



FASPE  
Fellowships at  
Auschwitz  
for the Study of  
Professional Ethics  
2022 Journal







FASPE  
2022  
JOURNAL



## 2022 JOURNAL

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# ABOUT FASPE

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Fellowships at Auschwitz for the Study of Professional Ethics (FASPE)'s mission is to promote ethical leadership within the professions, recognizing the outsized influence that professionals have in their broader communities. FASPE seeks to assist in the moral formation of young professionals and in ensuring that ethical issues are top of mind in decision-making. With influence comes a responsibility for ethical leadership.

The FASPE approach to ethics training for professionals differs from the traditional university classroom or internal trainings in corporate responsibility. It is not rules-based, but a holistic focus on ethical leadership and responsibility. We do this by means of a unique historical lens. We begin by studying the activities and motivations of those professionals who were responsible for designing and executing the Nazi policies between 1933 and 1945. This frames the important role and impact of professionals.

FASPE runs three main programs that utilize this unique approach to professional ethics.

FASPE offers fellowships to students pursuing professional degrees in business, clergy, journalism, law, medicine, and design & technology, as well as to early-career professionals in these fields. Fellows in each of FASPE's six programs spend two intensive weeks in Germany and Poland, visiting Auschwitz and key historical sites in Berlin and Krakow, and participating in rigorous seminars led by experts in their respective fields. *The power of place* is palpable.

FASPE provides ethics training and ethical leadership workshops to practicing professionals at all levels of experience—utilizing historical case studies as the framing for discussions about the ethical responsibility of professionals today. These “Ethics Leadership Training” workshops are offered to law firms, in-house legal departments, consulting firms, private equity funds, operating corporations, and other professional settings.

FASPE offers an Ethics Abroad study trip in Europe. It is a condensed version of the fellowship program in which the FASPE fellows participate, open to a wider audience.

## OUR FELLOWSHIP PROGRAMS

FASPE Fellowships take place in Berlin, Krakow, and Oświęcim, where Fellows visit sites of Nazi history, including the former Nazi concentration camp of Auschwitz. Daily seminars are held at sites where professionals planned and enacted Nazi policies. Each year, FASPE accepts between 80 and 90 Fellows across the six disciplines from a diverse and competitive pool of international applicants. Each program travels with two other programs, allowing Fellows to benefit from cross-disciplinary perspectives. FASPE Fellowships were developed in consultation with leading practitioners, preeminent academic institutions, and noted scholars. FASPE's faculty is drawn from practicing professionals, ethicists and historians.

## OUR FELLOWS

The FASPE experience extends well beyond the two-week fellowship. Fellows build strong bonds during the program that deepen through FASPE's annual reunions, regular regional gatherings, professional networks, and other resources. Fellows also participate in FASPE's programming and governance. Our Fellows greatly value the FASPE community and draw regularly on their FASPE experiences. FASPE Fellows are better prepared to confront ethical issues at work and beyond as a result of having participated in a fellowship program and through their ongoing contact with FASPE. FASPE Fellows go on to pursue distinguished careers, enriching FASPE with their experiences and expertise and, most importantly, applying principles of ethical leadership to their work and to their engagement with their communities. Through our Fellows and their influence, FASPE seeks to have a lasting positive impact on contemporary civil society.

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# Letter from the Chair

BY DAVID GOLDMAN,  
FOUNDER AND CHAIRMAN

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The pandemic hardly represented a respite, a pause while we all rested. The past three years presented head-spinning alarms from and for a world whose ethical challenges are only growing rapidly, in number and magnitude.

- A global pandemic to which the world responded with remarkable modern vaccines. And yet, while we saw truth defying political pandering, treatment availability too often found its basis in economic status and race.
- A growing rejection of liberal democracies in favor of autocracies and nationalism based on demagogic fervor around immigration and racism—in the governments of Russia, Hungary, and Singapore, in the vocal and increasingly large minorities in France, Italy, and the United States.
- A European ground war with the threat of nuclear deployment.
- An American cultural and political atmosphere polluted by lies and polarization, characterized by a rejection of civility, compromise, and even simple good faith.
- A pattern of behavior in American schools, in the American justice system, and in American political discourse that can only be explained by a racism that is both systemic and insidious.
- A global economic crisis based in no small part in the growing divide between rich and poor.
- A distrust of traditional institutions.
- Increasingly sophisticated technologies that threaten our privacy and all too often are constructed without consideration of moral consequences.
- Not to mention climate change, which we are seeing afflict the world in real-time even as that ground war that pushes us back toward polluting products and technologies.

This sounds near dystopian. Hopeless? That cannot be the answer.

The premise of FASPE is that professionals possess power and influence. And, therefore, they must lead; and lead *ethically*. Much of what we saw, what we have endured (and are enduring!) in the past three years, was to some extent at least

enabled, if only by a lack of imaginative leadership, by those whom we must rely on to do better.

There is reason for optimism. It lies with the type of demanding, creative, and impatient energy that we see in the FASPE Fellows—the incoming class of leaders of our professions. We see in our Fellows a passion, that is not merely political, but rather one that is driven by an intentional desire to lead and lead *ethically*.

The behavior of the professionals in and around the rise and entrenchment of National Socialism in the 1930s was often characterized by *moral neutrality*. The professionals then were willing to allow often banal (and familiar) motivations—professional status, community reputation, financial success, problem-solving—to guide them, but without consideration for the moral implications of their work. That won't do!

Here is Albert Speer—one of the most senior architects of all the cruelties and injuries that built up into the horror that was Nazi Germany—reflecting after the war on how to explain his behavior: “I exploited the phenomenon of the technician’s often blind devotion to his task. The more technical the world imposed on us by the war, the more dangerous was this indifference of the technician to the direct consequences of his anonymous activities.” This *is* moral neutrality. And it speaks across professions in that period.

FASPE asks our professionals to recognize their influence and, with that recognition, to deploy their creativity, to act with and for their clients, patients, customers, readers, parishioners—with a clear appreciation of the consequence of their activities. This applies equally to the local journalist covering a Congressional election and the general practitioner in a one-person medical practice who must administer care in a community with limited medical resources, to the giant law firm in its selection of clients and the means by which it advocates for those clients, and to the algorithmist tasked with designing marketing methods for the sale of opioids. Each and every one.

Speaking as a contrite member of the generation that has consciously created or blindly enabled much of what ails us today, I am hopeful that the next generation of professionals will not tolerate inaction or indifference.

We invite you to read in the FASPE 2022 Journal what some of our Fellows have written, the reflections to which their lives and experiences have brought them. Moreover, we hope over the next year to introduce you to some of what FASPE Alumni are doing—in hospitals and courtrooms, in churches and newsrooms, in

laboratories and boardrooms all around the world. They are *not* sitting by idly; they are *not* neutral. Their impatience is a virtue.

As we challenge our Fellows and our Alumni to become ethical activists within their professions and their communities, we thank all of our supporters for making FASPE possible.

# Introduction

BY THORSTEN WAGNER,  
EXECUTIVE DIRECTOR FOR STRATEGY AND ACADEMICS

---

*It is easy to sanctify policies or identities by the deaths of victims. It is less appealing, but morally more urgent, to understand the actions of the perpetrators. The moral danger, after all, is never that one might become a victim but that one might be a perpetrator or a bystander.<sup>1</sup>*

Dear alumni, dear friends, and supporters of FASPE,

It is with a strong sense of gratitude and relief that we are able to present the 2022 FASPE Journal to you. Dramatic global as well as domestic events in the course of the last two years have had significant implications and consequences for our work, ranging from the COVID pandemic that made fellowships in Europe impossible in 2020 and 2021, to the murder of George Floyd and the subsequent higher awareness of the need for a reckoning with America's racist past and present, to the current moment of Russia's murderous war of aggression in the heart of Europe. The resolve to end this aggression and hold Putin's regime accountable for its mass crimes in Ukraine will arguably be the ultimate ethical litmus test for the leaders of the West for the foreseeable future—including our legal professionals and business executives.

All the more, we are grateful that this summer we were able to take more than 80 fellows to Europe. The essays in this volume represent an impressive cross section of the thoughtful conversations and reflections engendered by this year's fellowships in Germany and Poland. They are a powerful reminder of the importance of critical introspection and self-reflection, focusing on the fellows' roles as future professionals and leaders. It is easy to lose sight of this dimension. Work conditions for young professionals, especially for women and people of color, are often challenging; the structural flaws of society and its systems of justice and medical care have only become ever more obvious. And, in both domestic and global contexts, the fight for social equity is even more urgent. It does not come as a surprise that there is a growing desire to become activists and advocates for social and racial justice.



Against this backdrop, it takes a very conscious decision—not only or primarily to focus on the necessity of systemic change but also on the agency, responsibility, and potential of the individual professional. What are *my* shortcomings, in what areas do *I* need to reflect on my ethos as a professional? Needless to say, the fellowships very much aim to foster and promote this process of professional formation and its ethical implications, embedding it in the context of historical experience and reflection. FASPE's Academic Director, Eric Muller, has put it powerfully:

*When we take fellows to atrocity sites in Europe, we do this not just to honor the memory of the victims of those atrocities, but to present fellows with the chance to try a tough act of imagination. Can we look at professionals who used their skills to plan and support all the steps along the path to terrible ends and recognize in them something of ourselves? Can we look at what tempted them, what motivated them, what dulled their vision, and see some of our own temptations, motivations, and blinders? [FASPE is inviting the fellows to relate to] the professionals of the 1930s and 1940s, who, eagerly or reluctantly, devoted energy to developing and maintaining a system that had every reason to trouble them.*

Karl Wallenkampf's compelling reflection piece, "Mengele and Me," is, as you will see, a remarkable example of exactly this endeavor. As Karl discusses the appreciation of the infamous SS doctor's research by his contemporaries and explores what drove him, he comes to an unsettling conclusion: "It is this which disturbs me, the thin but real continuity of his motivations and mine. [...] I consistently found the same themes again and again. I noticed points of agreement between their motivations and those in my personal statements for medical school and residency."

Moving from a tempting identification with the victims to a focus on the complicity of the professional is central for FASPE. The historical example illustrates how this complicity became possible by a comprehensive transformation of the normative orientations in German society. The change of the ethical horizon—frequently exacerbated by professionals and other leaders—seems often to go unnoticed. The ethical values dominant in a given society at a given point in time seem to constitute something like the often-unexamined framework of our private and professional existence, almost like the operating system of a computer. This observation resonates with what Emma Dunlap writes about normalization in her essay: "Prior to FASPE, I thought of the Nazis as a cohesive, impassioned majority associated with the images

in *Triumph of the Will*: imposing displays, marches, and book burnings. My FASPE experience challenged this perception and re-directed my attention to people who accepted this new reality as ‘normal’ and lived their lives accordingly.”

The moral norms and standards we share with our community or even significant parts of our society have the potential to make us believe that we are morally intact individuals, while we are actually contributing to deeply flawed policies. This sense of shared norms means that morality is not necessarily the barrier that needs to be overcome to do harm, but rather can be the enabling factor.

So why does this history matter? The history of Nazi society and its complicit professionals matters to us because it shows how our moral code can change surprisingly easily; within that changing ethical universe, ordinary professionals and quotidian motivations can become instrumental in causing harm—big and small – for others. Reflecting on her FASPE experience through the lens of David Graeber’s critique of bureaucracy, Jessica Dai concludes in her contribution:

*If there’s anything that stands out from the trip, it’s that the capital-h Holocaust was enacted by thousands of human beings, each with their own feelings, desires, and personal stories. [...] What I ask of myself is that I care, that I continue to care; that I do the best with the information I have, but maintain skepticism that I’m “right.” The sphere of our personal influence, the radius over which it’s possible for us to exert power, is always wider and more elastic than we first assume.*

Several essays circle around the issue of having a certain skepticism towards one’s own self-righteousness as a professional, and therefore call for reflection on what the role of the professional vis-à-vis *the system* is: Under what circumstances can you trust the (legal) system to lead to ethical outcomes? (Lisa van Dord) In what situations might it be the right thing not to do what *the system* expects you to do, e.g., perform a meaningless surgery (Claire Rosen)? And when do professionals have the ethical obligation to work for systemic change? (Tessa Adzemovic) Furthermore, you will find thought-provoking pieces reflecting on dilemmas of journalistic work and their broader implications for professional ethics: How do I report about racism and white supremacy without providing inhumane voices with a platform and loudspeaker? (Regin Winther Poulsen) And Sofia Tomacruz, working as a journalist at *Rappler*, the important Philippine(!) digital media outlet, discusses the crucial

question: What trade-offs and compromises are acceptable for a journalist working under an increasingly repressive regime such as in Russia?

I hope that this brief panorama of this year's contributions has whet your appetite and that you will enjoy this journey through the current landscape of professional ethics.

---

### *Notes*

1. Timothy Snyder, *Bloodlands: Europe between Hitler and Stalin*. New York: Basic Books, 2010, p. 400.





BUSINESS



# The Business of Planting Trees: Under Whose Shade You Do Not Expect to Sit

BY DANIELLE DHILLON

---

I feel the hot sun on my skin. I see clothes made for little kids. I hear children screaming.

I'm in Disneyland and it's May 2022. I'm celebrating my graduation from business school in the "happiest place on earth" when I see this Princess Jasmine *Wish Come True* onesie. In that moment I remember how excited I am about my soon-to-be-born little niece—my requested graduation gift from my sister—arriving in October. I'm excited about all the baby clothes I can now buy for her. All the experiences I'll get to share with her like baking cookies, sharing souvenirs and stories with her from my travels and watching her grow.

"Too many people spend their lives being dutiful descendants instead of good ancestors," Adam Grant tweeted<sup>1</sup> earlier this year. "The responsibility of each generation is not to please their predecessors. It's to improve things for their offspring. It's more important to make your children proud than your parents proud." This duty is not unfamiliar for an immigrant family (like mine), one in which one or both parents come to the United States seeking better lives for their children, their loved ones. My parents made the decision to immigrate from India and Malaysia to give me and my siblings, as well as the next generation, a chance for better opportunities. They left behind family, friends, and familiarity, and, in doing so, taught us to question traditions and accepted practices—in other words, the status quo.

If it is the responsibility of humanity to improve things for future generations, then it's the responsibility of businesses to do the same because businesses are about people. They are run by people and for people, after all—true from the small mom-and-pop shop on the corner to the huge multinational corporation based in a major urban center. Business is about taking care of people: customers, employees, suppliers, investors, and even possible future clients. Business is about serving and

addressing people's needs and wants; it therefore has the capability to better life for human beings through economic mechanisms. But we all know that companies and people sometimes reverse this order (e.g., that humans serve businesses), which leads me to ask: why this inversion? What does responsible business look like? What are some possible pitfalls?

My starting point in these reflections was a simple truth: what matters is not merely generational progress but how improvement and innovation come. Echoing Immanuel Kant's deontological approach, I believe people should be treated as ends-in-themselves and not merely means-to-ends. Business must recognize that the creation of a better world for future folks cannot be at the cost of people today. To care for people is to recognize the sanctity in a human being that is alive now and not 1000 years from now, 100 years from now, or even 9 months from now. To care about people is to recognize their individual and intrinsic dignity, to foster equality, and to address inequity. The Third Reich and its professional class accepted and assisted the genocide of innocent people in the name of doing what they thought was best for the future generations of Germans, for example. This disregard for the dignity of human beings malignantly seeped into the moral fabric of their own society, making them willing to sacrifice the physical and psychological wellbeing of their own people. Had these professionals recognized the sanctity and inherent dignity of human beings they could not have stripped away the basic rights of groups like the Jews, Roma and Sinti, homosexuals, intellectuals, and dissidents. Many corporations bought into this vision for the future during the Nazi period, echoing governmental propaganda, capitalizing on slave labor, maliciously neglecting working conditions, and more. What future can come of such an approach?

This problem has its roots in an intrinsic part of running a business: othering. There are, at the end of the day, people that companies care about (like customers and employees) and others that are not as important (like the employees of a competitor or a non-potential customer). This structure assigns value to people and ranks their needs in order of importance *to the business*. It creates a world where the most impoverished and vulnerable aren't interesting to many businesses because their problems aren't profitable enough to solve. Again, we can find a parallel in the Nazi period. During the process that led to the Holocaust, Jewish people as well as the Roma and Sinti and others were stripped of their rights and property, thereby made unappealing as customers. How could businesses have made more ethical choices if they didn't think of certain groups of people as clients? Removing such people from the company's bottom line made them that much easier to other and abuse. It's not



surprising, then, that the few business leaders who resisted the regime did so in a way that made economic sense: delaying or preventing deportations for their valuable Jewish employees.

Business is, of course, not a panacea. At most, business leaders could have frustrated or slowed down this genocide. They could not, by themselves, have prevented it. Businesses are subject to the systems within which they operate; they work based on incentives. National Socialism forced businesses to put society's needs before individual profit, seriously affecting how business leaders felt they were able to react. But there's something even scarier operative here: this prioritization sounds like a path we might want now, a way to fight, for example, climate change. The challenge, then, is keeping business leaders aware of the systems in which they operate, and the histories, memories, and traumas borne by the people they affect. They need to reflect on what the means to their profitability are, whether they care more about certain values than maximizing profit. And if so, do these goals contribute to a more dignified, equal, and equitable world, a question corporate titans during the Third Reich largely failed to address adequately.

---

I feel the hot sun on my skin. I see clothes made for little kids. This time I hear silence.

It's a month later and I'm at Auschwitz. I'm with FAPSE in what I believe is the "most awful place on earth" when I step inside one of the endless, disorienting brick buildings in the main camp of Auschwitz I. My eyes adjust to the darkness as I turn the corner and see the faces of crying children captured in black-and-white photographs. I trace the rows of faces and stop at a wall of glass displaying children's clothing and shoes. I notice a faded, worn red heart delicately hand-sewn into a little white dress and feel struck by the effort that went into its creation, the thought that may have gone into its purchase as a gift by an aunt or other relative. I can feel the love woven into the fabric that adorned this little girl when long ago she arrived at this place, and soon after was murdered in a gas chamber. I'm crying, broken by the weight of all the un-lived lives, the never-to-pass experiences, by the loss of humanity. The cruelty done at the hands of other human beings overwhelms me. I struggle to digest the banality of the ruins left behind; they become painful to look at in all their horrible simplicity.

How do you make meaning out of something so meaningless, so awful? I continue to be disturbed by the economic engine of the concentration camp system, by the countless businesses and business leaders who profited from the forced labor, who stood to gain so much that they built many camps themselves. What if more business leaders had opted out? If enough had, maybe there would have been no capital for the crematoria. Maybe the war or the genocide wouldn't have lasted as long or happened as they did. While business alone cannot prevent atrocity, it can be an organizing force, understanding the system in which it exists, opposing its own incentives to those offered it by unjust societies. It can decide what gets made, who gets paid, and whose needs are worthy to be addressed or ignored—that's power. Surely the future depends on whether businesses can reconnect this power to the people they serve and their interpersonal feelings and relationships—love, compassion, friendship, empathy. These were needed then and are needed now.

The struggle for a better life is universal. The conditions under which that hope exists are not; they vary. I've left FASPE with the recognition that we must make space for both life's greatest joys and worst tragedies. There is no easy way to overcome this paradox. Dandelions can, indeed, be both weeds and wishes; our fields can be places for growth and death. The struggle for a better life for future generations can be both good and bad. But, above all, I know one thing for certain—the end never justifies the means.

---

**Danielle Dhillon** *was a 2022 FASPE Business Fellow. She is an associate at the Draper Richards Kaplan Foundation.*

### *Notes*

1. Grant, Adam [@AdamMGrant] Twitter, 18 February 2022, [twitter.com/adammgrant/status/1494708914922954759?lang=en](https://twitter.com/adammgrant/status/1494708914922954759?lang=en).

# The Power of Normalization and Business as a Counterforce

BY EMMA DUNLAP

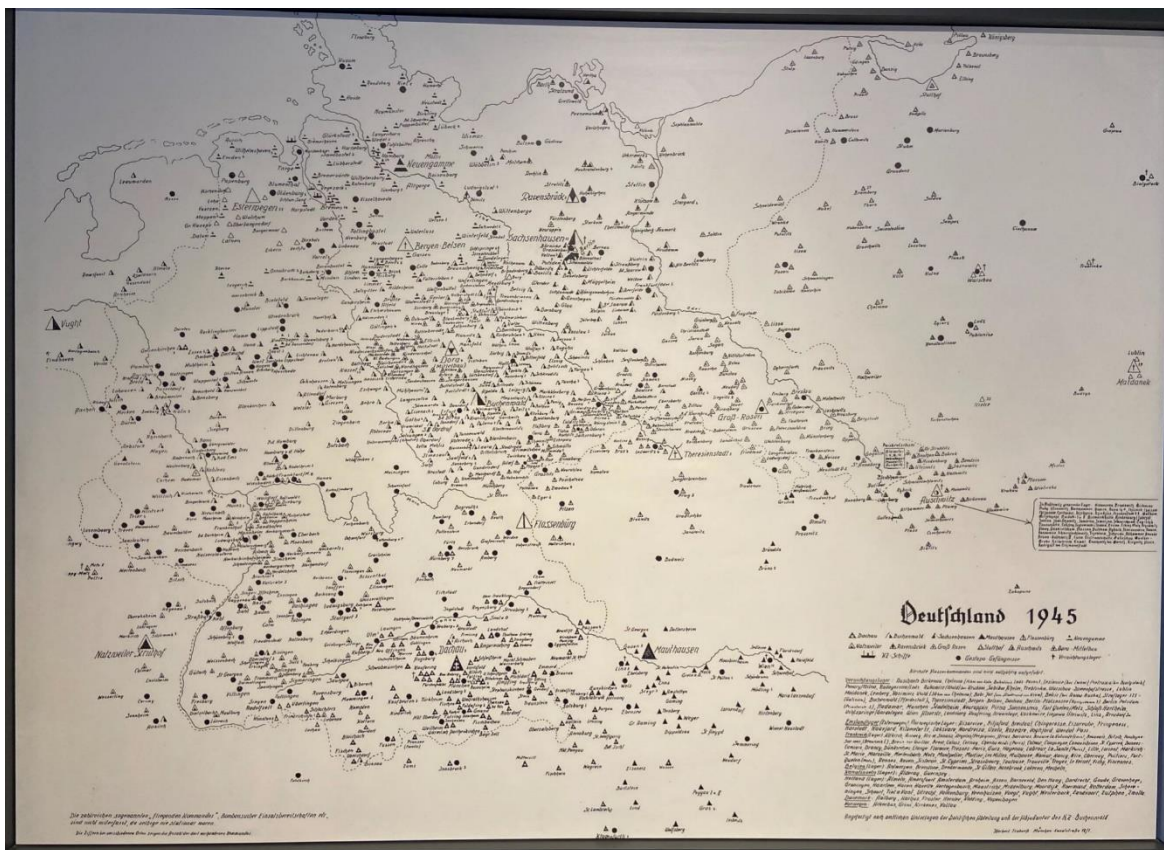
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Prior to my experience through FASPE, I tended to think that business is inherently inclined to be, or at least to appear, neutral on social issues. I believed that this needed to change, but my vision for corporate activism was incomplete. I was somewhat wary of expecting businesses (given their incentives, responsibility to shareholders, etc.) to “fill the gap” when government fails to uphold fundamental rights. In addition, I focused on leadership and top-down processes of setting ethical standards, rather than contemplating corporations as entities composed of individuals with their own ethical inclinations and misgivings. FASPE allowed me to examine the role business plays in society, particularly during tumultuous times. It enabled me to explore how context and normalization influence decision-makers and who stays silent and who speaks up.

My FASPE experience challenged me to consider specific components of the Nazi era: the process of normalization, the role of business leadership and the individuals who enabled the Nazis, and the complicity of bystanders. Now, I am more certain that we should expect and embrace some level of corporate activism; otherwise, it is easy for companies to accept narratives that reinforce bigotry and to disavow responsibility. During the program, the business fellows explored the consequences of companies perhaps viewing their role as neutral, beholden only to profitability and economic concerns, either by accepting the Nazi system as normal or directly supporting the regime. These businesses were made up of people whose ideas and decisions affected the situation. At the German Resistance Memorial Center in Berlin, we saw how many Germans did resist the Nazis in various ways; however, the majority of individuals did not. Bystanders implicated themselves by remaining silent. Having reflected on this inaction, I began to ask myself how such people could come to accept, rather than protest, their world, and how I could apply these lessons to ethics in business today.

Some of the program’s topics I found most intriguing were the ideas of normalization and indoctrination. Normalization, or how normal such hatred and violence became,

echoed throughout our readings, lectures, and site visits. Nazi leadership was strategic in implementing their agenda incrementally, taking an initial step (such as with the program to kill disabled children, *Aktion T4*),<sup>1</sup> seeing how the German public reacted, and then progressing or adjusting accordingly. Incremental action, indoctrination, and financial and individual incentives furthered the process of normalizing a society built on the persecution, plundering, and murder of particular groups of people. Prior to FASPE, I thought of the Nazis as a cohesive, impassioned majority associated with the images in *Triumph of the Will*: imposing displays, marches, and book burnings. My FASPE experience challenged this perception and re-directed my attention to people who accepted this new reality as “normal” and lived their lives accordingly.



**Photo credit:** German Resistance Memorial Center, Berlin, Germany

The impact of normalization and of bystanders was palpable when we visited the Sachsenhausen concentration camp outside of Berlin. Our tour guide told us that after the War, when questioned about their knowledge of concentration and death

camps, Germans commonly responded that they were unaware of what was happening. Seeing firsthand that houses of Germans pressed up against the walls of Sachsenhausen, their response seemed implausible. Similarly, at the German Resistance Memorial Center, our tour guide also noted that Germans often said that they were unaware of the atrocities being committed. He directed us to a display that mapped over 1,200 concentration camps in 1945. Considering the sheer number of camps and their proximity to towns and villages, it is difficult to imagine a scenario in which people did not know.

Our tour guide at the German Resistance Memorial Center mentioned that after the War many Germans routinely said that there was nothing that they could have done to prevent the Nazis from carrying out their crimes. The memorial, in part, exists to counter this notion: to demonstrate that there *were* Germans who did something. These were people from different backgrounds and of different opinions who had disparate reasons for resisting the regime. I was struck by the story of Otto Weidt, a business owner who attempted to protect his predominantly blind and Jewish employees by forging documents, hiding people, and bribing the Gestapo. Weidt's story contrasted with that of Topf and Sons, the engineering company that provided crematoria equipment for Auschwitz and other death camps. FASPE challenged its business fellows to think about these players in history who are left out of the mainstream narrative, both those who protested and those many millions who did not. I now think about these historical figures: the truck driver who brought people to the "euthanasia" center, the train conductor at Platform 17, or the up-and-coming fashion designer—business professionals who directly provided the infrastructure or did nothing to resist, enabling the Nazis to inflict immense suffering and destruction.

When I see decisions on contemporary issues that I consider unethical, I notice that my FASPE experience has reframed my expectations of businesses. Three weeks after I returned from Poland, the U.S. Supreme Court stripped people with a capacity for pregnancy of their rights, did away with a century-old firearm regulation during a gun violence epidemic, and vastly limited the U.S. government's ability to regulate emissions while we are on the brink of climate devastation. Regarding reproductive rights, I have been enthused by some businesses' willingness to fund additional healthcare and travel expenses; however, I expect a more robust response from across the private sector to counter the effects of these decisions. When issues directly affect the economic access, privacy, and health of your employees, your community safety, and the planet, silence is not an option. I hope for more universal, outright statements from business leaders condemning the ruling, a commitment to

covering expenses for those affected most (such as contractors and hourly workers), lobbying, donations, and more. It is equally important that individuals, not only leadership, speak up and do so often. We need people who can see beyond the context of what has been normalized and call others' attention to wrongdoing.

While I have always felt that social responsibility in business was important, I now see it as integral; I see companies as potential leaders in change, companies that themselves can be spurred on by the passion and vigor of the individuals who make them up. In this way, we can fight against normalizing wrongs.

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**Emma Dunlap** *was a 2022 FASPE Business Fellow. She is a management consultant at Accenture.*

### *Notes*

1. Bergen, Doris L., *War and Genocide: A Concise History of the Holocaust* (Lanham: Rowman & Littlefield, 2016), 127.



# Seeking Redemption? Dirty Hands and the Global Marketplace

BY CLAUDIA KWAN

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The FASPE trip was the culmination of my first year of business school, in which the questions of ethical and professional responsibility loomed large and reached fruition. It was, however, also a beginning, pushing my thoughts in any number of new directions. The reflections below are my best attempts at putting into words the most salient places this experience has taken me. While they are more ponderings and questions than they are answers, my hope is to continue pursuing them and, in so doing, to sharpen my own thoughts while advancing our conversation as professionals.

## **I Could've Been a Perpetrator**

One of FASPE's central premises is the challenge of seeing ourselves in the perpetrators, trying to see what we, as human beings, are capable of and how we might become the "bad guys." Reflecting on this, both intentionally and unintentionally during the trip, I became acutely aware of how the values which animate me can, indeed, look very similar to those which animated people during Third Reich.

For most of my life, I have wrestled with a triple minority: my race, religion, and gender. I am a Chinese Indonesian (Indonesian nationality with Chinese ethnicity), a Christian from the world's largest Muslim country, and a woman in a patriarchal society. As such, I have constantly lived in the shadow of the history of "my people." I have felt this way throughout growing up, whether because of the 1998 riots, in which Chinese Indonesians were targeted, or in the frequent bombings of churches back home. But I have also benefited from much privilege, where even writing this now seems strange when only 10% of Indonesians receive a university education.

I bring these factors up to contextualize why group loyalty seems natural to me. Yet, the closeness I feel to those identities is not as straightforward as I once imagined. What I have realized is that this language of loyalty, duty, and love sounds precisely like that that was used to justify the Holocaust. As came up during one of our classroom discussions, we seem to exist on the same value-spectrum as Heinrich Himmler himself, whether we like it or not. We may not act as he did, but our motivations and ethical

orientations are not—through our shared humanity and the intrinsic fallibility of that condition—totally unlike.

### **Degrees of Complicity**

One classroom conversation that has lingered with me concerned whether Nazi bureaucrats were more culpable than the businesspeople who, for instance, provided the logistics that transported the disabled towards their death as part of *Aktion T4*. At first, the answer seems obvious—of course the Nazi bureaucrats were more culpable. But our conversation provoked questions that denied us such a neat answer. Who had more agency to not follow orders? Which group truly possessed the faculty of judgment? Despite our conversation, we could come to no simple “right” answer.

The discussion did, however, bring out the issue of degrees of complicity. Whose hands are dirtier? Does that matter? And if it does matter, how dirty is too dirty? This line of reasoning seems most prevalent in politics, in which Michael Walzer’s seminal article, “Political Action: The Problem of Dirty Hands”, stirs such questions.<sup>1</sup> Its central premise is simple: it is by his dirty hands that we know the truly moral politician. If such a person says he does not have dirty hands, he is either pretending they are clean—and thus a politician and nothing more—or cannot bring himself to dirty them—and thus a moral man and nothing more. The argument follows then, that to do the good work of politics, some form of dirty hands is necessary. It is inherently part of the job.

This provokes a related question: Can we say the same for business? Are these forms of complicity simply the cost of doing business, or are we able to find ways out of such a bind? If we avoid dirtying our hands, would that make us moral people and nothing more, or could we still be moral businesspeople? I would like to think we can be the latter. Business decisions need not adopt the zero-sum mentality of politics. Couching the problem in these terms, however, does reveal important nuances within our profession.

In evaluating these nuances, two categories seem helpful: industry—that is, what sector a business is in—and locality—that is, where it is located. Are some businesses more prone to this form of thinking than others? A company in the defense industry likely wrestles with these issues far more often, and on a larger scale, than a retail company does. Beyond sectors, the place at which a business exists and operates must also have an impact. Ways of working or conceptions of the responsibilities of business in Southeast Asia, for example, can vary drastically from those in North America. On

the one hand, this brings us to the classic problem of the universal and the particular. On the other, it forces us to ask whether there are limits to qualities like agility and adaptability that our profession prizes so dearly.

Perhaps more poignantly for multinational corporations or international corporate citizenship, this discussion of locality touches on the complexity of global supply chains. In a long value chain that encompasses continents, should a company be responsible for all the activities along that chain or are there different degrees of responsibility? What about different degrees of complicity? If one's end-product fulfills an important social need and the corporation itself plays a key societal function, does this allow for parts of the production process to be "dirty"? Palm oil is a good example. It is ubiquitous in everyday consumer products and is an industry of national importance to some developing countries, yet its production capacity seems to rely on mass deforestation. Or what about the links between Uyghur slave labor and the production of solar panels?

Placing myself in the shoes of a business owner who must grapple with uprooting an entrenched, complex global supply chain amid absent laws and regulations, it seems that the solution is neither as simple as halting the production of these products nor as straightforward as ignoring the ethical issues along the chain. In pondering this question, we return to the same problem: Is it morally permissible for our hands to be dirty in the conduct of such business? How dirty is too dirty? What makes us complicit, and if so, how much? Where do we draw the line between influence and complicity? These questions, it seems to me, must remain at the forefront of our minds when "doing business," particularly given the ease with which we rationalize and justify our actions.

### **The Role of Redemption?**

Pushing this thinking one step further, I cannot help but ask another question: What about redemption? Assuming all the above has occurred and a business finds itself in the position of being complicit in moral harm—as we have learned that nearly all the major German companies were through their involvement in the Holocaust, from Bosch (which is currently 90% owned by a charity) to BMW—what happens next? What is the correct and proportional remedy? Some may well argue that there can be no such remedy for the evil perpetrated during the Shoah. I would concur, and that seems only to push the question further. What does redemption look like for a business? Individuals can forgive and be forgiven. Can we say the same for businesses? I don't have the answer yet, but the question remains.

So, what do we do then? Returning to the things that have shaped me, I find myself challenged but inspired to uphold the values of love, community, and loyalty in ways that mitigate insularity and prejudice—and in so doing, seek an understanding of business and a practice of leadership driven by these considerations. Is this an impossible task? Are these qualities inherently at odds? I think they are not, though they can be. And in the gap between “not” and “can be” is where I believe we find our agency.

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### *Notes*

1. Walzer, Michael. “Political Action: The Problem of Dirty Hands.” *War and Moral Responsibility*, 1974, pp. 62–82., <https://doi.org/10.1515/9780691238234-005>.

# Historical Cash Flows

BY IAN LEVER

## JPM (JPMorgan Chase & Co)

**114.76** (USD, NYSE)  
0.50 ( 0.49%)

|              |        |                 |               |                                      |        |
|--------------|--------|-----------------|---------------|--------------------------------------|--------|
| Open         | 115.24 | Mkt Cap         | 337.056 B     | Slaves' "Value"<br>(in 2020 dollars) | 2.5 B  |
| High (5 day) | 111.48 | Loan Collateral | 13,000 slaves | 52-wk High                           | 172.96 |
| Low (5 day)  | 116.05 | Div Yield       | 4.00 (3.47%)  | 52-wk Low                            | 106.06 |

### About

The largest bank in the United States and the fifth-largest bank in the world, JP Morgan Chase's total assets stand at nearly \$4 trillion, with over 275,000 employees. Two of its predecessor banks, Citizens Bank and Canal Bank in Louisiana, played a central role in serving plantation owners throughout the 19<sup>th</sup> century. **The two banks owned 1,250 slaves and accepted an estimated 13,000 slaves as loan collateral.**

According to *MeasuringWorth*, one slave in the 1860's represents as much as \$180,000 in 2020 money. **Therefore, 14,250 slaves (1,250 owned slaves and 13,000 slaves as collateral) in today's money is worth \$2.5 billion.** JP Morgan set up a \$5 million scholarship for African American as part of their apology in 2005.

*Learn More in How the Word is Passed by Clint Smith*

*Explore More Companies Involved in Illegal Trafficking of Slaves: Citigroup, Lehman Brothers.*

1 "JPMorgan Chase & Co. (JPM) Stock Price, News, Quote & History," Yahoo! Finance, Yahoo!, 23 July 2022. <https://finance.yahoo.com/quote/JPM/>.  
2 Teather, David. "Bank Admits It Owned Slaves." *The Guardian*, Guardian News and Media, 23 Jan. 2006. <https://www.theguardian.com/world/2006jan23/usa.davidteather>.  
3 Samuel H. Williamson & Louis P. Cain. "Measuring Slavery in 2020 dollars." *MeasuringWorth*, 2022. [www.measuringworth.com/slavery.php](http://www.measuringworth.com/slavery.php).

## BOSSY (Hugo BossAG)

**11.58** (USD, OTCMKTS)  
+0.10 (0.87%)

|                                |       |           |         |            |       |
|--------------------------------|-------|-----------|---------|------------|-------|
| Forced Laborers<br>(1940-1945) | 140   | Mkt Cap   | 4.053 B | EPS        | 0.51  |
| High (5 day)                   | 11.53 | P/E Ratio | 22.71   | 52-wk High | 13.56 |
| Low (5 day)                    | 11.87 | Div Yield | 1.31%   | 52-wk Low  | 9.20  |

### About

With nearly 15,000 employees, Hugo Boss is a premier German luxury fashion house that had global sales of €2.79 billion in 2021. **During World War II, Hugo Boss exploited 140 forced laborers and 40 French prisoners**, which helped catapult the company out of bankruptcy. **Hugo Boss was a licensed supplier of the SA, SS, Hitler Youth, and Nazi Socialist Motor Corps.** The company's revenue increased **fivefold from 1936 to 1940.**

*Explore More Fashion Companies With Connection To Nazism: Coco Chanel, Adidas.*

1 "Hugo Boss Ag (Bossy) Stock Price, News, Quote & History," Yahoo! Finance, Yahoo!, 23 July 2022. <https://finance.yahoo.com/quote/BOSSY?BOSSY&tsrc=fin-arch>.  
2 "Hugo Boss Apology for Nazi Past as Book Is Published," *BBC News*, BBC, 21 Sept. 2011. <https://www.bbc.com/news/world-europe-18008682>.  
3 "Hugo Boss and the Nazis," *Jewish Virtual Library: American Israeli Cooperative Enterprise*, <https://www.jewishvirtuallibrary.org/hugo-boss-and-the-nazis>.  
4 Jones, Geoffrey, and Emily Grandjean. "Coco Chanel: From Fashion Icon to Nazi Agent," *Harvard Business School Case* 318-139, April 2018.  
5 Lamare, Amy. "The Dark History behind Adidas - How a Bitter Feud between Nazis Built the World's No. 2 Athletic Brand," *The Business of Business Thinknum*, 6 Dec. 2021. <https://www.businessofbusiness.com/articles/the-dark-history-behind-adidas-how-a-bitter-feud-between-nazis-built-the-worlds-no-2-athletic-brand/>.

# MPC (Marathon Petroleum Corporation)

85.65 (USD, NYSE)  
0.80 ( 0.93%)

|              |       |           |              |  |       |
|--------------|-------|-----------|--------------|--|-------|
| Open         | 86.59 | Mkt Cap   | 46.336 B     | EPS  | 4.24  |
| High (5 day) | 89.13 | P/E Ratio | 20.20        | Industry Sales<br>(from revenues on Native-owned Land) | 5 B   |
| Low (5 day)  | 83.66 | Div Yield | 2.32 (2.72%) | 52-wk Low  | 53.47 |

## About

Marathon Petroleum Corporation is the largest petroleum refinery operator in the United States and the parent company of Western Refining. Western Refining has been a Fortune 200 company and has customers throughout the West Coast, Midwest, and Mid-Atlantic regions. In 2010, Western Refining's right-of-way lease to certain Native owned lands expired. This was an issue for the company because one of its pipelines running through the area carried 15,000 barrels of crude oil a day. 15,000 barrels of crude oil in January 2010 is estimated to be worth over \$1 million a day. To regain access to this land, the company approached one of the landowners, 88-year-old Mary Tom, who did not speak English. They convinced her, in the absence of English-speaking family members, to lease access to a portion of the 160-acre plot of land she co-owned. **A report in 2016 estimated that sales of oil, gas, and coal extracted from Native land totaled over \$5 billion. In contrast, 60% of Native landowners earned less than \$25 from leasing the land, with some earning only pennies.**

*Explore More Companies Involved in Exploiting Natives: Koch Industries, Dollar General.*

<sup>1</sup>"Marathon Petroleum Corporation (MPC) Stock Price, News, Quote & History." Yahoo! Finance. Yahoo!, 23 July 2022. <https://finance.yahoo.com/quote/MPC?p=MPC&tsrc=fin-srch>  
<sup>2</sup>Woodard, Stephanie. "How the U.S. Government Is Helping Corporations Plunder Native Land." *In These Times*. 6 Sept. 2016. <https://inthesetimes.com/features/native-land-plunder-bureau-of-indian-affairs.html>

# CIFCp (Credit Industriel et Commercial SA\*)

131.26 (EURO, PAR)  
+5.01% (1 year change)

\*Credit Industriel et Commercial, or CIC, trades under the ticker CIFCp in France's financial market.

|      |        |                                   |               |  |                 |
|------|--------|-----------------------------------|---------------|--|-----------------|
| Open | 131.26 | Ransom to<br>Haiti (2021 dollars) | \$560 Million | % of Revenue<br>(% CIO extracted money from Haiti<br>from its coffee crop) | 98% (2.94/3.00) |
| High | 131.26 | P/E Ratio                         | -             | 52-wk High   | 138.5           |
| Low  | 131.26 | Div Yield                         | N/A           | 52-wk Low  | 120             |

## About

One of the five largest banks in France, CIC has 30 million customers and is a \$355 billion subsidiary of one of the country's largest institutions. It played a central role in exploiting Haiti, when it set up the Haiti's central bank and siphoned off funds from the young country in the late 1800s. For example, in the early 1900s, over half of the revenue from Haiti's coffee crop, its most important source of revenue, went to CIC, leaving only 6 cents of every \$3 raised for Haiti. It is estimated that CIC has extracted an equivalent of \$1.7 billion in 2021 money, which comes to more than Haiti's governmental revenue in 2021. **Additional research suggests that over six decades, Haiti paid about \$560 million in today's dollars to satisfy CIC's ransom. If the money stayed in Haiti's economy, it could have added at least \$21 billion over time.**

*Explore More Companies With Connection To Haiti Exploitation: Citigroup.*

<sup>1</sup>"Credit Industriel Et Commercial SA, CIFCP Live Ticker." *Investing.com*. 27 June 2022. <https://www.investing.com/equities/credit-industriel-et-commercial-sa>  
<sup>2</sup>Apuzzo, Matt, et al. "How a French Bank Captured Haiti." *The New York Times*. The New York Times, 20 May 2022. <https://www.nytimes.com/2022/05/20/world/french-banks-haiti-cic.html>  
<sup>3</sup>Urell, Asryn. "Haiti's Forced Payments to Enslavers Cost Economy \$21 Billion, the New York Times Found." *Equal Justice Initiative*. 15 June 2022. <https://ejl.org/news/haitis-forced-payments-to-enslavers-cost-economy-21-billion-the-new-york-times-found/>

# CVS (CVS Health Corporation)

94.06 (USD, NYSE)  
+0.87 (+0.93%)<sup>1</sup>

|              |       |                               |           |            |        |
|--------------|-------|-------------------------------|-----------|------------|--------|
| Open         | 94.13 | Mkt Cap                       | 123.342 B | EPS        | 6.01   |
| High (5 day) | 97.08 | P/E Ratio                     | 15.65     | 52-wk High | 111.25 |
| Low (5 day)  | 92.46 | # Of Slave Insurance Policies | Unknown   | 52-wk Low  | 79.33  |

## About

CVS Health's subsidiary Aetna is one of the largest health insurers in the United States, providing benefits to 22.1 million members. With nearly 50,000 employees and revenue of \$60.6 billion (2018), Aetna's services include medical, dental, pharmaceutical, disability, and other insurance and benefit programs. In the 1850s, the company's predecessor organization benefited from policies that provided reimbursement to slave owners when those enslaved died. Aetna has responded that these policies existed when slavery was legal. **They have also shared that the number of these policies were limited to a couple dozen. As of this writing, they have not made their archives available to independent historians to understand the scale of the company's financial benefit from slave insurance policies.**

*Explore More Companies Involved in Insuring Assets Related to Slavery: Lloyd's of London.*

<sup>1</sup> "CVS Health Corporation (CVS) Stock Price, News, Quote & History." Yahoo! Finance. Yahoo!. 28 July 2022. <https://finance.yahoo.com/quote/CSV?p=CVS&tsrc=fin-srch>.

<sup>2</sup> "Aetna Apologizes for Slave Insurance." Los Angeles Times. Los Angeles Times. 11 Mar. 2000. <https://www.latimes.com/archives/la-xpm-2000-mar-11-ft-7637-story.html>.

<sup>3</sup> Federman, Sarah. "How Companies Can Address Their Historical Transgressions." Harvard Business Review. 14 Dec. 2021. <https://hbr.org/2022/01/how-companies-can-address-their-historical-transgressions>.

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*Historical Cash Flow* seeks to challenge the readers' perceptions of companies by juxtaposing their financial performance with exploitative actions they have committed in the past. Intentionally designed as a corporate financial outlook, *Historical Cash Flow* seeks to ask what our expectation of companies are and how we evaluate their impact. *Historical Cash Flow* shines a light on these exploitative histories by demonstrating how these were not small mishaps with ancillary financial benefits. Rather, they represented deliberate actions that resulted in wealth transfer to the effect of millions or billions of dollars. This list of companies is not exhaustive, but rather has been chosen from different industries to show that this need for historical reckoning is not restricted to one sector. The histories highlighted are not limited to a particular geography, demographic, or time period, showing that the identities of those exploited represent a cacophony of different experiences. This piece was influenced by multiple aspects of the FASPE experience, notably our case conversation on the legacy of Coco Chanel and our evaluation of primary source documents at Wannsee.

**The Value of Reparations:** In Wannsee, we looked at correspondences of Nassim Zacuoto, a successful Jewish business owner, who lived in Berlin for 26 years and



operated a successful carpet business with 14 employees. The fortune accrued through his enterprise was estimated at DM 10 million (German marks) in 1953,<sup>1</sup> or \$26.61 million (US dollars) in 2022.<sup>2</sup> He was forced to leave in 1939. Anti-Semitic laws like The Decree Against the Camouflage of Jewish Firms, forbidding changing the name of Jewish-owned businesses, and The Decree on the Exclusion of Jews from German Economic Life, which effectively shut down all Jewish-owned businesses. Nassim's enterprise was liquidated in 1941. Two decades after the confiscation of his business, the proposed "goodwill" restitution arrangement in 1961 was DM 28,000, a tiny fraction of what had been forcibly confiscated from him and his family. DM 28,000 awarded for a DM 10 million business. In the case of each corporation highlighted, there exist an ocean of Nassim Zacutos. They all incurred the costs of expropriation and exploitation in the name of companies' profits.

**The History of Corporations:** *Coco Chanel: From Fashion Icon to Nazi Agent* explores one of the most iconic fashion brands of the last century. The case discusses how Coco Chanel, the founder and namesake of this iconic brand, collaborated with Nazi agents. Sensing the opportunity in collaborating with Nazis, she participated in the "plundering [of] an unoccupied Jewish home" and developed close relationships with many avowed antisemites.<sup>3</sup> During the FASPE discussion about this topic, perspectives differed on the company Chanel's responsibility to right the founder's wrongs committed nearly eight decades ago. But there was near unanimous agreement that this history of the company and founder were not part of the consciousness of the typical modern-day consumer. Research into other companies like IBM, Volkswagen, and Adidas after the trip revealed the degree to which companies utilized their capabilities, relationships, and know-how to perpetuate and benefit from the Holocaust. This piece, *Historical Cash Flow*, seeks to replicate the exercise of our FASPE Coco Chanel discussion by highlighting a handful of corporations, thereby initiating a deeper reckoning with complicated histories.

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**Ian Lever** was a 2022 FASPE Business Fellow. He is a management consultant at Accenture.

### Notes

1. "German Mark to US Dollar Rate Today DEM/USD." *Mataf*, 2022, <https://www.mataf.net/en/currency/converter-DEM-USD?m1=50.97>.

2. Dipl. Ing. Udo Marx, München. "German Inflation Calculator to Factor Inflation into Any Calculation." *German Inflation Rate Calculator to Calculate Price Change*, Calculator for German Family Law, 2022, <https://www.lawyerdb.de/Inflationrate.aspx>.

3. Jones, Geoffrey, and Emily Grandjean. "Coco Chanel: From Fashion Icon to Nazi Agent." Harvard Business School Case 318-139, April 2018.



DESIGN & TECHNOLOGY



# Technology Ethics: Three Key Takeaways

BY RAISA CHOWDHURY

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A few weeks ago, I arrived back in Calgary from an experience I will never forget. I was one of 13 people accepted as a FASPE fellow within the Design and Technology cohort. Our goal was the exploration of our own sense of professional ethical responsibility while learning about the companies, bureaucrats, and everyday people who made the Holocaust possible. The two-week program meant visits to sites charged with terrifying historical significance: Auschwitz, the House of the Wannsee Conference—any number of places I had heard of and many I hadn't. What follows is really a reflection on what I learned, more than a concise argument. The experience was so recent and so overwhelming that it couldn't be any other way.

## **Key Takeaway 1: Ethics is Hard!**

Most fundamentally, the program exposed me to the complexity of technological ethics; the field is much more nuanced than I initially perceived! Before my trip, I thought that I could always avoid ethical issues if I were faced with them—they needn't be my issue; I could head them off. At bottom, I imagined a world in which an ethical challenge would be so obvious that I'd be able to identify it immediately and act accordingly. FASPE exposed me to the stories of design and technology professionals during WW2 who acted unethically—and didn't necessarily believe they were doing so. These individuals were complacent and oftentimes active contributors to the oppression and murder of Jewish people during the Holocaust. Many saw the atrocities happening with their own eyes, even conducting site visits to concentration camps to ensure crematoria were working efficiently. Very few of these people, however, considered their actions to be unethical or criminal. Quite the opposite! Many of them strived, according to their personal goals, views, and ambitions, to design and create a "better world." In Heinrich Himmler's 1943 speech at Posen, for example, he describes the evacuation and extermination of the Jewish people as "this most difficult task" done "out of love for [his] own people". What a haunting thought: ethical

challenges and lapses aren't just not obvious—they also can seem like the right thing to do!

Then there's the problem of conformity. It can be challenging to stand up for yourself and others, especially when you are working with senior leaders who are much more knowledgeable and important than you in your field. Often, our personal interests and priorities get in the way of doing the right thing. It's easier—living our lives day to day as we do—to look the other way, to act to further our careers, or reduce friction in the workplace. I learned just how easy it can be to minimize your personal responsibility, the impact you can have, and thereby to effectively disregard the power you do have to make a change. By the time many technology professionals were involved in the Holocaust, for instance, the Nazi Party had already developed its antisemitic narrative, which built on existing hatred, and spread it across the country. For many, it became the norm to engage in this type of behavior even if one wasn't necessarily an active supporter of these values oneself—why rock the boat?

Reflecting on this, I now see the importance of paying attention to the team and corporate culture of the organizations one associates with. If people are liable to go with the flow, then the culture is a major check on their doing the wrong thing. Ethical conflicts can't be avoided, so I learned from FASPE—they must be understood and confronted.

## **Key Takeaway 2: Language Matters**

How we speak about everything matters. The Nazi Party and the professionals working for and within it used well-crafted, seemingly harmless slogans and phrases to veil what was being done to Jewish communities during the Holocaust. Terms such as “resettlement” indicated the forceful removal of people from areas of German settlement. “Final solution” became a euphemism for murdering Jews. Such a phrase legitimizes the actions taken by the Nazi Party through the dehumanization of the victims of the Holocaust. And yet, the phrase (if we can imagine it before the Shoah) sounds innocuous enough, like the last, successful attempt made to solve a longstanding problem. Similarly, Kurt Prufer, the Topf and Sons engineer who developed the design of the cremation machines used in concentration camps referred to his creations as “incineration chambers” instead of “cremation chambers” and strove to “improve [the] efficiency” of his designs to better please the Nazi Party.<sup>1</sup> These nondescript phrases allowed Topf and Sons to spin their involvement in the Holocaust as strictly a question of normal innovation within the market. As someone who has worked in the tech sector, I have seen how language is sometimes weaponized



to make room for ignorance. I have heard of people working on projects where others have used “workforce transformation” instead of “layoffs” or “human hours saved” to indicate how many people will be displaced from their roles.

While ordinary language has the power to shield unethical actions, FASPE helped me understand that our words can unmask them, throw light upon them. Through this experience, I learned about giving voice to values. During each of the sessions within the Design and Technology group, we began with a list of definitions for a few terms. Contrasted word-pairs like “obligation” versus “duty” and “design” versus “infrastructure” helped me wrap my head around the complexities of technology ethics. How we discuss things affects how we think about and act on them. Going forward, I plan to pay closer attention to how words are used in my work environment. Subtle shifts in phrasing can affect the narratives I spoke about in part one. Properly transformed, and as we saw above, those narratives often have great force, making vigilance all the more key.

### **Key Takeaway 3: Technology is Exciting**

My final key takeaway from the fellowship program was really a kind of reaffirmation: the trip reinforced my appreciation for the technology industry as a dynamic, fast-paced, complex, and diverse environment. The FASPE Design and Technology group was a great reflection of how diverse technologists can be. Our cohort included various types of engineers, architects, designers, researchers, and technology consultants. Indeed, we had professionals that worked in industry and academia, and even individuals that have, at one time or another, worked in both. This combination exposed me to how academic professionals tackle technology ethics challenges and how different it is from how I learned to approach them in industry. While we each had our own backgrounds and career aspirations, we all shared a common interest in working toward a more ethical technology sector. FASPE taught me that everyone needs to have a seat at the table as individuals bring particular perspectives, discouraging groupthink. Less conformity and more dynamism act as checks on the sort of herd mentality that so often makes participation in horrific actions possible.

FASPE exposed me to the multifaceted nature of the technology industry, something not always visible in the office or in meetings. Within our cohort, there were often quite different ways of thinking about and addressing the ethical challenges we discussed in our sessions. People felt comfortable being open. Such

dynamism and contention prompted me to reflect on which ethical challenges I am most interested in solving, which parts of this massive industry I'd like to focus on. Indeed, through research and speaking to faculty and other fellows, I learned that I am particularly moved by the impact of various technologies on marginalized communities and how people consent to these effects. Without FASPE, that would not be as obvious to me; I would not be fully considering the ethical valences of technological effects.

## Conclusion

I am incredibly grateful for the opportunity FASPE has granted me. This fellowship served as an immense source of both personal and professional growth. I am very appreciative of Thorsten Wagner, Rebecca Scott, and David Goldman for organizing such a well-run program, and of David Danks and Mona Sloane for facilitating very thoughtful discussions, supporting the learning of my peers and me through the program—not to mention our various tour guides and teachers. Without these thinkers, organizers, and educators, I would not be thinking so hard about how deeply intertwined the ethical and the technological really are; I would not be evaluating just how much words matter in creating narratives around the devices and programs we use, how these ways of speaking affect how we understand complicity. For these insights and so for much more, I am forever thankful.

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## Notes

1. Bartlett, K. (2018, August 21). Inside the company behind the Nazi concentration camp ovens. Time. Retrieved July 7, 2022, from <https://time.com/5371687/nazi-camp-crematorium-builders/>

# Reconciling the Irreconcilable: On Bureaucracy, Violence, and a Trip to Europe

BY JESSICA DAI

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For one of the last sessions of the trip, all forty-plus of us trooped up a carpeted spiral staircase and crammed into a room on the top floor of an ancient building of the Uniwersytet Jagielloński. Physically and emotionally drained at this point, it took all I had to pull myself together enough to be present.

The session was titled “positionality”: three of our instructors, one from each cohort, gave their own positionality statements, a biosketch, and some discussion of how their biosketch shaped their experience of the trip.

I, for one, felt like I had heard a million of these before, at school and elsewhere, felt like I had spent maybe too much time over-analyzing my own identity already. I scribbled down some bullet points and even then didn’t try too hard to arrange them in any particular order. What about myself would or could I even forget?

*I have no personal connection to the Holocaust.*

- *None of my family were implicated, either as perpetrators or victims; I’m not German, nor am I Jewish, or Slavic, or Roma, or Sinti.*

*I’m a (cis, able-bodied) Asian woman.*

- *I’m (often hyper-) aware of the ways in which phenotype and visual stereotype shape how I move through the world, how others see and treat and (purport to) understand me. I get how macro-level international politics spill down into interpersonal relations.*

*I’m the child of immigrants.*

- *I've never really known an extended family. I'm a US citizen by birth, which means my passport is powerful, probably even more powerful than I realize. My parents' immigration was made possible by a specific confluence of time and geopolitics such that getting advanced degrees could be a ticket into the country, just a few decades, in fact, after Chinese nationals were banned altogether. I've benefited from the wealth and power of this country, arguably all of which was extracted violently from Black, Indigenous, and other oppressed peoples, and from colonization around the globe.*

*I have access to elite networks.*

- *It's a somewhat-recent realization. I've been trying to get here pretty much as far back as I can remember. I'm an ambitious person. I'm not wealthy, but I have access to capital, and if I really wanted to make something happen, I can see the path to getting there.*

*I have no personal connection to the Holocaust.*

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It's true, I have no familial or historical relationship to the Shoah. But I don't need to annotate that positionality statement for the parallels to be obvious.

I want to work backwards from here, then, the end of the trip. Why *was* I here? Why *does* it matter that all of this happened? I felt a bit silly sometimes, during the two weeks, when we were having discussions about theoretical toolkits and academic frameworks while on land that once saw genocide. I tend to have the same feeling when reading theory or academic work that purports to describe violence.

Throughout the program, I thought of *Utopia of Rules* by David Graeber, which I had read over a year ago but never quite digested. I didn't remember too much of it, other than a general feeling that it felt right.

In retrospect, *Utopia of Rules* stayed in my mind because—like many of Graeber's other works—the theory, despite describing real and material violence, strikes a more personal chord. If I wanted to find theory to engage more directly with what happened in the Holocaust, Graeber is probably not who I'd look to. Agamben, Mbembe, biopower, bare life, bio/necropolitics...any number of buzzwords might be worth name-dropping here.

But Graeber's writing, I think, understands the urgency of the question *why*. "No political revolution can succeed without allies," he writes in the introduction.<sup>1</sup> This rings true, whether it's in the context of neutralizing or weaponizing the professional-managerial class (for or against the interests of capital, as was the original context Graeber was writing about), or in the context of the Nazi regime and the millions who mobilized to make it happen.

I should mention that *Utopia of Rules* is a set of three essays about bureaucracy, a theory of bureaucracy and how its tendrils (whether in a state, corporate, or 'organizing' context) shape the way we interact with one another, shape the way we organize and develop the material world, and yes, ultimately shape how violence is enacted. Most of the work is on the confluence of corporate and government power, how bureaucracy is a hydra that helps one support the other ("Whenever someone starts talking about the "free market," it's a good idea to look around for the man with the gun. He's never far away," Graeber wrote of the 1999 IMF protests).<sup>2</sup>

What stuck with me from my first read, though, is his descriptions of what it feels like to participate in, and to succeed in, a bureaucracy. He describes a "culture of complicity," where "it's not just that some people get to break the rules—it's that loyalty to the organization is to some degree measured by one's willingness to pretend this isn't happening,"<sup>3</sup> where (career) advancement within the bureaucracy is based primarily on being willing to play along. It's eerie how closely this aligns with my experiences with academia, and with working in large corporations; it's unsettling to think about the extent to which I've been willing, the extent to which I *am* willing, to play these games.

### Dead Zones of the Imagination

*Power is all about what you don't have to worry about.*<sup>4</sup>

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The House of the Wannsee Conference was beautiful: sunny but not too hot, the lake glittering with gentle waves, winding gravel paths through manicured lawns lined by early June roses. But for the knowledge that this was where the Final Solution was planned, it might well have been a vacation home. And, as we would hear from our tour guides, it *was* for years, even after the war, in part due to

various entanglements: legal, financial, logistical, and, one might say, bureaucratic.

It was our fifth day on the trip, and our cohort's classroom session that day involved reading through primary documents, records from Topf and Sons, the engineering firm contracted to build crematoria for the Nazi regime. We saw internal memos, diagrams and schemata, communications with Nazi officials. In one, an engineer asked for an upgrade to what we assumed was the equivalent of "business class" for his train ticket to an extermination site. Other documents discussed promotions, negotiated contracts.

In other words, all the petty dramas and minor ambitions one might find in any organization, only that in this case, the organization was in service of creating a more efficient killing machine.

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The first essay in *Utopia of Rules*, "Dead Zones of the Imagination," sets the foundation for Graeber's theory of bureaucracy, outlining relationships between (structural) violence, stupidity, imagination, and, of course, bureaucracy. Graeber defines structural violence as "forms of pervasive social inequality that are ultimately backed up by the threat of physical harm," and argues that bureaucracy and violence are co-created.<sup>5</sup> More specifically, bureaucracy organizes stupidity, which Graeber uses as synecdoche for "unequal structures of imagination." Under conditions of structural violence, the dominated care much more about the dominators in that those who lack power must continually anticipate and imagine what those who hold power are thinking and feeling; Graeber calls this "interpretive labor" and argues that the powerful—who can rely on (the fear of) physical force to get their way—make no such mental calculations.

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This disparity was laid bare at Wannsee. Here was the conference table where these men drew up the plan. There, the paths they walked, the rooms they occupied. Here are their faces, their names, what happened (or didn't happen) to them after the war. This was a business meeting; they probably had coffee and tea brought in while drafting the memo and sorting out logistics; this meeting was an offsite, if you will, a retreat; they probably took breaks to walk along the water.

Having visited Sachsenhausen just a few days prior, having seen the grimness of

the camp—well, of course the architects of the Final Solution weren't thinking about the subjectivity of those they were planning to execute. The prisoners, on the other hand, in addition to enduring constant bodily brutalization, would have been psychically exhausted as well—monitoring the mental and emotional states of their guards, and of those decisionmakers higher up, trying to anticipate what horrors might come next.

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So, what does bureaucracy have to do with it?

I first thought of *Utopia of Rules* while we were at Brandenburg, when the tour guides emphasized how systematic, how organized the process of tagging and tracking and killing was. This is bureaucracy, I thought, the reduction of humans and human relations to paperwork that can be stamped, filed, and shredded.

In rereading more closely, I now see that bureaucracy is partially that, but Graeber's analysis of imagination makes "bureaucracy" a much larger structuring force than can be reduced to "just" paperwork. Bureaucracy is the machine that normalizes — to use a term we discussed at length during the trip—the underlying threat of physical violence, a machine that encourages individuals to "collud[e]" to hide that fact.<sup>6</sup> Even and especially when violence isn't necessarily visible: "It is only when one side has an overwhelming advantage in their capacity to cause physical harm that they no longer need to do so." Think of, for example, police departments outfitted with combat weapons, or even the American military and its bases around the world.

With this in mind, it's all the more striking how gratuitous the violence of the Holocaust was, how racial/ethnic hatred transcends rationality, how, in the camps, of course there was no *need* for ongoing brutality. The hierarchy of power lay clearly established, and yet.

### **Flying Cars and the Declining Rate of Profit**

*This is what I mean by "bureaucratic technologies": administrative imperatives have become not the means, but the end of technological development.<sup>7</sup>*

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At first glance, the Enigma machine looks like a typewriter, three rows of round



glass keys in a square wooden case. Our tour guide slipped on gloves to open the case and wire the machine up. As she demonstrated how it worked, she explained something about how both Allied and Axis troops set up teams for communications infrastructures in a back-and-forth game of code making and code breaking. But I found myself unable to look away from the machine itself, the gears clicking and turning. There was an algorithm behind the code, to be sure, but this was all implemented mechanically. Press one letter and *click*, another would light up; press that same letter again and *click*, now a different letter was lit. Encode a silly word with repeated letters, like *B-A-N-A-N-A* and get back something like *N-H-V-G-F-Q*. Type *banana* again and you'd get yet another sequence: *V-Y-X-N-Q-O*. Deterministic on one end, apparent random noise on the other. My friend put on some gloves himself, asking me for a picture with it as he played around. Of course, I obliged. The Enigma machine was *cool*. It felt *elegant*. I wanted to know how it worked.

It was easy to forget what it was working for. Had Enigma not been cracked, we might be living in a very different world today.

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The second essay in the collection, “Flying Cars and the Declining Rate of Profit,” focuses on scientific innovation or the lack thereof, especially from the 1960s onward. Graeber spends a lot of time on the portrayal of scientific progress (and of the future more broadly) in cultural artifacts from the 20th century, extending to a lamentation on the declining rate of techno-development (where are our flying cars, after all?). Some of the things he wrote in 2015 have since become untrue—most notably, one probably *can* have a convincing conversation with a computer with the newest large language models (though the political economy of those developments merits its own separate analysis). Regardless, his arguments are still worth considering. Graeber pinpoints the 1970s as a turning point after which the worldwide output of new patents, books, and scientific publications slowed; the exponential growth in the literal speed of human travel (from train to car to plane to spaceship) also came to an end.

Why? First, because political elites wanted to manage the development of new technology such that it would not lead to social upheaval, such that it “did not challenge existing structures of power” (there’s even a digression about Newt Gingrich, and his involvements with tech policy in the 1990s). More generally, the ending of the Cold War paradoxically resulted in a redirection of government funding for scientific development through the military, which has a particular set

of priorities for both “basic science” and its applications. Second, because bureaucratic structures actively disincentivize risky scientific research, and for work that *is* impactful, slow the pace at which it can be released. (Another moment where Graeber’s writing felt just a little too familiar—the grant writing, the applications, the administrative work that is now fundamental to academia.)

As a consequence, Graeber argues, there has been “a profound shift, beginning in the 1970s, from investment in technologies associated with the possibility of alternative futures to investment in technologies that furthered labor discipline and social control.”<sup>8</sup>

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After the program ended on the plane back home to Boston, I finished *A Mind at Play*, a biography of Claude Shannon by Jimmy Soni.<sup>9</sup> Shannon is famous for founding the field of information theory, and for laying the technical foundations of modern communications technology. By any measure, he was brilliant, and he’s lauded as a hero today.

Shannon—like other mathematicians, including Alan Turing, credited with cracking Enigma—was more-or-less conscripted to do math for the war effort. In *A Mind at Play*, it’s framed as something he didn’t have much of a choice about, something he didn’t spend too much energy mulling over, just enough to not die in battle on the frontlines. Supposedly he did some genuinely interesting and influential work during this period too, like modeling flight paths such that weapons could be more accurately targeted (or was it such that pilots could more easily avoid missiles?), which required substantively novel mathematical approaches.

We can feel “good” looking back and celebrating him (and Turing) now, because the Allies were the “good guys” and the Nazis were so clearly the “bad guys,” but I can’t help but feel intensely ambivalent about this standard view. It’s not too far a stretch to imagine that many German mathematicians were in the same boat—simply not wanting to die on the frontlines—but does that excuse the fact that they were also enabling genocide? How much choice was available to them? What does that mean for what seems to be the general indifference Shannon and others had about their military work?

I began this section with my fascination with the Enigma machine, with how easy it

was to be thrilled with the technical object independent of its use, with sympathy and respect, in other words, for those who built it. Now, for better or for worse, we're no longer in a situation where war is at the forefront of the national consciousness, no longer in a situation where war shapes every single person's life and the pathways available to them. Most of American civil society is shielded from the decisions of our generals and the consequences of our military actions. At the same time, the question of whether our military represents "the good guys" is murkier than ever before.

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The other obvious distinction to draw here is that Graeber's essay focuses on the decades *after* the Second World War, and mostly characterizes the invention of *net new* technology rather than the implementation and development of existing, more mundane technologies. Still, there are some interesting parallels between technology in the Third Reich, and Graeber's ultimate argument: that "we are moving from poetic technologies to bureaucratic technologies."<sup>10</sup> Guess which kind he prefers?

Bureaucratic technology was defined at the top of this section: technologies developed to the end of administration (think, for example, of the explosion of apps developed for making forms or writing documentation or organizing knowledge). What is poetic technology? Graeber defines it thus: "the use of rational, technical, bureaucratic means to bring wild, impossible fantasies to life."<sup>11</sup> He repeatedly returns to space exploration, done by both the U.S. and the U.S.S.R., as a prime example of poetic technology: literal moonshots, done partially for reasons of morale and national pride, but mostly just to push the boundaries of what was possible.

But this easy distinction seems undercooked. There's more than a bit of irony that the American space program was led by a Nazi and scientist and SS-man, Wernher von Braun, that Hitler's rocket program was instrumental to this "poetic technology." Code making and code breaking—these might be bureaucratic in that they're fundamentally in service of communication, but the computer scientist in me believes that to communicate in code *is* "wild, impossible." IBM's punch cards, built for the management of (human) data, were bureaucratic; to the extent that the Nazi regime did not view its victims as humans but rather problems to be "solved," one might say that the entire physical apparatuses of concentration camps, gas chambers, and crematoria might be considered bureaucratic.

But then again: the Holocaust itself was Hitler's "wild, impossible fantasy," brought to life by the Third Reich's infamous "rational, technical, bureaucratic" approaches.

To falsify Graeber's claim, to assess whether he was 'right,' is far beyond the scope of what I can accomplish here. But at the very least, these observations from decades before Graeber starts his analysis call into question his point of transition, that is, whether the 1970s was truly such a unique inflection point, not to mention the value judgment implicit in his thesis. In fairness, Graeber does add the caveat that "poetic technologies almost invariably have something terrible about them."<sup>12</sup> But maybe when considering poetic versus bureaucratic technologies, it's necessary to acknowledge that they might ultimately be subsumed by a higher-order vision of "progress," whatever that vision entails. Both types of technology might coexist; either can be in service of horrors or delights.

### **The Utopia of Rules, or Why We Love Bureaucracy After All**

*The whole idea that one can make a strict division between means and ends, between facts and values, is a product of the bureaucratic mind-set, because bureaucracy is the first and only social institution that treats the means of doing things as entirely separate from what it is that's being done.*<sup>13</sup>

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I would be remiss to omit that one of the reasons the trip felt so intense was our continual oscillation between extremes. We witnessed horrors, yes, or the ghosts thereof, and the days were emotionally demanding. But in the evenings, we had three-course dinners and (sometimes unlimited) wine; we wandered the streets of Berlin and Krakow; we went to a smoky club on a Wednesday and, on our last night, karaoke in an underground cave. I thought of this, too, when I came to this passage on (the impossibility of) disentangling the means and the ends.

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The final essay in the collection is titled "The Utopia of Rules, or Why We Love Bureaucracy After All." It's a sprawling piece, covering, among other topics: how structures of power, whether implicit or explicit, emerge from unorganized mass movements; on the cult of rationality, and how it's profoundly irrational;

storytelling in “heroic societies,”<sup>14</sup> and how evil governments in science fiction tend to be portrayed as hyper-bureaucratic; the relationships between play and games and rules.

As much as this book is, for the most part, a critique of bureaucracy, this final essay seeks to explain why, when, and how bureaucracy might be useful, desirable, and appealing. The inherently impersonal quality of bureaucracy means that it is “at its most liberating [...] precisely when it disappears: when it becomes so reliable that we are able to just take it for granted,” when there are things we want to do that are less *relational* and more *transactional*, like, say, buying something from a store. Bureaucracy also “enchants when it can be seen as... poetic technology,”<sup>15</sup> with the post office—and the shockingly smooth, universal functioning thereof—as an archetypal example (supposedly, the German post office was “legendary” in the late 19th century, laying the foundation for the hyper-efficient bureaucracy in the decades to come). Separately, in the context of governance, bureaucracy might be useful in making coalitions of power explicit, in refusing to accept that “it’s okay to be governed, even a tiny bit, from the shadows”<sup>16</sup>—it’s easier to effect change on an organization when vectors of influence are clear.

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To return to the question we began with. Why was I here? If it’s the case that the means and ends are inseparable—why does it matter? “It” being any number of things: my participation in this trip, my understanding and empathy and identification with both the Jewish victims and the German perpetrators, challenges to my understanding of geopolitics, being forced as someone with generally-pacifist tendencies to confront the realities of hard military power. It’s easy enough to say war is bad, the military is bad, interventionism is bad, American imperialism is bad; it’s easy enough to say, “I would never,” or to say “I’d just say no.” It’s harder to square those platitudes with what plays out in reality.

I felt that I had come to the same aporia after reading Graeber, engaging with the work, recognizing so much of my daily and immediate life in his higher-level analyses of bureaucracy and bureaucratic violence. *Utopia of Rules* is in large part an extended engagement with how we might bring about pathways to a different political and economic order. It’s not meant to be solely descriptive of history or of the status quo; still, it’s not necessarily prescriptive, either.

My experience on the trip, and my experience with *Utopia of Rules*—ultimately,

both primarily provoked emotional and intellectual responses. I'm trying to pay attention to how things feel and how they felt, because if there's anything that stands out from the trip, it's that the capital-h Holocaust was enacted by thousands of human beings, each with their own feelings, desires, and personal stories; that there's nothing intellectual that can replace the gut punch of walking along the train tracks at Grunewald, and counting the numbers inscribed on the bricks.

What to do with this knowledge, this understanding? At one extreme is continuous self-flagellation for the inevitable failure of living a perfectly "ethical" life; at the other extreme is smug self-satisfaction, complacency with the limitations of living in a compromised society serving as *carte blanche* to do whatever one desires. Neither is particularly satisfying, nor do they seem like terribly productive ways to engage with the world.

To be honest, I'm still not sure where I come down on these questions, nor do I expect to arrive at particularly strong conclusions. This is a bit unsettling to me. I was explaining the trip, along with my associated confusion with respect to hard power, governance, international relations, geopolitics, to a friend. "I just don't know what the right take is," I said.

He replied, "but does it matter what you think? What difference does it make to the world whether you have the 'right' take or not? Whether you have a 'take' at all?"

Only a few days later, a guest on a podcast I was listening to said something along the lines of: "It's a very American thing, to assume that one can and should have opinions on what's going on in the rest of the world, when as an ordinary citizen you have functionally no influence on foreign policy; it's some second- or third-order manifestation of imperialism, really, to think that your opinion on what 'should' happen, somewhere else around the world, is even marginally relevant."<sup>17</sup>

I think both of them have a point. It would be silly to assume that my coming up with a more nuanced opinion about international relations would automatically result in some material change in the world. Maybe there's no such thing as the "right" take.

But I don't think that's any reason to be nihilistic, to give up, to stop caring; collective action is ultimately the coordination of individuals. And what each individual believes to be true about the world matters; what I believe to be true

about the world matters. What I ask of myself is that I care, that I continue to care, that I do the best with the information I have but maintain skepticism that I'm always "right." The sphere of our personal influence, the radius over which it's possible for us to exert power, is always wider and more elastic than we first assume. Our understanding of the political must begin with individuals and their choices.

Maybe it's a little delusional, where I've come down. At the very least, it's hard to draw direct lines between individual political orientations and what happens in the world at large, but history is the sum of billions of decisions made by billions of people. To believe that *never again* is possible, that the Holocaust wasn't inevitable, that we can and will choose differently in the future, that we can and will build a better tomorrow, in the broadest sense of the term—the only way to believe in such a future wholeheartedly is to try, and to trust that everyone around us is trying too.

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#### Notes

1. Graeber, D. (2016, February 23). *The Utopia of Rules: On Technology, Stupidity, and the Secret Joys of Bureaucracy* (Reprint). Melville House., 20.
2. Graeber, 31.
3. Graeber, 26.
4. Graeber, 101.
5. Graeber, 57.
6. Graeber, 58.
7. Graeber, 142.
8. Graeber, 120.
9. Soni, J., & Goodman, R. (2018, July 17). *A Mind at Play: How Claude Shannon Invented the Information Age* (Unabridged). Simon & Schuster.
10. Graeber, 141.
11. Graeber, 141.
12. Graeber, 142.
13. Graeber, 165.
14. Graeber, 178.
15. Graeber, 164.
16. Graeber, 204.
17. Bessner, D. (2022, July 6). *The End of the American Century with Danny Bessner* (E. T. Kim & J. C. Kang, Interviewers).

# Echoes from the Past: What Can Experts Attempting to Mitigate Algorithmic Bias Learn from the Computer Security Community and Its History?

BY HOUSSAM KHERRAZ

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## Similar Goals and Similar Tensions With the Broader Professional Community

In 2018, a group of MIT researchers launched TuringBox: a two-sided platform on which users submitted algorithms on one side and “AI examiners” tested and studied the algorithm on the other. The hope in launching the project was that academics, engineers, and other experts might use the opportunity to discover biases in AI systems. Today, the platform no longer exists. While I have not been able to find a post-mortem and the main authors have not responded to my requests, I strongly suspect that it did not gain traction with either side of the platform. This failure, I contend, reflects the hurdles facing AI ethicists interested in questions of algorithmic fairness.

On my trip with FASPE, I was fascinated by the large differences in language, approach, and perspective among the different professions. It made me wonder how much can be learned from other professional communities and inspired this piece exploring what AI ethicists can learn from computer security. In other words, it offered a path forward to investigate the question raised by TuringBox.

Fundamentally, both computer security experts and algorithmic fairness experts try to achieve the same goal: fixing issues in systems that are inherently flawed, often because they were designed to deliver quickly without all stakeholders in mind. If you listen to both specialists closely, the similarities become obvious. Many security engineers are quick to point out how hard their job is, how difficult it is to keep data



safe when many of our digital systems, including the internet, were initially built without security in mind. They might decry how many vulnerabilities are due to a failure in understanding the different people who interact with their technology and the creative ways in which it can be used (or “abused”). They might grumble about how little most engineers know about security, how their only concern is moving fast. Since no computer system is fully secure, many say that a primary function of their job is simply to be paranoid.

AI ethicists have very similar complaints, albeit using a different vocabulary. They often say that it is impossible to “fix” algorithmic bias in its entirety. All modern machine learning algorithms require a lot of data, which tend to reflect existing human biases. Most algorithms currently in use, and the datasets behind them, were constructed with no consideration toward mitigating algorithmic bias. Ethicists might, then, point out how the design process behind many of these algorithms is not holistic, both in terms of who takes part in the design and who user tests the product. The Google Photos incident, for example, saw the auto-album classifier label people with dark skin as gorillas in the first weeks of release.<sup>1</sup> If a resourceful behemoth like Google has failed to include African Americans in their design process, the hope for the rest of the industry to include people from different professional and demographic backgrounds is slim. Finally, the third parallel is that most AI professionals know little about algorithmic bias and are primarily concerned about performance and quickly delivering business value.

At an abstract level, the similarities between the goals and tensions prevalent in each field are striking to me. The computer security field is quite a bit more mature, having existed for longer. But even in this past, we can see echoes of the shorter history of algorithmic fairness.

### **Historical Echoes Between the Two Fields**

When computers were first adopted by major institutions and universities, no one was thinking about security. In the 60s, ARPANET, the precursor to the internet, was designed with an inherent assumption that all actors within the network were competent and non-malicious. Even when many security vulnerabilities became obvious, many did not take them all that seriously. The first computer virus, for example, was not meant to do harm—it was a simple experiment by its creators (who proudly included their names in the virus’ code).<sup>2</sup> The rapid growth of computer systems came as a surprise, and so many enthusiasts tried to break things wondering if it were feasible, without really wondering if they should. By the time anyone was

really paying attention to security, software systems were far too successful and well-dispersed to rebuild from the ground up.

Take, for instance, DNS (Domain Name System), a central system without which the internet would not have scaled as well as it has. DNS converts domain names, like `www.faspe-ethics.org`, into IP addresses, like `74.208.236.121`. As you might guess, its builders had efficiency and scalability rather than security in mind. As a result of this legacy system, security loopholes that enable DDoS attacks are difficult to fix. Were it possible to rebuild DNS from scratch, security would be considered a priority and these loopholes could easily be resolved. But that is not an option, and so security experts have been forced to work with what they have. As hackers discover new flaws, our systems become safer, even as new technologies are introduced with their own new security concerns. Experts, in other words, have had to innovate and retain rather than fundamentally reconstruct.

We can see the same patterns in the development of AI fairness. Algorithmic bias has only recently become a major part of the conversations within industry and academia. A quick search on Google Trends reveals that AI ethics- and algorithmic fairness-related words only saw increased usage in 2016. The first ACM (Association for Computing Machinery) Conference on Fairness, Accountability, and Transparency (ACM FAccT) took place in 2018, only four years ago. Popular books that popularized these questions, like Cathy O’Neil’s *Weapons of Math Destruction* (2016), are mostly less than a decade old. In a similar way to how computer security was mostly an afterthought in the early days, today new mainstream algorithms and datasets mostly do not include any analysis of algorithmic bias; it simply is not considered a central part of the design process. For instance, OpenAI recently released a powerful image generation algorithm called DALL-E 2. The related paper<sup>3</sup> does not mention any algorithmic bias analysis, even though such a complex system has many problematic behaviors.<sup>4</sup> Their analysis, on the risks of DALL-E 2, is instead buried on a lowly Github page.<sup>5</sup> The lab, founded with a mission to ensure that AI benefits all of humanity, seems content to leave the issue as a later exercise for “experts” as they slowly open access to the algorithm.

Today, while both fields do not receive the priority they rightfully deserve, the algorithmic bias space is in the worse position. Very few companies have roles dedicated to mitigating bias and thinking about algorithmic fairness; whereas, virtually any IT division of a company has dedicated security experts. As a software professional, I constantly hear about security patches to open-source software and data breaches at specific companies, but I do not hear nearly as much about fairness issues uncovered in specific common datasets and algorithms, despite how ubiquitous

they are today. The number of people looking into these issues is also much smaller compared to the number dealing with security vulnerabilities.

Given the similarities, one might assume the communities collaborate and inspire each other today. Surprisingly, I do not see much communication or much cross-pollination of ideas. Algorithmic bias experts are likely to benefit from the longer and richer history that computer security experts have, and thereby potentially not have to reinvent the wheel, saving time and harm in their own development as a field.

### **What Can Algorithmic Bias Experts Learn from the Computer Security Community?**

The incentive structures of the computer security sector offer a helpful lesson for algorithmic bias experts. Many companies view digital security vulnerabilities as a serious existential risk. Losing data or intellectual property can kill enterprises—whether by losing their competitive advantage or as a result of lawsuits.<sup>6</sup> In the capitalist system we operate under, risks to the bottom-line drive behavior. Successful hacks are well-ingrained, to various extents, into the minds of business leaders, and so they feel they must take security seriously—for example, by hiring staff dedicated to security, giving them power within their organizations, incentivizing discovering issues early via bug bounty programs, and developing standards like SOC2 compliance. The flip side of this incentive structure is that clients too are security conscious. As I have seen in my time in the industry, many scoff if they do not believe a company is doing their best to protect their data, taking their business elsewhere when necessary.

Today, unfortunately, algorithmic bias is still not viewed as particularly risky by businesses. Until there are major lawsuits that scare business leaders or significant PR scandals that lead to loss of profits, it is unlikely that the current status quo will change—the incentives are simply not there. As a result, AI fairness experts do not benefit from the system as it exists, and many of those who do find work at major companies are seen as little more than liminal features working on vanity projects.<sup>7</sup>

So how can the AI industry, specifically as concerns algorithmic fairness, be pushed to adopt higher standards similar to those upheld in computer security? Some might contend that the answer is time—it took decades for computer security to establish itself as crucial, and even then, only after many catastrophic failures and data breaches. Companies now understand that paltry security can cause immense damage. By the same logic, with enough algorithmic bias crises, the industry will have no choice but to make it a first-class concern.

This possible future really concerns me for a few reasons. Firstly, computer security problems tend to lie dormant, only having massive effects once exploited. Algorithmic bias deals with continuous harm—the longer the algorithm is running and making decisions, the more harm is done to one or many groups of people. Additionally, computer security has had the help of the hacking community to push standards higher, especially in the early days. The algorithmic fairness field does not have an activist or hobbyist community comparable in size or in dynamism.

In looking for how such a group might come to exist for algorithmic fairness experts, we should ask: how did the hacking community come to exist? Why have so many people been interested in hacking, especially in the early days when all such activity was illegal? Complete answers to these questions would require a significant socio-psychological and ethnographic study exploring what motivates hackers, how hacking became so prevalent in geek culture and pop culture,<sup>8</sup> and how such communities grow despite challenges like secrecy and illegality. For our purposes, however, I only conjecture that the growth behind hacking was due to three main reasons, each of which contrasts with the current state of affairs in algorithmic fairness.

Firstly, geek and hacking culture were very intertwined in the early days. They both were part of a broader computer counterculture, with people in them reading the same magazines and forums.<sup>9</sup> As a result, hacking gained a lot of momentum and social capital in these groups early on. These geek communities were involved in these spaces out of sheer interest since no money to be made in that way at the time. It's no surprise then that many people spent countless unpaid hours finding vulnerabilities in computer systems out of curiosity, seeking credit and praise from their peers. In contrast, algorithmic fairness has not yet gained comparable social capital with either communities within AI or communities within the social sciences. Very few people are looking into computational bias issues as a hobby.

Secondly, beyond curiosity and seeking peer acknowledgement, I suspect hackers chase a sense of accomplishment when they gain unauthorized access to some computer systems—a feeling of power, getting one over on the corporate behemoth. We might conceive of this as a feeling of winning against all odds, of David vanquishing Goliath, of a motivated individual overcoming a team of “experts.” Yet the opposite seems to be the case for many algorithmic bias experts. Once they uncover an issue in a hiring or ranking algorithm, many end up feeling powerless—powerless because the solution to the issue is unclear, and companies are unwilling to put forward the resources needed to figure it out (or sacrifice profits for a fairer system). Consider how the COMPAS algorithm, used in courts to predict recidivism risk, is still being used today despite ProPublica showing in 2016 that it is racist

against Black defendants.<sup>10</sup> Powerlessness, and negative feelings in general, are not great motivators for human beings.

Finally, hacking is essentially about gaining a certain level of access when you are not supposed to. Since the whole point is to go where you are not wanted, no permission is needed to get started or try. Algorithmic fairness experts, on the other hand, need *access to the algorithms* and ideally *their historical data* to be able to even start “testing” the algorithm for bias. Very few algorithms are publicly accessible, and even those that are will rate limit a user looking into the biases of the algorithm.<sup>11</sup> This lack of access could be solved if companies were to give researchers and hobbyists limited access to help uncover issues. This is common in cybersecurity where they provide some level of access to hackers to see if they can penetrate further or steal privileged data. For instance, huge competitions are organized at conferences to find vulnerabilities, and many companies have significant bug bounty programs. Such initiatives incentivize the hacker community to contribute to the advancement of cybersecurity, to work with companies directly when they find vulnerabilities rather than sell them to nefarious parties. Both are practically nonexistent for AI algorithmic bias. In 2021, Twitter organized an algorithmic bias bounty program in partnership with a major security conference, the first of its kind, but there hasn’t been another since.

The solution, then, may be simple: have the algorithmic bias community more closely collaborate and team up with the hacker community, especially the subset with a penchant for activism. One could imagine situations in which teams of gray hat hackers provide access to some algorithm, while other teams leverage that access to test and gain insights on algorithmic bias. It’s the perfect match—a community that suffers from a lack of access working with one that loves gaining access. Since most algorithms in use are behind closed doors, if this type of “hacking” were to become more common, companies would be forced to look into their closet and study how their algorithms operate before a group of people unconstrained by NDAs exposes them.<sup>12</sup> We will likely see more “bias” bounty programs, and more resources dedicated to algorithmic fairness. But should the algorithmic fairness community embrace this illegal and ethically questionable route? Is using computer security and its complex history with hacking as an inspiration even wise, given the risks involved and the vulnerabilities that still exist in the security sector?<sup>13</sup>

There is no easy answer to either question. What I do know, however, is that countless unexamined algorithms are deployed and affecting humans at scale right now. The longer it takes for governments and companies to take algorithmic fairness seriously the more harm will be done. Adversarial activism in collaboration with

hackers, while taking inspiration from the computer security field to create a larger community of “bias testing” hobbyists, seem to be effective ways to get more of those algorithms examined sooner. More generally, I suspect the fairness and bias community has a lot to gain by more closely aligning itself culturally and socially with the computer security community, rather than the broader machine learning community. In the absence of other options and with the need so great, it is incumbent upon us to consider this collaboration seriously. Ethical computing demands it.

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### *Notes*

1. It's also interesting that they haven't truly fixed the issue:  
<https://www.theverge.com/2018/1/12/16882408/google-racist-gorillas-photo-recognition-algorithm-ai>.
2. Macdonald, Neil, et al. “Digital Dangers: A Brief History of Computer Security Threats.” Information Security Buzz, 23 Sept. 2014.
3. <https://cdn.openai.com/papers/dall-e-2.pdf>.
4. <https://www.wired.com/story/dall-e-2-ai-text-image-bias-social-media/>.
5. <https://github.com/openai/dalle-2-preview/blob/main/system-card.md>.
6. See the Equifax FTC Settlement, although the amount is laughable given the potential damage  
<https://www.ftc.gov/enforcement/refunds/equifax-data-breach-settlement>.
7. Google has, for example, fired some of its major AI ethicists:  
<https://www.theverge.com/2021/4/13/22370158/google-ai-ethics-timnit-gebru-margaret-mitchell-firing-reputation>.
8. Most “techie” characters in movies are hackers, and their very unrealistic “computer skills” tend to be hacking related.
9. *2600: The Hacker Quarterly* and others.
10. <https://www.propublica.org/article/how-we-analyzed-the-compas-recidivism-algorithm>
11. Being able to send many requests programmatically to a publicly available algorithm is crucial to gain a broad understanding. Rate-limiting requests/bot prevention algorithms make this substantially harder.
12. Another grim possibility here is that companies decide to solely invest in computer security to prevent access to their algorithms in the first place, rather than invest in making their algorithms fairer.
13. Especially in contrast with other engineering fields like civil or aerospace engineering

# Text Mining of Holocaust-Related Wikipedia Articles

BY IAN RENÉ SOLANO-KAMAIKO

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## 1 INTRODUCTION

In my case, the FASPE Fellowship Program highlighted the systematic nature of complicity during the Holocaust and the pervasive involvement of professionals at every level.<sup>[1, 2, 5, 6]</sup> As part of our two-week trip, we were able to meet with Berlin historians studying the Holocaust and were shown artifacts detailing the intimate involvement of companies such as Topf and Sons, which built the crematoria. As I continue to process my fellowship experience, I find myself particularly captivated by these aspects of the Holocaust. Initially, I had only a limited idea of how broadly and deeply involved professionals were during the Third Reich. Even more compellingly, as I learned, many wealthy multinational companies were Nazi collaborators and sympathizers; the majority of which have never been held responsible for their actions.<sup>[2-4, 7]</sup>

In investigating this reality, I began to wonder how familiar the United States public is with these facts. For example, are everyday Americans aware of IBM's involvement in the Holocaust?<sup>[2-4, 7]</sup> Or of the fact that NASA aerospace engineer Wernher von Braun was a member of the Nazi Party and *Schutzstaffel* (SS)? As a result, I chose to analyze the text from four key Wikipedia articles on the Holocaust. The goal of this work is to understand the content available on Wikipedia. Why Wikipedia though? For starters, they provide a convenient API for working with their webpage content. However, most importantly, Wikipedia articles are some of the top-ranked Google search results when users query for information about a particular subject.<sup>[9-12]</sup> The information on Wikipedia is generally trusted by the public and may serve as a likely initial resource for a user when seeking to gain preliminary knowledge about a given topic.<sup>[8, 10-12]</sup>

## 2 METHODS

This project utilizes a Jupyter Notebook file, which is attached for reference, and heavily makes use of the text mining and sentiment analysis tutorial written by Dr. Jan Kirenz. I first started by installing all the necessary libraries and dependencies. Afterwards, I initialized a “DataFrame” containing the text from four key Wikipedia articles on the Holocaust: “The Holocaust”, “Nazi Germany”, “Auschwitz Concentration Camp”, and “World War II”. Using the Wikipedia Python Library, which wraps Wikipedia’s API and provides helpful convenience methods, I was easily able to query the content of these articles. After initializing the “DataFrame” with these data, I started performing various transformations such as lower casing and tokenizing the text, omitting all numbers (such as years, e.g., 1945) as well as all words with less than two characters. The tokenization process took these texts and divided them into smaller parts (tokens). This action condenses the information to its relevant components and is useful for finding patterns. In this use-case, I generated a token for every word. Using the Natural Language Toolkit’s (NLTK) corpus of relevant terms, I removed all “stop words,” that is, words with limited research value (e.g., “will”, “and”, “or”, and “has”), from the text tokens.

After performing this data processing and preparation, I determined the frequency distributions of the tokenized words and removed any words with a frequency less than or equal to four. Additionally, I performed a word lemmatization process that groups together the inflected forms of a word so they can be analyzed as a single item (e.g., a word like “better” might have the lemma “good”)

Subsequently, I rendered a word cloud of the data. The size of the text in the word cloud corresponds to the term’s frequency (Figure 1). In addition to visualizing the corpus as a word cloud, I also created a bar chart containing the most common 25 words (Figure 2). In the chart, the word “war” unsurprisingly appears the most times, 534 times, and the word “France” rounds out the top-25, appearing 93 times throughout the text.





```

1 # Oxford Languages synonyms for systematic, pervasive, complicity
2 word_search_list = ['systematic', 'structured', 'methodical',
3                     'organized', 'orderly', 'planned', 'systematized',
4                     'regular', 'routine', 'standardized', 'standard', 'formal',
5                     'logical', 'coherent', 'consistent', 'efficient',
6                     'businesslike', 'practical', 'careful', 'fastidious',
7                     'meticulous', 'joined-up', 'pervasive', 'prevalent',
8                     'penetrating', 'pervading', 'permeating', 'extensive',
9                     'ubiquitous', 'omnipresent', 'rife', 'widespread', 'common',
10                    'universal', 'pandemic', 'epidemic', 'endemic',
11                    'inescapable', 'insidious', 'immanent', 'permeative',
12                    'suffusive', 'permeant', 'complicity', 'collusion',
13                    'involvement', 'collaboration', 'connivance', 'abetment',
14                    'conspiracy']
15

```

Fig. 3. Word list related to key search terms.

| 1 to 25 of 50 entries <span>Filter</span> <span>?</span> |              |           |
|--|--------------|-----------|
| index  | word         | frequency |
| 0  | common       | 18        |
| 1  | planned      | 13        |
| 2  | systematic   | 10        |
| 3  | widespread   | 8         |
| 4  | involvement  | 7         |
| 5  | conspiracy   | 7         |
| 6  | regular      | 5         |
| 7  | extensive    | 5         |
| 8  | formal       | 5         |
| 9  | organized    | 4         |
| 10   | epidemic     | 4         |
| 11   | immanent     | 0         |
| 12   | orderly      | 0         |
| 13   | universal    | 0         |
| 14   | pandemic     | 0         |
| 15   | endemic      | 0         |
| 16   | inescapable  | 0         |
| 17   | insidious    | 0         |
| 18   | systematized | 0         |
| 19   | rife         | 0         |
| 20   | suffusive    | 0         |
| 21   | permeant     | 0         |
| 22   | complicity   | 0         |
| 23   | collusion    | 0         |
| 24   | methodical   | 0         |

Fig. 4. Table containing 50 words and their respective frequencies.

Only 11 of the 50 words appeared in the text (Figure 4). The word that appeared most frequently was “common”, which had 18 appearances. The words “epidemic” and “organized” both appeared four times and were the least common (aside, of course, from the words that did not appear at all).

While these frequency data begin to help us understand the content a bit more, they do not necessarily explain the full picture. For this reason, I decided to render the concordance views of the 11 words that did appear in the text. Concordance views are a way of showing every use of a single token within the context surrounding them. Figure 5, for example, shows the concordance view for the word “common”. Here we can see that it is unlikely in most instances that “common” refers to the pervasiveness of Nazism amongst professional, industrial, and civil society. On the other hand, the word “organized” when placed in context may be a more accurate reference to the systematic execution of the Holocaust. In fact, one of the matches

displayed has “organized” in the following context: “elites attempt prevent development organized resistance september reinhard.”

### 3 CONCLUSION

In this project, I performed a variety of data mining techniques on four key Wikipedia articles regarding the Holocaust. This investigation was motivated by my learning more about the systemic nature of the Holocaust while attending a FASPE fellowship program. I asked myself: how much do people know about the culpability of professionals, companies, and other less well-known corporate entities.

```

*****common*****
Displaying 18 of 18 matches:
e space open hatred jews subscribed common antisemitic stereotypes early onwar
ed states antisemitism isolationism common government similarly feared turning
rical analogy evil nazi comparisons common yom hashoah became israel holocaust
al war crimes nuremberg trials name common english terms german state nazi era
ople streets far right armed groups common bavaria tolerated sympathetic far r
auschwitz archives strzelecka lists common infractions returning second time f
ng hands pockets flogging roll call common flogging table called goat immobili
by town clear away rubble transfers common ruse murder prisoners group mostly
en living nearby towns strong winds common battlefield however weapon directed
nditions terrible russia starvation common prisoners civilians alike prisoners
surrender conscription conscription common european countries however controver
radical newspapers demanding reform common tactics dodging desertion many comm
on past cultural inheritance become common perception world war perpetuated ar
story though views discounted myths common dynamically changed according conte
heyns published works since arguing common perceptions war factually incorrect
t conspiracy theory betrayal became common german populace came see victims wi
ully resolved world war furthermore common germans justify acts aggression due
armenian genocide slaughters argued common origin collapse elite structure nor

*****planned*****
Displaying 13 of 13 matches:
er collaboration although holocaust planned directed germans nazi regime found
d finances material resources build planned units well necessary fuel required
mining use stolen art fill galleries planned hrermuseum leader museum latter per
car addition eliminating jews nazis planned reduce population conquered territo
tholicism among nazis chief enemies planned extermination foreign christian fai
d believed britain would war hitler planned invasion czechoslovakia germany wou
ster major helmuth groscurth abwehr planned coup cancelled signing munich agree
september many people involved coup planned participants changed minds backed p
ns set camp cast doubt reports time planned red cross visit auschwitz mass murd
or incineration pits bodies per day planned sixth facility crematorium never bu
med command caucasus front nicholas planned railway russian georgia conquered t
plan known hypothesis romanian army planned offensive transylvania defending so
emocracy slaughtered stupid battles planned stupid generals survived shocked di

```

Fig. 5. Concordance view of matches for the words “common” and “planned.”

The text mining process I applied attempted to gain an understanding of the type of words used in these articles and whether the Wikipedia webpages adequately highlighted the systemic nature of this genocide. In my preliminary findings, it does appear that there exists some language attempting to communicate the structural nature of Nazi crimes during the Third Reich. Although, based on my FASPE fellowship experience where we visited lesser known Holocaust sites such as the Sachsenhausen concentration camp and Brandenburg Euthanasia Centre, were given intimate tours by curatorial staff at museums such as the Topography of Terror, and had the privilege of learning in workshops hosted by cutting-edge Holocaust historians—it is clear to me that the involvement of professionals and corporations in the Holocaust is likely not fully realized by the general public. However, further

investigation is warranted to better understand the extent to which online articles communicate the complicity of these groups.

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**Ian René Solano-Kamaiko** was a 2022 FASPE Design and Technology Fellow. He is a Computer Science PhD student at Cornell University.

### Notes

1. Naomi Baumslag et al. 2005. *Murderous medicine: Nazi doctors, human experimentation, and typhus*. Praeger Publishers.
2. Jesse F Dillard. 2003. Professional services, IBM, and the Holocaust. *Journal of Information Systems* 17, 2 (2003), 1–16.
- 3 Sarah Federman. 2021. Corporate Leadership and Mass Atrocity. *Journal of Business Ethics* 172, 3 (2021), 407–423.
4. Thomas Ferguson and Hans-Joachim Voth. 2008. Betting on Hitler—the value of political connections in Nazi Germany. *The Quarterly Journal of Economics* 123, 1 (2008), 101–137.
5. Hugh I Joffe, Charmaine F Joffe, and Henry Brodaty. 1996. Ageing Jewish Holocaust survivors: anxieties in dealing with health professionals. *Medical journal of Australia* 165, 9 (1996), 517–520.
6. David H Jones. 2000. *Moral responsibility in the Holocaust: A study in the ethics of character*. Rowman & Littlefield Publishers.
7. Geoffrey Jones, Grace Ballor, and Adrian Brown. 2021. Thomas J. Watson, IBM, and Nazi Germany. (2021).
8. PD Magnus. 2009. On trusting wikipedia. *Episteme* 6, 1 (2009), 74–90.
9. Lucia Mason, Angela Boldrin, and Nicola Ariasi. 2010. Searching the Web to learn about a controversial topic: are students epistemically active? *Instructional Science* 38, 6 (2010), 607–633.
10. Connor McMahon, Isaac Johnson, and Brent Hecht. 2017. The substantial interdependence of Wikipedia and Google: A case study on the relationship between peer production communities and information technologies. In *Eleventh international AAAI conference on web and social media*.
11. Josiane Mothe and Gilles Sahut. 2018. How trust in Wikipedia evolves: a survey of students aged 11 to 25. *Information Research: an international electronic journal* 23, 1 (2018), n1.
12. Neil Selwyn and Stephen Gorard. 2016. Students’ use of Wikipedia as an academic resource—Patterns of use and perceptions of usefulness. *The Internet and Higher Education* 28 (2016), 28–34.



# JOURNALISM



# Whose Side Are You On?

## John Reed and Journalistic Ethics

BY SAMUEL McILHAGGA

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Many of the problems faced by modern journalism in approaching highly ideological conflicts—from protests, to revolutions, to civil war, to invasions—find encapsulation in the career of journalist, poet, communist activist, and writer John Reed (1887-1920). He has, it must be said, been made famous by other people's depictions of his life, most notably in two films: Sergei Eisenstein's *October: Ten Days that Shook the World* (1928) and Warren Beatty's *Reds* (1981). Reed is, in other words, best known because of media about the October Revolution. After all, he was, present in those heady days. But who was the man himself and how exactly does his story map onto the problems of contemporary reporting?

Primarily, Reed's career poses the question of journalistic subjectivity, the same issue so often faced by today's conflict and war reporters. How and when do you insert yourself and your views? What does it mean for one's work, as a reporter, to be at one moment working against power and then, the next, complicit in a new regime? Did Reed's personal understanding, and his advocacy for justice, leave his work open to appropriation by a state interested in covering up its own failures? How do we make sure ideological allies and the world's underdogs are scrutinized to a suitable degree? Why did Reed's pioneering practice of embedding with revolutionary military units lead to both great and problematic journalism? How do we balance the tools of subjective critique and advocacy with the need for real change and independence?

In the public consciousness, subjectivity in journalism rushed onto the scene in the 1960s with the New Journalism movement of Tom Wolfe, Joan Didion and Hunter S. Thompson and publications like *Rolling Stone*. We also imagine that a combination of activism and journalism is a recent trend,



found in American newsrooms like *The New York Times*, one that is replacing an older and more respected tradition of objective bipartisanship. Reed provides both a positive and negative case for the longevity of both subjective writing and activist journalism going back to the *fin de siècle* years of the 19th century.

Reed was the scion of a wealthy mercantile family from Portland, Oregon. The product of New England boarding schools and Harvard, he nevertheless struggled with living among the old-money elite on the East Coast. He got his start writing for the *Harvard Lampoon* and *Monthly*. He then moved on to freelancing for several glossy American picture magazines while working low-level editorial jobs at *The American Magazine*. During this time Reed was influenced by “muckrakers”—reform-minded journalists active during the Progressive Era who wrote vividly about urban poverty, factory conditions, child labor, and prostitution. While his politics would begin to fall far to the left of these writers, their practice of on-the-ground reporting and inclusion of subjective emotions would strongly shape Reed’s work. These days, we often think highly charged and combative tabloid journalism to be a characteristic of right-populist outlets like *Fox* and *Breitbart*. But it is a tactic with a long “progressive” history.

Reed moved to Greenwich Village, New York in 1911 because it was the then-beating heart of labor and class journalism. By deciding to dwell in this bohemian semi-underworld of artists, thinkers, and activists, however, he separated himself from the subjects he wrote about. This is not a problem particular to John Reed. Even today, journalists are clustered on the coasts of America, specifically in LA and New York. Reed, like many now, would parachute into emerging situations such as strikes, reveling in the exotic people he discovered in his own country. After being arrested during the coverage of a strike in Patterson, New Jersey, for instance, the Anglo John Reed found himself together in a cell with immigrant strikers:

“What nationalities stick together on the picket-line?”

A young Jew, pallid and sick-looking from insufficient food, spoke up proudly. “T’ree great nations stick togedder like dis.” He made a fist. “T’ree great nations—Italians, Hebrews an’ Germans”—

“But how about the Americans?”

They all shrugged their shoulders and grinned with humorous scorn. “English peoples not go on picket-line,” said one, softly. “Mericans no lika fight!”<sup>1</sup>

While newsrooms have become far more diverse than they were in 1913, matrices of inclusion such as socio-economic background and regional identity have remained difficult to incorporate. The *New York Times*, for instance, still sends Ivy League-educated journalists from New York to understand the grumblings of the political underbelly of the nation—from Appalachia to Midwestern suburbia. This is not necessarily wrong, and Reed’s reportage on strikes benefits from an outsider’s perspective. But the fact that the practice continues unexamined to this day suggests how entrenched educational and geographic inequalities are.

The same year Reed reported on the Patterson strike, he also became a staff writer at *The Masses*, a beautifully illustrated socialist journal with much in common with today’s *Jacobin*. This move would cement Reed’s status as a practitioner of advocacy journalism. He would write over 50 articles and reviews for the magazine. Yet at the same time, he maintained a foot in the world of mainstream reporting, writing for *The Metropolitan Magazine* (which was then edited by former US president Theodore Roosevelt). Reed was sent by *The Metropolitan* to cover the emerging revolution in Mexico—but he struggled to keep his advocacy journalism and reporting separate. Many of his pieces were rejected for being too political.

However, this aporia would soon end. His missives home from the Mexican Revolution made him a celebrity. Reed pioneered an early form of what would later be called Gonzo Journalism. In this role, he was not just an observer but also an active participant in the events covered. His earlier arrest covering a strike perhaps alerted him to the fact that breaking the wall of objectivity between observer and observed had its benefits—exciting prose from the reader’s point of view along with an increased sense of authority (who can write off what another simply sees?).

During this time out of the US, Reed produced *Insurgent Mexico* (1914). The book’s popularity owed much to the journalist’s spending months living with generals and their soldiers. This connection to the action allowed him to

write a colorful and immersive book, presenting the perspectives of illiterate revolutionaries, people who would never normally find their voices in print.

Because Reed was himself a character in the revolution, however, he found it hard to zoom out and present anything resembling a birds-eye analysis. Indeed, in the book, Reed goes through incredibly traumatic bonding experiences with the other men—including owing his life to some of them and burying dead combatants:

Then my heart gave a jump. A man was coming silently up the valley. He had a green serape over one arm, and nothing on his head but a blood-clotted handkerchief. His bare legs were covered with blood from the *espadas*. He caught sight of me all of a sudden, and stood still; after a pause, he beckoned. I went down to where he was; he never said a word but led the way back down the valley. About a hundred yards farther he stopped and pointed. A dead horse sprawled in the sand, its stiff legs in the air; beside it lay a man, disembowelled by a knife or a sword—evidently a *colorado*, because his cartridge-belt was almost full. The man with the green serape produced a wicked-looking dagger, still ruddy with blood, fell on his knees, and began to dig among the *espadas*. I brought rocks. We cut a branch of mesquite and made a cleft cross out of it. And so we buried him.<sup>2</sup>

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During the 2003 invasion and later war in Iraq, embedding became a serious question. There was intense discussion about embedding with the American Army—journalists were accused of being ‘inbedded’ with the forces—sacrificing objectivity for access and protection. Concerns grew that reporters would only be shown what the US Army wanted them to be shown. Reed makes an astounding test case. He followed, bonded with, and wrote about Pancho Villa and his men, noting their exploits and their successes against overwhelming odds. Yet, at the same time, he neglects to mention the mass rapes, extrajudicial executions, and large-scale arsons committed against civilians by Villa’s troops. Did he know?

In *Insurgent Mexico*, he was clear about trying to follow Villa’s movements:

"I appreciate your hospitality, my General," I told him, "but my work demands that I be where I can see the actual advance upon Torreon. If it is convenient, I should like to go back to Chihuahua and join General Villa, who will soon go south."<sup>3</sup>

Were these crimes committed out of sight of nosy American journalists? Was Reed not in Mexico long enough to witness them? Did his ideological priors blind him to what was happening? Or were the crimes of the Mexican capitalist class so immense from his perspective that revolutionary violence blurred normal ethical standards?

This ambiguity would continue in Reed's reportage on the October Russian Revolution of 1917. During the conflict, he went so far as to pick up a gun, joining the new Bolshevik government as a translator under the People's Commissariat for Foreign Affairs, even giving speeches at protests he would then report on. Reed made a stark choice. And while most journalists employed by large organizations today would not be able to cross the boundary between witness and fighter so easily, the basic question remains: how complicit do we make ourselves by embedding with one side in a war, by only seeing what we are allowed to or want to? Reed's book on the Russian Revolution, *Ten Days that Shook the World* (1919), leads with a quote from Lenin:

With the greatest interest and with never slackening attention I read John Reed's book, *Ten Days that Shook the World*. Unreservedly do I recommend it to the workers of the world. Here is a book which I should like to see published in millions of copies and translated into all languages. It gives a truthful and most vivid exposition of the events so significant to the comprehension of what really is the Proletarian Revolution.<sup>4</sup>

What would we think today about a book published by an American journalist about the Arab Spring in Egypt with a foreword written by Mohamed Morsi? At the same time, can we really accuse Reed of trading objectivity for access to the Russian Revolution? He came as an advocate and wrote most of his pieces for *The Masses*. Those reading him knew his priors and could adjust their views accordingly. Is there not worth in building up an objective picture of an event through the laborious work of critical thinking, combining various subjective accounts into a jigsaw of reports? Is this not what objective journalism does, one

step down, when using contrasting sources? Can the journalist ever really operate as a steely and cold neutral observer? At what point are human passions utilized by ambitious new regimes to produce propaganda? Indeed, Reed was accused of writing propaganda for the communists by another American journalist Edgar Sission, who had his own political motivations for attacking radical US reporters—and forged a conspiracy theory to do it.<sup>5</sup>

From labor strikes to worldwide revolution—John Reed is a case study in the ethically ambiguous work of reporting on political and human crises: balancing mainstream journalism with advocacy and how embedding practices during war can radically curtail a reporter’s ability to comprehend the whole picture. Reed is an incredibly useful figure for an age increasingly characterized by its own crises—like climate change, income inequality, digitally surveilled wars in Syria and Ukraine, government media interference, and the revitalization of explicitly ideological narratives on the left, right, and liberal center. To operate as a journalist in times of upheaval requires one to find models from previous periods of unrest. We all have to turn to someone to help forge our way. Reed’s ethical ambiguity provides the basis required for us to question our own deep moral opacity. He creates an invaluable starting point for our own self-questioning—what do we risk? And how best to risk it in pursuit of the truth?

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### Notes

1. Reed, John, ‘War in Paterson,’ *The Masses*, June, 1913, accessed, Marxists.Org, 23rd September, 2022 [<https://www.marxists.org/archive/reed/1913/masses06.htm>]
2. John Reed, *Insurgent Mexico*, 1914, New York, Chapter XI, ‘Meester’s Flight’ accessed at Project Gutenberg [<https://www.gutenberg.org/files/48108/48108-h/48108-h.html>]
3. Ibid, Chapter II, ‘The Lion of Durango at Home.’
4. John Reed, *Ten Days That Shook the World*, 1919, accessed at Marxists.Org [<https://www.marxists.org/archive/lenin/works/1919/dec/31.htm>]
5. John Maxwell Hamilton & Meghan Menard McCune, *The Conversation*, ‘Lessons from White House disinformation a century ago: It’s dangerous to believe your own propaganda,’ September 13, 2018, [<https://theconversation.com/lessons-from-white-house-disinformation-a-century-ago-its-dangerous-to-believe-your-own-propaganda-102155>]

# The Ethics of Covering Hate

BY REGIN WINTHER POULSEN

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One day nearly four decades ago, Danish journalist Jens Olaf Jersild reported a news segment that would profoundly affect both his career and journalism in Denmark more broadly. Up to that point, Jersild had been a universally respected voice and the host of the evening news program, *TV-avisen* (*The Television Paper*). On September 23, 1985, he presented a story about growing xenophobia, interviewing the Greenjackets, a small group of young racists in Copenhagen.

In the segment, Jersild talks to the group while they have a few beers together in Østerbro, a district of the city. As expected, they make xenophobic remarks and even express support for the Ku Klux Klan. Talking about Black people, one opined that "they were not people" and that he believed in the righteousness of slavery. The segment linked these sentiments to a small, albeit growing, discontent among the Danish population in reaction to the government's then-liberal immigration policy. Vandalism and swastika graffiti were, according to the segment, on the rise in Copenhagen. On the one hand, it would have been difficult for Jersild to examine and analyze these beliefs if he didn't give airtime to these openly racist youths. On the other, he was offering them a national stage from which to express their controversial and hate-filled opinions. The dilemma, as it turned out, was not merely a theoretical one. The segment culminated in more than a debate about journalistic principles—it ended in a decade-long legal battle.

After the news, three participants in the interview, as well as Jersild and the news director of the show, Lasse Jensen, were reported to the police. The three interviewees faced charges for their words themselves, while the journalists were accused of "*aiding and abetting* the three youths". They were found guilty in the city court and issued a fine. The journalists appealed the decision to the High Court (*Landsretten*) and later to the Supreme Court. The decision, however, was upheld in both instances. In the latter case, the highest court in Denmark argued that the news program had insufficient informative value to justify amplifying the voices of the Greenjackets, a point underscored, in their view, by the fact that the interview was not live but had been edited prior to

broadcast. The Supreme Court, then, felt the journalists had knowingly and actively spread hate speech.

This question—how to discuss extremism without inadvertently supporting it—came back to me during my FASPE trip. These days, as we witness the rise of far-right movements around the globe, the problem seems more salient than ever. How does one explain the problems of growing extremism while at the same time not spreading the beliefs of the extremists? Would it have been sufficient for Jersild to inform the audience that right-wing extremism was growing? Did he not need to show the young groups mobilizing? If so, how could he convince them without details? Should he have pushed back harder on their views, not letting the young Nazis get a word in edgewise? Is the alternative mere silence?

Over the course of my trip, these questions took on an even more personal tone for me as a journalist. How fine is the line between platforming and explicating? How would I have covered the growth of the National Socialists if they were on the rise today? How would I interview Nazi leaders, and what kinds of quotes would go into such an article? Would I consider the consequences of letting extremists express themselves to my readers? And no matter how much I pushed back, if I asked all the right questions and somehow wrote the perfect article: could I then be held responsible for spreading hate speech? A similar dilemma has often been raised when covering fake news, as studies show that even though you explain to listeners that claims are untrue, you might still be spreading the news by mentioning it.<sup>1</sup> Many of us might also be emblematic of the “*mainstream news elite*,” such that if we say something, it becomes just an example of how we “*hide information from the masses*.” On the other hand, there is this tantalizing idea that I could help by shining light into the darkness. Could people who believe in extremist ideas or fake news be encouraged if I debunk fake news or explain the crazy views of extremist groups that might have become mainstream themselves in some cases?

While examining the case of Jersild, it struck me that the language in the broadcast is so extreme that even the thought of using it to educate makes me beyond uneasy. The “N-word,” for example, occurs often. Norms today vary from those then, but I still feel Jersild could have covered the incident more responsibly—the language is just that crass and hate-filled. On the other hand, Jersild should not have been sentenced and fined. Is it a crime to do a noble act

imperfectly? And I certainly do not believe that courts should have the authority to argue if something is newsworthy enough to justify covering it. In my own work, I often think that I can't be held entirely accountable for its impact. An author cannot control every use to which their writing is put. I can do my best, but after I press publish, the piece isn't mine anymore. But then I wonder: is this just a survival tactic, a way to shirk my own responsibilities? Did these same questions not plague Jersild?

As you can see, I really don't have an easy answer. I vacillate. But that's what has made FASPE so valuable: I'm now more relaxed in knowing that there aren't any straightforward answers. The discussion between the other journalists on the trip convinced me that our discipline must work as a team, querying each other, working with editors—doing whatever we can to hash out these difficult questions. Often, we did not reach a consensus in the FASPE groups, but that seems to me proof that we don't have to agree. We're not scientists looking for one cure for a disease. We're just trying to be better, to be truth-tellers in a hard world. And if we do that, if we do what we can, I remain convinced more than ever that we cannot fret about how others will use or react to our work. If no one reads our stories, that's fine. If a lot of people do, that's fine too. People will read what they want into what we publish—we can't change that. We can only do our best.

And in the end, Jersild got off the hook. He refused to accept the fine. He even took the case to the European Court of Human Rights in Strasbourg, where he was acquitted. The judges argued that the journalist had only been trying to portray reality. Wasn't that his job, after all? In the end, the court saw the journalist's freedom to speak the truth as a fundamental element of a free society. We, as journalists, seek to do just that—speak the truth. To pursue this goal means to be ethical. I can't know how I would have covered the rise of Nazism in the 30s, but I can know the principles that should guide coverage should such a thing happen now.

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## *Notes*

1 “How to Correct Misinformation According to Science,” *Short Wave, NPR*, [https://www.npr.org/2020/05/21/860219481/how-to-correct-misinformation-according-to-science?utm\\_campaign=npr&utm\\_term=nprnews&utm\\_medium=social&utm\\_source=facebook.com&fbclid=IwAR0tyBZIam2Tkxl5Jdre\\_DJlCjEzqn9hps7YulMbFpwmWom0e7-OS5G\\_ng&t=1660731537116](https://www.npr.org/2020/05/21/860219481/how-to-correct-misinformation-according-to-science?utm_campaign=npr&utm_term=nprnews&utm_medium=social&utm_source=facebook.com&fbclid=IwAR0tyBZIam2Tkxl5Jdre_DJlCjEzqn9hps7YulMbFpwmWom0e7-OS5G_ng&t=1660731537116).

# A Case for Compromise

BY SOFIA TOMACRUZ

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On July 28, 2022, Russian authorities moved to revoke the license<sup>1</sup> of *Novaya Gazeta*, a Moscow-based independent newsroom that had been a stalwart of critical reporting in the country. The development demonstrated a reality that many watching the war in Ukraine had seen coming: in a matter of weeks, the chance to report on the conflict not only critically, but factually, had disappeared.

Just four months earlier, the government had forced *Novaya Gazeta* to suspend publication after registering a second warning for refusing to tow the Kremlin's line. The law threatened errant journalists with up to 15 years behind bars. Russia's media regulator did not specify a particular article or project—there was just swift, silent action, followed by license revocation.

"It's got to the point of absurdity," Dmitry Muratov, *Novaya Gazeta*'s editor and a co-winner of the 2021 Nobel Peace Prize, said in an interview with the *New Yorker*<sup>2</sup> in late February, referring to the pressure Russian authorities place on journalists. At the time, all media in the country had been ordered to ban the use of words like "war," "invasion," and "occupation" in describing what Russia's government referred to as a "special operation."

But some did not comply. As Muratov asserted at the time: "We continue to call war 'war.' We are waiting for the consequences." We know now that Muratov's newsroom would see them.

*Novaya Gazeta*'s shutdown was swift—but there is a longer history here, one full of compromises.

Before they suspended publication of their paper, Muratov and his team carried out a delicate balancing act. With increasing pressure from its government, the newsroom announced to its readers in early March that it would take down<sup>3</sup> some of its material about the war on its website owing to censorship rules. It would, however, they said continue to report on the brutal effects of waging war, to cover

matters like economic crises, persecution of critical voices, and problems with accessing essential foreign needs like medicine. It was firm in having versions of its paper in both Russian and Ukrainian while obeying a government directive that forbade referring to the conflict as a “war” or an “invasion.”

Having reached the point of possible closure—one wonders: were these compromises worth making? It’s worth looking at *Novaya Gazeta*’s history, as well as Muratov’s career, during which the question of whether to compromise has been a recurring theme, a constant debate.

Muratov’s Nobel captured the very tension surrounding this journalist’s approach. “If you lived in Putin’s Russia, what compromises would you make?”<sup>4</sup> *New York Times* Moscow bureau chief Anton Troianovski wrote, in a piece that documented the differences between Muratov’s approach and that of detained opposition figure Alexei Navalny. Both figures oppose an autocratic regime, but their ways of resisting bring up a central question: how can one fight back and safeguard vanishing freedoms?

Does one take the path of “principled and unyielding resistance” or that of incremental systematic improvement?

Muratov himself said<sup>5</sup> he would have chosen to award the Nobel Prize to Navalny. Nonetheless, the editor’s approach demonstrates that there is no singular way to resist, nor should there be hierarchies of opposition when you’re up against a common enemy with overwhelming resources.

In opposing a fraught system, Muratov’s example can also remind journalists of other questions worth asking time and again: Who are we standing against? And who or what are we standing up for?

*Novaya Gazeta*’s advocacy for the provision of treatments for children with rare diseases stands as one answer to these questions about values. Muratov acknowledged using his connections with Russian elites like Andrey L. Kostin, chairman of VTB, one of Russia’s largest banks—and even Putin himself<sup>6</sup>—to get children access to expensive medicines. Does engaging with figures who enable a harmful regime make one complicit?

“You can say, ‘He’s an accomplice of the regime,’ but tell that to the parents of children ill with S.M.A. (spinal muscular atrophy). Tell them that bankers who

work for the state gave money and you can't take the money, and the child will die,"<sup>7</sup> Muratov told the *Times* in response.

There's also the funding of *Novaya Gazeta* itself. In 2006, the paper sold 49% of its stock to a pair of powerful individuals: its longtime benefactor former Soviet president Mikhail Gorbachev bought 10%, while Aleksandr Lebedev<sup>8</sup> bought the other 39%. Up until then, the company's stock had been completely owned by its journalists. The sale of a portion of the company's stake to a figure like Lebedev naturally left some people with apprehensions. He was, for one, a banker involved in national finance and a member of United Russia, the ruling pro-Kremlin party. Lebedev assured *Novaya Gazeta*'s staff he wouldn't influence editorial matters.

The paper's reporting would, it turned out, testify to its editorial integrity.

Years later in 2014, the outlet, struggling at the time, would receive funding from Sergei Adonyev, a figure in the telecommunications industry who had partnered with a state-owned company. Again, *Novaya Gazeta* managed to survive and continue its investigative reporting.

Considering some of these decisions, there's an illuminating lesson journalists can learn from Muratov about what it might mean to function within a flawed system—compromises, because they are often so tricky, may only work if a newsroom or individual reporter is clear about their limits.

And so, the key question before a reporter ventures to compromise is: where do you draw the line? The consequences won't always be so clear, nor can you account for all outcomes. These limits, these "red lines," shape everything.

Is compromise like this possible in all spaces? Like many other elements of journalism, much depends on local context. Cultural anthropologist Natalia Roudakova<sup>9</sup> noted how in the USSR, journalists occupied a "unique social and cultural location" as a profession entrusted by the Soviet state to "perform this work of realigning the moral and the political vectors of authority." Journalism's historical role in Russia is among the central factors that made it possible for Muratov to use his connections among Russia's elite, allowing *Novaya Gazeta* not only to report on, but indeed to advocate for, certain causes.

Examining Muratov's decisions, it seems that while people may question how

productive some of his compromises have been, he has always known what the enemy is: tyranny in all its forms. Muratov made his choices in keeping with the interests of the disadvantaged and disempowered, holding authorities to account, and protecting both independence and truth. It took skillful compromise with unsavory characters, yes, but always with red lines and end goals in mind.

In interviews with foreign media both after winning the Nobel and war's breaking out in Ukraine, Muratov himself has spelled out some of these lines in the sand. For instance, though his newsroom would report on corruption, Muratov said it would not publish stories on the personal lives of the Russian elite. Ultimately, he would not play partisan politics<sup>10</sup> or compromise his newsroom's freedom and independence. Muratov referenced the need for this dogged and balanced approach in his award-acceptance lecture:

"The dogs bark, but the caravan keeps moving" [...] The government sometimes derisively says the same about journalists. They bark, but it does not affect anything. But I was recently told that the saying has an opposite explanation. The caravan drives forward because the dogs bark [...] The caravan can move forward only with the dogs around. Yes, we growl and bite. Yes, we have sharp teeth and strong grip. But we are the prerequisite for progress. We are the antidote against tyranny.<sup>11</sup>

Muratov and his team worked hard, pressing up against their limits; unfortunately, the Russian authorities had reached theirs as well and moved to silence the critical newsroom.

Asked why the paper decided to stop publication in March after receiving two warnings concerning its reporting about the war even though it had held out despite worse in years prior (call to mind the murder of several of its staff,<sup>12</sup> including Anna Politkovskaya), Muratov responded: "We understood that we would be treated like other media, that criminal investigations could be opened against collaborators."<sup>13</sup>

"It was important to survive, to stay free, and continue to resist," Muratov said in his message to the paper's subscribers: "For us, and, I know, for you, this is a terrible and difficult decision. But we must preserve each other, for each other."<sup>14</sup>

And as it faced the prospect of closure in July, Muratov and his team assured their readers they not only would fight cases filed against them but also would continue

reporting. “The most important thing is that we are and will be,”<sup>15</sup> its editorial team said. “We do not say goodbye.”

This, Muratov and his team would not compromise on.

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### Notes

1. Lock, Samantha. “Russian News Outlet Novaya Gazeta to Be Stripped of Licence Under Court Order.”
2. Remnick, David. “How Russia’s Nobel-Winning Newspaper Is Covering Ukraine.” *The New Yorker*, 28 Feb. 2022, [www.newyorker.com/news/q-and-a/how-russias-nobel-winning-newspaper-is-covering-ukraine](http://www.newyorker.com/news/q-and-a/how-russias-nobel-winning-newspaper-is-covering-ukraine).
3. *Reuters*. “Russia’s Novaya Gazeta Cuts Ukraine War Reporting Under Censorship.” *Reuters*, 4 Mar. 2022, [www.reuters.com/world/russias-novaya-gazeta-cuts-ukraine-war-reporting-under-censorship-2022-03-04](http://www.reuters.com/world/russias-novaya-gazeta-cuts-ukraine-war-reporting-under-censorship-2022-03-04).
4. *nytimes.com*. 15 Oct. 2021, [www.nytimes.com/2021/10/15/world/europe/russia-dissent-muratov-navalny-nobel.html?smid=nytcore-ios-share&referringSource=articleShare](http://www.nytimes.com/2021/10/15/world/europe/russia-dissent-muratov-navalny-nobel.html?smid=nytcore-ios-share&referringSource=articleShare).
5. —. 8 Oct. 2021, [www.nytimes.com/2021/10/08/world/europe/russian-laureate.html?smid=nytcore-ios-share&referringSource=articleShare](http://www.nytimes.com/2021/10/08/world/europe/russian-laureate.html?smid=nytcore-ios-share&referringSource=articleShare).
6. “Putin Announces Foundation to Support Seriously Ill Children Funded by Income Tax Increase for High-earners.” *Meduza*, 6 Jan. 2021, [meduza.io/en/news/2021/01/06/putin-announces-foundation-to-support-seriously-ill-children-funded-by-income-tax-increase-for-high-earners](http://meduza.io/en/news/2021/01/06/putin-announces-foundation-to-support-seriously-ill-children-funded-by-income-tax-increase-for-high-earners).
7. *nytimes.com*. 15 Oct. 2021, [www.nytimes.com/2021/10/15/world/europe/russia-dissent-muratov-navalny-nobel.html?smid=nytcore-ios-share&referringSource=articleShare](http://www.nytimes.com/2021/10/15/world/europe/russia-dissent-muratov-navalny-nobel.html?smid=nytcore-ios-share&referringSource=articleShare).
8. Committee to Protect Journalists. “Anya’s Paper: CPJ Special Report.” *Committee to Protect Journalists*, 21 Nov. 2008, [cpj.org/reports/2007/05/anya](http://cpj.org/reports/2007/05/anya).
9. Roudakova, Natalia, “Journalism as ‘Prostitution’: Understanding Russia’s Reaction to Anna Politkovskaya’s Murder,” *Political Communication*, 26:4, 412-429.
10. Geneva Solutions. “Dmitry Muratov: ‘Russia Had a Future, Many Think It Has No More.’” *Geneva Solutions*, [genevasolutions.news/global-news/dmitry-muratov-russia-had-a-future-many-think-it-has-no-more](http://genevasolutions.news/global-news/dmitry-muratov-russia-had-a-future-many-think-it-has-no-more). Accessed 23 Sept. 2022.
11. Muratov, Dmitry. “Nobel Lecture.” *NobelPrize.org*, [www.nobelprize.org/prizes/peace/2021/muratov/lecture](http://www.nobelprize.org/prizes/peace/2021/muratov/lecture). Accessed 23 Sept. 2022.
12. “‘This Prize Belongs to My Lost Colleagues’ Novaya Gazeta Editor-in-chief Dmitry Muratov on Winning This Year’s Nobel Peace Prize.” *Meduza*, 8 Oct. 2021, [meduza.io/en/feature/2021/10/08/this-prize-belongs-to-my-lost-colleagues](http://meduza.io/en/feature/2021/10/08/this-prize-belongs-to-my-lost-colleagues).
13. Geneva Solutions. “Dmitry Muratov: ‘Russia Had a Future, Many Think It Has No More.’” *Geneva Solutions*, [genevasolutions.news/global-news/dmitry-muratov-russia-had-a-future-many-think-it-has-no-more](http://genevasolutions.news/global-news/dmitry-muratov-russia-had-a-future-many-think-it-has-no-more). Accessed 23 Sept. 2022.
14. —. 28 Mar. 2022, [www.nytimes.com/live/2022/03/28/world/ukraine-russia-war/novaya-gazeta-the-hard-hitting-russian-newspaper-suspends-publication?smid=url-share](http://www.nytimes.com/live/2022/03/28/world/ukraine-russia-war/novaya-gazeta-the-hard-hitting-russian-newspaper-suspends-publication?smid=url-share).
15. Editorial Staff. “RKN Demands to Cancel the Media License of the Novaya Gazeta Website.” *Novaya Gaeza*, 28 July 2022, [novayagazeta.ru/articles/2022/07/28/rkn-trebuat-annulirovat-litsenziu-smi-u-saita-novoi-gazety](http://novayagazeta.ru/articles/2022/07/28/rkn-trebuat-annulirovat-litsenziu-smi-u-saita-novoi-gazety).



LAW





# Questioning the Morality of the Law: A Necessity for Lawyers?

BY LISA VAN DORD

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Since Montesquieu introduced the idea of the *trias politica* in 1748,<sup>1</sup> many legislators have consciously adopted checks and balances as defining characteristics of their legal systems. These measures serve to prevent governments from abusing the power they have over their citizens, to ensure the law is applied equally to everyone. The legal system, therefore, has devised a set of actors that are supposed to keep each other in check. As a result, various offices must be created to balance each other, bringing competing actors into being intended to neutralize one another's incentives and ambitions, thereby poisoning the powers of the state vis-à-vis its citizens. While this may not seem like an inherently moral undertaking, it is. We must recognize that.

Each of the actors within this system—be they attorneys, judges, members of the legislature, or members of the executive branch—must serve in their role to allow the system to function. These roles cannot be separated from the individual moral compasses of those who fill them. What I call “role morality,” or what your role in the system requires of you, is often distinct from the personal moral system of an individual actor. Role morality, as such, is required for the functioning of the system. And yet, it detaches your own personal ethical compass from the role you take on because morality finds social fulfillment elsewhere.

During FASPE, we discussed several instances in which fellows felt constrained from doing what they thought right by their role in the legal system. I would like to concentrate on just this conflict— a case in which an attorney personally disagrees with specific applicable laws but is still supposed to apply them. How should a lawyer behave in such an instance?

Assuming we are talking about a democratic legal system shaped to uphold the rule of law, a country's laws are made by the legislature. The legislature often consists of individuals elected by the citizens to represent them. Through this representation, the aggregate morality of its citizens is enshrined in the country's laws. In this sense,

there is some connection, even if tenuous, between a nation's laws and the broad moral principles of its citizens.

Questioning the law and how it applies in practice may seem to be a natural aspect of the role of an attorney. By virtue of their profession, attorneys engage with the laws and the way these laws work in practice. Who better to think about the morality of those laws than those are working with them every day? When looking at this issue from the perspective of role morality, however, this outlook becomes problematic.

The role of an attorney is to advise natural and legal persons on the law and to represent them in various proceedings. As such, it is the role of an attorney to be partial and to act in their client's best interest. It is not for them to decide how or whether the law should apply; that is for the judge to decide. Allowing attorneys to call into question applicable laws to the extent that attorneys are in effect deciding which laws should apply (or not apply) paves the way for their unchecked power. The role of an attorney allows for far-reaching scrutiny of the morality of laws. Full rejection, absent judicial power, however, makes each attorney an arbiter of the law. In my view, the role of an attorney cannot work with public and evident disregard for specific laws. What would happen to all the other laws? Does an attorney just get to decide which laws do apply and which don't—solely on the basis of their own moral judgment? With everyone deciding on morality and legality, no one is.

In a perfect world, in which each attorney is a perfect moral actor, this might not be a problem. But given that attorneys may be wrong in their assessment of the immorality of a certain law, this becomes an issue. Especially in today's world, which is filled with “cultural bubbles” and echo chambers, the risk of attorneys feeling righteous in their judgment of the law has grown more immediate. What would happen then? Who has given the attorney the status to decide which laws should and should not apply? As such, the broad disavowal of certain laws by attorneys significantly harms the credibility and legitimacy of the entire legal system. Each then decides for themselves. If attorneys are openly rejecting their role in the legal system, the public receives a message that attorneys do not believe in the legislature and judiciary to do their job, harming faith in the system as a whole.

At the same time, this position has its flaws. As an attorney, I believe in the system that I am playing a role in. I believe that I can stay within my role morality while also acting morally on a personal level by questioning laws in court, so long as I leave it up to the judicial system to decide publicly on my being correct or incorrect. I believe in

the integrity of the judiciary, that the system of representation (though it may be flawed) is working and the laws that are passed reflect broadly shared sentiments in society.

The analysis becomes more contentious when the legal system itself has become corrupted in some way. If you cannot count on the system to safeguard morality, what do you do? During the FASPE trip, we discussed the vulnerabilities of the legal system and the dangers of relying on its functioning, if, for example, it began pursuing evil ends. In those systems, role morality may serve as a tool for personal deception, allowing individuals to escape responsibility for a system that they form an integral part of, a system they uphold. Would, then, playing my role, counting on the system to land on the right decision rather than relying on my (faulty) self to decide on the morality of certain laws, change me into a perpetrator? Counting on the system is thus no solution to this problem.

The solution, perhaps, lies between the two extremes—neither fully relying on yourself, nor relying fully on the system, acknowledging your own, as well as the system's, limitations. Scrutinizing the law you are applying, analyzing the functioning of the system you are in every day—questioning whether you agree with the outcomes of cases you are handling and whether you trust your legal system to do right—these must form the foundation of ethical self-interrogation for attorneys. If all attorneys, judges, legislators, and executives would trust themselves a bit less and question more, perhaps even feel a bit less righteous, we might be able to trust the system to do right in the end.

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### *Notes*

1. C. Montesquieu, 1748, *The Spirit of the Laws*; in: A. Cohler, C. Miller, and H. Stone (eds.), Cambridge: Cambridge University Press, 1989.

# Disintegrating Property: Reflections on Preservation, Memory, and Legal Morality

BY BELLA RYB

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During spring of 2022, I encountered the same problem—the disintegration of property—twice. The first time was in a Property Law course, in which one of our first readings was Thomas Grey’s famed article by that title. Grey introduces the idea that property is no longer a discrete idea of thing-ownership by a person, but actually “a more shadowy ‘bundle of rights.’”<sup>1</sup> Contrary to the popular definition of property as domain over an item or idea, Grey queries the ways in which we sub-divide ownership to the point that the whole notion is called into question. At the time, the piece struck me as conclusory, but it wasn’t until later that I realized why. Grey is right that the legal category “property” is slippery, but this difficulty is not, as he suggests, the result of estrangement between property and the individuals who own it. Rather, as this paper will explore, the concept remains so elusive because of how the legal idea of property is inextricable from its owner’s personal experiences with it.

Ten weeks later and over 6,000 miles from the classroom where I first encountered Grey, I crossed through the gates of Auschwitz. In my mind as I entered were the millions of people, all individuals with their own complex lives and interiorities, who suffered horrifically and then perished there. Nearly a century later, things—personal property—are all that remain of them on those profane grounds: “110,000 shoes; 3,800 suitcases; 470 prostheses and orthopedic braces; more than 88 pounds of eyeglasses...; hundreds of hairbrushes and toothbrushes; 379 striped uniforms; 246 prayer shawls; [and] more than 12,000 pots and pans,” to be exact.<sup>2</sup> Though worn, the items were all recognizable, even familiar, rendering them all the more viscerally striking. The tallitot brought tears to my eyes, the baby clothes bile to my throat, perhaps because they looked hardly worse for the wear than the ones I regularly see on those I love. Almost a century later, time seemed to stand still at Auschwitz.

This meticulous preservation is no coincidence. At the camp, ‘disintegration of property’ is not an intellectual gesture; it is a perpetual concern to which great

resources are devoted.<sup>3</sup> For the curators and historians who work at the memorial site, the phrase is literal: these experts are tasked with preventing the decay of irreplaceable personal artifacts recovered from the death camp. The Museum's website boasts of its extensive preservation department: 141 specialists tasked with "protecting everything that remains at the Auschwitz-Birkenau Concentration Camp site," including the collection of "moveable objects"—the personal relics of the murdered.<sup>4</sup> Their ultimate goal is "to preserve authenticity... to keep the place intact, exactly as it was when the Nazis retreated..."<sup>5</sup>

Even with this formidable team, preventing the disintegration of property presents "a challenge like no other."<sup>6</sup> A problem of "sheer numbers," even the most experienced and committed preservation specialists struggle to devote adequate care to each item when the inventory of shoes is measured in increments of ten thousand.<sup>7</sup> As Witold Smrek, the Museum's chief conservator, explains, "[e]verything needs constant maintenance and restoration ... We are trying to preserve everything we can, but we can do only so much. The problem is that nothing lasts forever."<sup>8</sup> And Nel Jastrzebiowska, a conservator at Auschwitz, summarizes: "[w]e can't stop time ... But we can slow it down."<sup>9</sup> Even so, the Museum's efforts persist, with "the burden of remembrance inform[ing] every aspect of ... restoration efforts."<sup>10</sup>

Various stakeholders accept and even demand this rigor from Auschwitz's preservation campaign.<sup>11</sup> Though the enterprise is not without critics,<sup>12</sup> the educational impact of Auschwitz—enabled in many ways by this superb preservation—is often celebrated.<sup>13</sup> Occasionally, however, Auschwitz's fight against disintegration conflicts with the wishes of those most intimately connected to the property.

Take, for instance, the story of Michel Lévi-Leleu, a French Jew whose father Pierre Lévi was murdered in the Holocaust. In 1940, when Lévi-Leleu was only a year old, Nazi occupation of France triggered the persecution of Jews.<sup>14</sup> Fearing for his family's safety, Pierre Lévi sought to protect his wife and two sons from imminent arrest and deportation by hiding them in the mountains of Haute-Savoie.<sup>15</sup> Mr. Lévi gave to his wife and sons a new surname: Leleu, designed to conceal their Jewish heritage, while the former diamond trader disguised himself as a farmhand near Avignon.<sup>16</sup> Lévi successfully reached his family for a visit once, in the fall of 1942.<sup>17</sup> In April 1943, Mr. Lévi arrived at the Avignon train station, en route to see his family after months of separation.<sup>18</sup> Instead of boarding the train to Haute-Savoie, he was arrested by the SS on the platform, passing through the Orgeval and Drancy transit camps in France

before reaching Auschwitz on July 31, 1943.<sup>19</sup> There is no record of Mr. Lévi following his arrival at Auschwitz; it remains unknown when or how he died.<sup>20</sup>

In February 2005, fifty years after the liberation of Auschwitz, Lévi-Leleu—then a sixty-six-year-old retired engineer—attended an exhibition entitled “The Fate of Jews From France During World War II,” sponsored by the Foundation for the Remembrance of the Shoah in Paris.<sup>21</sup> Such an activity was not unusual for Lévi-Leleu, who had recently started reinvestigating his family’s ties to the Holocaust. Lévi-Leleu read survivor accounts, watched Holocaust documentaries, and even began efforts to officially change his name from “Leleu” to his family’s original “Lévi.”<sup>22</sup> Lévi-Leleu attended the exhibit with his daughter, one step in a larger family enterprise of Holocaust education and remembrance.<sup>23</sup>

At the exhibition, Lévi-Leleu encountered the unthinkable. Behind a glass case was a suitcase inscribed with his father’s name, the address of the family’s last home in Paris, and Mr. Lévi’s prisoner number.<sup>24</sup> While the suitcase was damaged, Lévi-Leleu could still recognize it; he recalled his father carrying it on his final visit to Haute-Savoie.<sup>25</sup> He even noticed his mother’s handwriting on the label.<sup>26</sup> Seeing the suitcase brought back a flood of memories of Lévi-Leleu’s early childhood in hiding. He told *Le Monde*, “I remember my father telling me that if they asked me my name, I had to say Leleu. He made me understand that it was a matter of life and death not to say who I was.”<sup>27</sup> Since the suitcase appeared in the midst of Lévi-Leleu’s process of reclaiming his pre-Holocaust Jewish identity, he “saw in the suitcase something like a sign.”<sup>28</sup>

Lévi’s suitcase was not permanent property of the Parisian foundation but rather belonged to Auschwitz. It was slated to return to the extermination camp by June 30, 2005.<sup>29</sup> Upon learning that his father carried the suitcase on his journey to the camp, Lévi-Leleu immediately realized that he “wanted it to stay here, not to put it in a cupboard at home, out of everyone’s sight, but so it could be shown to everyone in Paris...[he] didn’t want it to repeat the journey that it had already made to Auschwitz.”<sup>30</sup>

Lévi-Leleu immediately made his wishes known to the French foundation, which attempted to negotiate with Auschwitz for the suitcase to remain in Paris.<sup>31</sup> Auschwitz was unpersuaded, demanding the return of the suitcase on the grounds that the artifact was crucial to preserving “the history and proof of existence of the Auschwitz camp.”<sup>32</sup> Piotr Cywinski, director of the Auschwitz Museum, cited a “risk of precedent”—that the return of the suitcase might generate many other restitution

claims.”<sup>33</sup> Lévi-Leleu rejected such allegations, unequivocally declaring “I am not trying to empty the Auschwitz museum.”<sup>34</sup> But Lévi-Leleu’s pleas were to no avail. The International Auschwitz Council only extended the loan of the suitcase until January 2006.<sup>35</sup>

Lévi-Leleu filed suit against the Auschwitz-Birkenau State Museum before the Tribunal de grande instance in Paris in December 2005, a few weeks before the suitcase was due to return.<sup>36</sup> In the suit, Lévi-Leleu claimed legal ownership of the suitcase.<sup>37</sup> The Court “ordered for the immediate confiscation and sequestration of the suitcase by the Parisian authorities pending a final court decision on the matter,” leaving the item on display in Paris for the duration of proceedings.<sup>38</sup> On June 4, 2009—after trial had finished but before a ruling—Lévi-Leleu and the Auschwitz Museum reached a settlement.<sup>39</sup> Auschwitz agreed to loan the suitcase to the Shoah Museum in Paris where Lévi-Leleu discovered it “on a long-term basis.”<sup>40</sup> In exchange, Lévi-Leleu agreed to drop all claims of ownership, allowing his father’s suitcase to remain the property of Auschwitz.<sup>41</sup>

While Lévi-Leleu ultimately prevailed in his fight to keep the suitcase in Paris, the Museum’s reaction to his claim to ownership reveals the limits of the legal concept, “the disintegration of property.” To this day, “the Museum denies that [the suitcase] ever belonged to Pierre Lévi despite all its identifying markings,” ignoring Lévi’s prisoner number and address on the suitcase.<sup>42</sup> Critics have attacked Auschwitz for its unyielding claim to ownership, calling it a “relatively weak ethical and legal claim”<sup>43</sup> and alleging that Auschwitz contends that “their rights to the stolen property of a murdered man are greater than those of his son.”<sup>44</sup> Jacques Freidj, director of the Memorial in Paris, lamented the outcome: “[t]his is really a special case ... If it had been treated with more sensitivity, it would have been a non-event. It’s really a shame.”<sup>45</sup>

Disregarding such criticisms, Auschwitz reaffirmed their unwillingness to return persona items to survivors and their families, this time with the European Union’s support. In 2009, an EU summit convened to resolve the issue of “property plundered during the Holocaust and World War II.”<sup>46</sup> According to a press release issued by the Museum, “[t]he final declaration acknowledges the need to regulate the ownership of property that was nationalized or formally confiscated by the Third Reich or postwar administrative decisions, as well as during the common plundering that accompanied military action, by restitution or compensation.”<sup>47</sup> But despite this professed commitment to restitution, the delegation concluded that, “[i]n the case of Holocaust



victims ..., the principle of restitution could ... threaten the integrity of Memorials founded on the ruins of the camps.”<sup>48</sup> Thus, the EU exempted Holocaust survivors and their families from a broader policy of restitution. The European Union declaration’s justification for such a policy is as follows:

As the era is approaching when eye witnesses of the Holocaust (Shoah) will no longer be with us and when the sites of former Nazi concentration and extermination camps will be the most important and undeniable evidence of the tragedy of the Holocaust (Shoah), the significance and integrity of these sites including all their movable and immovable remnants, will constitute a fundamental value regarding all the actions concerning these sites, and will become especially important for our civilization including, in particular, the education of future generations. We, therefore, appeal for broad support of all conservation efforts in order to save those remnants as the testimony of the crimes committed there to the memory and warning for the generations to come ...<sup>49</sup>

Yet again, refusing restitution finds justification in the need to preserve property to testify to the reality of the Holocaust once all survivors are deceased. Holocaust remembrance, in other words, requires the property of the dead to stand in for victims and survivors themselves.

As a result, these defenses often personify property. For example, Anna Lopuska—an Auschwitz employee—advocates preservation because “[w]ithin 20 years, there will be only these objects *speaking for this place*.”<sup>50</sup> Through this anthropomorphism, preserved objects are figured as capable of offering testimony of their own, comparable to the speech of the deceased they come to symbolize. Likewise, the Auschwitz Museum contends that possessions of the murdered are “objects of a special nature, special meaning, and special symbolism” capable of “bear[ing] witness not only to the scale of the plunder carried out by German Nazis, but also to the suffering and death of their owners...”<sup>51</sup> Commenting on the decision not to return Lévi’s suitcase, Piotr Cywinski, secretary of the International Auschwitz Council, equates preserving and displaying personal relics at Auschwitz to “preserv[ing] the memory of the disappeared.”<sup>52</sup> When personal property is understood as a collection of ersatz victims, it is no wonder that preservation takes precedence over all else: it literally becomes life-saving work.

Perhaps this rhetoric is compelling because it reflects a long tradition of property's intimate relationship with personhood. After all, when seeking to define inalienable human rights, Locke wrote of life, liberty, and property.<sup>53</sup> Likewise, as Grey notes in his article, "Kant began his discussion of law in the *Metaphysics of Morals* with an analysis and justification of property rights."<sup>54</sup> The Charter of Fundamental Rights of the European Union declares that "[e]veryone has the right to own, use, dispose of and bequeath his or her lawfully acquired possessions."<sup>55</sup> Our willingness to accept the personal property of the deceased as sacred—as symbolic of the person—is partly because this longstanding notion suffuses the political and moral culture of the liberal West.

Regardless of its origin, the way Auschwitz justifies its rightful ownership of the suitcase reveals that much more is at stake in the property dispute than merely the correct legal allocation of a commodity. This controversy has little to do with the various lawsuits seeking restitution for Nazi-looted art. In those situations, enormous economic value—as much as \$135 million for a single painting—is at stake.<sup>56</sup> Pragmatically speaking, the Lévi suitcase is just a suitcase—an old, broken, unusable piece of luggage; its monetary value is negligible, certainly not worth a protracted legal dispute. And yet, it took nearly four years, immense legal expense, and a protracted trial for a retired engineer and a world-class museum to reach a compromise over to whom the suitcase belonged. The court is insufficient when faced with such a deeply human, yet wholly nebulous, conception of property; the suitcase contains meanings which the legal infrastructure for adjudicating property disputes is not skilled at valuating and which raise a host of complex moral queries.

This fissure—the inability to adjudicate the problem of individual and interpersonal value—calls into question the ways in which law can be relevant to property and what it means to those closest to it. It is unknowable how the Court would have resolved Lévi-Leleu's claim of ownership, as the parties settled before any verdict was reached.<sup>57</sup> An analysis of French property law might weigh in favor of one party or the other. But perhaps the so-called "legal reality" of the situation is irrelevant. Perhaps Lévi-Leleu sought from the Court not a legal conclusion, but a moral judgment, an edict expressing and recognizing what Lévi-Leleu experienced and its value to his family.

With this in mind, I would suggest that Lévi-Leleu's desire for property rights reflects his experience of the property's underlying connection with dehumanization, memory, and agency—all issues raised by his father's murder at Auschwitz. Auschwitz's

demand of formal property rights, meanwhile, follows from the Museum's steadfast belief that their control over property is the only way to ensure its careful preservation, which in turn honors Holocaust victims and ensures that future generations encounter the Holocaust's horrors. The Museum must own the item to ensure it can do what it, in their eyes, must.

The dispute also reflects a struggle over the significance of Pierre Lévi's life. Lévi-Leleu feels entitled to the suitcase because it was his father's; to him, the property is a proxy for the man, who ought to be remembered as a multifaceted, complex, and beloved individual. In contrast, Auschwitz assesses the suitcase and therefore Lévi's significance not on the basis of his personal identity, but on his status as a victim of the Holocaust. By reducing Lévi to merely an object of tragedy rather than an individual, Auschwitz introduces a third level of symbolism: the suitcase as a stand-in for Lévi, who is in turn a stand-in for a universal Holocaust victim. At Auschwitz, Lévi's suitcase would not be displayed individually with his name attached—a commemoration of the death of a distinct individual—as his son hoped it would be in Paris. The Museum would simply add it to a mountain of suitcases—each indistinguishable from the next—designed, through sheer magnitude, to make a point about the scale of the Holocaust. The half-legible text on the worn leather would be an etching echoing the past, not a man's identifying mark. In Auschwitz's matrix, then, Pierre Lévi the person should not be remembered at all—only his contribution to the camp's staggering death toll is worth noting, a way to communicate the sheer horrors of mass death and genocide. Control over the suitcase, then, becomes more than a question of property; it becomes a way of determining how to commemorate someone's life and the meaning ascribed to that life in death.

When faced with such sensitive, even existential, questions, courts seem to provide easy answers. Those solutions might be legally defensible, but they are orthogonal to the underlying ethical questions regarding the memory and humanity of someone who was murdered at an extermination camp simply because he was a Jew. Many court cases involve ethical or personal disputes not easily resolved by legal fiat. A tenant seeks damage from a landlord with whom relations have long been strained, a man goes to small claims court over the accidental destruction of a cheap but beloved possession—these are more-or-less typical situations in our country where relationships and questions of the human spirit come up against, and are translated by, the law. The Lévi suitcase dispute, however, goes beyond what is typical; it exemplifies—in the baldest terms—how the legal system is often used to mediate

controversies which are not really about the law, but about higher-order questions which the law's rigid institutional strictures prevent it from meaningfully engaging.

If the law, then, offers incomplete (and at times hurtful) guidance, we must have some other criteria for resolving such a high-stakes property dispute. I propose that justly deciding the fate of the Lévi suitcase would have required clarity on what Holocaust remembrance means. Only when we clarify what that complex and meaningful mission demands will we be able to determine how the suitcase's ownership can both honor Pierre Lévi and the memories of all others lost in the Shoah.

The Auschwitz Museum's present approach to Holocaust remembrance prioritizes historical authenticity, presupposing that it most effectively memorializes these atrocities.<sup>58</sup> Moreover, Auschwitz contends that "the authenticity of the Auschwitz-Birkenau site...further[s] a deeper understanding of the origins of intolerance, racism, and anti-Semitism."<sup>59</sup> By turning to authenticity here, then, the Museum argues that we can better prevent prejudice, bigotry, and worse.

Auschwitz's commitment to preservation as a form of Holocaust remembrance is valuable, but, as shown above, incomplete. Perhaps a memorial site ought not just consider the end of accurate preservation, but the means which permit that preservation. As James Forsyth summarizes, "[d]ocumentary evidence at places like Auschwitz is important. But considering the evil history of the place, it is imperative that it is freely given, not expropriated."<sup>60</sup>

Applying this insight to the Lévi suitcase dispute prompts consideration of whether refusing a survivor's direct descendant ownership of property perpetuates the dehumanizing harm of Nazi seizure of property. As part of the regime of Aryanization begun by the Nuremberg Laws, in 1938 "[t]he government made it legal to confiscate Jewish property."<sup>61</sup> These changes were components of a broader legal scheme stripping Jews' rights, including their citizenship, right to vote, right to marry gentiles, right to participate fully in the economy, and right to emigrate.<sup>62</sup> Loss of property protections under the Nazi regime was thus a part of systematic dehumanization that ultimately paved the way to extermination camps like Auschwitz-Birkenau.

I do not mean to suggest that Auschwitz intends to perpetrate dehumanization, nor that Lévi-Leleu's property rights over the suitcase are equivalent to the property rights Jews lost under the Third Reich. But Lévi-Leleu himself understands

Auschwitz's unwillingness to surrender the suitcase as related to the dehumanizing violence committed against his father, lamenting that "[i]t's sad, after what the father went through, that the son has to fight for the suitcase to remain in France."<sup>63</sup> As one study of Holocaust property restitution explains, "when the law...denies relief to Holocaust survivors or their heirs seeking to reclaim property being displayed by museums...[t]he law reinforces the victimization and thefts suffered at the hands of the Nazis. When demands for return of the objects are denied, new emotional wounds are inflicted."<sup>64</sup> If Lévi-Leleu experienced loss of property as an echo of Nazi violence, might this be enough to suggest that Auschwitz is perpetuating a version of the harm it claims to stand against? Immaculate preservation is one way to honor the memory of those lost. But might returning the suitcase to the family from whom the Third Reich stole it constitute remembrance through resistance?

These sorts of questions are essential, even as they stand outside the purview of the legal system. They are, in their way, prior to it, forming the backdrop against which law is made. The legal system, in other words, is empowered to allocate disputed property. It cannot, however, truly impart justice in situations in which such conflicts are not about economic value, but instead are expressions of higher-order moral concerns.<sup>65</sup>

After confronting the dehumanization faced by his father under the Nazi regime, Michel Lévi-Leleu turned to the law to offer a just resolution as to the proper owner of his father's suitcase. Regardless of how the courts would have resolved this dispute, the answer would have been immaterial because it would have answered an entirely different question. Courts purport to be institutions of justice, but they are only able to offer solutions prescribed by the rigid strictures of the law—a system which holds enormous and diverse symbolic values for individuals, but which is not built to decide disputes which in fact arise from subjective experiences behind and beyond legal ideas. Ethical legal practice, then, demands recognition of the inherent limitations of legal institutions and the resolve to reach beyond their bounds for conflict-resolution venues better able to grapple with the complexities of moral decision-making.

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## Notes

1. Thomas C. Grey, *The Disintegration of Property* 22 Nomos 69, 69-70 (1980).
2. Rachel Donadio, *Preserving the Ghastly Inventory of Auschwitz*, N.Y. Times (Apr. 15, 2015), <https://www.nytimes.com/2015/04/16/arts/international/at-auschwitz-birkenau-preserving-a-site-and-a-ghastly-inventory.html>.
3. See Andrew Curry, *Can Auschwitz Be Saved?*, Smithsonian Mag. (Feb. 2010), <https://www.smithsonianmag.com/history/can-auschwitz-be-saved-4650863/>. (“The Polish government in 2009 asked European nations, the United States and Israel to contribute to a fund from which the Auschwitz museum could draw \$6 million to \$7 million a year for restoration projects, on top of its more than \$10 million annual operating budget. Last December, the German government pledged \$87 million—about half of the \$170 million target endowment.”)
4. *Preservation*, Auschwitz-Birkenau Memorial and Museum (last visited Aug. 11, 2022), <https://www.auschwitz.org/en/museum/preservation/>.
5. Donadio, *supra* note 2.
6. Curry, *supra* note 3.
7. *Id.*
8. Timothy W. Ryback, *Evidence of Evil*, New Yorker (Nov. 7, 1993), <https://www.newyorker.com/magazine/1993/11/15/evidence-of-evil#:~:text=Since>.
9. Donadio, *supra* note 2.
10. Curry, *supra* note 3.
11. See, e.g., Chris Johnson, *Fight Against Time to Preserve Auschwitz*, Reuters (Jan. 30, 2007), <https://www.reuters.com/article/us-auschwitz/fight-against-time-to-preserve-auschwitz-idUSL2791329420070131> (“Israel Gutman, a former Auschwitz prisoner and adviser to the Yad Vashem holocaust institute in Israel, is determined the camp will be conserved as long as possible, whatever the cost.”); Curry, *supra* note 3 (“There is no more forceful advocate for the preservation of Auschwitz than [survivor] Wladyslaw Bartoszewski”).
12. See, e.g., Curry, *supra* note 4 (“Robert Jan van Pelt, a cultural historian in the school of architecture at the University of Waterloo in Ontario, Canada, and the leading expert on the construction of Auschwitz...supports the preservation of the Auschwitz main camp, although he acknowledges it is a “kind of theme park, cleaned up for tourists.” Van Pelt also suggests that “letting Birkenau disintegrate completely would be a more fitting memorial than constantly repairing the scant remains.”).
13. See, e.g., Anna Bussu, Peter Leadbetter, & Michael Richards, *The Perception of Visiting Holocaust Sites on Undergraduate Students Learning Processing*, Innovative Higher Education (2022), <https://link.springer.com/article/10.1007/s10755-022-09606-9> (finding that visiting Auschwitz “improved student perceptions of their learning experience and understanding of the Holocaust”); Sarah Cassidy, *Auschwitz: School Trips Are Helping Children Fight Discrimination at Home*, Independent (Sept. 30, 2015), <https://www.independent.co.uk/news/education/education-news/auschwitz-school-trips-are-helping-children-fight-discrimination-at-home-a6674351.html> (discussing how students feel visiting Auschwitz “had not only helped them understand the history of the Holocaust but also had important wider lessons.”).
14. Alan Riding, *The Fight Over a Suitcase and the Memories It Carries*, N.Y. Times (Sept. 16, 2006), <https://www.nytimes.com/2006/09/16/arts/design/16ridi.html>.
15. *Id.*
16. *Id.*
17. *Id.*
18. *Id.*
19. *Id.*
20. *Id.*
21. *Id.*
22. Pascal Ceaux, *Sixty Years of Pain in a Suitcase*, Le Monde (Sept. 2, 2006).
23. Anne Laure Bandle, Raphael Contel, & Marc-André Renold, *Auschwitz Suitcase: Pierre Lévi Heirs and Auschwitz-Birkenau State Museum Oswiecim and Shoah Memorial Museum Paris*, ArThemis Art-Law Centre, University of Geneva (last visited Aug. 11, 2022), <https://plone.unige.ch/art-adr/cases-affaires/auschwitz-suitcase-2013-pierre-levi-heirs-and-auschwitz-birkenau-state-museum-oswiecim-and-shoah-memorial-museum-paris>.
24. Riding, *supra* note 14.

25. *Id.*
26. Ceaux, *supra* note 22.
27. *Id.*
28. *Id.*
29. Riding, *supra* note 14.
30. *Id.*
31. *Id.*
32. Bandle et. al., *supra* note 23.
33. *Id.*
34. Riding, *supra* note 14.
35. *Id.*
36. Bandle et. al., *supra* note 23.
37. *Id.*
38. *Id.*
39. *Id.*
40. *Id.*
41. *Id.*
42. Jennifer Anglim Kreder, *The Holocaust, Museum Ethics, and Legalism*, 18 Rev. of L. & Soc. Just. 1, 26 (2008).
43. Bandle et. al., *supra* note 23.
44. James Forsyth, *Historical Baggage*, Foreign Pol'y (Aug, 18, 2006, 7:57 PM), <https://foreignpolicy.com/2006/08/18/historical-baggage/>.
45. Riding, *supra* note 14.
46. *EU Summit: Better Protection for Memorials*, Auschwitz-Birkenau Memorial and Museum (June 30, 2009), <https://www.auschwitz.org/en/museum/news/eu-summit-better-protection-for-memorials,587.html>.
47. *Id.*
48. *Id.*
49. *Id.*
50. Donadio, *supra* note 2 (emphasis added).
51. *Historical Collection*, Auschwitz-Birkenau Memorial and Museum, <https://www.auschwitz.org/en/museum/historical-collection/> (last visited Aug. 11, 2022).
52. *Legal Action Over Holocaust Personal Belonging*, Ynet News (Aug, 10, 2006, 14:01), <https://www.ynetnews.com/articles/0,7340,L-3289287,00.html>.
53. John Locke, *Two Treatises of Government* 269 (Thomas Hollis ed. 1764).
54. Grey, *supra* note 1, at 73.
55. 2007 O.J. (C 303) 17.
56. Kreder, *supra* note 42, at 3 (“The value of the art comes to mind for many. One Klimt painting restituted in 2006 was worth \$135 million—close to the highest value ever paid for any work of art. One expert estimated that \$700 million of art was restituted between 2001–2006.”).
57. Bandle et. al., *supra* note 23.
58. *See History*, Auschwitz-Birkenau Memorial and Museum (last visited Aug. 11, 2022), <https://www.auschwitz.org/en/history/> (“Memory is not something that is acquired once and stays on forever. The moment that the last eyewitnesses and survivors pass away, we have to work together to build on that which remains: the testimonies of those former prisoners and the authentic artifacts connected with Auschwitz. Each item can have its own enormous meaning and should find its place in the collection of the Auschwitz Memorial. Here, it will be preserved, studied, and displayed. Its place is here.”)
59. *Mission Statement* Auschwitz-Birkenau Memorial and Museum (last visited Aug. 11, 2022), <https://www.auschwitz.org/en/education/iceah-general-information/mission-statement/>.
60. Forsyth, *supra* note 44.
61. Shoah Resource Center, *Anti-Jewish Legislation*, Yad Vashem (last visited Aug. 11, 2022), [https://www.yadvashem.org/odot\\_pdf/Microsoft%20Word%20-%205741.pdf](https://www.yadvashem.org/odot_pdf/Microsoft%20Word%20-%205741.pdf).
62. *Id.*
63. Ceaux, *supra* note 22.
64. Kreder, *supra* note 42, at 7-8.
65. *See* Kreder, *supra* note 42, at 6 (“property law...cannot provide an adequate framework for analyzing a claim to a low-cost object lost during the Holocaust...”).

# Two Poems

BY ITAI THALER

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## The Guide at Wannsee

says “there’s no such thing as Jewish blood.”  
I’d quibble, but I’m stuck on the boats  
outside the conference room window. White sails crisp  
like pressed napkins on a glass table—picture book setting  
for small talk logistics, Monopoly piece  
haggling. Had anyone else caught themselves bored,  
staring out that window?

The guide says we know they served brunch after.  
German fare? Blutwurst  
and hearty ryes. Or maybe a bit more  
aspirational: French croissants,  
good sturgeon caviar. Did anyone else’s stomach rumble?

Yesterday I sat in a cafeteria  
where they invented hell and I swear to God I was  
          hungry. Call it blood betrayal or life affirmation & He Did Not Win. But really,  
I had just  
skipped breakfast—because I have my grandmother’s  
stomach and we had had a long bus ride.

The guide at Wannsee doesn’t seem to know  
that every cell in my body is marked.  
Blood on the doorpost; nose like a 6.  
Sciatic nerve strain  
from wrestling angels. Each fiber  
          folded. Each double helix  
threaded with light blue.



## Two Days at the Museum

I tell my boss I'm back from Poland, he asks—  
did you visit the museum? There are hundreds. Of tolerance?  
Of Galician Jewry? I ask which. The punchline: he  
meant the camps.

Yes.

I visited the museum.  
I can throw my gin and tonic in his face.  
I can tell him off, or run.  
Instead I do what Jeff tells me and  
afford grace. Sure, history behind  
glass—a place to visit and leave, look at all  
the neat exhibits. Yes,  
I visited the museum:

At the museum everyone  
buys a ticket. At the museum they have tour guides,  
audio devices. Outside the museum they have metal detectors,  
although I don't ask why.

At the museum they have artwork—portraits. Rows  
and rows. More portraits  
than any museum you will ever go to. The style is simple—  
the artists staged the models looking through you.

At the museum they play a film on loop,  
a montage of life before the Museum. Choreographed  
swimming. Children dancing. All moving in that stop-motion,  
Charlie Chaplin sort of way. The movie is scored simply,  
pianos chiming. The music is effective.

At the museum there are ruins. Bricks and rubble, archeology.  
They've reconstructed what the buildings  
might have looked like then. You imagine walking  
through them. The museum tells you not to touch.

They let every country curate a wing. In one,  
there is a sheet of paper as tall as I am  
with my name on it one hundred times. Inside the museum  
I took my sandals off—to feel  
that same grass;  
or because I stood on holy ground. The museum

does not allow souvenirs. But I'll keep  
the feel of grass. I'll keep the list  
that stood to my shoulders. I'll keep the film  
looping behind my eyelids.  
The children will dance infinitely.

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MEDICAL



# Rounding in the Morning, News in the Evening

BY TESSA ADZEMOVIC

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When I was little, my family's living room TV was always turned to CNN. My parents watched from our one-bedroom apartment in Toronto as their home city, Sarajevo, burned to the ground. Meanwhile, only three years old, I begged to put on *Sesame Street*. My parents, Bosnian immigrants who moved to North America in the 1990s, built a new world while their old one crumbled. I grew up in this so-called "new" world, with the knowledge that the rest of my extended family was living in the other.

Now, I am a third-year resident in Medicine and Pediatrics at the University of Michigan in Ann Arbor. In August of last year, the state of Michigan began to welcome new arrivals from Afghanistan—individuals forced out of their home country by the Taliban. My continuity clinic, located in a small shabby building on a historical street in the city of Ypsilanti, Michigan became the primary care site for many of them. In Afghanistan, only 17% of the country's 2,300 health clinics are currently functional. What that means is that many of the Afghani refugees who are resettling in Michigan have never been seen by a physician. I, in other words, have the great privilege of being their first doctor.

The Afghani adolescents I see in my clinic remind me of my cousins still living in Bosnia. They were stripped not only of their high school education but the important memories that come during that time—first kisses, high school dances, soccer games.

Recently, one of my patients proudly showed me his transcript from his high school in Kandahar province. "93%" he stated, signifying his approximate grade point average. I responded by telling him he should go to college here, and he stated, "I will." Another patient of mine is a young woman from Kabul who speaks four different languages: Pashto, Dari, Uzbek, and Farsi. She explained to me how she gets abdominal pain when she gets angry. She told me keenly, "this is somatization". She worries daily about the mental health toll this crisis will take on all Afghani refugees.

Meanwhile, *I* worry about the clinical care I'm providing to my new patient panel. Or more frankly, I carry a serious ethical concern regarding how to provide complete, culturally humble, and empathetic care to these non-English speaking populations.

Most of my patients now speak Pashto or Dari, languages I do not. In clinic, we use phone interpreters—but with the influx of patients, these phone interpreters are in high demand and sometimes, we can't get a hold of one. In these situations, if I am lucky, a family member speaks English, presenting another ethical dilemma: how can I ask a daughter to translate to her father, "are you sexually active?". If I am unlucky, it means examining a patient without being able to fully explain the care they are receiving—imagine performing a pap smear and having the interpreter call drop halfway through. Just the other day I spent half an hour trying to obtain a history on a seven-month-old with acute otitis media—only to realize that the interpreter and my patient's mother spoke completely different dialects.

These questions of language and interpretation, however, are still overshadowed by the challenges surrounding cultural humility and understanding.

This past winter, I had a twelve-year-old Afghani refugee come into clinic with her mother for a well-child visit. After I had stepped into the room and introduced myself, her mother asked me to examine her daughter's hymen. She explained to me that this was important to her faith community, that if her daughter's hymen were torn, she would never be able to get married, as the implication would be that she was no longer a virgin. When I began to explain that a hymen can be broken without the act of intercourse, she said it didn't matter. I developed a cold sweat, wondering if I were missing something. I declined to do the exam and then spent the rest of the evening wondering if I had ruined any and all possible rapport with the family. I would later learn that the UN had recently come out against this so-called virginity testing, in a global call to end violence against women and girls. There was no class in medical school on this; I worried about what other things I could be doing wrong, things I could possibly be missing.

Many of my new patients have not received medical care in years, as seeking it would have meant risking their lives. I perform well-child visits that often feel irrelevant ("do you have a car seat?", I ask. "We don't have a car," they answer). During my intake visits, I cover a miniscule amount of what I feel I should. How could it be otherwise at a busy clinic with limited resources operating according to market logic? My appointments are scheduled for 20 minutes. Spending more time with one child means less time with the next. It doesn't just mean sacrificing listening to stories and

offering empathy, it often means prioritizing only necessary vaccines and prescriptions. It is an ugly and inevitable truth.

But most of my training has not been in this fast-paced ambulatory setting; rather, it has been under the canopy of my large pediatric hospital, the same hospital where I first learned the language of medicine as a medical student. During my first two years of training, the hospital became a sanctuary: spending 70-90 hours a week there, my days on service still consist exclusively of eating, sleeping, and taking care of my patients. I reveled in how the white walls and fluorescent lights immersed me, in its ability to let me let go of everything that did not reside within its walls.

It's easy to recognize both the beauty and the danger of this.

After the pandemic cast a shade on my internship year, I dove deeper and deeper into that sacred space to absolve myself of my guilt for ignoring the other things, things that felt too large and too painful: global vaccine inequities, increasing pediatric gun violence, and the racially skewed infant mortality rate in Michigan.

In no uncertain terms, the hospital had become my real-life *Sesame Street*, a way to ignore the frequent injustices on the outside by making small fixes on the inside. My mother, an architect, once referenced an ABC *20/20* special filmed in 2001 about a surgeon couple who didn't know who was running for president during the Bush v. Gore election. She used this story to point out an embarrassing reality: that either intentionally or unintentionally doctors often lose sight of the world around them. I took a silent vow to myself that I would never be this way, and yet here I was, focusing on supplementing potassium, while suicide rates for adolescent populations were at an all-time high.

My Afghani patients reminded me on a weekly basis, however, that ignorance was no longer an option. Soon, they were being admitted to my safe haven, the hospital, which for them was anything but. This past winter, a three-year-old patient of mine was admitted to our community hospital. In referring to him, one provider said, "It appears the pediatrician and the patient's family have been unable to get in touch since the patient's initial visit because the pediatrician didn't have the family's contact information and the family didn't have the pediatrician's contact information." After his discharge, I called repeatedly and was never able to reach them. I worried—had they been relocated (several families were moved from one resettlement center to another)? Had they switched pediatricians (I swallowed my pride)? Or did they just not have the resources (a phone, transportation) to come in?



Then it was February 2022, and after seven years of war, Russia invaded Ukraine. On March 10, there was an attack on a Women's and Children's hospital in Mariupol—a hospital hardly all that different from mine. The attack left three people, including one child, dead. The footage reminded me of reporting in Sarajevo from thirty years before, memories I wasn't sure I owned myself or if I had adopted through hearing about them throughout my childhood. A picture of a Bosniak pediatric surgeon carrying a child out of a burning building remained seared into my mind. It reminded me of the stories my Afghani patients told about standing at the airport waiting to be evacuated, stories they are now starting to chronicle.

What I realized was that the hospital could no longer be my sacred space, that “never again” cannot truly be never again if physicians are not taking an active role in the protection of their patients both inside and outside of the hospital walls.

The remedy lies in working toward systemic change, assembling physicians to advocate for our refugee populations. It is my individual responsibility to ensure I have learned, to the best of my ability, about Afghanistan's geopolitical context as well as medical practices. It will mean many uncomfortable and humbling moments and it will mean striving tirelessly to provide the most compassionate, ethical care possible. It will be a lifetime of trying to implement appropriate policy and protecting healthcare for all, recognizing that healthcare is a human right no matter where you are from, what language you speak, or the color of your skin. Ultimately, it's the physician's prerogative, our communal service: we must not absolve ourselves of the duty to be informed; we must attempt to bend existing social assumptions. As Mohsin Hamid's *Exit West* so firmly attests, “everyone migrates, even if we stay in the same houses our whole lives, because we can't help it. We are all migrants through time.”<sup>1</sup> It is our common humanity that begs us to remember that genocide can be stopped, that health is more than what happens in the hospital, that mortality rates are largely governed by the world outside of the clinical domain.

Now, while on service in the hospital, my Daily *CNN* Top 5 e-mail newsletters pile up in my inbox as clinical pages come through to my phone. But rather than beg not to watch the news, I recognize that this is exactly what I signed up for—rounding on patients in the morning and watching the news in the evening. These two activities are inextricably linked. The inside and the outside cannot be disentangled. As Dr. William C. Bell said in a 2011 speech, “We cannot rest until all children are well; we

cannot be satisfied until all children are well; we cannot say my family is OK until all children are well.”<sup>2</sup>

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**Tessa Adzemovic** was a 2022 Medical Fellow. She is an Internal Medicine-Pediatrics resident at the University of Michigan.

### *Notes*

1. Hamid, Mohsin. *Exit West* (Riverhead Books, 2017), 221.
2. Bell, William C., “Keynote at the 2011 Latino Health Access Tamalada,” <https://www.casey.org/lha-celebration/>.

# Our Nature

BY CLAIRE ROSEN

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*If you wound the body of a dying man, the wound will begin to heal, even if the whole body dies within a day. – Primo Levi<sup>1</sup>*

I worry that we learn and practice in a world where surgeons are incentivized to operate, prioritizing the treatment of wounds over care for the dying. As with all things in life, we are ruled by time and money. But cultural expectations also play a role: we're influenced by the litigious nature of modern American society, by our hesitancy to sacrifice any form of success. Extrinsically and intrinsically, selfishly and well-intentioned, there are myriad reasons for surgeons to act on diagnosed injuries and physical abnormalities. But treating wounds without a focus on the whole patient shouldn't be the role of the surgeon, no matter the incentives. To re-prioritize treating the patient over the wounds, to provide the care that our patients deserve, we should recognize the force of these motivations and work collectively to overcome them, using our scalpels when we *should* and not only because we *can*.

In medicine, time is always of the essence, and always insufficient. When a patient is transferred into our care, perhaps teetering on the edge between life and death, time matters. We learn to triage and treat within the golden hour of patient presentation; our quick actions can save lives. Outside of those emergent settings, time is still of the essence, and meaningful conversations with patients about their life goals, and about whether our surgical care can support those goals—these take time.

A few months ago, I spent longer than a golden hour on the phone with a septic patient's daughter. Her father was transferred to our institution with a perforated (metastatic) esophageal cancer, previously deemed unresectable, his health too poor for even palliative chemotherapy. Even though she knew his days were numbered, this acute problem came as a surprise, and the idea of not trying to fix it, of his dying more quickly than she'd expected, was overwhelming. She searched her mind for memories of his stated wishes as I scoured his medical record for palliative care and oncology notes, both of us finding evidence of his consistent and persistent refusal of feeding tubes, drains, or any invasive procedures. As she cried about her mixed fears, torn in opposite directions between letting go now, or treating him with a surgery he

may not even want, the intensive care unit pushed our team to decide faster while he slipped into worsening sepsis, delirium, and instability. Speaking with his daughter was not only time-consuming but also emotionally exhausting. While I could have been basking in the instant gratification of operating, I was instead trying to explain to a daughter her father's dismal prognosis regardless of treatment, discussing life and death and the often-un-miraculous realities of modern medicine. When she eventually decided upon pursuing comfort measures, I told my attending that it would have been easier just to operate. He agreed.

Patients value our abilities to interact as humans, to relate honestly and openly,<sup>2</sup> sometimes even more so than our technical abilities. These interactions, for all their importance, can take meaningful time away from the operating room, from other patients, from rest amidst a 24-hour shift, and from the money we earn by operating (especially if a patient chooses not to pursue surgery). Medicine is a business, and operations are a major source of income for hospitals.<sup>3</sup> Working within such wearying time constraints, incentivized to operate over taking time to connect, surgeons must dig into reserves of empathy to see beyond diagnosable and treatable injuries. I worry that my ability to empathize will wane as I grow more jaded, that my patience will grow thin, that I too will value the financial incentives behind my knife. Recognizing this now will, I hope, act as a bulwark against degradation, to stave off this transition. But it won't be easy, and I certainly can't do it alone.

Even this fear isn't so simple: empathy, when misdirected or overzealous, can incentivize us to treat diagnoses over people. As often as we repeat anecdotes like "not everyone needs to die with their belly sliced open or a limb cut off," it's hard not to act. It feels wrong not to offer a possible surgical intervention when medical colleagues call, searching for help and any possible solution for their patients in distress. Even if we think that the likelihood of benefit is overshadowed by the risk of an operation, it can go against our nature turn away from action, to leave our colleagues and patients feeling untreated or abandoned.

When the 22-year-old, lung transplant patient was found down in his hospital room, he received seven minutes of chest compressions before his heart started beating again. When his belly distended, when his imaging showed ischemic intestines and liver, and when his vital signs continued to worsen, we rushed him to the operating room for a "Hail Mary" operation, wanting his parents, our medical colleagues, and ourselves to feel that we had tried *everything* for this young person. But when his purple and black intestines were too dilated to squeeze back into his abdominal cavity

after we cut him open, I felt the powerlessness of surgical steel in my hands; I saw and lamented a life already claimed by death. And yet—it felt good to tell the patient’s family that we had done *everything*, even when we knew everything wouldn’t work.

When I talk about cases like that, about what we should have (or should not have) done instead of operating, I have one mentor who tells me to imagine myself in court. He asks me what choice I would feel more comfortable defending should the patient die, and their family sue. He preaches the notion of an effective safety net around treatment; people, after all, have more confidence in a surgeon who does everything they can than in a surgeon who doesn’t seem to try. In our litigious society, in which over 63% of general surgeons are sued during their careers,<sup>4</sup> these concerns are real. But defensive surgical action shouldn’t be the answer. It’s not equal to good medical practice and doesn’t reduce malpractice claims or improve outcomes.<sup>5</sup> Though often not with malintent, defensive surgery is a poorly understood, and sometimes harmfully executed, defense mechanism. If we communicate better with our patients, maybe we can alleviate these fears of litigation; maybe skill in comforting those in need is just as much a part of surgery as operating.

It’s an intrinsically human thing to want to fix problems; as surgeons, we are extremely fortunate—our hands and instruments can do just that. But human beings invented surgery to treat people, not just their problems. Without recognition, the extrinsic and intrinsic incentives to operate can overshadow our role as physicians. At our core, we are just people trying to heal and help other people. As our nation slips towards distrust of science and medicine, we owe it to ourselves, to our patients, and to our profession to question our motives, to connect with our patients, and to honestly communicate our abilities. It will, I think, help us to know best when we *should* operate, if we remember to treat the dying man over his wounds.

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**Claire Rosen** was a 2022 FASPE Medical Fellow. She is a General Surgery resident at the University of Pennsylvania.

### Notes

1. Levi P. *Survival in auschwitz*. New York, NY: The Onion Press; 1958:134.
2. Hogikyan ND, Kana LA, Shuman AG, Firn JI. Patient perceptions of trust formation in the surgeon-patient relationship: A thematic analysis. *Patient Educ Couns*. 2021;104(9):2338-2343.
3. Hoshijima H, Wajima Z, Nagasaka H, Shiga T. Association of hospital and surgeon volume with mortality following major surgical procedures. *Medicine (Baltimore)*. 2019;98(44).

4. Guardado J. Medical liability claim frequency among U.S. physicians. *American Medical Association Policy Research Perspectives*. 2017:1-10.
5. Williams PL, Williams JP, Williams BR. The fine line of defensive medicine. *J Forensic Leg Med*. 2021;80:102170.

# Mengele and Me

BY KARL WALLENKAMPF

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*They believed in doctors, listened to their advice,  
And followed it faithfully. You should treat them  
One last time as they would have treated you.  
They have been kind to others all their lives  
And believed in being useful.*

- “Their Bodies,” David Wagoner<sup>1</sup>

We approach the 75<sup>th</sup> anniversary of the Nuremberg Medical Trial—also known as the Doctors’ Trial—in an environment of political change. Today, parallels abound with that era of rising inflation, civic mistrust, international conflict, and social strife. Pondering a past that seems so present, I stood in front of a stack of shelves and noticed *Mengele: Unmasking the “Angel of Death”* by David Marwell.<sup>2</sup> I remembered the name and shuddered, taking the book off the shelf nonetheless: considering pathologies of professionalism alongside pathophysiology during my first year of residency might be illuminating. I read about Mengele and reflected on a recent trip to Germany and Poland, on visits to Brandenburg, the Wannsee House, Auschwitz, and others. In my reading I found not a foil for my professionalism but a challenging mirror. I was—in a word—stunned at the similarities between Mengele and me.

I read and learned Josef Mengele was not so peculiar, at least not as one might expect from a man called the “Angel of Death,” who made selections for the gas chambers. He grew up the eldest of three boys to a father who ran a respected local business and a devout mother, and though he was initially intended to take over the family business, an ongoing childhood kidney disease led to one of his brothers taking management.<sup>3</sup> His life was not unusual and contained no clear foreshadowing of what was to come. As Marwell writes, “It is difficult to find evidence of the extreme politics, antisemitism, and capacity for murder that would define him.”<sup>4</sup> He was a middling student,<sup>5</sup> but successful enough to achieve a place in medical school in Munich. Once there, Mengele became enamored with learning his profession and came to adore his teachers, including Siegfried Mollier, whom he respected in large part because of his humanistic practices such as approaching dissection labs in human anatomy with the utmost respect.<sup>6</sup> In reading this I felt a twinge, remembering a poem handed to me by a professor before I went to medical school, “Their Bodies,” by David Wagoner, which I had subsequently printed for my classmates prior to our first cadaver lab. Reading it I

had felt inspired, full of awe at the magnitude of trust given to medical students and physicians. Reading that Mengele had likely felt similar emotions gave me pause.

It is difficult to understand how a young student could feel and believe as a “good doctor” should, yet simultaneously join far-right nationalist groups—and ultimately the *Schutzstaffel* (SS). Yet, Mengele’s medical and scientific convictions about the ethical practice of medicine, those he shared with many physicians of that era, were the foundation for his political activity. His complicity with Nazi crimes—with unconscionable acts—became possible through the formation of a developing Nazi medical ethics

Medical mores were undergoing revision in 20<sup>th</sup>-century Germany. Nazi medical ethics developed in a time of trust in scientific methods as a form of knowledge generation and a deep conviction that science and all it could discover could solve many social problems.<sup>7</sup> Genetics seemed to be the key; many considered criminality to potentially be an issue of inheritance.<sup>8</sup> Eugenics achieved popularity across the West, reaching its apogee in Germany as the study of *Rassenhygiene*—racial hygiene.<sup>9</sup> The medical paradigm of helping sick individuals weather illnesses came under scrutiny, because, they reasoned, these sick individuals might pass on their genes. For the Nazis this individual focus jeopardized the health of the race.<sup>10</sup> Doctors, as individuals and as a profession in Nazi Germany, began prioritizing populations rather than individuals. Many believed racial hygiene would benefit Germany—and perhaps humanity—in the long term by producing fewer “weaker” human beings, thus creating what they imagined would be a superior gene pool. This drive for racial and genetic purity could not be separated from healthcare more broadly: “[r]acial hygiene—along with social hygiene and personal hygiene—was simply one element in a larger, more comprehensive program of human health care.”<sup>11</sup>

Defining medical care in this way, as a project that involves genetic counseling and public health in the individual patient encounter, helps us interrogate Nazi medical ethics and notice relevant similar motivations in our contemporary practice of medicine. This paradigm allowed doctors who wanted to help others and “follow the science” to ethically endorse and participate in a new approach through which they could focus on the effects of their work at the level of whole populations. In this way, they could support, *das Volk*, the German people, even if it meant the terrible extermination of millions. Those targeted included congenitally ill children, Jews, Sinti and Roma, anyone not cis-gender or heterosexual, and anyone who did not adhere to the Nazi paradigm, lumped together under the catch-all term “asocials.”<sup>12</sup>



Physicians were the profession with the highest proportions of Nazi Party membership, with 45% joining the Nazi Party by one estimate.<sup>13</sup> These were not only older physicians who may have wished the world was back in some imagined past, but also young physicians. Indeed, some of the most thorough support for Nazism came from young doctors, specifically those under forty.<sup>14</sup> Their motivations, while partly explicable by a desire to remove Jewish and other competitors from positions of prestige, were not merely about advancing their own careers. These medical providers had motivations that feel contemporary to clinicians today, including a wish to turn away from a commercialized view of medicine. The Nazis, for example, criticized insurance companies and the “trade” of medicine and encouraged physicians to consider medicine as a “calling.”<sup>15</sup> Physicians in Nazi Germany were encouraged to see themselves as integral members of a flourishing society. In a speech to the National Socialist Physicians League, Adolf Hitler declared, “National Socialist doctors, I cannot do without you for a single day, not a single hour. If not for you, if you fail me, then all is lost. For what good are our struggles, if the health of our people is in danger?”<sup>16</sup> What physician could refuse such a position of honor at the center of a society dedicated to purifying medical practice?

In the context of these shifts in medical ethics, Mengele’s career was ascendant. If Nazism was merely applied science, then a devoted physician like Mengele only had to “follow the evidence.” For this reason, he was drawn to the most active areas of research and discussion at the time—anthropology and genetic transmission—and thus began experimentation for his dissertation. Twin Studies was then at the forefront of research, so much so that grants to those working in the field came from major universities and non-profits such as the Rockefeller Foundation.<sup>17</sup> Thus Mengele mastered the necessary research methods and positioned himself at the cutting edge of medical anthropology. Two years prior to the war, he started his second doctorate, necessary not to be a community physician, but rather to join the ranks of academic medicine.<sup>18</sup> His finished work was met with acclaim. In fact, he published his research in a sufficiently high-impact journal that it received international publicity as a welcome contribution to the field,<sup>19</sup> an outcome welcomed by anyone, then or now.

It was in this milieu, after working at the battlefield as a physician, that Mengele received a “serendipitous transfer” to Auschwitz.<sup>20</sup> There he stood and made selections on the ramp. There he studied prisoners without their consent and denied them treatment in the interest of scientific discovery. There he earned his reputation, a reputation so terrifying that memories of his actions exceed human capability. Many

of those who remember Mengele at Auschwitz describe a person with no resemblance to the man himself. Some describe him as tall and blonde, the Aryan ideal. In reality, he was brown-haired and of average build. Memory has transformed him into something inhuman, peculiar, a beastly aberration responsible for each selection, each experiment.<sup>21</sup> Mengele undoubtably committed innumerable evils—this is indisputable. Characterizations of him—including the moniker “Angel of Death”—affirm his responsibility and guilt, but they also distance Mengele from his humanity, which we share. We thus shirk confronting whether we could commit such acts too, as illustrated by a question Robert Jay Lifton was asked by an Auschwitz survivor: “Were they *beasts* when they did what they did? Or were they *human beings*?”<sup>22</sup>

Rather than being supernaturally evil, he was motivated by discovery and, as a result, abnegated his human responsibility, making way for his cruelty. He had access to the most “unprecedented” concentration of research subjects possible<sup>23</sup> without any oversight, allowing him to research noma<sup>24</sup> (a disease), twins,<sup>25</sup> eye color,<sup>26</sup> and various proteins thought to be related to the diagnosis of disease.<sup>27</sup> Marwell’s work speaks for itself here: “[Mengele] pursued his science not as some renegade propelled solely by evil and bizarre impulses but rather in a manner that his mentors and his peers could judge as meeting the highest standards.”<sup>28</sup> It is this which disturbs me, the thin but real continuity of his motivations and mine.

In this dark context I consider my own inspirations and drives. I remember professors for their respect of patients and reflect on the teachers who taught with profound gravity from our cadavers in anatomy lab. I note my aspiration for a career in academic medicine, the need to publish insightful research in respected journals and receive complimentary editorials and applause at conferences. I maintain a commitment to practicing medicine at the vanguard of science while benefiting public health. Whatever my prior conceptions about Mengele, I realize now that instead of being opposites, there is a sense of mission and conviction that I share with him. Admittedly, there are certain moral barriers I have difficulty imagining I could cross—I cannot imagine selecting those who would be sent to their immediate death; his research methods were patently inhumane. But, if we are unable to imagine ourselves committing such acts, is a lack of such imaginative evidence really an inability to commit evil?

I consider my communication with patients, especially the skills I have developed to help have difficult conversations. I wonder though: what if I nudge them to make decisions that they would not have made otherwise? For example, perhaps I believe

that CPR is not in their best interest. Having listened to their values and goals and through my influence, convincing words, tone, and phrases, they then choose not to undergo CPR, dying prematurely because of this decision. Did my encouragement, even well-intentioned and based on respectfully listening to their views, hasten their death? I have, after all, seen patients recover from CPR in ways I never would have imagined before. Further, do we as clinicians, chaplains, and visitors, walk along intensive care units, shake our down-turned heads, and ponder whether those lives are worth living? It takes no great mental leap to land at the concept of *Lebensunwertes Leben*—life unworthy of life, a principle that propelled so much of Nazi decision-making. Members of my profession have been perpetrators; neither the institution of medicine itself, nor medical education, nor membership in academic communities can stand as an antidote to malformed thinking or complicity with terror. German physicians made this gravely apparent in their rush toward Nazism.

As I read about Mengele, reflected on these truths, and searched other books about Nazi physicians and Nazi medical ethics, I consistently found the same themes again and again. I noticed points of agreement between their motivations and those in my personal statements for medical school and residency. What could this mean?

My complicity in contemporary evils is immediately apparent. In recent years, there has been a necessary and awfully belated effort to reveal the malicious effects of many professions and systems within the United States. The complicity of medicine and physicians in racism has been widely documented and increasingly illuminated, for example, in the methods used to teach the diagnosis of common skin disorders.<sup>29</sup> Gender bias in medicine is prolific and continues to require enthusiastic and durable change. I knew about this type of complicity before reading about Mengele. Through these and other readings, workshops, and conversations, I continue to recognize my own active and passive complicity in inequity, and work to align myself with a wholly patient-centered, historically informed, and forward-thinking practice of medicine.

Yet, despite my intentions and efforts, it remains especially unnerving to note similarities I have with a Nazi physician at Auschwitz. I can be on guard, think myself to be doing the best for the best reasons. But might he have thought the same? In our contemporary climate, similarities of different political and social groups—or governmental agencies—to Nazis are frequently identified (some, more appropriately than others). At times, it has seemed a flagrant and inappropriate comparison—simply nothing is comparable to the Holocaust. Still, as the memory of the Nuremberg Trials looms, I think in our attempt to acknowledge the incomparable horrors of that

era, we have forgotten how much one comparison can shed light on our actions and guide us each day—what motivations we share with those who perpetrated such incomparable evils—the similarity, that is, between Mengele and me.

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### Notes

1. Wagoner, David, “Their Bodies,” <https://www.poetryfoundation.org/poetrymagazine/poems/35293/their-bodies>.
2. Marwell, David G. *Mengele: Unmasking the “Angel of Death.”* W.W. Norton & Company, 2020, 3.
3. *Ibid.*, 4, 7.
4. *Ibid.*, 3.
5. *Ibid.*, 6.
6. *Ibid.*, 12.
7. Proctor, Robert N. *Racial Hygiene: Medicine under the Nazis.* Harvard University Press, 1988, 13.
8. Bergen, Doris L. *War & Genocide: A Concise History of the Holocaust.* 2nd ed., Rowman & Littlefield Publishers, Inc., 2009, 12.
9. Proctor, 15.
10. *Ibid.*
11. *Ibid.*, 22.
12. Lifton, Robert Jay. *The Nazi Doctors: Medical Killing and the Psychology of Genocide.* Basic Books, 2017, 30.
13. *Ibid.*, 34.
14. Proctor, 68.
15. *Ibid.*, 70.
16. *Ibid.*, 62.
17. Marwell, 23.
18. *Ibid.*, 26.
19. *Ibid.*, 29.
20. *Ibid.*, 83.
21. *Ibid.*, 78.
22. Lifton, 4.
23. Marwell, 84.
24. *Ibid.*, 87.
25. *Ibid.*, 92.
26. *Ibid.*, 100.
27. *Ibid.*, 109.
28. *Ibid.*, 115.
29. Nolen, LaShyra. “How Medical Education Is Missing the Bull’s-Eye.” *New England Journal of Medicine*, vol. 382, no. 26, June 2020, pp. 2489–91. *Taylor and Francis+NEJM*, <https://doi.org/10.1056/NEJMp1915891>.



# SEMINARY



# Making a Whole of Shivering Fragments: A Florilegium

BY TARA DEONAUTH

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Medieval monks made books called florilegia (singular: florilegium), from the Latin meaning “to gather flowers.” This practice culls passages and sayings read or heard into a collection, creating from these fragments a new whole. An early and notable example of the form was written by Defensor, a late-seventh or early-eighth century monk, entitled the *Liber Scintillarum* (Latin: “Book of Sparks”).<sup>1</sup> In this work, Defensor explains that “just as fire emits sparks,” the sentences from the Bible and Church Fathers that he anthologizes can be seen as glowing reflections of wise minds. Gathering flowers (or sparks) from what I have read and heard has long offered me a foothold in times when I had no adequate words to describe life, when an experience demanded to remain ineffable. My time as a FASPE fellow exposed me to the unspeakable suffering of others in a way that more deeply entrenched me in this practice. What began, perhaps, as an escape, a turning away from the self to turn toward another, has become a sustained practice of attention to both the self and the other—and ultimately the unity that binds them together.

In her strivings toward sensemaking, Virginia Woolf considered the creation of a “whole made of shivering fragments” thus “[achieving] a symmetry by means of infinite discords.”<sup>2</sup> These fragments of soul dislodge when she confronts our human capacity for evil, her inability to “deal with the pain that people hurt each other.” Such encounters are akin to “the sledge-hammer force of [a] blow.” Her discovery of wholeness through the stitching together of these broken pieces offers Woolf the “strongest pleasure known to [her].” This paradox, it seems to me, reflects the soul-balming nature of the florilegium. The symmetry that results from piecing together these fragments expands our locus of possibility, giving shape to the indescribable and finding some harmony amidst the discord.

Thus, I offer a florilegium, inspired in process by the monks and in spirit by Woolf. This collection of fragments engages the unintelligible yet human nature of evil, the painful but necessary encounter with our capacity to commit and witness horrors, and



the tender and cruel awakening that results from the intentional and consistent practice of attention. In my reflections following the collection, I consider the possibility of a radical form of compassion within structures—be they interpersonal or societal—that refuse to respond compassionately.

### A Florilegium of Our Oneness

I am the twelve-year-old girl,  
refugee on a small boat,  
who throws herself into the ocean  
after being raped by a sea pirate.  
And I am the pirate,  
my heart not yet capable  
of seeing and loving.

- Thich Nhat Hanh

Before you learn the tender gravity of kindness  
you must travel where the Indian in a white poncho  
lies dead by the side of the road.  
You must see how this could be you,  
how he too was someone  
who journeyed through the night with plans  
and the simple breath that kept him alive.

- Naomi Shihab Nye<sup>4</sup>

All sin was of my sinning, all  
Atoning mine, and mine the gall  
Of all regret. Mine was the weight

Of every brooded wrong, the hate  
That stood behind each envious thrust,  
Mine every greed, mine every lust.

- Edna St. Vincent Millay<sup>5</sup>

Out beyond ideas of wrongdoing and rightdoing,  
there is a field; I'll meet you there.  
When the soul lies down in that grass,  
the world is too full to talk about.  
Ideas, language, even the phrase "each other"  
doesn't make any sense.

- Jalal al-Din Rumi<sup>6</sup>

The tragic freedom implied by love is this: that we all have an indefinitely extended capacity to imagine the being of others. Tragic, because there is no prefabricated harmony, and others are, to an extent we never cease discovering, different from ourselves [...] Freedom is exercised in the confrontation by each other, in the context of an infinitely extensible work of imaginative understanding, of two irreducibly dissimilar individuals. Love is the imaginative recognition of, that is respect for, this otherness.

- Iris Murdoch<sup>7</sup>

Could a greater miracle take place than for us to look through each other's eyes for an instant?

- Henry David Thoreau<sup>8</sup>

The capacity to pay attention to an afflicted person is something very rare, very difficult; it is nearly a miracle. It is a miracle. Nearly all those who believe they have this capacity do not. Warmth, movements of the heart, and pity are not sufficient

- Simone Weil<sup>9</sup>

Can we look at each other and recognize ourselves in each other?

- Thich Nhat Hanh<sup>10</sup>

Being human always points, and is directed, to something, or someone, other than oneself—be it meaning to fulfill or another human being to encounter. The more one forgets himself—by giving himself to a cause to serve or another person to love—the more human he is and the more he actualizes himself. ... What is called self-actualization is not an attainable aim at all, for the simple reason that the more one would strive for it, the more he would miss it. In other words, self-actualization is possible only as a side-effect of self-transcendence.

- Viktor E. Frankl<sup>11</sup>

Reserving judgements is a matter of infinite hope.

- F. Scott Fitzgerald<sup>12</sup>

Let everything happen to you: beauty and terror.

Just keep going. No feeling is final.

Don't let yourself lose me.

- Rainer Maria Rilke<sup>13</sup>

Please call me by my true names,

so I can wake up,

and so the door of my heart

can be left open,

the door of compassion.

- Thich Nhat Hanh<sup>14</sup>

Before you know kindness as the deepest thing inside,

you must know sorrow as the other deepest thing.

You must wake up with sorrow.

You must speak to it till your voice

catches the thread of all sorrows

and you see the size of the cloth.

- Naomi Shihab Nye<sup>15</sup>

There are spaces of sorrow only God can touch.

- Sr. Helen Prejean<sup>16</sup>

The notion of “oneness” in this florilegium strives to dissolve the boundary between the self and the other, even between the self from one moment in time to another. This unity binds us. It insists that we recognize our capacity to live in the world as might any other. Yet as Thoreau ponders, what a miracle it would be for this to actually happen. Hanh poses this unity as a question, allowing for a failure of recognition or rejection of it. While these fragments help me to see oneness as an essential and unalterable part of our humanity, its recognition remains a choice.

I encounter this decision through a handful of guiding principles from my profession as a chaplain: ministry of presence,<sup>17</sup> unconditional positive regard,<sup>18</sup> and empathic attention.<sup>19</sup> I seek to consider the practical implication of this recognition through compassion and kindness. Hospital chaplains practice their profession in settings of crisis and serious illness, often at times when old truths undergirding faith and meaning are disrupted or questioned—that is, in times of deep suffering. In the cultivation of a ministry of presence, the chaplain attends to the presence of the sacred in whatever form it takes for the care-seeker—sometimes in overtly spiritual or religion terms, at other times in their inherent dignity, and at others still in the quiet of the encounter between chaplain and care-seeker. Setting is also essential to presence. Whereas other mental health professionals are often sought out for support, chaplains show up in the midst or aftermath of a crisis. The chaplain’s attitude is one of unconditional positive regard, a therapeutic approach at the foundation of both psychological and spiritual care developed in the 1950s by Carl Rogers. This modality communicates a profound acceptance of another’s value and worth and withholds judgment no matter how cruel or repulsive one’s behavior may seem. This acceptance may be born out of empathic attention: attuning to and feeling alongside another. The

chaplain bears witness to the experience of the care-seeker and conveys empathy by noticing and reflecting back their feelings. Taken together and practiced in earnest, these chaplaincy principles allow one to recognize our collective oneness.

I see a palpable rendering of this possibility in the death-row abolitionist activism of Sister Helen Prejean. In a *New York Times Op-Ed*, she writes of her visit to an inmate inside his death chamber: “With my hand firmly on his shoulder [...] I asked God to affirm Joe’s worth as a beloved son possessing a sacred dignity that even the ones killing him could not take from him.”<sup>20</sup> Within a system that does not look with kindness and compassion upon Joe, Sister Prejean practices a ministry of presence (showing up in the death chamber), unconditional positive regard (addressing him as a beloved son), and empathic attention (she later describes “viscerally [feeling] something of the agony and terror” alongside another inmate). Within a system that sees these inmates as incapable of remorse or transformation, and undeserving of redemption, Sister Prejean recognizes their common humanity.

As a hospital chaplain, my work also brings me into communion with people at the end of their lives, though lives affected by illness, not the US justice system. In many of these encounters, I facilitate a life review: reflecting on significant moments, exploring related emotions, and supporting meaning-making. Some of these life reviews uncover confessions of wrongdoings or hurtful actions, expressions of guilt, shame, or regret, and utter confusion about the meaning of these realities. Only through the practice of a ministry of presence, unconditional positive regard, and empathic attention, do I find that these conversations can deepen into spaces that allow such revisitation of past suffering (“past” insofar as it has happened, but by all other accounts, viscerally present in their emotional and spiritual toll). My patients—in ways not unlike death-row inmates—have difficulty accepting the possibility of compassion, often on account of a system that disallows expiation and forecloses forgiveness. As a result, I wonder what it might mean to encounter and treat them as capable and worthy of full redemption, or even as already fully redeemed—to witness attentively the being of another and experience the oneness that binds us.

Sister Prejean works with death-row inmates. I spend my days with patients passing away in a hospital. Unusual as these settings and these care-seeking relationships might be to most others, we have the choice in each encounter with another’s humanity to recognize the oneness that holds us together, to look at another and recognize ourselves in them. May we gather the flowers from our own sources of inspiration to imaginatively recognize another’s otherness (Murdoch), transcend the self through immersion into another (Frankl), and open the doors of our hearts

(Hanh) to the infinite hope (Fitzgerald) surrounding everything that may happen, beautiful or terrifying (Rilke).

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### Notes

1. Bremmer Jr., R. H. (2008). The Reception of Defensor's "Liber scintillarum" in Anglo-Saxon England. In "un tuo serto di fiori in man recando". Scritti in onore di Maria Amalia D'Aronco (pp. 75-89). Udine: Udine University Press. Retrieved from <https://hdl.handle.net/1887/16686>.
2. Woolf, Virginia. (1976). *Moments of Being: Unpublished Autobiographical Writings*. 1st American ed, Harcourt Brace Jovanovich.
3. Hanh, Thich Nhat. (1999). "Call Me by My True Names" from *Call Me by My True Names: The Collected Poems of Thich Nhat Hanh*. Parallax Press.
4. Nye, Naomi Shihab. (1995). "Kindness" from *Words Under the Words: Selected Poems*. Far Corner Books.
5. Millay, Edna St Vincent. (1991). "Renascence" from *Renascence, and Other Poems*. Dover Publications.
6. Rumi, Jalal al-Din, and Coleman Barks. (1995). "A Great Wagon" from *The Essential Rumi*. Harper.
7. Murdoch, Iris, and Peter J. Conradi. (1999). "The Sublime and the Good" from *Existentialists and Mystics: Writings on Philosophy and Literature*. Penguin.
8. Thoreau, Henry David. (2017). *Walden*. CreateSpace.
9. Weil, Simone. (2009). *Waiting for God*. Translated by Emma Craufurd, First Harper Perennial Modern Classics edition. HarperPerennial ModernClassics.
10. "Thay's Poetry / Please Call Me by My True Names (Song & Poem)." (2020). Plum Village. <https://plumvillage.org/articles/please-call-me-by-my-true-names-song-poem/>.
11. Frankl, Viktor E. (2006). *Man's Search for Meaning*. Beacon Press.
12. Fitzgerald, F. Scott. (2021). *The Great Gatsby*. Penguin Books.
13. Rilke, Rainer Maria. (2005). "Go to the Limits of Your Longing" from *Rilke's Book of Hours: Love Poems to God*. Riverhead Books.
14. Hanh, Thich Nhat. (1999). "Call Me by My True Names."
15. Nye, Naomi Shihab. (1995). "Kindness."
16. Prejean, Helen. (1994). *Dead Man Walking: An Eyewitness Account of the Death Penalty in the United States*. Vintage Books.
17. Sullivan, Winnifred Fallers. (2014). *A Ministry of Presence: Chaplaincy, Spiritual Care, and the Law*. The University of Chicago Press.
18. Rogers, Carl. (1995). *On Becoming a Person: A Therapist's View of Psychotherapy*. Houghton Mifflin.
19. Cadge, Wendy, and Shelly Rambo, editors. (2022). *Chaplaincy and Spiritual Care in the Twenty-First Century: An Introduction*. The University of North Carolina Press.
20. Prejean, Helen. (2021). "Opinion | 'Look at My Face,' I Told a Man Before He Was Executed." NYTimes.com. <https://www.nytimes.com/2021/11/09/opinion/ramirez-execution-human-touch.html>.

# When a Muslim, Protestant, and Catholic Freed a Jew from a Concentration Camp: Reflections on an Interfaith Model of Resistance and Faith Amidst Adversity

BY USAMA MALIK

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## *Preface*

*This reflection is indebted to the research and writing of Marc David Baer, Professor of International History at the London School of Economics and Political Science, specifically his article “**Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus.**”<sup>1</sup> For a more in-depth reading and research into the life of Hugo Marcus, as well as the dynamics, organization, and complexities of Muslims in Germany, particularly during Nazi rule, and relevant implications for interfaith relations, please refer to the aforementioned article as well as Baer’s book, **German, Jew, Muslim, Gay: The Life and Times of Hugo Marcus.***

## *Introduction*

An Imam, a Catholic priest, and a Protestant layperson walk into a Nazi concentration camp to negotiate the release of a Jewish convert to Islam—and succeed. Though this sounds entirely too good (or far-fetched) to be true, this was a real experience for Hugo Marcus, a Jewish convert to Islam detained in Barrack 18 at the Sachsenhausen/Oranienburg concentration camp, as well for his advocates, Imam Sheikh Muhammad Abdullah, Father Georg of the Jesuit order, and Joachim Ungnad of the Confessing Church at the gates of the camp. Each of these individuals of different faith traditions and backgrounds became acquainted by attending various educational events and interfaith discussions at the Berlin Mosque.<sup>2</sup> Yet, in their coming together in such a moment, we see that interreligious dialogue was not—nor is now—the end point of such cross-religious relationships, but rather the beginning of what can be transformative forces and movements in causes of justice and service to humanity.

As part of the 2022 FASPE program this past summer, I was humbled to walk onto the grounds of the very same Sachsenhausen camp where so many languished and died. While walking along its many paths, I came across a most inauspicious barrack marker at an inner corner of the camp: BARACKE 18. Here, Hugo Marcus was imprisoned. It was in this place where differences in faith led a group of individuals to coalesce, uniting in defense of the life of a fellow human being branded “other.”

This experience, seeing this place up close, led me to realize the value of Marcus’ story for interreligious work. In touching upon the singular life and faith journey of Hugo Marcus, as well as the responses by his community and fellow Muslims toward his situation, I hope, then, that we will discover lessons about strength in interfaith cooperation and faith-based activism relevant today. Additionally, we can see that despite the horror, an event like the negotiation at Sachsenhausen means, not only in that moment, but particularly for persons of faith in the 21st century oftentimes, finding ourselves unsure of the impact and power of our interconfessional alliances and coalitions. Furthermore, the events, reactions, and responses leading up to this moment—particularly those from various Muslim individuals and organizations—have implications for a world marred by sectarian and inter/intra-faith misconceptions and conflicts. By attending to the complicated nature of that time for all involved, the Sachsenhausen encounter offers hope not only for redemption, but for action in the face of what may seem like insurmountable fear.

*“And hold firmly to the rope of God all together and do not become divided. And remember the favor of God upon you—when you were enemies and He brought your hearts together and you became, by His favor, siblings.”<sup>3</sup>*



*A picture of the site of Barrack 18 at Sachsenhausen concentration camp in Oranienburg, where Hugo Marcus was held during his imprisonment in 1938. Marcus was imprisoned during the November Pogroms of that year, also known as Kristallnacht, but was released shortly afterward in mid-November. Marcus’ imprisonment, as well as that of thousands of others, served as a warning from the Nazi regime of what would await Jews should they choose to remain in Germany. Photo credit: Usama Malik.*

### ***Dr. Hugo Marcus: A Life on the Margins***



The story of Hugo Marcus is defined by more than just that one moment. As a highly educated, gay, Jewish-born German and convert to Islam through the Lahore Ahmadiyya mission, Marcus' intersectional identity only adds to not just the complexity of his life and the lessons we can take from it. It would, therefore, be a disservice not only to the memory of Marcus, but also to the lasting and significant implications for interfaith coalition building to not provide a brief insight into who this man, for whom three persons of faith risked their lives, was.

Hugo Marcus was born to a German Jewish industrialist in 1880, moving to Berlin in the early 20th century for higher education, where he also became involved in numerous gay rights initiatives. Marcus further added to his already complex identity by converting to Islam and adopting the name Hamid. In 1923, while still a doctoral student, Marcus was hired by the Ahmadi Muslim community in Berlin as editor of all of its German-language publications. After two years in this role, Marcus converted to Islam in 1925. The Ahmadi Community of Berlin constructed the first mosque in Berlin, known as the Berlin Mosque, between 1923-1926 in Wilmersdorf. Despite his conversion to Islam, Marcus maintained ties to the Jewish community, as well as with his friends working for gay rights. Marcus was the chief editor and contributor to the Berlin Mosque's primary magazine, the *Moslemische Revue*, as well as the editor for the Ahmadi German Qur'an translation and commentary which was published in 1939. He later became the chairman of the associated German Muslim Society from 1930 to 1935 and was a prominent lecturer during various programs held at the mosque that were open to the public. Foremost of these were "Islam Evenings," which served not only as eclectic educational spaces for attendees but would later fatefully serve as the intersection point for the very same Imam, Catholic priest, and Protestant layperson who would advocate for Marcus' release. The community of Muslims at the Berlin Mosque and the Ahmadi Mission to Berlin stressed interreligious tolerance, the unity of humanity, and the commonality of the God of Abraham. In this way, the community educated many and won some converts, especially from the local Jewish community.<sup>4</sup> Despite his conversion to Islam, Marcus maintained ties to his former faith community as well as with his friends working for gay rights, suggesting that he upheld and practiced these teachings on unity and commonality.



*Photos of the exterior of the Berlin Mosque in the Wilmersdorf, inaugurated in 1926 by the Lahore Ahmadiyya Movement. The mosque was the first in Berlin, and during Nazi rule was the only mosque in the country, serving as the headquarters for the German Muslim Society, of which Hugo Marcus was the*

*chairman until 1935. Photo credit: Usama Malik*



*Hugo Marcus (center, seated) with fellow German and South Asian Muslims in front of the mission house attached to the Berlin Mosque, c. 1930. Dr. Sheikh Muhammad Abdullah (1889–1956), the imam of the mosque, sits on Marcus's left. Others in the photo include convert Fatima Beyer, the future wife of convert Hikmet (Fritz) Beyer; Conrad Giesel, who converted to Islam on October 1, Hugo Marcus (center, seated) with fellow German and South Asian Muslims in front of the mission house attached to the Berlin Mosque, c. 1930. Dr. Sheikh Muhammad Abdullah (1889–1956), the imam of the mosque, sits on Marcus's left. Others in the photo include convert Fatima Beyer, the future wife of convert Hikmet (Fritz) Beyer; Conrad Giesel, who converted to Islam on October 1, 1924 (top row, right); and assistant imam Dr. Azeez Mirza (1906–1937) (top row, with turban). Photographer unknown. Copyright MJB-Verlag & Mehr.*

### ***The Rise of Nazi Germany and Its Impact on the Muslim Community of Berlin***

As the Nazis came to power in 1933, the Muslim community, like many others, were forced to react. The *Moslemische Revue* featured articles, expressing a similarity between Islam and Nazism. Among these so-called consonances was a low-grade anti-Semitism. Indeed, public tours of the mosque began to feature only positive things about the Nazis and Hitler. During this time, Marcus remained chairman of the German Muslim Society, resigning only in 1935. Despite mosque members joining the Party, increased surveillance, and the subsequent enacting of the Nuremberg Laws, Baer notes how the mosque leadership still advocated that Marcus be a lecturer for the “Islam Evenings” program.<sup>5</sup> Though this likely never came to pass, it raises questions: what can resistance look like in what appear to be zero-sum situations? Can those with complicity remain close to those they are officially supposed to hate?

It was not, however, just the Nazi authorities whom the German Muslim Society and members of the Berlin Mosque community had to accommodate. Other non-Ahmadi Muslims sought control over Germany’s only mosque.<sup>6</sup> Among these included the Islamic Community of Berlin, a competing Sunni Muslim organization that was unapologetically pro-Nazi in its rhetoric and stance. To achieve their goal, they claimed that the Ahmadis were a “Jewish Communist organization,” as well as British agents, and thus were “unworthy of any claim to the mosque.”<sup>7</sup> Ultimately, surveillance increased.

Matters became more complicated upon the departure of the mosque’s founding imam, Sadr-ud-Din, who Baer describes as “the architect of its tolerant interreligious and interracial message.” Sheikh Muhammad Abdullah followed him in this role.<sup>8</sup> Though we may recognize his name as the leader of the interfaith coalition who went to Sachsenhausen to free Marcus, the situation is more complex. Apart from providing internal lectures and mosque tours which integrated praise for various points of “connection” with Nazi principles, Abdullah was also proactive in reaching out to the Nazis. He was so successful that soon the Reich’s Foreign Ministry deemed him of no danger to the state.<sup>9</sup> Why take this tack? As Baer aptly puts it, “Abdullah’s overtures may reflect a change in philosophical orientation, or a strategy for survival in the face of a totalitarian regime that brooked no dissent.”<sup>10</sup> We don’t know. What we do know, however, is that some feature materials and rhetoric coming out of the mosque continued to advance complacent and harmful perspectives.<sup>11</sup> It is at this juncture in the Berlin Muslim community’s history that the Nazis initiated the November Pogroms and Hugo Marcus was imprisoned at Sachsenhausen, leading us back to the fateful encounter with which we began.



*Photos from the Sachsenhausen concentration camp outside Berlin in Oranienburg. From previous page left going clockwise: main entrance and administrative building; entrance gate to the camp reading “Work sets you free”; foundation markers of former prisoner barracks; photo of an aerial photograph taken of Sachsenhausen. Barrack 18 is to the right of the main entrance, underneath the triangular boundaries of the original camp before additional barracks were made. Photo credit: Usama Malik*

### ***Muslim Resistance Inside Nazi Germany***

*“By the Glorious Morning Light, And by the Night when it is still,  
Your Guardian-Lord hath not forsaken you, nor is He displeased with you.  
And verily what will come after will be better for you than your present.  
And soon will your Guardian-Lord give you which you seek and you shall be well-  
pleased.  
Did He not find you an orphan and give you shelter (and care)?*



*And He found you lost, and gave you guidance.  
And He found you in need and made you independent.”<sup>12</sup>*

Despite what the above might suggest about Sheikh Muhammad Abdullah, his actions at Sachsenhausen—as well as his interactions with Hugo Marcus afterwards—show a complex man struggling in a difficult situation. The imam’s helping to get the former editor and mosque chairman out along with the latter’s continued trust in the former imply that relationships based on faith-based encounters can endure regardless of difficulties and differences.

Baer notes that a variety of factors could account for the imam’s shift from pro-Nazi to something more ambivalent. The shock to the November 9 pogrom—which left businesses and synagogues within view of the Berlin Mosque in flames—along with the incarceration of someone as influential and significant to the mosque’s history and works as Hugo Marcus, may have facilitated his change in outlook.<sup>13</sup> Upon obtaining Marcus’ release from Sachsenhausen, Abdullah helped personally advocate for and assisted with a visa for Marcus to British India, where the Lahore Ahmadiyya Movement was headquartered, and where Marcus was later personally invited to come and stay permanently.

This process, however, did not occur in a vacuum. Tensions began to rise as the nation not only inched closer to war and the Nazi regime ramped up its campaign of extermination. Thus, the Gestapo and Nazi police doubled down on their surveillance of the Berlin Mosque, the German Muslim Society, and Abdullah. To make matters even worse, other Islamic organizations like the Islam Institute spoke out in favor of the Party, urging the authorities to delegitimize the Ahmadis by labeling the German Muslim Society as an enemy of the Nazi state.<sup>14</sup> As bad things were for the community, times were even tougher for Hugo Marcus, who, like other Jews in Germany at the time, was stripped of his passport, his assets and valuables, fingerprinted, and outwardly labeled “*Jude*.”<sup>15</sup> Despite these horrors, Marcus and Abdullah decided to remain in Berlin to finish the work on editing the German translation and commentary of the Qur’an, regarding which Abdullah referred to Marcus as “indispensable.”<sup>16</sup> Marcus had work to do on behalf of his faith and his community, even as life became unbearable.

Finally in August 1939, the translation was published. Though not explicitly referred to by name in the foreword—likely due to police surveillance of the mosque—Marcus is referred to as “a great German friend” whose “assistance was indispensable and invaluable,” and whose “love of Islam is boundless.” It even closes with a prayer asking that “May God bless and reward him.”<sup>17</sup> Marcus’ contributions to the

translation offer further insight to the resistance that the German Muslim Society employed at such a difficult time. For example, passages in the Qur'an and subsequent commentary emphasize religious tolerance, disdain for persecution, protecting houses of worship including synagogues, and stark warnings not to help oppressors, nor to obey nor blindly follow a *Führer*.<sup>18</sup>

With these lasting words in print, and with war imminent, Abdullah certified Marcus' good character, allowing him to leave Germany, though not for India, but instead Switzerland. Old friends from "Islam Evenings," like Dr. Max Jordan, a Catholic journalist and advocate for gay rights, facilitated his entry. Upon Marcus' departure, Abdullah too was forced to leave after the outbreak of the war. Prior to pausing services at the mosque, one of the final sermons delivered spoke unapologetically about the need to appreciate human diversity and to respect each other's differences. This message directly echoes uninvocations from both the Qur'an and the traditions of the Prophet Muhammad with respect to a Muslim's obligation towards upholding justice and in combating injustice. Indeed, a tradition of the Prophet relates that when asked what was the best form of struggle or jihad, he responded, "*A word of truth/justice to an oppressive/tyrannical authority.*"<sup>19</sup> What Hugo Marcus contributed in translation, what Sheikh Abdullah spoke at the gates of Sachsenhausen, and what the sermon in December in 1939 were just that—words of truth and justice directed at Nazi oppression and tyranny.

### ***Reflection and Relevance***

*"You who believe, uphold justice and bear witness to God, even if it is against yourselves, your parents, or your close relatives. Whether the person is rich or poor, God can best take care of both. Refrain from following your own desire, so that you can act justly— if you distort or neglect justice, God is fully aware of what you do."*<sup>20</sup>

This story is many things—moving, complicated, inspiring, and infuriating; it necessarily invokes a variety of emotional reactions from anger to gladness. The implications it has for us today, the relevance and timeliness it still holds, are no different. Exploring these, translating them from that horrible time to our own, is no easy task. And yet, it must be done. What can we learn from this convoluted story?

With respect to Marcus, in our present day and age, as much as in the early 20th century, many of these labels—"Muslim," "Jew," and "Gay"—often carry oversimplified assumptions and stereotypes. Hugo Marcus' complex and intersectional identity challenges many of our preconceived notions. Further, his life warns us against attributing qualities to others based on these prejudices. Marcus' example also stands out because of how people from one identity or faith might assume that

something pertaining to another would not interest them. A Muslim may not directly connect with someone they know only as a Jewish person, for example. Yet, in Hugo Marcus, we have someone whose identities bring together so many who otherwise might emphasize only their differences. In a similar way, as humanity becomes increasingly connected, our identities are also becoming more nuanced than ever before, with respect to our races, religious affiliations, genders, sexual orientations, politics, nationalities, ethnicities, and so much more. It is thus paramount that we draw upon the example of a person like Hugo Marcus to understand how we can better coexist in our common humanity.

### ***Hugo Marcus & the Berlin Mosque: A Model & Caution for Community-Building***

*“O humanity! Indeed, We created you from a single pair (a male and a female), and made you into diverse peoples and nations so that you may come to know (and understand) one another. Surely the most noble of you in the sight of God is the most righteous (in piety) among you. God is truly All-Knowing, All-Aware.”<sup>21</sup>*

In a similar way, the significance of Hugo Marcus’ intersectional identity extends to the community he clove to for so long. We, as faith leaders and members of religious congregations can learn much from this humble tenacity and willingness to live committed to one tradition while working with and respecting others. We can see in his story the necessity of building tolerance and acceptance into the foundational tenets of a community. Marcus was, after all, able to walk into a mosque as a gay, Jewish convert, and be accepted for who he was, eventually going on to become a major force and leader within the community. And he was not alone in this! From this fact, we can learn to model not just tolerance of differences, not merely building bridges between ourselves, but also going further and bringing all on the same side. Though these connections are helpful in establishing relationships and communication, so long as we solely value the bridge and not the person or people on the other side, we will remain apart. Without Hugo Marcus, there would be no German Qur’an translation and commentary released before World War II. Without the Berlin Mosque, Hugo Marcus would not have had the interfaith friendships that led to such a beautiful moment of solidarity at the gates of a concentration camp.

Beyond the establishment of an ecumenical community, we should also recognize Sheikh Muhammad Abdullah himself and his friendship with Hugo Marcus. As the imam and leader of a minority religious institution and community that was on the margins of German life, we can see that Imam Abdullah initially reacted in a way common across other religious communities. He made overtures to the Nazi authorities, even when the situation began to deteriorate for many at the mosque,

including Hugo Marcus. We can make a variety of excuses for Abdullah: what he did was a survival strategy amidst increasing scrutiny and surveillance, doing what was best for the community as a whole. We can also look down from our positions of privilege and say that he could have and should have done more. Both can be true. These decisions, however, did not ultimately define who Abdullah was or who he chose to become when it mattered most. At a time when the Nazis ramped up their persecution of Jews, he stood by Hugo Marcus.

He did this even as his mosque faced animosity from other Muslims, an issue that continues for both the Ahmadiyya and other Muslim minority communities today. The inherent othering within the wider Muslim community, particularly among more fundamentalist Sunni groups and schools of thought are sometimes weaponized today, particularly in countries such as Pakistan, where groups like Shia, Ismailis, and Ahmadis are sometimes considered “non-Muslims.” In countries like the United States in many religious communities, there remains a distrust and a willingness to other groups based in deep-seated misunderstandings. The example of the Muslim community in Berlin at the height of these tensions should serve as a cautionary tale for all faiths. We see that fear, mistrust, and hatred of the religious “other” can lead not only to compromising and contradicting core beliefs but can also harm and bring trauma for generations to come. Let us heed their lesson now to avoid going down such a path.

We don’t know what may have caused a shift for Abdullah. Whether it was the normalization of violent pogroms against Jewish people, their property, and their synagogues, or the imprisonment of a Jewish friend whom he had come to know as a brother in faith, he felt compelled to journey 40 kilometers from Wilmersdorf to Oranienburg with a Catholic priest and Protestant to protest in the name of truth and justice. Yet, the freedom of his friend was not sufficient. Abdullah went a step further to do his due diligence based on his religious principles. He ensured Marcus would have a safe place to flee to, given the deteriorating conditions in Germany. Eventually, Marcus did escape. Shortly after Abdullah himself was forced to return to the UK.

What matters above all, however, is that he made his choice and helped his friend. As Baer astutely writes, “When it mattered most...even as their accommodation to Nazi ideology helped contribute to the antisemitic atmosphere in Berlin, they ultimately frustrated the Nazis’ attempt to annihilate the Jews of Europe, if only by saving one life.”<sup>22</sup> The Qur’an teaches that “*whoever saves a life, it will be as if they saved all of humanity.*”<sup>23</sup> Abdullah knew these words and acted on them.



The stories and experiences of Hugo Marcus, his interfaith liberation coalition, the Berlin Mosque, and the wider community serve as timely examples for the diverse, interconnected world we live in today. They challenge us to go beyond our comfort zones, to honor one another for our humanity, to reconcile our shortcomings, and to know that ultimately, we are accountable for the decisions we make. As the fourth Caliph of Islam, Imam Ali ibn Abi Talib, once related, “*A person is either your sibling in faith, or your equal in humanity.*”<sup>24</sup> Therefore, whether as Muslims, Christians, Jews, or as people of another faith or of no faith at all, we all can learn from and teach each other. Particularly in times of adversity and trial, it is our standing together, reconciling our differences, and apologizing for our mistakes that allows us, to be harbingers of justice, truth, and tolerance. In this way, we can draw on the models of Imam Abdullah, Father Georg, and Joachim, who there for Hugo Marcus against all odds, united in our conviction to uphold the standards we believe respectively believe our faiths hold us to. As the imam who succeeded Abdullah after his departure, Dr. Ahmed Galwash, stated in closing one of the final sermons given in the mosque during World War II, may “the God of all people and nations’ fill the hearts of all people ‘with respect toward one another so that peace and well-being for all will yet remain on earth.’”<sup>25</sup>

*“For each (religious tradition/community of belief) is a direction toward which it faces. So strive together towards all that is good. Wherever you may be, God will bring you forth all together. Indeed, God is Most Able to do all things.”*<sup>26</sup>



*Above: Stolpersteine or stumbling stones,<sup>27</sup> give us a moment to pause, reflect, and consider what could have been the fate of Hugo Marcus, had he not had the faith community and interfaith connections that helped him gain his freedom, ultimately enabling him to emigrate safely from Germany. The Stolpersteine above commemorate individuals who shared Marcus’ name, offering a harrowing reminder of the fate that could have befallen him.*

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### Notes

1. Marc David Baer, "Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus," *The American Historical Review* 120, no. 1 (January 2015): pp. 140-171, <https://doi.org/10.1093/ahr/120.1.140>.
2. The Berlin Mosque was built by the Lahore Ahmadiyya Movement (Ahmadiyya Anjuman Isha'at-i-Islam Lahore) and completed in 1926, serving as the first mosque in Berlin. For more information about the Lahore Ahmadiyya Movement and the Berlin Mosque, see [www.berlin.ahmadiyya.org](http://www.berlin.ahmadiyya.org)
3. Qur'an 3:103. All translations from the Qur'an are personal translations with consistent reference to and incorporation of the following translators' editions: Amatul Rahman Omar, Abdul Haleem, Sahih International, Abdullah Yusuf Ali, and Dr. Mustafa Khattab
4. For additional reading on Marcus, see *German, Jew, Muslim, Gay: The Life and Times of Hugo Marcus* by Marc David Baer
5. Marc David Baer, "Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus," *The American Historical Review* 120, no. 1 (January 2015): pp. 140-171, <https://doi.org/10.1093/ahr/120.1.140>. pg. 160
6. Marc David Baer, "Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus," *The American Historical Review* 120, no. 1 (January 2015): pp. 140-171, <https://doi.org/10.1093/ahr/120.1.140>. pg. 161
7. Ibid.
8. Marc David Baer, "Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus," *The American Historical Review* 120, no. 1 (January 2015): pp. 140-171, <https://doi.org/10.1093/ahr/120.1.140>. pg. 162
9. Ibid.
10. Ibid. pg. 163
11. Ibid., see "The New Germany According to a Muslim: Hitler Is the Appointed One" by Dr. Zeki Kiram, an employee of the Nazi state, in the August 1938 edition of the *Moslemische Revue* <http://www.berlin.ahmadiyya.org/m-rev/aug38.pdf>
12. Qur'an 93:1-7
13. Marc David Baer, "Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus," *The American Historical Review* 120, no. 1 (January 2015): pp. 140-171, <https://doi.org/10.1093/ahr/120.1.140>. pg. 164
14. Ibid. pg. 165
15. Ibid.
16. Ibid.
17. Ibid., pg. 167
18. Ibid., pg. 168
19. Musnad Ahmad 18449
20. Qur'an 4:135
21. Qur'an 49:13
22. Marc David Baer, "Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus," *The American Historical Review* 120, no. 1 (January 2015): pp. 140-171, <https://doi.org/10.1093/ahr/120.1.140>. pg. 170
23. Qur'an 5:32
24. Nahjul Balagha, 53
25. Marc David Baer, "Muslim Encounters with Nazism and the Holocaust: The Ahmadi of Berlin and Jewish Convert to Islam Hugo Marcus," *The American Historical Review* 120, no. 1 (January 2015): pp.

140-171, <https://doi.org/10.1093/ahr/120.1.140>. pg. 169

26. Qur'an 2:148

27. A *Stolperstein* (pl. *Stolpersteine*; literally “stumbling stone”) is a concrete cube bearing a brass plate inscribed with the name and life dates of victims of Nazi extermination or persecution. The Stolpersteine project, initiated by the German artist Gunter Demnig in 1992, aims to commemorate individuals at exactly a person’s last place of residency or work before they fell victim to the Reich. For more information on the *Stolpersteine* Project, see: <https://www.stolpersteine.eu/en/home/>

# Never Forget...But Can I Forgive?

BY ORA WEINBACH

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There was never a time when I didn't know about the Holocaust.

The mass murder of millions of my people is a fact imprinted into my eyelids.

Never Forget.

Every Tisha B'Av<sup>1</sup> afternoon, we watched Holocaust movies:

Striped prison uniforms,

Polished S.S. boots—

Rail thin, naked bodies.

Vicious, frothing, barking dogs.

Fear, fear, hunger, fear.

Every time the rabbi wanted to bring his sermon home, he crescendoed with  
Auschwitz:

Carry the flame of  
Judaism! Fuel it with  
religious fervor!

Because Hitler tried to put it out.

Every year on Yom HaShoah, we had an all-school assembly:

They were trying to kill all the Jews.

I am a Jew.

Me.

They were trying to kill *me*.

Never Forget.

Growing up, the Holocaust was the reason for a lot of things.

Why my grandparents chose to send my mother to private Jewish day school. Why

the State of Israel exists.

Why I should always be a little bit afraid of non-Jewish neighbors. Why I should never buy German cars.

Their land is soaked with our blood.  
Don't give them our money too.

Never Forget.

But what about forgive?

This summer, I participated in FASPE, a fellowship in Berlin and

Poland for professionals to consider contemporary ethical issues in their fields through the lens of the Holocaust.

I was nervous about going.

My grandmother swore she would never visit Germany "after what they've done."

Within my first hours of arriving, I nearly had a panic attack. The sirens sound different in Europe than in America...a noise I had only ever heard in movies about Kristallnacht, deportations, and children hiding in dark cellars. When a police car siren went off outside the hotel window, my heart exploded.

"Relax!" my rational brain told me. "You don't have anything to be afraid of."

But another part of me whispered,

"Never Forget."

Over that week in Berlin, it would have been impossible for me to forget the Holocaust. I spent all day every day talking about it. Yet what I discovered would probably have surprised my grandparents; it definitely surprised me:

Germany has done *teshuva*.

*Teshuva* (repentance) is a foundational belief in Jewish tradition. We believe that not only can people repent from their wrongdoings, but they are in fact obligated to do so. The great sage Maimonides identifies three stages of *teshuva*.<sup>2</sup>

1) Verbally confess the sin.

Across Berlin, there are government-funded museums and memorials clearly acknowledging Nazi atrocities.

2) Genuinely regret the sin.

German citizens with whom I spoke readily acknowledged the Holocaust with collective discomfort and horror.

3) Commit to never repeat the sin.

The museums and historical sites we visited were full of German school children learning about the war crimes and atrocities committed there.

But most of all, I was convinced by Isabell.

Isabell was another FASPE fellow. She was herself born and raised in Germany. Her family is ethnically German as far back as they know. I was apprehensive when we first met. She has an obvious German accent, and I knew she knew I was Jewish. Carefully casual, we chatted about coffee and sightseeing. A few days later, over lunch at the Brandenburg Museum dedicated to *Aktion T4*, Isabell shared with me how visiting memorial sites was difficult yet important for her.

1) Verbally confess the sin.

She wondered with apprehension about her great-grandparents' role in and attitudes during World War II. She wondered if, but doubted that, she would have resisted herself had she been alive then.

2) Genuinely regret the sin.

She described a kind of guilt and responsibility she felt about Nazi crimes.

3) Commit to never repeat the sin.

She joined this fellowship to ensure that something like the Holocaust will never happen again.

I listened with a mixture of emotions: confusion, anxiety, but—most of all—respect. I appreciated her willingness to admit all these things, to make herself uncomfortable. I was surprised to realize that I understood her sense of guilt; it mirrored my feelings of fear. When Isabell and I looked at the photos displayed in exhibits, we each instantly saw ourselves. While my eyes focused on the victim, hers found the face of the perpetrator.

The next day, we visited Buchenwald Track 17, from which the majority of Berlin's Jews were deported. As I walked up to the track, I couldn't stop imagining myself 80

years ago, overwhelmed and anxious, lugging a suitcase lined with family photos, a crying baby in my arms. I looked up, half expecting to see a train waiting. Instead, I saw Isabell standing alone, solemn, also imagining herself 80 years ago.

Time collapsed around us both. We made eye contact, but she looked away quickly, sad and nervous—perhaps a little ashamed?

For sins committed against other people, as opposed to sins committed solely against God, Maimonides adds that the offending party must

4) Ask for forgiveness.<sup>3</sup>

But can I grant forgiveness?

In that instant, I felt the kind of power that accompanies a genuine moment of choice. I knew that I could walk away from Isabell, shrouded in the privacy of my own meditations and pain, leaving her to hers and me to mine. Or I could walk towards her. I could say “It’s OK.” I could extend friendship, extend forgiveness.

The city of Berlin, Isabell’s eyes, and my FASPE experience ask me:

Can I forgive?

Maimonides writes:

It is forbidden for a person to be cruel and unappeasable, rather he must be easily appeased and difficult to anger; and at the time a sinner asks him for forgiveness, he should forgive with a whole heart and a desirous spirit. Even if one who persecuted him and sinned against him exceedingly he should not take revenge and bear a grudge. This is the way of Israel and of their excellent heart.<sup>4</sup>

Can I forgive?

I really, really want to...

I don’t want to be afraid of an accent.

I don’t want to avoid an entire city.

I don’t want to bear all this trauma.

Forgiveness is healing.  
Forgiveness is  
transformative.

If I could forgive, I could let all that go—

If only it were so simple.

Forgiving the Holocaust takes more than a single moment, no matter how poignant.

*Who am I* to extend forgiveness for an evil done to my entire people, an evil I  
can't even begin to imagine?

I didn't hide in an attic,

resist in a forest,

starve in a concentration camp.

I wasn't beaten,

raped,

or shot.

I didn't lose my job,

my home,

every single member of my extended family.

Who did I think *I was*?

What did I think *I was doing*?

Granting forgiveness for Holocaust crimes is the central question of Simon Wiesenthal's *The Sunflower*. In the first half of the book, he recounts a personal story from his time as a prisoner in Lemberg concentration camp. A mortally wounded SS soldier named Karl summons Wiesenthal to his deathbed. Karl confesses his horrible genocidal crimes against Jews and asks for forgiveness.

As I read Wiesenthal's story, I found myself hoping he would forgive Karl—

He didn't.

I was disappointed, but quickly rebuked myself for passing judgment. In the second half of the book, Wiesenthal poses the same question to over 50 contemporary thought



leaders, inviting them to write a short reflection: would *you* forgive this soldier?

I scanned the table of contents for a name I recognized.

Abraham Joshua Heschel...page 170.

Rabbi Heschel is my *rebbe*, my personal teacher and spiritual guide, a wise, generous, and compassionate person. I was confident he would forgive Karl.

I was disappointed yet again.

After recounting a tale about the famous Rabbi of Brisk, Heschel concludes his short essay: "No one can forgive crimes committed against other people. It is therefore preposterous to assume that anybody alive can extend forgiveness for the suffering of any one of the six million people who perished. According to Jewish tradition, even God Himself can only forgive sins committed against Himself, not against man."<sup>5</sup>

My heart rioted at these words. My throat caught; my eyes burned. My own *rebbe* was telling me I could not possibly do what I wanted. These were not my sins to forgive. In fact, in the whole book, not a single Jewish author confidently states that they would have forgiven Karl. The Dalai Lama, Catholic priests, and Desmond Tutu advocate for Karl's forgiveness. But no Jews.

Why do I have such a different  
opinion than these Jewish  
thought leaders, than  
my grandparents, than  
my own *rebbe*?

Because I am of a different generation.

In the Ten Commandments, God  
proclaims: "I am God, your God,  
a zealous God,  
I recall the sins of the fathers onto the  
children, for three and four  
generations."<sup>6</sup>

Even God holds on to sins for three or four generations.

But after that...?

Forgiveness has become possible in my generation. Not because I am forgetting—

Never Forget—

But because I am granting forgiveness for something else. As Rabbi Heschel taught, I can only forgive sins that were done to me.

My contact with the Holocaust—movies, sermons, and school assemblies—is incomparable to the real-life experiences of survivors. Yet the formal and informal Holocaust education of my youth molded me to carry the concerns and conclusions of my predecessors.

Some of that is beautiful:

I am committed to my Jewish faith, and am honored to carry my tradition.

Some of that is unfair:

I am suspicious of an entire ethnic group and scared of sirens.

Some of it is education;

Some of it is intergenerational trauma.

Can I forgive?

I cannot pardon Isabell for sins she didn't do. I cannot absolve sins that were not done to me. However, such extreme and horrific wrongs were done to Jews during the Holocaust, that they continue to impact Jews today. They continue to impact me. The trauma inflicted on them has been passed down to me.

That—I can forgive.

**I forgive  
the aspect of  
any and all sins  
committed during the Holocaust  
that contributed to  
the intergenerational trauma  
that pains me**

even to this day.

It may seem small to some, but to me it's enormous.

Back on Track 17, I shyly approached Isabell. Without saying a word, we hugged

and hugged

and cried

and hugged.

Embracing Isabell was an act of forgiveness. Not *of* her, nor *of* anyone. Rather, it was forgiveness *for* me. I chose to let go of the fear I had been lugging around in my soul. Don't worry—I will not forget.

Never Forget.

I learned, though, that I can forgive.

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### *Notes*

1. A Jewish communal fast day commemorating the destruction of the Holy Temple in Jerusalem. It is considered a national and religious day of mourning. Many historical tragedies, including the Holocaust, are commemorated on this day as well.
2. Maimonides, *Mishneh Torah*, "The Laws of Repentance."
3. Maimonides also requires the offending party to make restitution. A discussion of such issues, including the ethics of reparations, is beyond the scope of this piece. I would briefly argue that for a sin on the scale of the Holocaust, commensurate compensation is beyond human comprehension, all the more so ability. The German government has already paid over 85 billion dollars in reparations to Holocaust victims and their families. However, it remains an obvious fact that no amount of money could make up for the overwhelming magnitude and variety of Nazi crimes.
4. Maimonides, *Mishneh Torah*, "The Laws of Repentance," 2:10.
5. Wiesel, S. *The Sunflower*. Schocken Books Inc., 1998. p 171.
6. Deuteronomy 5:9, author's translation.







