after night the Lithuanian henchmen would proceed to select their victims: the young, the pretty. First, they would rape them, then torture them, and finally murder them. They called it "going to peel potatoes."⁶⁷

- (2) During an *Aktion* in the Minsk Ghetto, on March 2, 1941, German soldiers chose to embellish their butchery with a slightly novel twist.

67 Avraham Tory, *Surviving the Holocaust: The Kovno Ghetto Diary* (Cambridge, MA, 1990), p. 24. Other incidents of rape were reported by the Jewish Police in Kovno. See, for example, USHMM Acc 1998 A. 0073 (from Central State Archive 973–2–46 and 47).

The "operatives" were ordered to pick out the prettiest women. I hid and watched how they were led to the cemetery. The deathly pale Jewish beauties were going to meet their deaths. The Nazis entertained themselves. They ordered the policemen to bring the husbands to their wives to say farewell. The husbands were shot first. Then they raped the women and shot them.⁶⁸

- (3) The destruction of Jewish women from the Minsk Ghetto was not a new German sport invented in 1944. Ever since Minsk had been taken by the Wehrmacht and accompanying Einsatzgruppen in 1941 Jewish women had been subjected to a myriad of sexual torments and deadly actions. So, for example, M. I. Brudner, who was a resident in the Minsk Ghetto testified as follows:

In 1942, before my very eyes, Gottenbach shot nine people because they had exchanged their things for foodstuffs with Russians. They were executed publicly in the square without trial or investigation. During the execution, Gottenbach ordered the victims to blindfold each other. The Germans excelled in using anything in search of an occasion for destruction. Gottenbach went around the ghetto and gathered the prettiest girls. After they were raped, he killed them.⁶⁹

- (4) Jewish girls being deported from Budapest to Auschwitz in the spring of 1944 were raped by the German soldiers policing their travel to the death camp. Annamarie Sokoly recollected:

We fell asleep and the next thing I knew, my mother . . . we heard a big noise and my mother, pulling toward me, we hear they are breaking the stall at the door. Breaking in, we saw a group of German soldiers. They were completely drunk. They were screaming and hollering and looking with the flashlights looking at all the faces of the people who were there. My mother made a very fast movement and laid on the top of me. And I heard screaming, screaming of the girls who were with us. I could hear my mother screaming and crying: don't take her don't take her. What happened, the German soldiers picked out only the younger ones, 13, 14, 15 or maybe 16-year-old girls and they took them away. We heard their screams. We heard their cries. We heard the mothers cry. We never saw them again (she stops talking for a moment and is crying). They raped them. Whatever happened to them after, we never found out. My mother saved my life laying on top of me."⁷⁰

In the eyes of their molesters, these young Jewish girls were not only sexually available but, and ultimately more significant, they had no right to live. The

68 Testimony of the Jewish woman Ellen Marbina of Minsk. Cited from D. B. Meltser and V. Levin (eds.), *The Black Book with Red Pages*, p. 167.

69 Testimony of M. I. Brudner given on July 18, 1944. Cited from *ibid.*, p. 171.

70 USC Video Archive, video testimony of Annamarie Sokoly, TC 4:08:10–4:10:40.

German soldiers on the train knew the terrible secret of what would happen to these *Untermenschen* when they arrived at the ramp at Birkenau and so felt no compunction about despoiling them as they liked and then guaranteeing that their criminal actions would have no untoward consequences. They were well aware that in this context the ideological made possible the carnal, that because these Jewesses were on their way to being gassed, they could be raped.

Even in the shadow of the gas chambers or, perhaps more correctly, precisely in the shadow of the gas chambers, the rape – and then murder – of Jewish women took place. This odious action represented, to those who took part in it, a confirmation of the function of the death camps: Jewish women were not governed by the normal ethical reciprocities that usually existed between human beings. In this sense, these sexual violations, followed by the extermination of the victims – and done with the full knowledge that the victims were about to be exterminated – were “political” acts in the sense described above. The racial-metaphysical principles of the Hitler state not only make these rapes possible but justify them. And they, in turn, reconfirm these principles. The National Socialist regime’s insistence that Jewish women are *Untermenschen*, less than human beings, is here given concrete affirmation. The individuals who raped these women may well not have thoughts about their actions in such sophisticated “symbolic” categories, but the camp context in which they worked and that made their transgressions possible had been constructed so as to allow just such mocking sexual interventions. Witold Chrostowski, who had been a prisoner at Treblinka, tells us:

Women, Polish and Ukrainian, helped in the camp with cooking and washing the dishes. There were about 50 of them. Sometimes, from a group of the Jewish women who were to be exterminated, the prettiest would be selected and forced to participate in orgies organized in the camp. After a few days or weeks, such girls went to the gas chambers and new ones were selected from transports.⁷¹

A last word

The contentions and arguments in this article have not been fully worked out. They represent, rather, the first effort to decipher and account for the evidence of what I take to be distinctive aspects of the rape and sexual molestation of Jewish girls and women during the Holocaust. It seems unquestionable to me that this evidence, taken as a collective whole, is, indeed, singular in nature, but I could be wrong on this. It may be that other scholars can show that similar behavior existed in other historical cases of mass murder. If so, then the thesis of the present essay will have to be given up. But for now, the challenge is not to offer hasty judgments nor to make snap-decisions on too limited evidence but, rather, to do the serious research work of gathering together and comparing relevant material, and then thinking through the core issues that this subject raises.

⁷¹ Witold Chrostowski, *Extermination Camp Treblinka* (London, 2004), p. 45.

UPDATE

The study of sexual crimes committed in the course of war that are, in addition, integral to occasions of “genocide,”⁷² and that were common in the Holocaust, has become a significant area of study and research. Especially prominent in the newer literature is a concentration on the primitive depravity evident in Rwanda and the heinous crimes committed during the Civil War in Yugoslavia. During the latter conflict it is estimated that between 20,000 and 50,000 women were raped, mostly by Serbian forces.⁷³ It is quite clear, however, that Serbians and Hutus have no monopoly over these sorts of dehumanizing acts – the vile phenomenon of rape and the carnal abuse of defenseless women is a near universal phenomenon. This given reality has finally come to be recognized as legally significant in contemporary post-war tribunals. In fact, the crime of rape has now been accepted as a separate, punishable act under international law.⁷⁴ So, for instance, beginning with the International Criminal Tribunal for Rwanda (ICTR) in 1998, individuals like Jean-Paul Akayesu were found guilty of assisting in and overseeing the rape of Tutsi women. The tribunal found that rape “constitutes genocide in the same way as any other act as long as they were committed with the specific intent to destroy in whole or in part, a particular group, targeted as such.”⁷⁵

I applaud the research and the new sensibility that led to this legal development. The sexual victimization of women in whatever circumstance, and the employment of rape as a political-military strategy, is appalling and altogether unacceptable.

Significant recent publications that address the issue of sexual violation include: Amy Randall (ed.), *Genocide and Gender in the Twentieth Century: A Comparative Survey* (London, 2015); Samuel Totten (ed.), *Plight and Fate of Women During and Following Genocide* (London, 2009); Anne-Marie de Brouwer, Charlotte Ku, Renee Romkens, and Larissa van den Herik (eds.),

⁷² On this subject see the studies cited at the bottom of this page and the top of p. 197. In addition consult: Beverly Allen, *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia* (London, 1996); Roger Smith, “Women and Genocide: Notes on an Unwritten History,” *Holocaust and Genocide Studies* 8.3 (Winter, 1994): 315–334; Kelly Askin, “Prosecuting Wartime Rape and Other Gender-Related Crimes under International Law: Extraordinary Advances, Enduring Obstacles,” *Berkeley Journal of International Law* 21.2 (2003); Anne-Marie de Brouwer, *Supranational Criminal Prosecution of Sexual Violence: The ICC and the Practice of the ICTY and the ICTR* (Antwerp, 2005); and Mark Ellis, “Breaking the Silence: Rape as an International Crime,” *Case Western Reserve Journal of International Law* 38 (2006/2007): 232–235.

⁷³ The evidence that bears on these acts has been reviewed by the contributors to Alexandra Stiglmayer (ed.), *Mass Rape: The War Against Women in Bosnia-Herzegovina*, trans. Marion Faber (Lincoln, NE, 1994); and again by R. Charli Carpenter, *Forgetting Children Born of War* (New York, 2010). I cite the number of rapes that took place in Yugoslavia from Elisa Von Joeden-Forgey, “Gender and Genocide,” in *The Oxford Handbook of Genocide Studies*, ed. Donald Bloxham and A. Dirk Moses (Oxford, 2010), p. 70.

⁷⁴ On this issue see the interesting essay by Doris Buss, “Making Sense of Genocide, Making Sense of Law: International Criminal Prosecutions of Large-Scale Sexual Violence,” in *Genocide and Gender in the Twentieth Century*, ed. Amy Randall (London, 2015), pp. 277–97.

⁷⁵ ICTR, Prosecutor v. A. Kayesu, Case No. IT-96-4-T, 731.

Sexual Violence as an International Crime: Interdisciplinary Approaches (Cambridge, UK, 2013); the anthology edited by Adam Jones, *Gendercide and Genocide* (Nashville, 2004); the essays included in Rosemary Gartner and Bill McCarthy (eds.), *The Oxford Handbook of Gender, Sex, and Crime* (New York, 2014), pp. 690–707; and Nicola Henry, *War and Rape: Law, Memory and Justice* (London, 2013).

In light of the subject of this essay, I would here expand our conversation to include not only rape – and its linkage to murder in the world of the Third Reich – but also the topic of miscegenation that will illuminate the significance of this subject in additional important ways. This is because it deals with the issue of reproduction and the birth – not the murder – of children under terrible circumstances – a reality seen in many historical contexts where forced sexual relationships occurred. In other words, to just consider the matter of rape and to ignore its consequences is to decipher only part of the relevant story.

In light of this unintended consequence of sexual exploitation, an important question arises in relation to the analysis of genocide and the deconstruction of mass crimes: what is the significance of miscegenation relative to cases to which one seeks to attach the term “genocide”?

Regarding our interest in comparative history, we need to consider that the issue of race mixing, known in Spanish as *mestizaje*, is particularly relevant. Not only does it bear on the demographic history of the aboriginal peoples of the Americas, but it also relates to the equally relevant issues of morality, theology, and ontology as these normative categories were incarnated in Spanish America. Consider, in relation to these ethical and metaphysical concerns, that in the Third Reich sexual relations between a Jew and an Aryan, identified as *Rassenschande*, was a major crime because it was said to directly “pollute” Aryan blood. In contrast, Spain, both through the actions of the Crown and teachings of the Church, accepted, and in some instances even encouraged, race mixing.

Then, too, beyond the normative considerations, the diverse and extensive material on the rampant pattern of inter-racial sexual relationships, that was the norm rather than the exception in colonial Spanish America, raises intricate methodological issues relative to a consideration of Spanish state policy in the New World. In particular, miscegenation casts a large shadow over the accuracy of the accusation that a program of *physical* genocide was at work in this setting. For while this pattern of racial mixing in this colonial circumstance entailed an ethnocidal component, i.e., it involved the, at least partial, eradication of the pre-conquest aboriginal culture, it ran counter to the logic of physical genocide. Miscegenation, after all, produces children who are part Indian, and enlarges the overall population. It represents a genetic dialectic through which two groups have sexually come together, whether willingly or unwillingly, to form a third. As a result, the two original biological forms gave way to a new and different form. This hybrid biological reality does not necessarily represent a higher form à la the Hegelian notion of *das Aufheben*, a negation that produces an advance, but it is certainly an act that creates a new

type of identity that retains elements of its origin. Miscegenation is thus a process of amalgamation that promotes a form of native survival in a transmuted form.

Seen from the perspective of the indigenous peoples – continually subjected to violence and exploitation – race mixing, ironically, became one of the modes through which “Indianness,” understanding this term both culturally and racially, made an effort to survive. The indigenous peoples gained a future, in an odd and unexpected fashion, by way of this sexual activity. Miscegenation, therefore, needs to be understood not as negation or extinction but, rather, as a form of retention and transition. The native women, “who had babies, who struggled so that their fathers would recognize them, free them if they were slaves, provide for them, perhaps provide them with some education – these women were making possible the survival of their own kind over a long period. They were refusing to die.”⁷⁶

The making of a new people, or peoples, bred of Spaniards and Indians began immediately after Columbus’s first landfall. Straightaway the Conquistadors took local women as concubines (both willingly and against their will),⁷⁷ raped Indian women,⁷⁸ and were given native women as gifts by local *caciques* as a sign of friendship and welcome.⁷⁹ Pedro Simón tells of the gift of 100 young women to Don Pedro de Heredia by the *Cacique* of Cipacúa, “all so good looking, charming, beautiful and smiling that we called the town Las Hermosas.”⁸⁰

This sexual intermingling created, in large measure, the majority of the present population of Latin America. A 2010–2012 census gives us a clear picture of the impact that racial mixing has had on the current demographic profile of the region. Stretching from Mexico to the tip of South America, *mestizos* are, in spite of the enormous European emigration of the last two centuries, the largest ethnic group. They represent about 47 percent of the total population, while whites account for 32.5 percent, and the Amerindian peoples make up 6.7 percent of the total community. These numbers, in effect, report and reflect a history of extraordinary race mixing in Spanish America. More than 500 years of miscegenation has produced a population that for all of Ibero-America is nearly half *mestizo* (about 227.5 million), and 5.3 percent *mulatto* (white mixed with black – almost

76 Solange Alberro, “Beatriz de Padila: Mistress and Mother,” in *Struggle and Survival in Colonial America*, eds. Gary Nash and David Sweet (Berkeley, 1981), p. 256.

77 Mentioned, for example, in Bernal Díaz’s report of the conquest of Tepoztlán in 1512 (*Historia verdadera de la conquista de la Nueva España* [Buenos Aires, 1955], p. 360); of Tenochtitlán, *ibid.*, pp. 427–29; and of Tetzaco, *ibid.*, p. 351. In all of these cases, and others, he refers to the taking of “good spoils, generally with very good women specimens” (*ibid.*, p. 351).

78 Repeated by Las Casas on which see S. Lyman Tyler, *Two Worlds: The Indian Encounter with the European 1405–1505* (Salt Lake City, 1988), p. 156.

79 Described briefly, particularly in terms of its political significance, by Magnus Mömer, *Race Mixture in the History of Latin America* (Boston, 1967), pp. 23–24.

80 Pedro Simón, *Tercera noticia historial de las conquistas de tierra firme en las Indias Occidentales* (Madrid, 1961), pp. 39f.

30 million). Accordingly, any and all analysis of the history of colonial and later Spanish America, including the long centuries of depredation, spoliation, violation, religious conversion, ethnocide, assimilation, and loss of life, must take account of sexuality, racial-intermixing and the resultant production of a vast population, rather than its extermination. Contrary to Nazi laws regarding *Rassen-schande*, sexual mixing between peoples does not necessitate murder but, rather, the embrace of a new model of being human.

A similar circumstance applies in the history of New World Slavery. Sex between masters, overseers, and slaves was common and produced a large community of mixed-race children who had, at a minimum, economic value.⁸¹

10

IRVING GREENBERG ON HISTORY AND *HALAKHA*: THE IMPLICATIONS OF THE HOLOCAUST

I Introductory comments

I am delighted and honored to participate in this volume dealing with the thought of Rabbi Irving (Yitz) Greenberg. Rabbi Greenberg and I have been friends for decades and I have been a dialogue partner and friendly critic of certain aspects of his theological views during this time. Though I have found central features of his theological reflections problematic I have seen his work continually grow and mature in depth and now believe that he should be recognized as a theologian of the first rank.

In reading Greenberg's work, one cannot but be impressed with his broad erudition and command of the history of Jewish thought. He moves seamlessly from the biblical, through the rabbinic and medieval eras, and then on to the modern period and the *Shoah* and its implications. Moreover, his exegetical sensitivity and insight into particular texts and issues is exceptional. In his explanations and discussions well-known biblical and rabbinic passages often acquire a new clarity and deep meaning, while his critiques of specific theological positions, e.g., of Reform Judaism and the Haredi version of Orthodox Judaism, are often remarkably insightful.

It is also a testimonial to Rabbi Greenberg's seriousness and the authenticity of his search for truth that he is willing to reconsider dubious ideas present in his own earlier studies, for example, the idea of a "voluntary covenant" and "moment faith."

II Exegesis of the main claim

Though Greenberg's views have continued to evolve, his basic theoretical model remains what I would call "Greenbergian Hegelianism." By this I mean that, like Hegel, Greenberg is a devoted student of the significance of history, in his case Jewish history, or, the history of the Jewish People, and is committed to arguing for the significance of this historical experience vis-à-vis theological truth and reflection. One could, therefore, fairly say that his work is an investigation of the theological meaning of the movement of Jews through time. It

81 For a full accounting of this phenomenon see my *The Holocaust and New World Slavery*, 2 vols. (Cambridge, 2019).

Steven T. Katz

Holocaust Studies

Critical Reflections