

'THE STRANGE MR KASTNER' – A REAPPRAISAL OF RESCUE EFFORTS IN HOLOCAUST-ERA HUNGARY, FROM AN ETHICS OF DURESS PERSPECTIVE

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Quidquid agis, prudenter agas et respice finem (Roman proverb)

Der Spatz in der Hand ist besser als die Taube auf dem Dach (German proverb)

Introduction

There are well over two dozen mentions of that 'strange Mr Kastner' in Hannah Arendt's *Eichmann in Jerusalem* - a reference to Rudolph (or Reszö) Kasztner, the *de-facto* head of the Zionist-oriented Jewish Relief and Rescue Committee in Budapest (Va'adat Ha-Ezrah ve-ha-Hatzalah be-Budapesht, short: Va'ada). Arendt's snipes at Kasztner were part and parcel of a larger over-arching argument on the (negative) role of Jewish leaders during the Holocaust. This found that their collaboration was co-responsible for the Jewish catastrophe. Conversely, the German-Jewish political theorist argued that bureaucratic chaos and disorder would have resulted in a significantly lower number of victims. While Arendt saw Kasztner as an archetype of a Jewish Holocaust-era leader, the use of the word 'strange' indicates that contrary to others, she couldn't quite situate him within the wider landscape of this leadership (or lack thereof), that this was a problem or borderline case. The intention of this article is to engage with Arendt's contention and provide a redefinition of the 'strange Mr Kastner', using the combined point of view of the historian and the ethicist.

Applied separately, both the historical and the philosophical method have serious shortcomings when dealing with ethical quandaries of the magnitude of Jewish leadership during the Holocaust. The principle obstacle of historians is the notion that it is not the latter's job to pass judgment, but merely to determine and relate facts (von Ranke's 'wie es eigentlich gewesen ist'). In addition, many historians are on unfamiliar terrain when it comes to providing rigorous ethical analysis. This leads to either avoidance of the issue or moral relativism.

The problems of philosophers and political theorists are of a different order. While they are better equipped to pass judgment, they seek generalization, which clashes with history's emphasis on heterogeneity and specifics. Philosophers also lack the sensitivity of the historian towards source material, chronology, dynamic processes and factors of change. This can render their attempts abstract, schematic and a-historical. Surprisingly, practical philosophers also often treat the historical literature as an ontological given. Their requirement for facts pays insufficient regard to the point that the door of historiography can never be closed (and its results cast in stone), but that all historical fact-seeking is work-in-progress.

The limitations of both historical and philosophical approaches can be overcome through an interdisciplinary approach where both complement each other. The ability of the philosopher to ask overriding questions can be combined with the historian's critical approach to source material.

Leadership under extreme duress

Gaining a better vantage point on Holocaust-era leadership and rescue initiatives has had to contend with two obstacles. First of all the preference of leadership students for wholesome, preferably heroic, role models and 'great man' theory¹; but for a few exceptions, this does not fit the role played by wartime Jewish leaders. Secondly, the towering influence of the institutional model of the *Judenräte* developed by Raoul Hilberg, the dean of Holocaust historians. This model argues that, instead of resisting, Jewish leaders relied on *history of play* and tried to soften the effect of German demands through submission and special pleading. The attempt to safeguard what could be saved had the opposite effect to what was intended: it turned Jewish leaders into unwilling collaborators and readied the populations under their stewardship for concentration and extermination. According to Hilberg, official Jewish bodies were incapable of nurturing parallel, clandestine activities. In some cases they even collaborated with the Germans in neutralizing resisters, who were seen as the real danger to the survival of what remained of their dwindling communities. The tenacity with which this narrative has withstood attempts at revision has been helped along by the popular success of Arendt's *Eichmann in Jerusalem*, which elaborated on Hilberg's point of view.

Only recently has this binary perspective in the portrayal of Jewish leaders been tackled in any form. Leonard Ehrlich, the biographer of Benjamin Murelstein, a member of the Vienna Jewish Council and later *Lagerältester* in Theresienstadt, criticized both Hilberg and Arendt as 'cherry pickers' whose theses were disconnected from reality.² One important counter-argument is that conditions across Europe differed, whereas Hilberg and Arendt argue an archetype of Jewish leadership that was to have had validity across Europe. In his contribution on the UGIF in France Michel Laffite found that if this organization provided assistance to the Germans, then at the same time UGIF leaders also encouraged (successful) self-help and rescue.³ As we will see later this also applies to Hungary: conditions and range of action were different in occupied Budapest than they were in occupied Warsaw and there could, occasionally, be margin for counteraction. The other criticism one can raise is that while Jewish leaders in Europe may have contributed to their own assassination, they were not necessarily conscious of this, or they were faced with choiceless choices. Even Arendt's argument that chaos would have been preferable cannot be generalized: the absence of Jewish leadership in the occupied territories of the Soviet Union in no way slowed the mass murder perpetrated by the *Einsatzgruppen* as they made their way through the heartland of the Pale in 1941-42, quite to the contrary.

¹ Heroic bias consists in detailed profiling of a leader's positive traits, while framing out the dark side associated with the exercise of any form of power. The bias is universally shared across cultures, historical periods and academic disciplines.

² L. H., Ehrlich, E. Ehrlich, 'Geschätzt und gescholten: Benjamin Murelstein in Wien 1938-43', Jüdisches Museum Wien, 13. Mai 2008,

https://www.youtube.com/watch?v=fzINy_XsOOw&list=PL72BB77A61263B302&index=29

³ M. Laffite (2003) *Un engrenage fatal : L'UGIF (Union générale des Israélites de France) face aux réalités de la Shoah, 1941-1944*, Liana Levi, Paris.

The strategies and objectives of Jewish leaders were also not as uniform as described by Hilberg and Arendt.⁴ Some, such as Mordechai Rumkowski in Lodz, sought to render their protégés useful to the German war effort, by getting the ghetto to work. By summer 1944 the Lodz ghetto contained the largest surviving contingent of Jews in the whole of Poland. Had the Lodz Jews not been deported to Auschwitz in August 1944, post-war assessments of Rumkowski's many controversial actions would, no doubt, have been more forgiving. Others, such as Murrelstein in Theresienstadt, tried to get their protégés through the ordeal by enforcing the maintenance of minimal living standards, through a well-functioning system of self-administration and by establishing contacts with outside entities such as the Red Cross. Murrelstein's leadership may have prevented a last-minute evacuation of the camp in 1945. One particularly illuminating case has come to light through Christopher Browning's recent study of the Jews of the Starachowice/Wierzbnik labor camp.⁵ It deals with a cluster of 1,600 prisoners, an unusually high proportion of whom survived the war. This high survival rate was down to a rather unique constellation of factors: Starachowice was managed by German industrialists; it had no permanent SS presence; and it operated as a so-called open ghetto until 1942. Browning offers several core insights, two of which stand out. First, Hilberg's argument of the irrationality of conventional Jewish behavior in not reverting to mass flight, while they still had the opportunity, is an assumption, for most Eastern European Jews felt that they were, indeed, choiceless. Taking to the forests or living on false papers never could be an option for significant numbers. There then was nothing illogical in preferring the relative comfort of the community to risks that were both unfathomable and incalculable. At the same time, this strategy heightened the chances of survival, which depended on a very high degree of social segregation (or ingroup-outgroup differentiation) among the prisoners; the maintenance of kinship ties, but also bribery. Frank Bajohr dedicated an entire monograph to the latter subject, but limits his approach to investigating how corruption worked against the victims of persecution.⁶ However, as this case shows, it could also work in their favor. This is also what we see at work in the case of Oscar Schindler.

Resistance - at least in its most commonly understood manifestation of armed resistance - was usually ruled out, as it was opposed to the notion of the survival of significant numbers of Jews. Taking up arms against overwhelming force could only ever serve as a symbolic last stand, a final plea for a dignified death (rather than an ignominious one in the gas chamber). This is the story of the Warsaw and Vilna ghettos, where only an infinitesimal number of Jews survived. It is perhaps noteworthy that, on meeting Abba Kovner, one of the leaders of the Jewish uprising in Vilna, after the war, the Israeli poet Nathan Alterman stated that if he had been in the ghetto, he would have been on the side of the

⁴ See also I. Trunk, (1996) *Judenrat: The Jewish Councils in Eastern Europe under Nazi Occupation*, University of Nebraska Press, 388-450.

⁵ C. Browning (2010) *Remembering Survival: Inside a Nazi Slave-Labor Camp*, Norton, New York; C. Browning (2005) "'Alleviation' and 'compliance': the survival strategies of the Jewish leadership in the Wierzbnik ghetto and the Starachowice factory slave labor camps", in Petropoulos, J. and Roth, J.K. (ed.), *Gray Zones: Ambiguity and Compromise in the Holocaust and its Aftermath*, Berghahn, New York, pp. 26-36.

⁶ F. Bajohr (2001) *Parvenüs und Profiteure: Korruption in der NS-Zeit*, Fischer, Frankfurt.

Jewish councils.⁷ Resistance that had death as its inevitable outcome was problematic and mirrors the general dilemma of armed resistance in occupied Europe.

Civilian resistance and self-help (including illegal activities such as forgeries, people smuggling, safe houses, border crossings, warning the victims) could look like a more satisfactory option. Books by Jacques Semelin and Bob Moore have emphasized this option. However, one should be careful to not over-emphasize what civilian resistance could achieve. Civilian resistance is no *passe-partout* that can be built up in any kind of situation. As Semelin already pointed out, it is constrained by context. If social trust is deficient and if the legitimate powers demand conformism, then not much can be expected from a society in terms of engaging in subversion. This seems to fit the situation in Hungary in spring 1944. As Asher Cohen showcased in his book on the Halutz Resistance, the scope for civilian resistance in the Hungarian countryside was extremely constrained and the risks were very high.⁸ The results that were obtained in the matter of people smuggling to neighboring Romania (*tiyul*) came at the price of heavy sacrifices on the part of the Halutzim. This resistance only really took off once the environmental context had changed, after Horthy's about-face in July 1944, and once the entire operation shifted to the more favorable climate of Budapest.

Finally, there was the age-old option of appealing to authority and getting them to intercede or otherwise act on behalf of the Jews. This seems to have worked in some cases, such as in Denmark and (to a lesser extent) in Vichy France, but summoning Hungarian leaders in spring 1944 was a failure. Although the option was reactivated in July 1944, this was too late for the hundreds of thousands of Jews who had, by then, been deported to Auschwitz.

The Kasztner Affair

The Va'ada, a Zionist offshoot spearheaded by Kasztner, Hansi and Joel Brand, Otto Komoly, Andreas Biss and others, took an altogether different route: negotiation with the perpetrators. Negotiation was an offshoot of corruption, in this case that of German intelligence operatives and SS operatives. The precedent in this matter seems to have been established by Rabbi Weissmandl and Gisi Fleischmann in Bratislava. This built on previous experience of negotiations between Zionists and Nazis, all of which are showcased in books by Yehuda Bauer and Tom Segev. Kasztner and Brand had already relied on the venality of German officials in their initial rescue efforts geared to bringing Polish and Slovak Jews to the relative safety of Hungary in the years prior to the German occupation. In April 1944 Kasztner and Brand attempted to capitalize on these same links in order to negotiate an easing of anti-Jewish measures in Hungary, in exchange for various forms of inducement. This step could be seen as the echo of an earlier *Europaplan*, the 'carrot' of a comprehensive rescue proposal involving significant numbers of Jews which the SS had dangled in front of Slovakian Jews. However, the Va'ada's first down payment produced no perceptible effect. Contrary to what Eichmann had expected though, when he reported these initiatives to his SS superiors in Berlin, he was instructed to

⁷ Cited in T. Segev (1993) *Le septième million: les Israéliens et le génocide*, Liana Levi, 348.

⁸ A. Cohen (1986) *The Halutz Resistance in Hungary 1942-1944*, New York.

continue the negotiations, which had Himmler's interest.⁹ At the end of April Eichmann therefore cited Brand to his office where he made him the infamous 'goods for blood' offer. Brand was dispatched to Istanbul, together with Jewish *Abwehr* agent Bandi Grosz, to submit this proposal to Zionist and Allied officials. The initiative was rejected out of hand by the Allies and Brand was detained by the British, when he crossed the Turkish border into Syria, as was Grosz. When Brand failed to return within the two-week deadline set by Eichmann, Kasztner sought to relaunch the negotiation track. Kasztner tried to convince Eichmann that he had sent the wrong man to Istanbul and that to continue the negotiations a goodwill gesture was necessary.¹⁰ By this time, the deportation of thousands of Jews to Auschwitz was well underway; and in early June the deportations were extended to Jews living on the territory of Trianon Hungary. When Eichmann threatened to disengage in early June, Kasztner went into a slump.¹¹ Initially the Va'ada men had assumed that Eichmann was the chief decision-maker with regard to Jewish policy in Hungary, but this attitude underwent change when they realized that he did not report directly to Himmler, but to Kaltenbrunner and Müller, the head of the Gestapo. Kasztner was able to summon his composure once he understood that the German side of the negotiations could be wrested from the hands of the unwilling Eichmann and placed in the care of Kurt Becher, the SS economics envoy whom Himmler had sent to Hungary in order to mop up Jewish wealth. As Biss reports, Kasztner exploited Eichmann's fear of Himmler and drew in Becher. The latter had the distinct advantage of having a genuine direct line to Himmler - and the authority to trump Eichmann - in addition to being a wily opportunist who realized that the war was lost and that negotiations with Kasztner were the perfect hedge to hide behind in order to create a post-war alibi. This new constellation is what led to the putting together of the so-called Kasztner train which left Hungary with over 1,600 Jews, on 30 June 1944. By the end of 1944 all except a handful of these Jews reached the safety of neutral Switzerland.

A second rescue operation that took shape at the end of June was the transfer of about 15,000 Hungarian Jews to labor camps in Austria. While the initiative for this transport was not Kasztner's doing - the Mayor of Vienna, Blaschke, had passed a request for 'work Jews' to Ernst Kaltenbrunner, the chief of the SIPO-SD and RSHA - the fact that this transport consisted of entire families, which were quartered together and of which only one-third were employed for labor, points to a humanitarian operation. As Eichmann and other SEK members put it, these Jews were 'put on ice', in the eventuality of the success of the negotiations.¹² Most of the families contained in this contingent survived the war intact, a fact Biss called a 'heavenly miracle'.¹³

As a result of his close working relationship with Becher, from late summer-autumn 1944 Kasztner is heavily involved in the negotiations with two US-sponsored relief organizations, the Joint Distribution Committee (JDC) and the World Refugee Board (WRB), at the Swiss-German border. Kasztner

⁹ D. Wisliceny, betr. Bericht des jüdischen Rettungskomitees aus Budapest von Dr. R. Kasztner, p. 5, 25 March 1947, Fritz-Bauer-Institut, Krumey-Hunsche Prozess, Landgericht Frankfurt, 1968/69, Zeugenvernehmungen (Mitschrift).

¹⁰ A. Biss (1985) *Wir hielten die Vernichtung an. Kampf gegen die Endlösung 1944*, März Verlag.

¹¹ C. Gerlach, G. Aly (2004) *Das letzte Kapitel: der Mord an den ungarischen Juden 1944-45*, Fischer, Frankfurt, 302.

¹² A. Biss, 'List als Mittel des Widerstands' (1982), Informationszentrum Berlin, Gedenk- und Bildungsstätte Stauffenbergstrasse.

¹³ Biss, 1985, 95.

probably had reason to believe that the well-being of his *Musterzug* passengers (interned in Bergen-Belsen) as well as of the Strasshof contingent depended on the outcome of the Swiss talks, but the other rationale for the extended talks appears to have been Becher's attempt at preparing his very own personal insurance policy.

The postwar controversy

With this record in mind, Robert Mnookin, a professor of negotiation at Harvard Business School, credited the Va'ada effort as a qualified success. The benchmark Mnookin cited was that Kasztner 'saved lives'.¹⁴ The contention of Kasztner's many critics, however, never was whether he saved lives (this is beyond doubt), but why he, as a leader of a group of Zionist activists dedicated to rescue, saved so few. Other critics went even further. They argued that Kasztner was a collaborator who concluded a deal with the Nazis: a guarantee for the lives of a relatively small number of Jews, including family members and co-workers, in exchange for his silence and collaboration in deporting the bulk of Hungarian Jewry.¹⁵ Again other criticisms attached to Kasztner's overall behavior. Particularly damning was his failure to issue a warning about their impending fate to the Jews of his hometown of Koloszvar (which he was able to visit in early May 1944).

Another contentious point were his contradictions: Kasztner argued in his post-war report that the 600 deportation exemptions he obtained from Eichmann's deputy, Hermann Krumej, in April 1944, were a 'first installment'; that other such transports would follow; and that this hope led him to not divulge what he already knew about extermination.¹⁶ However, as Otto Komoly's diary entries of 2 and 3 May 1944 attest, as far as the Va'ada leaders knew then, 600 was the upper limit Eichmann was willing to grant; and there was no indication of any 'future installments'.¹⁷ As Eli Reichenenthal suggests, once his attempt to halt ghettoization through negotiation had failed, Kasztner, who knew full well that deportation and extermination would to be the next steps, should have walked away.¹⁸

Misgivings about Kasztner's behavior existed from the very beginning. Immediately after the war Kasztner had found it necessary to draft a written defense. The accusations continued after he moved to Mandate Palestine, in 1947, and in 1954 he seized an Israeli court to sue Malachiel Grünwald, an elderly Hungarian Jew living in Jerusalem, for libel. The latter had published accusations of collaboration in a pamphlet that he distributed to a small circle of readers. However, far from clearing his name, the trial turned to Kasztner's disadvantage, with judge Halevi ruling in Grünwald's favor and famously declaring that Kasztner had 'sold his soul to the devil'. Two years later, in 1957, Kasztner

¹⁴ R. Mnookin (2010) *Bargaining with the devil: When to negotiate, when to fight*, New York, Simon and Schuster.

¹⁵ One author, Eli Reichenenthal, argues that Kasztner was a German agent who facilitated the German disinformation campaign that misled Jews about their final destination, e.g. by allowing the distribution of postcards which Jews sent to Auschwitz had been forced to sign and which were posted from a fictitious camp called Waldsee, E. Reichenenthal (2011) 'The Kasztner Affair : A reappraisal', in R. Braham, W.J. Vanden Heuvel, ed., *The Auschwitz Reports and the Holocaust in Hungary*, Boulder, New York, 227-28.

¹⁶ E. Landau, ed. (1961) *Der Kasztner-Bericht über Eichmanns Menschenhandel in Ungarn*, Kindler, 101-103.

¹⁷ Yad Vashem Archives, P 31/44. The Diary of Ottó Komoly, entries of 2-3 May 1944, quoted by Reichenenthal.

¹⁸ Reichenenthal, 222.

was assassinated by right-wing extremists, before being cleared, posthumously, in an appeal before the Supreme Court of Israel.

The allegations of collaboration leveled against Kasztner owed as much to post-traumatic stress as to the exploitation of survivor memory by the Israeli political Right. As a Labor Zionist, Kasztner belonged to a minority within a minority among a Hungarian Jewry that was predominantly assimilationist, and that followed the recommendations of a Jewish Council (made up of establishment figures) endorsing a 'keep calm and follow orders' attitude. As a mid-level operator he had neither the power nor the influence to impact on the course of events. To the overwhelming majority of Hungarian Jews he was a nobody, without leadership credentials, and his word carried little weight.¹⁹ That this more accurate portrayal of Kasztner's standing does not coincide with how he was remembered was partly his own doing, as he inflated his own role after the war. In addition, when the monstrosity of what had happened dawned upon everyone - leading a great number of previously assimilationist Jews to embrace Zionism - the man who had negotiated with Eichmann and received an offer to exchange thousands of Jews for goods was re-cast in the role of an influential Hungarian-Jewish leader (now ironically because he had been one of the top Hungarian Zionists).

Similar deformations of memory apply to the discussion of Kasztner's visit to Koloszvar on 3 May 1944, the first day of the ghettoization of the Jews of the city. Ostensibly, he came to the city for the purpose of arranging the departure of a large group of people who would benefit from the 600 Palestine certificates he had negotiated with Krumej, and who would eventually board the *Musterzug* to Bergen-Belsen (the so-called Kasztner train) on 30 June 1944. The episode still continues to be presented in terms of a Kasztner fully aware of German intentions and fully anticipating the outcome, the deportation and extermination of the community; although this would only materialize a full three weeks later, from 25 May to 9 June. Once more we should be wary of ex-post facto rationalizations. How much could Kasztner really know at the time of his visit? Gerlach and Aly are right to argue that the Hungarian Holocaust moved at breakneck speed. What this implies is that even an experienced humanitarian worker such as Kasztner would have had the greatest difficulty in gaining a reliable overview of the situation. Another insinuation has been that, based on his insider knowledge of the link between ghettoization, deportation and extermination, Kasztner should have picked up the signal on his visit; that, ultimately, he failed in his moral duty to warn the Jews of Koloszvar. But is this link really so solid? Starachowice/Wierzbniak, Schindler, Lodz or Dan Michman's recent book²⁰ all point to the fact that ghettoization was not a homogenous affair. Some degree of doubt should then be allowed as to whether a Kasztner visiting Koloszvar on the first day of ghettoization could really be convinced that deportation would follow three weeks later.

¹⁹ The situation was different in Kasztner's home town of Koloszvar (and surroundings), where Zionism had a more significant base and where he enjoyed a higher standing; s. Y. Weitz (2011) *The man who was murdered twice: the life, trial and death of Israel Kasztner*, Yad Vashem, Jerusalem, 287. However, this fact should not be extrapolated and applied to the whole of Hungary - as was done by the defense in the 1954 Grünwald trial.

²⁰ D. Michman (2014) *The Emergence of Jewish Ghettos during the Holocaust*, Cambridge.

What were the options for action?

The post-war accusations obscured the profound ethical dilemma faced by Kasztner and his colleagues. To consider the alternatives that he could have entertained requires abstracting from what we know today and placing oneself firmly in the context of 1944. The section will find that, in spring 1944, there was little other option - providing one chose to actively influence outcomes - than the Kasztnerian line. This assertion has been confirmed by both the dean of Hungarian Holocaust Studies, Randolph Braham and, before him, by the appeal trial.

The first option was open resistance. This was ruled out from the very beginning, and for valid reasons. Being slaughtered by the Germans for acts of resistance would have been pointless and morally reprehensible as long as not all other options, including negotiation, had been exploited; at least this is what it must have felt like in the beginning. In March 1944 the Jews of Hungary could be assumed to have not been in as desperate a situation as the Jews in the Warsaw Ghetto in 1943, who had no other option than to rise up in arms if they wanted to suffer death in dignity. The situation of Hungarian Jewry was unique in as far as their half-way safe existence on the eve of German occupation deteriorated at an astonishing speed. Arriving in Hungary in March, even Eichmann had assumed that deportations would not take place before July 1944.²¹ In addition, Hungarian Jewry had no armed wing and no tradition of militancy to fall back onto.

The second option would have been for the Kasztner group to inform the Hungarian Jews about the reality behind Auschwitz. However, this would have only had impact, if it had been done by a leader enjoying genuine influence; and even then success was by no means preordained. Gerlach and Aly (2004) cite many examples where warnings were issued, but where people simply refused to believe.²²

The third option was to solicit outside assistance, either that of the Hungarian authorities and the population, or that of the free world. As we have already seen, Hungarian intervention could not be relied on to save Jews. Anyone arguing the opposite is contradicted by the zeal with which the Hungarian authorities pursued ghettoization and deportation. The assumption that the general Hungarian population was unaware of the final destination and would have opposed outright extermination²³ had they been so informed, falls apart when one considers that it would have required little to no effort to discredit any contrarian information as Allied or Jewish atrocity propaganda. In addition, one must also consider that many Hungarians had a vested interest in the expropriation and expulsion of their Jewish compatriots.

Similar reflections relate to the idea of leveraging the influence of the neutral representations in Hungary, in particular the Swiss. This option is associated with Moshe (Miklos) Krausz, the executive

²¹ D. Wisliceny, betr. Bericht des jüdischen Rettungskomitees aus Budapest von Dr. R. Kastner, p. 5, 25 March 1947, Fritz-Bauer-Institut, Krumej-Hunsche Prozess, Landgericht Frankfurt, 1968/69, Zeugenvernehmungen (Mitschrift).

²² Characteristic is also the response of US Supreme Court Justice Felix Frankfurter on being briefed on the Holocaust after Jan Karski's return to the US from Poland: 'I don't believe you. I did not say that you are lying but I don't believe you', s. C. Lanzmann, *The Karski Report*, 2010.

²³ Agnes Heller argues this scenario in her review of the Hungarian translation of Braham's *The Politics of Genocide: The Holocaust in Hungary*, <http://www.c3.hu/scripta/thq/1998/151/heller.htm>

secretary of the Palestine Office and Kasztner's chief antagonist throughout the years. Krausz seems to have gone along with Kasztner's German line to begin with, but then fell out with Kasztner. The exact point when this dissociation took place is not known, but it is likely to have occurred sometime in May-June, when it became clear that the Kasztner line would not save the bulk of Hungarian Jewry. Krausz would argue for the rest of his life that Kasztner was duped by the Germans; that he monopolized the rescue agenda; and that a sustained effort to involve the Swiss at an earlier point would have limited the damage. However, as Randolph Braham remarked in his monumental history of the Holocaust in Hungary, Krausz – whom he credits with a critical role in bringing the Auschwitz protocols to the attention of the world in June - never answered the question why he did not use his Swiss contacts earlier, in order to save substantial numbers of those Jews deported to Auschwitz between May and July 1944.²⁴ Considering that, previously, Krausz had devised an ambitious emigration scheme in conjunction with the Hungarian authorities, a scheme that could have brought thousands of Eastern Jews to safety, had March 19 not gotten in the way²⁵, it is likely that Krausz would have also tried to draw in the Swiss into rescue initiatives at an early stage of the Hungarian Holocaust. The reason why nothing came of this is the fact that the context changed on March 19, and that this change gave the Germans and their Hungarian helpers the upper hand. The margin of action of the neutrals with regard to the on-goings in the Hungarian provinces, where, cleverly, the perpetrators had decided to focus their action in April-June 1944, was particularly limited. The activity of the neutrals could only be deployed in the immediate vicinity of where the embassies themselves were located, in Budapest. And the diplomats could only get away with the generous interpretation of the rules of their trade that a rescue agenda required once the German position had become critically weakened; and once the Hungarians had decided to change track. This process was not set in motion before Regent Horthy's about-face at the end of June–beginning of July 1944.

Context also explains why all attempts to use outside leverage to impact on the situation in Hungary showed no effect before the turning point of June-July. This failure is noticeable with regard to the initial distribution of the Auschwitz protocols to leaders inside and outside Hungary (including Jewish and Zionist leaders), in May 1944.²⁶ While many leaders had all the knowledge they needed, no immediate consequences were drawn from this. It would require the renewed distribution of the content of the protocols by a Swiss network (involving Krausz, Lutz, Manoliu and Mantello), a full month later, to create a lasting effect. What can account for the difference? Two things: first of all, the Swiss network did not rely on alerting officialdom – this had already been done, to no avail - but fed its information straight into Swiss civil society networks. The sustained campaign that followed was then quickly replicated in other countries. This success, however, would not have been possible without Swiss officialdom allowing such a campaign to go ahead. If Switzerland had previously insisted on maintaining a strict neutral stance towards Germany, and this included a rigorous handling of

²⁴ R. Braham (2000) *The Politics of Genocide : the Holocaust in Hungary*, Condensed edition, Wayne State University.Press, 293 (n. 38).

²⁵ A. Nedivi (2010) 'An Attempt to Rescue the Carpathian Jews on the Eve of the Occupation of Hungary, according to Moshe Krausz's 'Book Pages'', *Yad Vashem Studies*, 38 (1), 105-25.

²⁶ S. Szenes, F. Baron (1994) *Von Ungarn nach Auschwitz. Die verschwiegene Warnung*, Westfälisches Dampfboot.

editorship, the Normandy landings and the Soviet Summer offensive swayed Berne in the belief that the tide had definitely turned. The time had come to abandon strict neutrality and consolidate the Swiss position in relation to the future victors. Therefore Swiss officialdom turned a blind eye to the publication of what, only a few weeks earlier, would still have been censored. At the same time, Swiss policy was brought in line with a commitment to rescue, similar to the one Sweden had already adopted in 1943. This consolidated the hitherto weak position of Lutz and other Swiss diplomats in Budapest and allowed them to fully engage in rescue initiatives in Budapest.²⁷

Fourth, there was the option to return to the kind of illegal and conspiratorial undercover work in which the Va'ada had excelled between 1941 and 1944. According to Asher Cohen, the Halutz youth movement in Hungary managed in smuggling about 7,000 Jews to Romania²⁸, as figure that falls short of the number of Hungarian Jews to whose survival Kasztner's negotiations contributed in one way or another. And this is without counting in the thousands of concentration camp prisoners who appear to have benefitted from Kasztner's dealings with Becher and other Nazis toward the end of the war.

The final option: sitting still

Of course, Kasztner could have also decided to not influence outcomes. *Sitting still* would have prevented him from committing his most serious miscalculation; namely to believe in the feasibility of mass rescue. This belief, which some authors have criticized as overly ambitious or even megalomaniac, departed from an availability heuristic, which was based on the following false assumptions:

- The very success of their rescue work before the occupation had primed the Va'ada that they were on a promising track. Once the Germans occupied Hungary, they continued in this operating mode and escalated their commitment. But they did this without factoring in the changed environment, which presented a more uneven playing field than the pre-occupation situation.
- Halting deportations to Auschwitz through negotiation and bribery had seemingly worked for the Bratislava Rescue Committee, under Rabbi Weissmandl and Gisi Fleischmann. The Bratislava Committee had bribed Dieter Wisliceny, a member of Eichmann's team, and the deportations were halted, allowing the remaining 24,000 Slovakian Jews to be spared (until October 1944). What Weissmandl and Fleischmann did not know, however, was that the halt did not occur for the reasons given by Wisliceny. This led to the erroneous belief that rescue of at least a substantial number of Jews was possible through SS officers.
- The German occupier seemingly had the upper hand in Hungary; the German option was therefore considered the only realistic one. As most historians stress, however, the key to understanding the speed of the Final Solution in Hungary lies in Hungarian willingness to

²⁷ D. Kranzler (2001) *The Man Who Stopped the Trains to Auschwitz: George Mantello, El Salvador, and Switzerland's Finest Hour*, Syracuse University Press ; T. Tschuy (1995) *Carl Lutz und die Juden von Budapest*, Verlag NZZ.

²⁸ Cohen, 244.

collaborate, not German intent to exterminate. It also appears that, to begin with, the Kasztner group did not understand the power structure of the German occupation regime, assuming, for example, that Eichmann had extensive powers for Jewish policy in Hungary. Feeling their way through the bureaucratic maze and learning about the genuine distribution of power took time and impeded on the efficiency of the group.

By accepting the very principle of negotiating with the SS, and by accepting the German offer of putting families, associates and *Prominente* on the special train, the Va'ada put themselves at the mercy of the SS; any steps out of line would endanger the Kasztner Jews and were out of the question. This pattern of entrapment continues until the end of the war, and explains Kasztner's close relationship with Kurt Becher and other Nazis.

Eichmann himself later stated that the uprising in the Warsaw ghetto and the flight of the Danish Jews were on his mind when he arrived in Hungary and that he was keen to avert any repeat scenarios.²⁹ The key for the Germans perpetrators was to secure the full cooperation of Hungarian state organs, to let them handle the preliminaries and the details of deportation, and to slip into the role of mere advisers. The other priority in the implementation was to neutralize factors that could interfere with the clockwork of deportation. This included tackling all thought of rebellion at the root, by *schmoozing* the assimilationists and manipulating those militants most likely to be drawn towards armed or other types of resistance.³⁰ Knocking activists, such as Kasztner, out of the rescue business would have been one part of the overall strategy.

The problem with this rather straightforward and seductively plausible blackmail scenario, however, is that it is not mentioned in the sources, except post facto, in Eichmann's reminiscences and by authors such as Ben Hecht. Naturally, Eichmann would have had an interest in claiming that he had held the upper hand at all times, and that it had been him who had led Kasztner by the nose, and not the other way around. The antipodes of who duped whom are mirrored in the work of Andreas Biss and Jenő Levai, but this debate has never been closed conclusively. What appears to be relatively safe, however, is that the SS had its internal dissensions: those, like Himmler, open to negotiation and those, like Eichmann, Kaltenbrunner and Müller, for whom extermination remained the absolute priority. The differences in opinion would not have escaped the rank-and-file. Himmler's example in particular would have led an increasing number of Germans to become more amenable to someone like Kasztner, who, if he survived, would occupy an influential position in the post-war order. This gave Kasztner more leverage than the above scenario of one-way dupery would tend to suggest.

²⁹ Cesarani, D., *Becoming Eichmann: rethinking the life, crimes, and trial of a 'desk murderer'*, Da Capo Press, 2006.

³⁰ One aspect of Eichmann's activity that has not received the sufficient attention of historians interested in the Hungarian Holocaust is his early career in the SS security service (SD). Here Eichmann learnt the notion of Nazi *Gegnerbekämpfung*, an approach that combined police methods with systematic research and knowledge of the Reich's (real or imagined) enemies. Part of the study program was to investigate organisations and individuals and draw up plans on how internal differences could be exploited. Eichmann who started out as a Sachbearbeiter on the Free Masons desk later became the SD-expert in Jewish affairs. His knowledge of Jewish and Zionist organisational make-up was exceptional, and he later put it to good effect in the running of the Central Offices for Jewish Emigration in Vienna, Prague and Berlin. During the Holocaust the manipulation of community leaders and individuals was perfected to the level of virtuosity by all the members of the Sonderkommando Eichmann.

In the final instance, it is not clear what tangible results – apart from avoiding entrapment - *sitting still* could have achieved. In addition, it is unrealistic to expect responsible leaders to do nothing in duress situations; even though experience tells us that, resisting the temptation to rush into a makeshift solution is often more adequate. The paradox of the leader who feels compelled to act with determination (as a result of his role, status or the expectations of his followers), when, in actual fact, a less decisive approach (including stalling, hesitation and brainstorming) would be more suitable, is well known within leadership theory. The other reason why responsible leaders often feel compelled to act is to avoid being seen as 'fence-sitters' who assign the responsibility to act to others:

Those acting on the presumption that the end does not justify the means open themselves to the suspicion of being obsessed with [. . .] their own moral purity regardless of the cost to others.³¹

The moral philosopher Jonathan Glover goes in a similar direction, calling such a position 'dogmatic'. According to Glover, a moral doctrinaire will never allow for anything but a clear-cut utilitarian or deontological response to questions of life and death, although these are often characterized by extremely murky contexts that require a more discretionary approach.

Ethical and critical appraisal

In the first trial Judge Halevi ruled that Kasztner had 'sold his soul to the devil', that he had made a conscious utilitarian decision to relinquish the majority to save the few. But this was revised in the appeal, when it was argued that no causal relationship existed between Kasztner's activities, and his silence which, according to his accusers, had favored the destruction of the bulk. Judge Agranat of the Supreme Court provided the most detailed legal opinion on this point:

- A. During this period Kastner was motivated by the sole motive of rescuing all Hungarian Jews, i.e., rescuing the maximum number which, considering the circumstances of time and place as assessed by him, could have been saved.
- B. This motivation coincided with the moral duty of rescue by virtue of his task as manager of rescue in Budapest.
- C. Influenced by this motive, he exercised a system of financial or economical negotiations with the Nazis.
- D. This system can withstand the test of reasonableness.
- E. His behavior on the date of his visit to Cluj (May 3) and thereafter - both from the active aspect (the plan of the prominents) as well as the passive aspect (the not informing of the

³¹ A. Alexandra (2007) 'Professional ethics for politicians?', in Primoratz, I., ed., *Politics and Morality*, Palgrave Macmillan, New York, pp. 76-91.

'Auschwitz news' and not encouraging resistance operations and large scale escapes) - coincides with his loyalty to the same system in which he saw during all relevant times the only chance of rescue.

F. Therefore, one cannot find moral defects in that behavior; one cannot find any causation between it and the expediting of the deportation and the extermination and one cannot consider it amounting to the degree of collaboration with the Nazis.³²

Agranat's opinion hides a reference to the doctrine of *double effect*, which goes back to Thomas Aquinas. Double effect distinguishes between the intended and the unintended (but still foreseeable) consequences of one's actions in decision-making contexts involving questions of life and death.³³ Under double effect only intended ill-doing is morally reprehensible. This implies that two actions with identical outcomes need not have the same moral validity, and operates a distinction between acts and omissions.

Any kind of explicit agreement between Eichmann and Kasztner, e.g. his silence in exchange for the lives of the people on his train, or his deliberate selling out of some categories to save others, would make Kasztner guilty under the terms of double effect. The same would apply if he had been using the majority, by deliberately misleading them, as a means to save others. Although this scenario was argued by Eichmann after the war, by Shmuel Tamir and Judge Halevi in the Grünwald trial, and by others such as Ben Hecht and Eli Reichenthal (to name but a few), the assertion that he deliberately and actively contributed to the killing of some Jews as a means to save others is unsubstantiated.

Eichmann is particularly problematic as a source. His Kasztner legend may very well have been based on what he had learnt about the Grünwald trial from the sources that were available to him in Argentina. It is equally conceivable that Kasztner had bluffed Eichmann, namely by pretending that he was offering him a deal - just as he tried to pass himself off as the representative of powerful *World Jewry*. At the end of the day, however, the question whether Kasztner had committed to any such a plan is irrelevant, as this would have made little difference. Kasztner did not have the kind of power, notoriety or standing in the community that would have guaranteed the outcome desired by Eichmann: neither was he the leader of the Jews of Hungary; nor could he sway the Jewish masses in one direction or another. In a worst case scenario the only damage a rogue Zionist leader could have caused was the neutralization of the most activist part of Hungarian Jewry, a thesis that is suggested by the Hungarian historian Szita Szabolcs. However, as the Zionists were themselves a minority phenomenon, the effects of any such manipulation would still have been rather small.

One should not let one's reasoning remain on the level of the 1958 appeal, however. The practical philosopher Jonathan Glover has criticized the doctrine of double effect, on the grounds that it is not clear why acts and omissions with identical outcomes should invite a different moral assessment:

³² B. Hecht (1961) *Perfidy*, New York, 246 (n.176); also A. Orr (1994) 'The Kastner Case, Jerusalem, 1955' in *idem, Israel: Politics, Myths and Identity Crisis*, Pluto Press, 109-110.

³³ J. Glover (1977) *Causing Death and Saving Lives*, Penguin, 90-91.

The conscious failure to save a life is in some circumstances conventionally regarded either as killing or as morally equivalent to it, but in other circumstances the conventional view is that they are neither identical nor morally on a par [...] this conventional difference of moral evaluation is defensible to the extent that it reflects differences of side-effects. But in so far as it results from thinking that an act and deliberate omission with *identical* consequences can vary in moral value, the conventional view should be rejected (Glover, 116).

Although Kasztner's omission to not alert Jews to their fate cannot be argued to have led to identical consequences – Kasztner contributed to saving more people than Oscar Schindler – the fact that he (as many other leaders) had incontrovertible knowledge of extermination leaves one with a sense of unease. Can Kasztner's actions stand the test of reasonableness, as Agranat argued? Or did his bird eye's view of the situation require him to choose a different type of action than plodding along the preordained course of negotiations with the Germans?

In terms of extenuating circumstances one can argue that Kasztner's failure is the general failure of all leaders who knew (and there were many) and who chose to not alert the victims to their fate. In not revealing what he knew, he was in a similar league as Rabbi Baeck in Theresienstadt.³⁴ Secondly, Kasztner took risks and tried to influence the course of events, thereby putting himself and his co-workers in the line of fire.

If, despite these extenuating circumstances, Kasztner's action continues to stoke controversy, then, principally, for three reasons: first there is Kasztner's proximity, even friendly relations, to leading perpetrators. This entailed that, as Germany's overall position worsened, they would use him for their attempts to create alibis. Kasztner, in fact, became indebted to them for services rendered in facilitating his rescue program and he would intervene on their behalf after the war. The moral question is whether it was appropriate to provide SS officers, such as Becher, with an alibi, in exchange for hundreds, or perhaps thousands of lives? Postwar assessments were unanimous in their condemnation of Kasztner on this particular count. It is significant that Kasztner's post-war assistance to former SS officers was the only charge where the 1958 appeal upheld judge Halevi's ruling. Throughout the 1960s and 1970s the most senior Va'ada survivor, Andreas Biss, criticized this general stance, insisting that members of the SS could be brought over to the other side, and that rescue workers could not afford to exploit the possibilities that this disposition offered.³⁵ While survivors would have reviled Biss for such utterances, historical objectivity commands a differentiated approach that remains alert to all possibilities. While it is impossible to take Becher's post-war self-image seriously, it is possible to argue that Becher and Eichmann were *not* two sides of the same coin, as has been argued by some authors. Kasztner's proximity to some of the perpetrators can no longer suffice as a matter of condemnation.

The second objection is that, in the final instance, Kasztner, the ambitious rescue worker who eyed a comprehensive scheme, failed at his task. Even if we allow that there was no tacit agreement with the *Sondereinsatzkommando*, Kasztner failed to issue a warning (or act in some other preventive

³⁴ J. Robinson, 'Introduction: Some basic issues that faced the Jewish Councils', in Trunk, *Judenrat*, xiii

³⁵ Biss, 1985; also his pamphlet 'List als Mittel des Widerstands' (1982).

way). For someone whose profession was rescue this was indeed an odd position to be in. Considering that the great majority of Hungarian Jews were murdered in Auschwitz between May and July 1944, it is not sufficient to argue that Kasztner was only a mid-level operator, with no real influence over the masses of Hungarian Jews; that his group saved many Jews, that others previously selected in Auschwitz possibly survived as a consequence of the Swiss talks; and that the group's activities may have influenced Himmler's *Deportationsstopp* in August and his *Endlösungsstopp* in autumn 1944. Kasztner's action was inadequate, incommensurate to what the situation would have required. Kasztner recognized this Achilles heel himself when commenting the situation in early June 1944 in his report: by then the Va'ada had failed to save a single Jew, yet thousands had already perished.³⁶ There was a failure to act in proportion. But which Jewish leader's action was adequate or commensurate? All this throws us back to the enormity of the Holocaust and testifies to a general inability to come to terms. Much individual behavior was no doubt borderline; but no more borderline than the epoch itself.

The most serious contender for controversy is the differential treatment that influenced the decisions as to which individuals were to be beneficiaries of rescue efforts - and those who would be left to their fate. Again, this feature of Jewish leadership behavior was already noted by Hannah Arendt in her *Eichmann in Jerusalem*. Patterns of ingroup-outgroup differentiation had infiltrated many heads, and one is tempted to agree with Arendt that the Nazis had a particular talent in inducing moral degeneration, not merely among their own, but also among their victims. As Gerlach and Aly have noted, differentiations between assimilated and unassimilated Jews are noticeable across occupied Europe; while prevalent in Hungary, this pattern can also be found in Bulgaria, Romania and in France.³⁷ It is worth noting that Brahm mentions a *conspiracy of silence* in his history of the Hungarian Holocaust, without specifying clearly what he implies by this term. There is some indication, however, that what he meant was the fatalism that prevailed when the Jews of Carpatho-Ruthenia and Transylvania were deported to Auschwitz in May?

We know from Gerlach & Aly that the Hungarian Holocaust was a stage-by-stage process. The idea that the Germans came with a master plan that only needed to be implemented has long been abandoned. The first stage in the deportation of the Hungarian Jews was not decided before late April–early May 1944, and it, at first, concerned those living in the newly re-acquired territories.³⁸ While Hungarian anti-Semitism could be relied on to move against the unassimilated *Ostjuden* living in these territories, the Germans could not automatically assume that the attitude with regard to the assimilated Jews of Trianon Hungary would be the same. During the interlude between these first two phases of the Holocaust in Hungary, Jewish leaders such as Stern and Freudiger (s. their diaries) apparently assumed that the Jews from the territories reincorporated into Hungary in 1940 were 'hopeless cases', and the little effort that was made was concentrated on saving the Jews of Trianon Hungary. This

³⁶ *Der Kasztner Bericht*, 101-103. Eli Reichenenthal (227-229) also relates a note Kasztner dictated to his secretary in July 1944. In this note he seems to deplore having tied his silence to the success of the negotiations; he also admits that it would have been better to organize resistance with the Halutz instead of negotiating (even if it had not achieved anything), as this would have preserved their integrity (n.b. the note is in the Museum for the Jews from Hungarian speaking countries in Safed).

³⁷ Aly, Gerlach, 424-5.

³⁸ Aly, Gerlach, 249 ff.

salami tactic followed a line carved out by the Hungarian authorities who discriminated between six different categories: the unassimilated Jews in the reacquired territories; the Jews in the provinces of Trianon Hungary; the Jews of Budapest; the men of the labor service; exempted Jews (those living in mixed marriages and decorated war veterans); and those with letters of protection.³⁹ When the authorities let it be known that they were targeting the unassimilated Jews, this could sound quite genuine. The layered character of the process was mirrored in people's psychological defense mechanism and it could mislead them into assuming that it was the others, but not them, who would be deported. This attitude was patterned on the reaction to the drama unfolding in Poland in 1942-43, which the majority of Hungarian Jews had not considered relevant to their own situation.⁴⁰ Once the deportation of the *Ostjuden* got underway, however, the Germans realized that the Hungarians were willing to go the entire way, and the Jews of Trianon Hungary were also earmarked for deportation, late in May.

Particularistic thinking did not stop short of the Va'ada who considered potential émigrés to Palestine, the chief recruiting ground for which were the Eastern territories, more 'valuable' than the assimilated element of Budapest and Trianon Hungary.⁴¹ According to Kasztner, Eichmann was not interested in including what he considered the committed (i.e. unassimilated) Jews of these territories in any rescue proposal.⁴² In turn, Eichmann later claimed that Kasztner was only interested in this 'valuable material'. It would be easy to dismiss this as one of Eichmann's postwar fabrications, if the preference for emigration rather than outright rescue wasn't also supported by Zionist discourse. This applies less to the issue of the Kasztner train and the Strasshof Jews – here Zionist criteria were not applied⁴³ – but it transpires on other occasions.⁴⁴ The ethical implication of considering some groups hopeless or less valuable than others is extremely problematic.

Many of the young Zionist pioneers, the Halutzim, had serious misgivings about such moral traps, as this humiliated the victims and catered to the Nazis' belief that they were dealing with an inferior race.

The long-term damage inflicted by the Va'ada rescue activities was not, as the epigones of Ben Hecht have argued for decades, that these aided and abetted mass murder; to fill their convoys to Auschwitz the Nazis did not need Kasztner. On the same token the non-revelation of what he knew about extermination hardly made a difference either. The damage was immaterial and consisted in the lasting agony among survivors that had to follow from their realization that fellow Jews had allowed themselves to become instruments of the economy of death. For many this must have felt like the ultimate betrayal.

One can contrast the situation with the moral code adopted by Rabbi Marmorstein in Theresienstadt. Marmorstein did a lot of things that, after the war, were interpreted as collaboration,

³⁹ Ibid., 268-9

⁴⁰ Ibid

⁴¹ *Der Kastner Bericht*, 66-67.

⁴² *Der Kasztner Bericht*, 114, 126.

⁴³ This is not to say that the criteria which were used to establish the lists (those who laboured for the community, wives of labour service men, orphans) were not somewhat spurious.

⁴⁴ Aly, Gerlach, 316-317 cites postwar correspondence addressed by Kasztner to his 'dear friends' which mentions his rescue of 'valuable servants to the Jewish cause' as well his objection to the 'valueless' human material transiting through Moshe Krausz' Palamt.

but there was one thing he consciously avoided: he never partook in establishing lists of those who were to be sent to their deaths. Should leaders ever *play god* in situations of extreme duress? This is the question the Kasztner affair ultimately boils down to.

Conclusion

If there is one sure lesson one can take away from the Kasztner affair, then it is the importance of context. When the Greek philosopher Heraclitus coined the aphorism *Panta rhei* (one never steps into the same river twice), he implied that every assessment of a situation had to be modified in line with the changing context; and especially so if this context is highly dynamic. The situation in Hungary in spring 1944 was precisely that: complex, chaotic, out of control, and moving at breakneck speed. This is what Kasztner himself wrote in his report. And it is what led Christian Gerlach and Götz Aly (2004) to argue that there was not much scope for Jewish leadership action in Hungary, in 1944: a survival strategy that worked one day could spell death the next.⁴⁵

This depiction of the dynamics of spring-summer 1944 is not entirely accurate. The environment in the early period of the occupation, March 19 to the end of June, is very different from the periods that followed thereafter, and very unforgiving for that matter. Kasztner seems to have been fairly far-sighted in his analysis that neither Hungarian nor foreign help would be forthcoming, and that there were no routes to save Hungarian Jews other than direct negotiation with the perpetrators. Armed resistance was out of the question; and Halutz people smuggling turned out to be less impressive in terms of numbers saved than Kasztner's German negotiations, at a very high human cost to the movement. The opportunities for rescue only changed significantly in late June-early July 1944. From that point onwards it became easier to advance a rescue agenda that gave a wide berth to the German rescue option. Even the *Nyilas* takeover in October 1944 could not dislodge the window for self-help and resistance that emerged as a result of the turning point of summer 1944. This is one of the main points one takes away from a reading of Asher Cohen's book on the Halutz resistance in Hungary. It is also no coincidence that many rescue schemes mounted by Wallenberg and other neutral diplomats relied to some extent on *Nyilas* members turning a blind eye or conniving.

Now, it would be unreasonable to expect Kasztner to have had advance knowledge of how the situation would unfold several months down the line. Therefore one cannot condemn him for having made a decision based on the evidence that was available to him in March-April 1944. Although we could argue along the line of Hannah Arendt that some opportunities had sometimes better be missed, whom should we admire more? The fence-sitter who watches things go by? Or the sorcerer's apprentice who unwittingly sets in motion a mechanism that cannot be reversed. The latter scenario corresponds to the slope we see Kasztner slipping down over the weeks and months of contact with the Germans: becoming entrapped in a web of false promises and blackmail, and associating with mass murderers in order to save human lives.

This kind of predicament is sometimes described as the 'Damned if you do, damned if you don't' principle, or as *dirty hands*. We can find it in Winston Churchill's adage that he'd do a deal with a devil

⁴⁵ The example they gave was that of the forced labour men, Aly, Gerlach, 310-12.

in order to rid the world of Hitler. Dirty hands does not attach to the metaphysics of manifest or absolute evil, but to those good men who find themselves under an obligation to commit transgressions which they themselves would deem unethical in other contexts, such as their private lives. It caters to the fact that duress does not allow the luxury of straightforward solutions devoid of moral ambiguity, but requires the identification of a lesser evil. Dirty hands shares one feature with common dilemmas, namely that all existing options for action are unpalatable. However, unlike dilemmas, where no direction exists as to which action should be taken, dirty hands points to a path that, despite its drawbacks, is imposing as well as painfully obvious.⁴⁶

Reszö Kasztner remains that strange - or should we say - controversial 'Mr Kastner'; but not in the sense advocated by Hannah Arendt. If he was not the pristine hero into whom he was stylized by those he saved and their descendants (their gratitude hardly comes as a surprise), then neither was he a villain. With the benefit of historical perspective (rather than hindsight) it should be possible to show more empathy today, if not for the individual, then at least for his predicament as a leader.

⁴⁶ C. Coady (2011) 'The problem of dirty hands', *The Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/archives/sum2011/entries/dirty-hands/>.