



THE POLITICS OF TURKEY DURING THE HOLOCAUST

STUART J. ROTH*

INTRODUCTION

The systematic destruction of European Jewry during the Holocaust stands as the darkest moment in modern civilisation. The methodological murder of over six million Jews was perpetrated by not only the Germans, but with the collaboration of a long list of countries that were either directly or indirectly accomplices to genocide¹.

*Mr Roth is a Senior Fellow of the Centre for the Study of Law & Public Policy at Oxford. He is also Senior Counsel with both the American Center for Law & Justice (ACLJ), Washington, D.C., and the European Centre for Law & Justice (ECLJ), Strasbourg, France. He received his Bachelor of Science degree *cum laude* from Florida State University, and his *Juris Doctor* degree from the Walter F. George School of Law at Mercer University. Mr Roth has collaborated with ACLJ Chief Counsel Jay Sekulow on twelve United States Supreme Court cases, including the landmark decisions in *Mergens* and *Lamb's Chapel*, that have altered the landscape of religious liberties litigation. Mr Roth's international law practice focuses on constitutional law, human rights, religious liberties and democratic freedoms worldwide, which includes cases before the European Court of Human Rights and the International Criminal Court.

¹ *Collaboration*, USHMM.ORG, <http://www.ushmm.org/wlc/en/article.php?ModuleId=10005466> (last visited 1 June 2015). For example, after Germany's conquest of France, the French zealously implemented the Nazis' racist policies against the Jews. See *The Holocaust: The French Vichy Regime*, JEWISHVIRTUALLIBRARY.ORG, <http://www.jewishvirtuallibrary.org/jsourc/Holocaust/VichyRegime.html> (last visited 1 June 2015).

At the time the Holocaust began in 1933², there were approximately 75,000 Jews living in Turkey³; and at the onset of the war, there were between 20,000-50,000 Turkish Jews living in European countries⁴. As a neutral country during WWII, Turkey was able to play a crucial role in rescuing Jews through the efforts of its embassies, and to serve as an escape route to Palestine due to its geographic proximity⁵. Nevertheless, Turkey has been properly criticised by observers for both creating too many economic, legal, and administrative obstacles to the repatriation of Turkish Jews and impeding refugee transit⁶. However, Turkey's foreign policy, which centred on its self-interest in remaining nonaligned, was forced to maneuver around a multifaceted set of competing interests, both domestic and international. Clearly, there was not a coherent, organised governmental effort to rescue or repatriate Jews⁷, but the humanitarian efforts of individual diplomats in saving Jews have appropriately been credited⁸.

² 30 January 1933, the date Adolph Hitler became Chancellor of Germany, is generally accepted as the start of the Holocaust. *See The Holocaust: An Introductory History*, available at <http://www.jewishvirtuallibrary.org/jsource/Holocaust/history.html> (last visited 21 Jan. 2015).

³ CORRY GUTTSTADT, *TURKEY, THE JEWS, AND THE HOLOCAUST* 1, 24 (2009).

⁴ Guttstadt places the number of Turkish Jews between 20,000–25,000 but notes that others estimate between 30,000–50,000. It is difficult to pinpoint the number of Jews of Turkish descent living in Europe and reports vary due to differences in census-taking processes. *Id.* at 135.

⁵ DALIA OFER, *ESCAPING THE HOLOCAUST* 163–64 (1990); ARNOLD REISMAN, *SHOAH: TURKEY, THE US AND THE UK* 181 (2009); STANFORD J. SHAW, *TURKEY AND THE HOLOCAUST* 256 (1993) [hereinafter *TURKEY AND THE HOLOCAUST*].

⁶ GUTTSTADT, *supra* note 3, at 242–43, 310–13.

⁷ Guttstadt has criticised Turkey's efforts in this regard. GUTTSTADT, *supra* note 3, at 309–13. Her perspective is that the efforts of Turkish diplomats to save the Jews have also been greatly exaggerated. *Id.* at 149–51. Bahar also agrees. I. IZZET BAHAR, *TURKEY AND THE RESCUE OF EUROPEAN JEWS* 2361–412 (2013) (5 Dec. 2014 Kindle Edition). *See also* GUNTHER JIKELI & JOELLE ALLOUCHE-BENAYOUN, *PERCEPTIONS OF THE HOLOCAUST IN EUROPEAN AND ISLAMIC COMMUNITIES* 62–63 (2013).

⁸ ARNOLD REISMAN, *AN AMBASSADOR AND A MENSCH* 227–29 (2010) [hereinafter *AN AMBASSADOR AND A MENSCH*]; *Turks Saved Jews from Nazi Holocaust*, RAOUL WALLENBERG FOUNDATION (25 Oct. 2008), <http://www.raoulwallenberg.net/highlights/turks-saved-jews-nazi/>; *Prime Minister Erdogan Tells ADL That "Anti-Semitism Has No Place in Turkey"*, ALD.ORG, http://archive.adl.org/presrele/asint_13_/4730_13.html#_VINq1ouNT9v (last visited 1 June 2015); *Unexpected*

Turkey's policies during the Holocaust must be examined in light of the contemporary challenges of deteriorating domestic economic conditions, European anti-Semitism⁹, threat of invasion, and balancing the hostile foreign policies of Britain and the United States towards Jewish refugees. In this context, Turkey steered a path of a cautious and independent country caught in the crosshairs of war¹⁰, and this was reflected at times in its apathy concerning the Jews. This paper will examine the implications of Turkey's political doctrine and its impact on both Turkish and European Jews during the Holocaust.

I. BACKGROUND: THE HISTORY OF JEWS IN THE OTTOMAN EMPIRE

Ottoman Empire Welcomes Persecuted Jews from Europe

There has been a Jewish presence in Turkey ever since the 4th century B.C. The Jewish historian, Josephus Flavius, noted that Aristotle encountered Jews in the region and archeologists have found temple ruins dating from as early as 220 BC¹¹. In the 1400s, when Sephardic Jews¹² were expelled from Spain during the blood libel¹³ attacks of the

Saviours: The Role of Turkey in Assisting Victims During the Holocaust, DEP'T OF PUB. INFO. NON-GOVERNMENTAL ORGS (31 Jan. 2011), <http://www.un.org/wcm/webdav/site/dpingorelations/shared/Documents/PDF%20Documents/Draft%20Programme.31%20Jan%20Holocaust%20doc.pdf>.

⁹ ROOTS OF HATE: ANTI-SEMITISM IN EUROPE BEFORE THE HOLOCAUST 1–10 (2003), available at http://assets.cambridge.org/9780521773089/excerpt/9780521773089_excerpt.pdf. Even before the outbreak of WWII, anti-Semitic laws had been implemented in Germany, Bulgaria, Hungary, Poland, Romania, Slovakia, and France.

¹⁰ YOUSSEF ABOUL-ENEIN & BASIL ABOUL-ENEIN, THE SECRET WAR FOR THE MIDDLE EAST: THE INFLUENCE OF AXIS AND ALLIED INTELLIGENCE OPERATIONS DURING WORLD WAR II 118, 120, 125 (2013); SELIM DERINGIL, TURKISH FOREIGN POLICY DURING THE SECOND WORLD WAR 49 (1989).

¹¹ *Turkey*, JEWISHVIRTUALLIBRARY.ORG, <http://www.jewishvirtuallibrary.org/jsource/vjw/Turkey.html> (last visited 1 June 2015).

¹² Sephardic Jews refer to Jews from Spain and Portugal. See *Foundation for the Advancement of Sephardic Studies and Culture*, SEPHARDICSTUDIES.ORG, <http://www.sephardicstudies.org/intro.html> (last visited 1 June 2015).

¹³ Blood libel refers to allegations that Jews drank the blood of Christian children during Passover. See *Blood Libel*, ZIONISM-ISRAEL.COM, <http://www.zionism-israel.com>.

inquisition, the Ottoman Empire and Sultan Bayazid II reached out and welcomed Jews to settle in their land, where the Jews flourished and integrated into the community¹⁴. The oppression of the Jews continued, as did their migration to the Ottoman Empire. Jews fled Serbia, Bulgaria, and the Ukraine in the late 1600s, and then Christian persecution in Eastern Europe and Greece during the 19th century¹⁵.

As Jews were being victimised in Germany during the 15th century, influential Rabbi Safarti encouraged them to emigrate, proclaiming, “Here everyman dwells at peace under his own vine and fig tree The way to the Holy Land lies open to you through Turkey”¹⁶. The 16th and early 17th centuries were referred to as the Golden Age of Ottoman Jewry, and its burgeoning Jewish population exceeded those in Christian Europe¹⁷. Even more, the Ottoman Jews made up the most affluent Jewish community in the world¹⁸. Over the centuries, Jews were able to assimilate into society and served numerous régimes as court physicians, lawyers and educators; as innovators, they introduced modern technology such as the printing press¹⁹. They were also notably involved in lawmaking affairs and Ottoman diplomacy. That being the case, Jews enjoyed the favour of the government. For example, while responding to accusations of blood libel in 1840, Sultan Abdulmeci defended his Jewish citizens, saying, “and for the love we bear to our subjects, we cannot permit the Jewish nation, whose innocence for

com/dic/blood_libel.htm (last visited 1 June 2015).

¹⁴ *Jews in the Ottoman Empire and Turkey*, PROJECTALADIN.ORG, <http://www.projetaladin.org/holocaust/en/muslims-and-jews/muslims-and-jews-in-history/jews-in-the-ottoman-empire-and-turkey.html> (last visited 1 June 2015). See also *Turkey*, *supra* note 11.

¹⁵ STANFORD J. SHAW, *THE JEWS OF THE OTTOMAN EMPIRE AND THE TURKISH REPUBLIC* 2, 3–9, 237 (1991) [hereinafter *THE JEWS OF THE OTTOMAN EMPIRE*]. See also *Turkey*, *supra* note 11.

¹⁶ *Turkey*, *supra* note 11. See full text of Safarti letter at *Letter of Rabbi Isaac Zarfarti*, TURKISHJEWS.COM, <http://www.turkishjews.com/history/letter.asp> (last visited 21 Jan. 2015) (site references BERNARD LEWIS, *THE JEWS OF ISLAM* 135–36 (1984)).

¹⁷ *THE JEWS OF THE OTTOMAN EMPIRE*, *supra* note 15, at 36–40.

¹⁸ *Id.* at 36.

¹⁹ *Jews in the Ottoman Empire and Turkey*, *supra* note 14.

the crime alleged against them is evident, to be worried and tormented as a consequence of accusations, which have not the least foundation in truth"²⁰.

On the other hand, there were long periods of decline for the Ottoman Jews in the 17th and 18th century²¹. This resulted in part from a void in effective leadership amongst the ruling class in the Empire; but economic, social and political reforms reinvigorated the community in the 19th and 20th century²². During the latter periods of the Ottoman Empire, laws were enacted that served to benefit the economically thriving Jewish population²³, prompting the Alliance Israelite Universelle in Paris to report, "there are but few countries, even among those which are considered the most enlightened and the most civilized, where Jews enjoy a more complete equality than Turkey"²⁴. The culmination of WWI and the Treaty of Sèvres²⁵ brought an end to the Ottoman Empire; and in the aftermath of the Turkish War of Liberation²⁶, Turkey passed legislation that disfavoured Jews and other minorities²⁷. Faced with a new social and political climate, many Turkish Jews decided to emigrate to escape the uncertainties inherent in this fledgling new nation²⁸. The Republic of Turkey was born in 1923,

²⁰ *Id.*

²¹ BAHAR, *supra* note 7, at 913–29.

²² THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 109–11, 147–50.

²³ *Id.* at 155–57, 206–09.

²⁴ *Id.* at 210.

²⁵ *The National War of Independence*, HISTORYOFTURKEY.COM, <http://www.history-of-turkey.com/independence/> (last visited 1 June 2015). Turkey fought with Germany on the losing side of WWI, and the Ottoman Empire was subsequently dissolved and divided up between France, Italy, Britain, and Greece at the Treaty of Sèvres. The Allies occupied parts of Istanbul and much of what is now modern Turkey, while the Turks were left with territory in the Anatolia region.

²⁶ *Id.* The Turkish people did not recognise the Treaty of Sèvres and the War of Liberation ensued, culminating in creation of the Republic of Turkey, with borders established by the Treaty of Lausanne.

²⁷ HANS-LUKAS KEISER, *TURKEY BEYOND NATIONALISM* 43–44 (I.B. Tauris & Co. Ltd. 2006, 2013).

²⁸ THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 232–33, 237–43. After WWI, there were approximately 150,000 Jews in Turkey, but approximately 70,000 left by 1929. See GUTTSTADT, *supra* note 3, at 24.

the same year a young Adolf Hitler was arrested when he attempted to overthrow the Bavarian government²⁹.

II. THE POLITICS OF “TURKIFICATION” AND THE JEWS

Turkish Nationalistic Movement Causes Jews to Emigrate

The early republic was in the process of revolutionizing both politically and economically. The government took on modernising its roads, schools, and language by removing many components of its Ottoman history³⁰. *Turkification* was a policy aimed at “creating a homogeneous nation-state on the ruins of the multi-ethnic Ottoman Empire”³¹, and encountered immediate difficulties in a country of such rich and diverse populations. Most importantly, national identity was the principal concept; and although the nation boasted of democratic principles of equality, in practice there was a pressure on minorities to suppress their cultural identities and religious customs³². The impact on Jewish life was substantial. For instance, Jews were required to pray using the Turkish language in synagogues, adopt Turkish surnames, speak Turkish in public, eliminate religious community organisations and change the curriculum in religious schools³³. Additionally, the government distinguished between Muslim and minority non-Muslim citizens, and used these criteria to define who was really a “Turk” and worthy to be trusted in re-building the economy³⁴.

As a consequence, the outgrowth of Turkification yielded a series of laws and restrictions that favoured the Islamic population at the ex-

²⁹ *Nazi Germany Timeline*, HIST. ON THE NET, <http://www.historyonthenet.com/chronology/timelinenazigermany.htm> (last updated 7 Aug. 2014).

³⁰ GUTTSTADT, *supra* note 3, at 2.

³¹ *Id.* at 4.

³² RIFAT N. BALI, MODEL CITIZENS OF THE STATE: THE JEWS OF TURKEY DURING THE MULTI-PARTY PERIOD 3–4 (2012).

³³ *Id.* at 3.

³⁴ *Id.* at 8–9.

pense of ethnic minorities such as Greeks, Jews, and Armenians³⁵. But despite these new measures, the Jews were often referred to as a “model minority”³⁶. The father of modern Turkey, Mustafa Kemal (Atatürk), remarked, “There are several loyal population groups that have tied their fate to that of the ruling group, the Turks; the Jews are first among them”³⁷. Indeed, these feelings were reciprocated, as Atatürk was “deeply revered and loved by many Jews and was the subject of many poems and songs”³⁸.

But the surge in nationalism would lead to legislation regarding citizenship, nationality, and residency, which would have far reaching implications on whether Jews who emigrated to Europe could repatriate during the Holocaust³⁹. These policies were the subject of much controversy, as they violated numerous provisions of the Treaty of Lausanne that protected religious minorities⁴⁰. As a corollary of Turkification, the nation also experienced the proliferation of anti-Semitic publications caricaturing Jews as greedy, traitors, and disloyal if they had not participated in the War of Liberation⁴¹. Hence, the political climate and discriminatory policies negatively affected Jews and facilitated

³⁵ *Id.* at 10; BAHAR, *supra* note 7, at 738–805.

³⁶ GUTTSTADT, *supra* note 3, at 6.

³⁷ BALI, *supra* note 32, at 6.

³⁸ GUTTSTADT, *supra* note 3, at 7 (referencing in a footnote, HENRI NAHUM, *JUIFS DE SMYRNE XIXE-XXE SIÈCLE 184ff* (Paris:Aubier,1997)).

³⁹ *E.g.*, Laws on Expatriation 1514 and 1745 affected Jews most significantly because they prevented the issuance of passports to non-Muslims who left the country. Law 1312, Article 12, prevented people who lost citizenship from returning to Turkey. Law 1041 of 1927 revoked the citizenship of individuals who did not fight in the War of Liberation. GUTTSTADT, *supra* note 3, at 48–51.

⁴⁰ BAHAR, *supra* note 7, at 1024–68; THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 245–56. The Treaty of Lausanne brought an end to the War of Liberation. *See also* Articles 37–45 of the Treaty that required religious minorities’ equal treatment under the law. For complete text of Treaty, *see Lausanne Treaty*, HRI.ORG, <http://www.hri.org/docs/lausanne/> (last visited 1 June 2015). For example, laws that discriminated, such as the Law of Civil Servants, mandated that only Turks hold certain positions. Foreign businesses had to trim their workforce of non-Muslims to meet government hiring quotas of Muslims and certification requirements for certain professions excluded non-Muslims. GUTTSTADT, *supra* note 3, at 9–14.

⁴¹ BAHAR, *supra* note 7, at 928–81; GUTTSTADT, *supra* note 3, at 56–58.

resettlement to Europe, with France receiving the majority of Turkish immigrants⁴².

III. THE HOLOCAUST BEGINS: THE NAZI PARTY RISES TO POWER IN GERMANY

Turkey Invites Jewish Scholars and Intellectuals from Germany and Austria

In 1933, Adolph Hitler and the Nazi party rose to power and immediately implemented a series of laws with the sole purpose of disenfranchising the Jews of Germany⁴³. Daniel Jonah Goldhagen, in his book “Hitler’s Willing Executioners”, outlined Hitler’s initial objectives:

1. To turn the Jews into “socially dead” beings—beings that were violently dominated, natively alienated, and generally dishonored—and, once they were, to treat them as such.
2. To remove the Jews as thoroughly and permanently from social and, as far as possible, from physical contact with the German people and thereby to neutralize them as a factor in German life⁴⁴.

As a consequence of these laws, Jews started fleeing Germany, and educators, professionals, and civil servants were terminated from their positions with the government and academic institutions⁴⁵. At the invitation of Turkey, employment opportunities were offered to hundreds of Jewish intellectuals, scientists, and other professionals, who brought

⁴² GUTTSTADT, *supra* note 3, at 25; BAHAR, *supra* note 7, at 2150–72.

⁴³ For example, Jews were prohibited from owning land, being newspaper editors, serving in the military, and practicing law and medicine; they were forced to register wealth, property and business; and denied access to national health insurance, etc. See complete timeline and restrictions implemented by Nazis at *Holocaust Timeline*, THE HISTORY PLACE, <http://www.historyplace.com/worldwar2/holocaust/timeline.html> (last visited 1 June 2015).

⁴⁴ DANIEL JONAH GOLDHAGEN, *HITLER’S WILLING EXECUTIONERS* 135–36 (1997).

⁴⁵ *Id.* at 83.

their families from Germany and Austria to start new lives⁴⁶. Furthermore, many of these refugees were some of the most accomplished scholars and brilliant minds in Europe. With the help of the Turkish government, they found excellent positions at the universities in Istanbul and Ankara, where they became instrumental in Turkey's efforts to upgrade its education system and economic infrastructure⁴⁷.

However, this was still a transitional chapter for Turkey and there was no shortage of severe economic hardships for a nation in the process of Turkifying the economy by favouring a workforce of Muslim Turks over minorities⁴⁸. That being the case, the reaction of its citizens to such a large influx of Jewish refugees generated an undercurrent of anti-Semitism, which was encouraged by the local German community⁴⁹. Many of these Jewish professors replaced Turks and were sometimes paid up to five times as much in salary; and while living in the finest neighborhoods, they also received favourable tax benefits and government housing⁵⁰. Yet, some critics dismiss Turkey's benevolence as being self-serving, and motivated solely to advance a struggling nation needing intellectual weight and credibility⁵¹. Further, it has been noted,

⁴⁶ GUTTSTADT, *supra* note 3, at 84–89. Eighty-two German professors started teaching at Istanbul University in the winter semester 1933-34; ironically, at the same time in the United States, Ivy League schools and teaching hospitals, like the Germans, had a “Jew-Free” hiring policy for faculty. See REISMAN, *supra* note 5, at 20. Furthermore, President Roosevelt believed there were too many Jews at Harvard, and, as a Board member, recommended quotas. Rafael Medoff, *What FDR Said About Jews in Private*, L.A. TIMES (7 Apr. 2013), <http://articles.latimes.com/2013/apr/07/opinion/la-oe-medoff-roosevelt-holocaust-20130407>.

⁴⁷ TURKEY AND THE HOLOCAUST, *supra* note 5, at 4–9; BAHAR, *supra* note 7, at 7249–50. See REISMAN, *supra* note 5, at 353–73.

⁴⁸ SELIM DERINGIL, *TURKISH FOREIGN POLICY DURING THE SECOND WORLD WAR* 23–25 (1989); GUTTSTADT, *supra* note 3, at 65.

⁴⁹ THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 252–53; GUTTSTADT, *supra* note 3, at 96–98.

⁵⁰ TURKEY AND THE HOLOCAUST, *supra* note 5, at 9–12; GUTTSTADT, *supra* note 3, at 90.

⁵¹ Guttstadt believes the government's motivation was “utilitarian rather than humanitarian” in nature, GUTTSTADT, *supra* note 3, at 88–89, and Bahar agrees, BAHAR, *supra* note 7, at 1506–25. Interestingly, Turkish scholars spent a week in June, 2014, studying at the Yad Vashem International School for Holocaust Studies. Aron

correctly so, that Turkey's outreach to Jewish refugees was limited to individuals with outstanding credentials, as opposed to ordinary individuals seeking asylum⁵². By the same token, it has been suggested that Turkey's interest was principally on recruiting intellectuals from Europe and it was merely a coincidence that many of the scholars were indeed Jewish⁵³.

Germany Revokes Citizenship of Jews, Leaving Them "Stateless"

In September 1935, Germany passed another round of anti-Jewish legislation known as the Nuremberg Laws. One of these ordinances, the Reich Citizenship Law, revoked the citizenship of Jews in Germany and went to great lengths to define who was a Jew in the broadest possible terms in order to cast a wide net⁵⁴. In order to further humiliate, isolate, and identify its Jewish population, additional regulations went into effect making it mandatory that all Jews visibly wear a large yellow Star of David with the word "Jude" on their clothing⁵⁵.

After Germany stripped the citizenship of its Jews, emigration increased exponentially to other European countries that were deemed safe at the time only to eventually come under Nazi occupation. As Germany invaded and conquered one country after another, the Nuremberg Laws were applied with full force in each occupied territo-

Donzis, *Turkish Academics Attend Yad Vashem Seminar*, THE TIMES OF ISRAEL (26 June 2014, 10:27 PM), <http://www.timesofisrael.com/turkish-academics-participate-in-yad-vashemseminar/>.

⁵² TURKEY AND THE HOLOCAUST, *supra* note 5, at 66; GUTTSTADT, *supra* note 3, at 88–89; BAHAR, *supra* note 7, at 1640–56.

⁵³ BAHAR, *supra* note 7, at 1855.

⁵⁴ The Nuremberg and Reich citizenship laws were aimed at isolating Jews from society. See laws in detail at *The Nuremberg Laws*, HOLOCAUST RES. PROJECT, <http://www.holocaustresearchproject.org/holoprelude/nurlaws.html> (last visited 1 June 2015); *The Nuremberg Laws: Background & Overview*, JEWISH VIRTUAL LIBRARY, <http://www.jewishvirtuallibrary.org/jsource/Holocaust/nurlaws.html> (last visited 14 Jan. 2015).

⁵⁵ GOLDHAGEN, *supra* note 44, at 138.

ry⁵⁶. Consequently, Jews throughout Europe would eventually lose their citizenship rendering them “stateless”, thereby leaving them without any government protection from Nazi persecution⁵⁷. Moreover, the compulsory yellow Star of David badge easily identified them for export to concentration camps. Thus, Turkish Jews who immigrated to Europe were now at risk for deportation to death camps, and subject to anti-Jewish measures being employed by the Nazis.

IV. THE INFLUENCE OF GERMAN ANTI-SEMITISM AND NATIONALISM IN TURKEY

Germans Living Throughout Turkey Spread Nazi Propaganda

As Germany continued its march towards war and domination of Europe, the number of Jewish refugees to Turkey increased⁵⁸. Furthermore, the German community in Turkey was influential, and took advantage of the large influx of Jews by using Nazi literature to generate anti-Semitism through distribution of books and publications⁵⁹. Not to be left out, the German Embassy in Istanbul was responsible for rally-

⁵⁶ For example, Nuremberg laws were also applied in France, Slovakia, Hungary, Romania, Poland, and other Axis and occupied countries, see timeline at *Holocaust Timeline*, THE HISTORY PLACE, <http://www.historyplace.com/worldwar2/holocaust/timeline.html> (last visited 1 June 2015).

⁵⁷ GUTTSTADT, *supra* note 3, at 144.

⁵⁸ TURKEY AND THE HOLOCAUST, *supra* note 5, at 23. Jews were escaping discrimination not only in Germany, but in countries under its influence, such as Poland, Hungary, and Romania.

⁵⁹ GUTTSTADT, *supra* note 3, at 42. By 1939, there were approximately 2,000 Germans and 1,000 Austrians living in Turkey. Major German corporations, such as Bayer Pharmaceuticals and Daimler Benz, had offices in Istanbul. Turkish papers would engage in racist caricatures questioning the loyalty of Jews; e.g., the *Türkische Post and Cumhuriyet*. *Id.* at 41. The anti-Semitic *Protocols of the Elders of Zion* was published in the Turkish language. *Id.* at 56, 60. Further, the most notorious source for Nazi-propaganda was the publication *Anadolu*, which created so much unrest that the government shut it down, demonstrating Turkey’s efforts to not have its society destabilised by German hate speech and racism. TURKEY AND THE HOLOCAUST, *supra* note 5, at 14.

ing not only local German residents, but also Turkish citizens, with its racist agenda⁶⁰. As a result, German agitation triggered anti-Semitism from the minority Christian community as well as Armenian nationalists⁶¹. While Turkey was grappling with the influence of this German inspired anti-Semitism, it was simultaneously facing the complexities of a new state searching for a national identity, and beleaguered with religious, social, and economic challenges.

Under these circumstances, the German mindset began to spread quickly throughout Turkey and neighboring territories. In the summer of 1934, a series of attacks and boycotts on Jews took place in Thrace, the perception being that Jews controlled too much of the economy⁶². Moreover, Jews had been present in Thrace since the 4th century, and thrived throughout the years of the Ottoman Empire⁶³. Instigated by German propaganda, members of the community believed Jews were not only resisting Turkification, but also controlling the economy, which made them a prime target for retribution⁶⁴. The unrest was prompted when General Inspector Ibrahim Tali Ongoren issued a report after touring the region:

The Jew of Thrace is so morally corrupt and devoid of character that it strikes one immediately. . . . In the Jewish value system, honor and dignity have no place [I]t is of the utmost necessity that this element [the Jews], whose hands are grabbing for all the treasures of Thrace, not be allowed to continue to suck out the Turks' blood. The Jews represent a secret danger. . . . And for Turkish Thrace to be able to recover, to finally solve the [Jewish] problem in the most radical way⁶⁵.

⁶⁰ TURKEY AND THE HOLOCAUST, *supra* note 5, at 36–37.

⁶¹ THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 254.

⁶² BALI, *supra* note 32, at 9. Thrace is an area comprised of territory shared by Greece, Bulgaria, and Turkey.

⁶³ THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 95.

⁶⁴ BALI, *supra* note 32, at 9.

⁶⁵ GUTTSTADT, *supra* note 3, at 67–68.

As a result, Jewish businesses and homes were destroyed, and there were violent physical attacks. Most of the Jews fled their homes to Istanbul, leaving all their possessions behind⁶⁶. The government reacted by banning a key anti-Semitic publication, and firing the local Mayor and Police Chief⁶⁷. Lastly, Prime Minister Ismet İnönü shut down numerous groups and associations engaged in pro-Nazi propaganda, and addressed the Grand National Assembly:

In Turkey every individual is under the protection of the laws of the Republic. Anti-Semitism is neither a Turkish product nor part of the Turkish mind. At certain periods it penetrates our country from foreign countries but we reject it. This disturbance is most likely a contagion of this sort⁶⁸.

Immediately after his speech, İnönü issued a press release advising Jews to seek justice and pursue their attackers⁶⁹.

Although anti-Semitism reared its ugly head on occasion, the poisonous racism promoted by the Germans, which had taken root in Europe, was rejected in Turkey⁷⁰. In fact, the Germans noted that “it would be a mistake to think that there would be anti-Jewish laws or regulations [in Turkey] in the near future”⁷¹.

Nationalism and German Influence Cause Shift in Turkish Immigration Laws

Eventually, the sustained evolution of nationalism, combined with the impact of German racist ideology, gave way to anti-minority poli-

⁶⁶ *Id.* at 62.

⁶⁷ TURKEY AND THE HOLOCAUST, *supra* note 5, at 19.

⁶⁸ *Id.* at 15.

⁶⁹ *Id.* at 16.

⁷⁰ GUTTSTADT, *supra* note 3, at 313.

⁷¹ BAHAR, *supra* note 7, at 1111 (citing German State Archives, Politische Archiv Inland II, A/ B R99446, (13 Dec. 1938)) (quoted by Rifat Bali, Sarayın ve Cumhuriyetin Dişçibaşısı Sami Günzberg [The Chief Dentist of the Court and Republic, Sami Günzberg] 131 (Istanbul: Kitabevi, 2007)).

tics and immigration reform as Jews were fleeing Germany and other European nations. In response, Turkey revised and tightened its existing passport and residence restrictions on refugees and foreigners⁷². Jewish residents, such as the scholars who lost their German citizenship as a result of Nuremberg Laws, were told to leave the country; and Turkish Jews who lived abroad were denied entry back into the country, even if their passports were in proper order⁷³. In addition, laws were proposed that would cut-off Jewish immigration and even deport naturalised Turkish Jews if they could not learn to read or write Turkish within a year⁷⁴. In the end, these measures were defeated and Prime Minister Celal Bayar responded to a growing anti-Semitic drumbeat, “There is no Jewish problem in our country. There is no minority problem at all. We do not intend to artificially create a Jewish problem because of external influences. We will not allow external influences to influence us”⁷⁵.

The Nazi strategy was clear: revoke the citizenship of German refugees and their families living in Turkey, thereby leaving them technically stateless. This, in turn, would affect their residency status, as Turkish law prevented people from entering or remaining in Turkey if they lost their citizenship in their country of origin⁷⁶. However, when Turkish authorities realised that these laws would have the effect of deporting Jews back to countries in which they would be persecuted, the government issued new residency permits allowing them to stay for up to five years⁷⁷. Even German Ambassador Franz von Papen, based in Istanbul, understood this scheme would not fly with the Turks, writing in his memoirs:

⁷² BAHAR, *supra* note 7, at 1637–57; GUTTSTADT, *supra* note 3, at 99–106.

⁷³ GUTTSTADT, *supra* note 3, at 104–06; TURKEY AND THE HOLOCAUST, *supra* note 5, at 25.

⁷⁴ Kemal Atatürk commented: “A person who does not speak Turkish is not to be trusted, even if he claims to have a bond with the Turkish culture”. See GUTTSTADT, *supra* note 3, at 16 n.47 (quoted in Sadoglu, *Turkiye de Ulusculuk*, 214); see also Rifat N. Bali, *Politics of Turkification During the Single Party Period*, available at <http://www.rifatbali.com/images/stories/dokumanlar/basel.pdf>.

⁷⁵ THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 254.

⁷⁶ GUTTSTADT, *supra* note 3, at 101.

⁷⁷ TURKEY AND THE HOLOCAUST, *supra* note 5, at 25. Again, it is noted that these refugees were privileged because of their immense contribution to academia in Turkey. See GUTTSTADT, *supra* note 3, at 89–90.

Hitler ordered me to withdraw passports from all German Émigrés in Turkey and deprive them of German citizenship. I resisted this order . . . the majority of émigrés had left Germany with the full permission of the Government . . . I could not see my way to carry out his instructions . . . the Turkish government would consider such a step inexplicable. Not a single émigré was molested in any way⁷⁸.

Although these oppressive reforms were ultimately voted down in the Grand National Assembly⁷⁹, they were emblematic of the disarray of Turkish politics regarding Jewish immigration and refugee issues. Turkish Prime Minister Refik Saydam attempted to assure the Jewish community by reiterating that “Jews of Turkish nationality who reside in Turkey enjoyed the same constitutional rights as all other Turkish citizens”⁸⁰. He denied anti-Semitism existed in Turkey, but also paradoxically noted, “Turkey does not permit foreign Jews to move here and refuses to grant entry to Jewish emigrants”⁸¹. The contradictory policies of the Turkish government during the Holocaust demonstrate why observers lament that more lives should have been saved⁸².

V. WORLD WAR II BEGINS: TURKEY DECLARES ITS NEUTRALITY

Turkey's Foreign Policy Centred on Peace not War

By the end of May 1939, Nazi Germany had invaded and occupied France, Denmark, Norway, Belgium, Luxembourg, the Netherlands, Czechoslovakia, and Poland. In response, Britain and France declared war on Germany, and later that year entered a tripartite agreement with

⁷⁸ *Id.* at 13–14.

⁷⁹ TURKEY AND THE HOLOCAUST, *supra* note 5, at 24. The Grand National Assembly is Turkey's Parliament, founded during the War of Liberation.

⁸⁰ GUTTSTADT, *supra* note 3, at 106.

⁸¹ *Id.* It has been advanced that economic conditions prevented Turkey from taking on more refugees. REISMAN, *supra* note 5, at 29, 37–38.

⁸² GUTTSTADT, *supra* note 3, at 309–13.

Turkey for mutual defense and cooperation⁸³. At the inception of the war, it appeared as if Germany was unstoppable, and Turkey dexterously moderated its relations between the Allied and Axis powers to preserve its independence and security.

Above all, Turkey was determined to stay neutral after the devastating economic and political effects of both WWI and the War of Liberation; and after Italy's entry into the war on the side of the Germans, it issued a declaration of non-belligerence⁸⁴. Moreover, the dismantling of the Ottoman Empire, and the Capitulations imposed by the Treaty of Sèvres, created severe debt and inflation for the newly formed republic⁸⁵. Complicating matters, over 1.4 million Greeks left Turkey, leaving a depleted professional and skilled workforce and further damaging the outlook of a financial recovery⁸⁶. The nation's leaders recognised their security, military, and fiscal vulnerabilities, and Turkey's foreign policy became centred on the theory, "Peace at Home, Peace Abroad"⁸⁷. Although it proclaimed its neutrality, numerous historians believed that the Turkish government was essentially pro-German, which was a view certainly held by the British⁸⁸. Throughout the war, both Germany and the Allies continually exerted pressure on Turkey to enter the war on

⁸³ See Treaty of Mutual Assistance between Turkey, France and the United Kingdom in DERINGIL, *supra* note 10, at 189–92.

⁸⁴ ABOUL-ÉNEIN & ABOUL-ÉNEIN, *supra* note 10, at 118, 120–21; see also, Murat Metin Hakki, *Surviving the Pressure of the Superpowers: An Analysis of Turkish Neutrality During the Second World War*, CHRONICON 44–62 (2005), available at <http://www.ucc.ie/chronicon/3/hakkfra.html>.

⁸⁵ DERINGIL, *supra* note 10, at 14–15. Capitulations were a series of hard-to-swallow economic, legal, social, and political concessions that were imposed on Turkey in the Treaty of Sèvres. *Id.* at 68–70. The Treaty of Lausanne, entered into at the end of the War of Liberation, superseded the Treaty of Sèvres and ended capitulations, but economic hardships continued. *Id.* at 14. For full text of Treaty of Sèvres, see Treaty of Peace with Turkey (1920), available at <http://treaties.fco.gov.uk/docs/pdf/1920/TS0011.pdf>.

⁸⁶ DERINGIL, *supra* note 10, at 15.

⁸⁷ *Id.* at 3 (cited quote in Winston Churchill, *The Grand Alliance*, at 484); "Mencemcioglu's primary aim as foreign minister was to keep Turkey out of the war". *Id.* at 52 (quoting Weisband, Turkish Foreign Policy, at 50).

⁸⁸ *Id.* at 52, 53, 55. See also, GUTTSTADT, *supra* note 3, at 35; Hakki, *supra* note 84.

their respective sides⁸⁹. In short, independent Turkey found itself engaged in a delicate balancing act, as Nazi aggression quickly escalated, drawing surrounding countries into the conflict⁹⁰.

By the time the United States entered the war in 1941, German soldiers were positioned on the borders of western Turkey, and the potential for a Nazi invasion dictated the nation's anxieties and politics⁹¹. In order to balance its interests between the Allied and Axis powers, Turkey likewise signed friendship and non-aggression agreements with both Germany and the Soviet Union⁹². Equally important, Turkey's foreign policy was driven by economic considerations, as it was the Nazi regime's sole supplier of chromium, an essential component to manufacture military hardware⁹³. So critical was the supply of chromium that Albert Speer, Germany's Minister of Armaments and War Production, wrote Hitler, "should supplies of chromium from Turkey be cut off, the manufacture of tanks, U-boats and other war machines would cease, the current reserve would be sufficient only for 5-6 months"⁹⁴. Moreover, Turkey relied on Germany as its main trading partner not only for chromium, but also for wool and cotton, all of which were critical to its besieged economy⁹⁵.

⁸⁹ DERINGIL, *supra* note 10, at 95, 115, 140, 154, 161.

⁹⁰ *Id.* at 100–03, 140, 142, 144. Turkey placed a premium value on its independence and neutrality, and philosophically believed constancy in the region was in its best self-interest. Foreign Minister Menemencioglu remarked: "We have no use for either a total English or a total German victory, because for us the existence of a central stabilized Europe remains a basic prerequisite". *Id.* at 134. Turkey was also clever enough to procure military equipment from both Germany and the Allies. *Id.* at 135.

⁹¹ DERINGIL, *supra* note 10, at 121, 124, 130, 149. Turkey was also concerned about hostilities with Italy. *Id.* at 32, 71–72, 89. *See also* Hakkı, *supra* note 84.

⁹² For full text Turkish-German Friendship Treaty, *see* Turkish-German Friendship Treaty, 18 June 1941, available at <http://www.ibiblio.org/pha/policy/1941/410618a.html>.

⁹³ ABOUL-ENEIN & ABOUL-ENEIN, *supra* note 10, at 121. In an effort to balance its trade dependence and facilitate friendly relations with both the Allied and Axis factions, Turkey also provided Britain with chromium and, at one juncture, offered the British its entire output. *See* DERINGIL, *supra* note 10, at 27–28.

⁹⁴ ABOUL-ENEIN & ABOUL-ENEIN, *supra* note 10, at 121.

⁹⁵ DERINGIL, *supra* note 10, at 23–24.

It is probable that the pro-German sentiment can be explained not only by financial dependence, but also by a common enemy, the Soviet Union⁹⁶. There were approximately forty million people of Turkish ethnicity living in the Soviet Union, and Turkey had a keen interest in their status, and consequently had a stake in the outcome of military action between the Russians and Nazis⁹⁷. Additionally, the concessions forced upon Turkey in the Treaty of Sèvres, created empathy for the German predicament of having their hands tied by the Treaty of Versailles⁹⁸.

Despite neutrality pacts with Germany, Russia, and the Allies, Turkey was apprehensive about being forced into the war, and felt compelled to maintain a large army, which placed financial strains on its fragile economy⁹⁹. In order to generate revenue, a “wealth tax” was passed known as Varlik Vergisi, which had the effect of taxing wealthy non-Muslims, disproportionately Jews¹⁰⁰. Furthermore, this oppressive tax was viciously levied, and forced many successful Jews to sell their companies at deep discounts to Muslims, or file bankruptcy, risk confiscation, and even be sent to labor camps¹⁰¹. Eventually the tax was repealed, but it was another shock to a reeling Jewish community already feeling the full impact of the Holocaust and Turkey’s ever-changing policies.

⁹⁶ Although Turkey signed a non-aggression treaty with the Soviet Union, there was a significant amount of distrust of the Russians. This was more evident at the inception of the War in 1939 when the Nazis and the Soviets signed a non-aggression pact clouding Turkey’s foreign policy. See DERINGIL, *supra* note 10, at 7, 73, 78.

⁹⁷ Hakki, *supra* note 84; GUTTSTADT, *supra* note 3, at 32–33; DERINGIL, *supra* note 10, at 130.

⁹⁸ GUTTSTADT, *supra* note 3, at 29.

⁹⁹ DERINGIL, *supra* note 10, at 13, 115, 145, 154, 161; REISMAN, *supra* note 5, at 32; THE JEWS OF THE OTTOMAN EMPIRE, *supra* note 15, at 255.

¹⁰⁰ BALI, *supra* note 32, at 12–13.

¹⁰¹ TURKEY AND THE HOLOCAUST, *supra* note 5, at 38–45; GUTTSTADT, *supra* note 3, at 72–81.

VI. GERMANY DEMANDS TURKEY REPATRIATE ITS JEWS

Nazi Expulsion and Final Solution Policies Send Jews Fleeing Europe

During the early years of the war, Germany was focused on expulsion of the Jews, and issued an “ultimatum” to neutral countries and its allies, to repatriate its Jewish citizens from occupied territories¹⁰². Jews, who were not repatriated, would be adjudicated stateless, and transported to death camps¹⁰³. But the strategy of expulsion soon mutated into a doctrine of extermination; and when Hermann Goering¹⁰⁴ ordered the Final Solution¹⁰⁵, he established a deadline of 31 January 1943 for countries to finish their repatriation. Of importance, the Turkish Foreign Minister Menemencioglu, was personally warned by the German Embassy to repatriate its Jews¹⁰⁶.

As a result, evacuations continued to escalate throughout occupied Europe; but since Turkey was a neutral country, Jews whose citizenship papers were in order were theoretically exempt from deportation and could be repatriated¹⁰⁷. Until the deadline imposed by the Final Solution, Germany had honoured this exemption in order to maintain excellent diplomatic channels, as Turkey was geographically strategic

¹⁰² GUTTSTADT, *supra* note 3, at 146–48.

¹⁰³ *Id.* at 153.

¹⁰⁴ Goering was one of the architects of Hitler’s Final Solution. See *Hermann Goering*, JEWISH VIRTUAL LIBRARY, <http://www.jewishvirtuallibrary.org/jsource/Holocaust/goering.html> (last visited 1 June 2015).

¹⁰⁵ The Final Solution was Hitler’s plan to exterminate the Jews of Europe. See THE HOLOCAUST EXPLAINED, <http://www.theholocaustexplained.org/ks3/the-final-solution/#.VIXfAouNT9s> (last visited 1 June 2015). For complete transcript of the actual “Conference Record, The Final Solution of the Jewish Problem, Berlin, January 20, 1942,” see *Translation of Document*, TRUMAN LIBRARY.ORG, http://www.trumanlibrary.org/whistlestop/study_collections/nuremberg/documents/index.php?documentdate=1945-00-00&documentid=C194-3-9&studycollection-id=&page number=1 (last visited 1 June 2015).

¹⁰⁶ BAHAR, *supra* note 7, at 2766, 2775.

¹⁰⁷ GUTTSTADT, *supra* note 3, at 153–55, 236. In this historical context, deportation refers to Jews being transported to concentration camps.

to its war efforts and the Nazis were still dependent on chromium to produce weapons¹⁰⁸. In fact, Hitler was convinced that Turkey would inevitably join the war effort on the side of the Axis powers¹⁰⁹.

Diplomatic Efforts to Save Turkish Jews in France

For Turkish Jews living in occupied Europe, the issue of whether they properly maintained their citizenship and were eligible for repatriation would determine life or death as the Final Solution geared into full force¹¹⁰. The Turkish Constitution permitted individuals who lived abroad to remain citizens, provided they followed the required steps including registering with the nearest consulate every five years¹¹¹. However, citizenship laws required Turks living outside the country who did not participate in the War of Liberation to return within five years, or they would lose their citizenship¹¹².

Because of continuous fluctuation in laws, Turkish Jews living in Europe had many distinctive citizenship issues, and their status was crucial to escaping the claws of death camps. At the onset of the war, there were between 20,000-50,000 Turkish Jews living in Europe, but only 5,000-10,000 had their citizenship papers up to date¹¹³. Turkey referred to them as “*regular*” Jews¹¹⁴. On the other hand, “*irregular*” Jews¹¹⁵ often had no passports, or they had expired. Some *irregular* Jews, however, had valid passports, but failed to register with the local consulate as required by law, making repatriation complicated¹¹⁶. Al-

¹⁰⁸ DERINGIL, *supra* note 10, at 139, 128–29.

¹⁰⁹ *Id.* at 136.

¹¹⁰ GUTTSTADT, *supra* note 3, at 144.

¹¹¹ BAHAR, *supra* note 7, at 2303.

¹¹² *Id.*; TURKEY AND THE HOLOCAUST, *supra* note 5, at 47–58; see CONSTITUTION OF THE REPUBLIC OF TURKEY JULY 23, 1995, art. 88, available at http://global.tbmm.gov.tr/docs/constitution_en.pdf.

¹¹³ GUTTSTADT, *supra* note 3, at 157–58.

¹¹⁴ BAHAR, *supra* note 7, at 2303; GUTTSTADT, *supra* note 3, at 135, 153.

¹¹⁵ BAHAR, *supra* note 7, at 2303; TURKEY AND THE HOLOCAUST, *supra* note 5, at 64.

¹¹⁶ GUTTSTADT, *supra* note 3, at 48–53.

though there were only 700 Turkish Jews living in Germany¹¹⁷, France, by way of contrast, had the largest European population of Turkish Jews, estimated between 10,000-50,000, many of whom left Turkey after the establishment of the republic because of economic conditions and the discriminatory policies of Turkification¹¹⁸. Nonetheless, Turkey allowed for dual citizenship; but after decades of living abroad, many Jews let their citizenship lapse as roots were established in their new homelands¹¹⁹. Unfortunately, this caused countless numbers to perish, as they were unable to be repatriated, were then classified stateless, and, finally, transported to death camps¹²⁰.

After the armistice between Germany and France, the French National Assembly dissolved and adopted legislation in close cooperation with the Nazi Regime¹²¹. As a consequence, France was divided into a northern zone occupied by Germany and a southern, free zone governed by the Vichy puppet government¹²². In short order, the Vichy government adopted Germany's Nuremberg laws, including revocation of citizenship for all French Jews naturalised after 1927, who were then classified as stateless¹²³. The Turkish Embassy was forced to move to Vichy, and its diplomats made it known to both the Germans and the French that as a neutral country, they objected to anti-Jewish laws

¹¹⁷ *Id.* at 159.

¹¹⁸ Guttstadt places the number at 20,000 but indicates others have estimated between 20,000–50,000. *Id.* at 180. Reisman estimates the number of Turkish Jews in France approximated 20,000. REISMAN, *supra* note 5, at 132. Shaw places the figure at 10,000 but notes that this figure excludes Jews who let their citizenship expire. TURKEY AND THE HOLOCAUST, *supra* note 5, at 46–47.

¹¹⁹ AN AMBASSADOR AND A MENSCH, *supra* note 8, at 119.

¹²⁰ BAHAR, *supra* note 7, at 4354–405; GUTTSTADT, *supra* note 3, at 151.

¹²¹ BAHAR, *supra* note 7, at 2126. High-ranking French government officials Pierre Laval and Joseph Petain, who had known anti-Semitic leanings, enthusiastically cooperated with the Germans. See AN AMBASSADOR AND A MENSCH, *supra* note 8, at 86–87.

¹²² AN AMBASSADOR AND A MENSCH, *supra* note 8, at 84.

¹²³ GUTTSTADT, *supra* note 3, at 185. See also *The Destruction of the Jews of France*, HOLOCAUSTRESEARCHPROJECT.ORG, <http://www.holocaustresearchproject.org/nazi-occupation/frenchjews.html> (last visited 1 June 2015). Further, see 20 Dec. 1942 article in New York Times regarding Jews in Vichy, AN AMBASSADOR AND A MENSCH, *supra* note 8, at 108.

being applied to Turkish citizens¹²⁴.

At the onset of the war, it was more advantageous to be a Turkish Jew than a French Jew, since Turkey was neutral and its citizens came under the protection of the embassy. Consequently, Turkish Jews were exempt from the full range of German anti-Jewish measures¹²⁵. French Jews, however, were treated the same as German Jews and stripped of their basic human and civil rights. Moreover, the French government in Vichy was even more heavy-handed than their German counterpart in administering anti-Jewish regulations¹²⁶. Although treatment of Jews varied from region to region, they inevitably were terminated from civil employment positions; prohibited from engaging in certain trades, businesses, or professions; forced to register all assets, wear marks on clothing identifying them as Jews when in public, and receive permission for leaving their homes; prohibited from owning radios or telephones, riding bicycles, or attending movies; and subjected to a special Jewish curfew. Jewish businesses and homes were confiscated and sold and safety deposit boxes looted¹²⁷.

Moreover, Turkish Jews living in France represented a large professional class, and their affluence provided the necessary pretext for anti-Semitic attitudes to prevail amongst the French population. This, in turn, created the necessary atmosphere to enable the Germans to gain support for their racist policies¹²⁸. Turkish diplomats struggled

¹²⁴ Jews with Turkish citizenship living in France are distinguished from French Jews. The former were exempt from many anti-Jewish laws until the end of the war. GUTTSTADT, *supra* note 3, at 192, 236.

¹²⁵ *Id.* at 192. However, these exemptions were often ignored by Germany. *Id.* at 202; AN AMBASSADOR AND A MENSCH, *supra* note 8, at 133.

¹²⁶ Paul Webster, *The Vichy Policy on Jewish Deportation*, BBC.CO.UK, http://www.bbc.co.uk/history/worldwars/genocide/jewish_01.shtml (last updated 2 Jan. 2011); *The Destruction of the Jews of France*, HOLOCAUSTRESEARCHPROJECT.ORG, <http://www.holocaustresearchproject.org/nazioccupation/frenchjews.html> (last visited 1 June 2015).

¹²⁷ TURKEY AND THE HOLOCAUST, *supra* note 5, at 48–51. The Vichy government passed *Statute de Juifs*, stating in part, “it was unacceptable that followers of a minority cult could exercise an influence in countries of Christian civilization”. *Id.* at 56.

¹²⁸ Webster, *supra* note 126.

to obtain information regarding its citizens in order to ascertain their status and protect Turkish Jews and their property that had been subject to anti-Jewish laws¹²⁹. For example, there were situations where apartments of Jews, who were detained or deported, were confiscated by authorities that sought to liquidate those assets. When notified, some Turkish diplomats were able to intervene to secure the properties and protect the interests of its citizens¹³⁰. In fact, diplomats took the position that these assets were part of Turkey's "national wealth" and should remain in the hands of Turks¹³¹. Representatives were also in communication with German and French authorities attempting to track down Jews who were detained and sent to labor or concentration camps¹³². Turkish officials even went so far as to advise its Jews to ignore the Vichy government's identification policies and other anti-Jewish restrictions¹³³.

Before the Nazis' extermination policies were employed, it was less challenging for Turkey to provide the necessary documentation to German authorities to repatriate its Jews¹³⁴. But as the war proceeded, embassies were closed and Jews were imprisoned, which made it difficult for them to contact their consulates or families. Of importance, communication between family members was often necessary for assistance to retrieve citizenship papers, as Jews were often rounded up without notice or time to assemble their belongings¹³⁵. Once the Final Solution

¹²⁹ TURKEY AND THE HOLOCAUST, *supra* note 5, at 89–90, 78–99; BAHAR, *supra* note 7, at 3889.

¹³⁰ BAHAR, *supra* note 7, at 3766–3821. For an example of the nature of the correspondence between Turkish diplomats and German and French representatives regarding rights of Turkish Jews, see The Vitali Benbassa file in TURKEY AND THE HOLOCAUST, *supra* note 5, at 99–111; GUTTSTADT, *supra* note 3, at 189.

¹³¹ BAHAR, *supra* note 7, at 3749.

¹³² TURKEY AND THE HOLOCAUST, *supra* note 5, at 89, 128, 131; GUTTSTADT, *supra* note 3, at 191–92.

¹³³ TURKEY AND THE HOLOCAUST, *supra* note 5, at 86. Guttstadt takes a contrary position, questioning the efforts of Turkish diplomats in assisting to repatriate Turkish Jews. GUTTSTADT, *supra* note 3, at 149, 197–99.

¹³⁴ TURKEY AND THE HOLOCAUST, *supra* note 5, at 123.

¹³⁵ See, e.g., The Menahem Hatem File, correspondence between Turkish-Consulate General, German authorities and Hatem family regarding issues of citizenship and

strategies were implemented and extinction was the goal, Germans paid much more attention to citizenship papers to ensure everything was in order before releasing any Jews¹³⁶.

In 1942, the Vichy government began a process to classify almost 10,000 Turkish Jews living in southern France as stateless and subject to deportation. It had been determined that the citizenship of these Jews had been revoked because of a failure to register, as required by Turkish immigration law¹³⁷. However, Turkish diplomats intervened, and the Vichy government capitulated after Foreign Minister Menemencioglu threatened to remove its ambassador in Paris¹³⁸. At the Second Yad Vashem International Historical Conference on Rescue Attempts during the Holocaust, Dr Chaim Pazner shared:

Chaim Barlas notified me from Istanbul that . . . approximately ten-thousand Jews who were Turkish citizens, but had been living in France for years had neglected to register and renew their Turkish citizenship . . . were in danger of being deported to the death camps . . . the Turkish Foreign ministry in Ankara submitted a detailed memorandum . . . and requested urgent action by the Turkish Legation in Paris . . . We later received word from Istanbul and Paris that . . . these ten thousand Jews had been saved from extermination¹³⁹.

Notwithstanding that Ankara lacked both the commitment and a strategy to repatriate its Jewish citizens, individual Turkish diplomats throughout occupied Europe, especially in France, have been credited

personal property confiscated by the Nazis in TURKEY AND THE HOLOCAUST, *supra* note 5, at 155–68.

¹³⁶ GUTTSTADT, *supra* note 3, at 234, 240. BAHAR, *supra* note 7, at 2793; TURKEY AND THE HOLOCAUST, *supra* note 5, at 123.

¹³⁷ TURKEY AND THE HOLOCAUST, *supra* note 5, at 124. *See also* Memorandum from War Refugee Board attaché Ira Hirschman regarding diplomats' efforts concerning these 10,000 Jews in AN AMBASSADOR AND A MENSCH, *supra* note 8, at 228, 272.

¹³⁸ TURKEY AND THE HOLOCAUST, *supra* note 5, at 125.

¹³⁹ *Id.* at 126–27.

with saving the lives of Jews¹⁴⁰. As evacuations accelerated, the Germans extended the repatriation deadline at numerous stages. Turkish diplomats often negotiated with the Nazis for additional time it needed to administrate the repatriation of Jews, which drew the ire of Adolph Eichmann¹⁴¹. The German Embassy eventually informed Turkey that the absolute deadline for the evacuation of Jews in France was 25 May 1944, and any remaining thereafter would be subject to deportation¹⁴². In response, the Turkish Ministry of Foreign Affairs gave each individual counsel general flexibility to generate passports, visas and even the authority to restore citizenship in emergency situations¹⁴³. Some consulates went to the extraordinary effort of placing advertisements in newspapers, informing its citizens of their options regarding repatriation, and as a result, many Turkish Jews were able to escape the death camps¹⁴⁴. However, various scholars believe that Turkey, as part of a public relations campaign, has exaggerated the efforts and accomplishments of Turkish diplomats¹⁴⁵.

Nevertheless, there is ample evidence to suggest that Ankara¹⁴⁶ objected to a substantial influx of Jews¹⁴⁷. Many who were attempting to be repatriated had their applications denied or fatally delayed,

¹⁴⁰ *Turks Saved Jews from Nazi Holocaust*, *supra* note 8; SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 234–39. For a list of Turkish diplomats who have been identified for saving Jews, see *id.* at 241–42. Turkish diplomats worked to save Jews in Belgium, the Netherlands, Italy, Greece and the Aegean Islands. However, rescue activities and efforts by diplomats throughout occupied Europe varied significantly. See GUTTSTADT, *supra* note 3, at 148, 248–308.

¹⁴¹ TURKEY AND THE HOLOCAUST, *supra* note 5, at 151–52. Eichmann was Hitler's right-hand man in charge of exterminating the Jews. For more on Eichmann, see *Adolf Eichmann*, USHMM.ORG, <http://www.ushmm.org/wlc/en/article.php?ModuleId=10007412> (last visited 21 Jan. 2015).

¹⁴² TURKEY AND THE HOLOCAUST, *supra* note 5, at 204; GUTTSTADT, *supra* note 3, at 157, 236.

¹⁴³ TURKEY AND THE HOLOCAUST, *supra* note 5, at 60–62, 127–28.

¹⁴⁴ *Id.* at 135, 145, 147–49; BAHAR, *supra* note 7, at 4297.

¹⁴⁵ BAHAR, *supra* note 7, at 2233–98; GUTTSTADT, *supra* note 3, at 149–51.

¹⁴⁶ Ankara is the capital of Turkey, home to the Grand National Assembly, and seat of the central government.

¹⁴⁷ BAHAR, *supra* note 7, at 4386–405; GUTTSTADT, *supra* note 3, at 157–58.

despite the efforts of individual consulates¹⁴⁸. The government was requiring “undisputable Turkish citizenship” to permit repatriation¹⁴⁹, granting preferential treatment only to Jews who were returning for military service or had some unique contribution to offer the country¹⁵⁰. Furthermore, Germany continued to demand information from the Turkish government identifying Jews eligible for repatriation, but repeatedly failed to obtain adequate responses from Turkey resulting in deportations to death camps¹⁵¹. Laws passed over the years revoking citizenship, now created barriers that in many cases were insurmountable¹⁵². Moreover, although ninety percent of all Turkish Jews who met the criteria for repatriation resided in France, the government clearly was dead set against large numbers of refugees and instructed the Turkish Ambassador Behic Erkin “not to send back Jews by the train load”¹⁵³. Not surprisingly, the rejection of repatriation was interpreted by the Nazis as a green light to deport, and between 2,000–3,000 Jews lost their citizenship and most probably their lives because of Turkey’s obstructive governmental processes¹⁵⁴.

VII. TURKISH DIPLOMATS WHO HAVE BEEN RECOGNISED FOR SAVING JEWS

Ambassador Behic Erkin

Despite Ankara’s policies that impeded the repatriation of Turkish Jews, the fortitude and humanitarian efforts of several individual diplomats have been internationally recognised. The Turkish Ambassador to France, Behic Erkin, was a close friend of Atatürk¹⁵⁵. When laws were

¹⁴⁸ GUTTSTADT, *supra* note 3, at 211–13, 232, 310–13.

¹⁴⁹ BAHAR, *supra* note 7, at 2615, 2773. Most of the evidence indicates that primarily “regular” Turkish Jews were repatriated.

¹⁵⁰ GUTTSTADT, *supra* note 3, at 157, 230, 232.

¹⁵¹ *Id.* at 153–57; BAHAR, *supra* note 7, at 2755–812.

¹⁵² BAHAR, *supra* note 7, at 2348–99, 5743–77; GUTTSTADT, *supra* note 3, at 151–52.

¹⁵³ BAHAR, *supra* note 7, at 2687; GUTTSTADT, *supra* note 3, at 211, 225.

¹⁵⁴ GUTTSTADT, *supra* note 3, at 242–44. It is estimated that only 550 Jews were repatriated from France. *Id.* at 242.

¹⁵⁵ SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 240; AN AMBASSADOR AND

enacted that made having a Turkish last name mandatory, Atatürk gave Behic his last name with the annotation, “[a] person of independent mind who can make his own correct decisions under all conditions”¹⁵⁶.

As French Jews became casualties of the anti-Jewish restrictions, Erkin and the Turkish Embassy often received information that these laws were also being enforced on Turkish citizens. Frequently, he would contact the Vichy government to make Turkey’s position clear,

The Republic of Turkey does not discriminate among its citizens on the basis of race, ethnicity, religion . . . the Republic of Turkey is concerned about the laws by which the French government is forcing our citizens to abide . . . we hereby inform [the French authorities] that we reserve all of our rights with regard to our Jewish citizens¹⁵⁷.

Erkin’s exemplary determination included meeting with Nazis to ascertain the identities and whereabouts of Turkish Jews who were being deported to death camps¹⁵⁸. Towards that end, he often placed advertisements in newspapers in Marseilles, Nice, and Lyon, letting Turkish Jews know that the embassy could assist in repatriation¹⁵⁹. Erkin’s efforts often paid off, and he and his staff were responsible for saving the lives of thousands of Jews by arranging the necessary documentation for escape by rail¹⁶⁰. As a result, the Raoul Wallenberg Foundation documented these efforts: “Behic Erkin was the Turkish Ambassador to Paris when France was under Nazi occupation. In order to prevent the Nazis from rounding up the Jews, he gave them documents saying their property, houses, and businesses, belonged to Turks. He saved many lives in this way”¹⁶¹.

A MENSCH, *supra* note 8, at 13–14, 73–74.

¹⁵⁶ AN AMBASSADOR AND A MENSCH, *supra* note 8, at 5.

¹⁵⁷ *Id.* at 110.

¹⁵⁸ *Id.* at 121; GUTTSTADT, *supra* note 3, at 141.

¹⁵⁹ AN AMBASSADOR AND A MENSCH, *supra* note 8, at 129.

¹⁶⁰ *Id.* at 122.

¹⁶¹ *Turks Saved Jews from Nazi Holocaust*, *supra* note 8.

Turkish Vice Consul Necdet Kent

Another Turkish diplomat who helped rescue Jews was Necdet Kent, who served as Turkish Vice Consul in Marseilles during the occupation of France. When the Germans rounded up eighty Turkish Jews and boarded them on cattle cars heading for the concentration camps, Kent protested and entered one of the trains refusing to get off¹⁶². The Germans released the Jews and apologised to Kent for the misunderstanding¹⁶³. After the war, Kent recalled this incident,

there was a mistake that more than eighty Turkish citizens had been loaded on to these animal wagons because of their Jewishness, and as a representative of a government that rejected such treatment of religious beliefs, I could not consider leaving them alone¹⁶⁴.

Additionally, Necdet Kent was credited with arranging documentation for Jews in southern France, whose passports were invalid, and objecting to the Nazis' stripping males in public to determine whether they were Jews¹⁶⁵. Later on, Kent was awarded the Supreme Service Medal from Turkey, and Israel recognised him with a special medal that read, "Saving one's life is like saving all the world"¹⁶⁶. When Necdet Kent died in 2002, the Israeli consulate and Istanbul's Deputy Chief Rabbi attended his funeral¹⁶⁷.

¹⁶² TURKEY AND THE HOLOCAUST, *supra* note 5, at 132–33. *See also id.* at 341–44, app. 4, Testimony of Retired Ambassador Necdet Kent Regarding the Rescue of Jewish Turks at Marseilles During World War II.

¹⁶³ *Id.*; *Necdet Kent*, JEWISHVIRTUALLIBRARY.ORG, <http://www.jewishvirtuallibrary.org/jsourc/biography/NecdetKent.html> (last visited 1 June 2015).

¹⁶⁴ AN AMBASSADOR AND A MENSCH, *supra* note 8, at 154–61. Guttstadt casts a shadow of doubt on Kent's version of events. GUTTSTADT, *supra* note 3, at 219–21.

¹⁶⁵ *Necdet Kent*, *supra* note 163.

¹⁶⁶ AN AMBASSADOR AND A MENSCH, *supra* note 8, at 155. *Necdet Kent*, *supra* note 163. *See Obituaries: Necdet Kent, 91; Turkish Diplomat Saved Jew in WWII*, L.A. TIMES (21 Sept. 2002), <http://articles.latimes.com/2002/sep/21/local/me-kent21>. Kent's story of having saved Jews has been met with some skepticism. *See GUTTSTADT*, *supra* note 3, at 219–21.

¹⁶⁷ *Necdet Kent*, *supra* note 163. *See Obituaries: Necdet Kent, 91; Turkish Diplomat*

Turkish Consul General Selattin Ulkumen, The Turkish Schindler

In Greece, Selahattin Ulkumen, known as the Turkish Schindler¹⁶⁸, served as Turkish Consul General on the Island of Rhodes, which was occupied initially by the Italians, and then by the Germans. The Jews of Rhodes had enjoyed wealth and opportunity throughout the years of the Ottoman Empire up until the onset of war¹⁶⁹. When the Germans arrived, they started to deport all of the Jews on the island for extermination, and refused to make any distinction between Jews of different nationalities. Ulkumen interceded, informing the commander that Ankara's position was that, "under Turkish law, all citizens were equal. We didn't differentiate between citizens who were Jewish, Christian, or Muslim"¹⁷⁰. He further explained to the German officials, "I would advise my Government if he didn't release the Jewish Turks . . . it would cause an international incident. Then he agreed"¹⁷¹.

In an attempt to inflate the list of Turkish Jews whose citizenship was in order, Ulkumen added an additional 25–30 Jews who were no longer citizens. In all, 50 Jews were saved, only 13 of which were Turkish citizens¹⁷². Ultimately, the Nazis realised too late that they had been deceived; and as a consequence of Ulkumen's heroic efforts, the Gestapo bombed his home, killing his wife¹⁷³.

Saved Jew in WWII, L.A. TIMES (21 Sept. 2002), <http://articles.latimes.com/2002/sep/21/local/me-kent21>.

¹⁶⁸ Interestingly, Necedet Kent has also been referred to as the Turkish Schindler. GUTTSTADT, *supra* note 3, at 220.

¹⁶⁹ *Obituaries: Selahattin Ulkumen*, THE TELEGRAPH (18 Jul. 2003, 12:01 AM), <http://www.telegraph.co.uk/news/obituaries/1436384/Selahattin-Ulkumen.html>.

¹⁷⁰ TURKEY AND THE HOLOCAUST, *supra* note 5, at 253.

¹⁷¹ *Id.*

¹⁷² *The Righteous Among the Nations: Selahattin Ulkumen*, YADVASHEM.ORG, <http://www.yadvashem.org/yv/en/righteous/stories/ulkumen.asp> (last visited 1 June 2015); *Turks Saved Jews from Nazi Holocaust*, *supra* note 8. Germans deported 1,673 Jews from Rhodes, only 150 survived.

¹⁷³ AN AMBASSADOR AND A MENSCH, *supra* note 8, at 194.

In a speech, Ulkumen's son Mehmet explained his father's actions and motivation:

For him, it was not just the right thing, but the only possible thing he could do. He always used to say, "We Muslims are like Jews. Share the same father and same God. We also share the same belief which as we know is deeply rooted in Jewish teaching, that he who saves a life saves a whole world"¹⁷⁴.

Ulkumen was awarded the honor "Righteous Gentile" by Yad Vashem in 1989¹⁷⁵.

Erkin, Ulkumen, and Kent were not alone. The Raoul Wallenberg Foundation has identified eighteen Turkish diplomats credited with helping Jews not only in France but also in Germany, Greece, Prague, Budapest, Romania, Czechoslovakia and Bulgaria¹⁷⁶. In recognition of the efforts of Turkey, the Anti-Defamation League presented the *Courage to Care* award to honor Turkish diplomats who took extraordinary efforts to save Jews during the Shoah¹⁷⁷. Abraham H. Foxman, ADL National Director who is also a Holocaust survivor, presented the award:

Turkey's role in saving Jews has been ignored for too long. With the millions upon millions of words that have been written about the Holocaust, and about those who upheld the honor of humanity at a time when that word had become utterly grotesque, Turkey's role in the forefront of those few

¹⁷⁴ Mehmet Ülkümen, Speech at Geneva Non-Governmental Gathering for First Annual U.N. Day of Commemoration in Memory of the Victims of the Holocaust: Muslim Hero Saved Jews in Holocaust (27 Jan. 2006), transcript available at <https://www.facinghistory.org/rescuers/mehmet-%C3%BCIk%C3%BCmen%E2%80%9Cmuslim-hero-saved-jews-holocaust%E2%80%9D-transcript-speech>.

¹⁷⁵ *The Righteous Among the Nations*, *supra* note 172.

¹⁷⁶ *Turks Saved Jews from Nazi Holocaust*, *supra* note 8.

¹⁷⁷ *The Holocaust: Definition and Preliminary Discussion*, YADVASHEM.ORG, http://www.yadvashem.org/yv/en/holocaust/resource_center/the_holocaust.asp (last visited 1 June 2015). Shoah is word used in the Bible to mean "destruction".

nations who provided refuge and rescue to the tragic Jews of Europe has been largely omitted or overlooked. While millions were murdered before the eyes of an indifferent world, Turkey was one of the tiny handful of nations who acted in the name of conscience and community¹⁷⁸.

In accepting the award, then Turkish Prime Minister Recep Tayyip Erdoğan reiterated, “Anti-Semitism has no place in Turkey. It is alien to our culture”¹⁷⁹.

VIII. TURKEY INFLUENCED BY ALLIED POLICIES CONCERNING JEWISH REFUGEES

A study of Turkey’s reluctant policies towards repatriation of Jews and refugee traffic cannot be judged in a vacuum, or outside the context of the restrictive approach embraced by the United States and Great Britain. Bound by treaty and the common interest of thwarting German domination, their strategies were interrelated, and pressure exerted by America and Britain had a direct effect on Turkey’s options pertaining to Jewish refugees¹⁸⁰. Since the maintenance of Turkey’s neutrality was of utmost importance, the Turkish government required a measured and disciplined approach to this sensitive issue, to avoid provoking unnecessary conflict between world powers.

Even before the official declaration of war, the issue of refugees was becoming an international crisis; and in 1938, delegates from thirty-two nations convened in France for the Evian Conference¹⁸¹.

¹⁷⁸ *Prime Minister Erdogan, supra* note 8.

¹⁷⁹ *Id.* Ironically, the American Jewish Congress recently asked Erdoğan to return the Profile in Courage award bestowed upon him in 2004 after he compared Israel’s policies to that of Hitler. Yitzhak Benhorin, *American Jewish Congress Asks Erdogan to Return Award*, YNETNEWS.COM (23 Jul. 2014, 12:14 AM), <http://www.ynetnews.com/articles/0,7340,L-4550062,00.html>.

¹⁸⁰ The policy of Turkey was not to accept Jewish refugees unless the British had issued immigration certificates for entry into Palestine. OFER, *supra* note 5, at 164, 305.

¹⁸¹ At the Evian conference, negotiations were entered into with the Germans for a humanitarian solution to the Jewish refugee problem, but the Nazi regime offer was

Moreover, to the astonishment of Hitler, the meetings failed to generate significant measures to resolve the Jewish refugee problem, because most participant nations balked at resettling Jews in their countries, which, in turn, reinforced the Nazi propaganda that no one wanted them¹⁸². Subsequent to news of Hitler's Final Solution, and the systematic murder of Jews became public, Britain and the U.S. initiated another summit in Bermuda in April 1943 to once again address the refugee crisis¹⁸³. Historical accounts of these meetings were unequivocal that "[t]he real purpose of the Bermuda Conference . . . was to silence critics of the official do-nothing policies, pay lip-service to humanitarian principle, and perpetuate the status quo by stalling for time"¹⁸⁴. Although these gatherings were held contemporaneously with the world's notice of Hitler's blueprint to exterminate European Jewry, strikingly, it failed to produce a comprehensive rescue plan¹⁸⁵. Interest-

more of a "ransom". See HENRY L. FEINGOLD, *BEARING WITNESS* 74–77 (1995).

¹⁸² The failure of the conference to aid Jewish refugees was noted by Hitler. See *Evian Conference*, ZIONISM-ISRAEL.COM, http://www.zionism-israel.com/dic/Evian_conference.htm (last visited 1 June 2015); AN AMBASSADOR AND A MENSCH, *supra* note 8, 165–66. See also RICHARD BREITMAN & ALLAN J. LICHTMAN, *FDR AND THE JEWS* 109–10, 122–23 (2013).

¹⁸³ The U.S. and Britain were just going through the motions at Bermuda. "Their purpose was to eliminate any risk of being saddled with a large-scale exodus of Jews from enemy-controlled Europe. The two governments refused to make substantial new asylum commitments to Jews who had a genuine chance of escaping". LOUISE LONDON, *WHITEHALL AND THE JEWS, 1933-1948*, 223 (2003). Furthermore, the Agenda of the Bermuda Conference had called for England to revisit its immigration policies regarding Palestine. See Item VII at *U.S. Policy During WWII: Jewish Organizations Plan for Rescue of European Jewry*, JEWISHVIRTUALIBRARY, <http://www.jewishvirtuallibrary.org/jsource/Holocaust/jewplan.html> (last visited 1 June 2015).

¹⁸⁴ AGOSTINO VON HASSELL, ET. AL, *ALLIANCE OF ENEMIES* 158 (2006). See also DAVID S. WYMAN, *THE ABANDONMENT OF THE JEWS* 143 (1984); FEINGOLD, *supra* note 181, at 83.

¹⁸⁵ "The two governments had decreed that the focus of their conference would be on 'refugees' rather than 'Jews'. The most important reasons for playing down the Jewish aspect . . . was to discourage pressure to undertake a special effort to save Jews". LONDON, *supra* note 183, at 212. Also, the plans of the Nazis to exterminate Jews were first published in *New York Times* on 25 November 1942, and an editorial on 2 December stated that 2,000,000 were already dead and 5,000,000 more at risk. LAUREL LEFF, *BURIED BY THE TIMES* 156, 157 (2005). On 17 December 1942, the United Nations issued a statement regarding the genocide of Jews in Europe. LONDON, *supra* note 183, at 203; RAFAEL MEDOFF, *BLOWING THE WHISTLE ON GENOCIDE* 11

ingly, Turkey did not have representatives at either conference and after Evian, it tightened up its immigration laws to prevent Jewish refugees from entering the country¹⁸⁶.

American Anti-Semitism and the Roosevelt Administration

At Evian, the United States suggested that “no country would be expected or asked to receive a greater number of immigrants than is permitted by its existing legislation”¹⁸⁷. The administration’s position was self-serving; America had reformed its immigration laws to limit settlers from any one country not to exceed three percent of existing immigrants from that nation, already living in the U.S. For example, in 1938, the maximum refugee quota was 27,370 from Germany, and only 6,542 from Poland, whereas 3,300,000 Polish Jews eventually perished in the Holocaust¹⁸⁸. One of the reasons advanced for this legislation was to limit the influx of Jews and Italians¹⁸⁹. In fact, anti-Semitism in America was mainstream, and conspiracy theories represented views that Jews were communists and wielded too much political and economic power¹⁹⁰. Furthermore, opinion polls indicated that one-third of Americans held anti-Semitic views, which, in turn, affected public policy¹⁹¹.

For the first five years of the Holocaust, Roosevelt convened 430 press conferences, and mentioned the Jewish refugees only one time¹⁹². Moreover, the administration and Congress refused to alter immigra-

(2009).

¹⁸⁶ BAHAR, *supra* note 7, at 5473; GUTTSTADT, *supra* note 3, at 101.

¹⁸⁷ MEDOFF, *supra* note 185, at 6.

¹⁸⁸ *Id.* at 4. See also *The “Final Solution”*: Estimated Number of Jews Killed, JEWISHVIRTUALLIBRARY, <http://www.jewishvirtuallibrary.org/jsource/Holocaust/killed-table.html> (last visited 1 June 2015).

¹⁸⁹ MEDOFF, *supra* note 185, at 3; See also FEINGOLD, *supra* note 181, at 61–62.

¹⁹⁰ Even American hero Charles Lindberg weighed in on Jewish influence. BREITMAN & LICHTMAN, *supra* note 182, at 187–88. See also FEINGOLD, *supra* note 181, at 196–99; WYMAN, *supra* note 184, at 9–15; MEDOFF, *supra* note 185, at 2–3.

¹⁹¹ MEDOFF, *supra* note 185, at 3; FEINGOLD, *supra* note 181, at 61–62.

¹⁹² MEDOFF, *supra* note 185, at 5–6.

tion quotas for fear of too many Jews entering America, or to pressure Britain to change its policies to allow more refugees into Palestine¹⁹³. President Roosevelt's feeble efforts to liberate Jews were highlighted by his refusal to bomb German railways and transit lines, known at the time to be carrying Jews to death camps¹⁹⁴. In particular, America's tactics to block immigration to the United States was underscored by a well-known incident regarding the ship, *St. Louis*. This vessel, carrying 900 Jewish refugees from Nazi Germany, was denied entry into the United States with the full knowledge of President Roosevelt and State Department officials. The ship eventually had to return to Europe, where many of the passengers eventually were sent to death camps¹⁹⁵. Additionally, the United States even took steps to deport Jews back to occupied countries, because of alleged immigration violations¹⁹⁶. In a cruel twist of fate, American immigration laws prohibited granting of visas for anyone with a criminal record, which was interpreted to include persons who were in labor or concentration camps¹⁹⁷. In sum, these intentional and obstructive actions to prevent the rescue of Jews

¹⁹³ *Id.* at 10; WYMAN, *supra* note 184, at 190.

¹⁹⁴ FEINGOLD, *supra* note 181, at 151. The party line by officials was that a bombing campaign would require resources that would divert from the greater war efforts. For a detailed discussion of the decision to forgo bombing of transit lines to death camps and Auschwitz, see WYMAN, *supra* note 184, at 288–307. Furthermore, the World Jewish Congress requested the Administration to bomb Auschwitz. *The World Jewish Congress in New York Asks the War Department to Bomb the Crematoria At Auschwitz*, PBS.ORG, <http://www.pbs.org/wgbh/amex/holocaust/filmmore/reference/primary/bombworld.html> (last visited Jan. 22, 2015).

¹⁹⁵ SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 38–46. The ship was originally headed to Cuba, but was denied entry and headed to the United States instead. FEINGOLD, *supra* note 181, at 63, 79.

¹⁹⁶ *United States ex rel. Weinberg v. Schlotfeldt*, 26 F. Supp. 283 (D. Ill. 1938). The court stated, “[u]nder conditions as they now exist it would be cruel and inhuman punishment to deport this petitioner to Czechoslovakia, belonging as he does to the race which is thus being persecuted and exiled”. *Id.* at 284.

¹⁹⁷ SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 12. Another reason advanced for America's refusing refugees was the economic factor. The property of Jews had been confiscated in Europe, consequently many refugees had limited resources. Immigration laws at the time prohibited entry for individuals likely to become a public charge (LPC), and neither the Administration nor Congress was motivated to make exceptions. *Id.*

were commonplace, and part of a broader strategy on the part of the Roosevelt administration¹⁹⁸.

It later became public that the State Department was infiltrated with anti-Semitism at very high levels; and in an internal communication, Assistant Secretary Adolf Berle dictated the tactic to block Jewish immigration into the United States:

We can delay and effectively stop for a temporary period of indefinite length the number of immigrants into the United States. We could do this by simply advising our Consuls to put every obstacle in the way and to require additional evidence and to resort to various administrative advices which would postpone and postpone and postpone the granting of the visas¹⁹⁹.

Near the end of the war, Josiah Dubois, a young attorney in the Treasury Department, cataloged the intentional concealment by State and Treasury officials concerning their knowledge of Hitler's "Final Solution". Dubois prepared a memorandum for President Roosevelt entitled "*The Acquiescence of this Government in the Murder of the Jews*", and threatened to go to the press²⁰⁰. In this detailed document to the President, Dubois wrote,

The tragic history of this Government's handling of this matter reveals that certain State Department officials are guilty of the following: . . . They have not only failed to use Government machinery at their disposal to rescue Jews from Hitler but have even gone so far as to use this Government machinery to prevent the rescue of these Jews²⁰¹.

¹⁹⁸ WYMAN, *supra* note 184, at xx-xxi; FEINGOLD, *supra* note 181, at 200.

¹⁹⁹ AN AMBASSADOR AND A MENSCH, *supra* note 8, 172-73; MEDOFF, *supra* note 185, at 22-23.

²⁰⁰ See Dubois' full report, handed to Treasury Secretary Henry Morgenthau, Jr., for President Roosevelt, in MEDOFF, *supra* note 185, at 40-52.

²⁰¹ *Id.* at 41.

Roosevelt, facing humiliation in an election year, was forced to capitulate, and formed the War Refugee Board,²⁰² which would operate out of Istanbul to facilitate the immigration of Jewish refugees.

Britain, Arab Appeasement, and Turkey

Britain's conduct in blocking Jewish immigration to Palestine takes on special meaning because of its historical relationship with the Jewish people. In 1917, Britain proclaimed in the Balfour Declaration that "His Majesty's Government view[s] with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavors to facilitate the achievement of this object"²⁰³. Thus, in 1922, the League of Nations resolution for the Mandate for Palestine recognised the "historical connection of the Jewish people with Palestine", and charged Britain with the responsibility of facilitating a "national home for the Jewish people"²⁰⁴. In fulfillment of these obligations, Britain administrated immigration into Palestine in cooperation with the Jewish Agency, which was created in 1929²⁰⁵. Although the Mandate was silent as to limits of Jewish immigrants, Britain issued its White Paper of 1922, establishing quotas based on a complex formula of economic criteria²⁰⁶. Afterwards, they published another White Paper in 1930, which introduced an additional factor that would limit Jewish immigration: Arab employment benchmarks. This new scheme to limit immigration was premised on the negative impact of Jewish

²⁰² The War Refugee Board was comprised of officials from the Departments of State, War, and Treasury. Their responsibility was to facilitate the rescue of Jewish refugees. OFER, *supra* note 5, at 269. See also SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 179–81; WYMAN, *supra* note 184, at 204–06.

²⁰³ See The Balfour Declaration, available at http://avalon.law.yale.edu/20th_century/balfour.asp (last visited 1 June 2015).

²⁰⁴ The Palestine Mandate, available at http://avalon.law.yale.edu/20th_century/palmanda.asp (last visited 1 June 2015).

²⁰⁵ The Jewish Agency was created pursuant to the Mandate for Palestine as the Jewish representative for the establishment of the Jewish homeland. See *id.*, art. 4.

²⁰⁶ OFER, *supra* note 5, at 5. See full text of British White Paper of June 1922, available at http://avalon.law.yale.edu/20th_century/brwh1922.asp (last visited 22 Jan. 2015).

refugees on Arab employment opportunities²⁰⁷.

As a direct transit route to Palestine through the Balkan states, Turkey was often caught in the quagmire of Britain's politics regarding the resettlement of Jewish refugees. After the Holocaust began, immigration to Palestine increased dramatically, and the resulting Arab protests caused Britain once again to reassess its policies, and conclude it had already satisfied the basic requirements of the Balfour Declaration²⁰⁸. This policy shift culminated in the White Paper of 1939, which established a hard quota of Jewish immigration: 75,000 over the next five years, at the same time millions of Jews were being sent to death camps²⁰⁹. Thereafter, the British revoked immigration approvals that were granted before the war began, and refugees attempting to escape the gas chambers in Europe for Palestine became the new "enemy aliens" of Britain²¹⁰. Meanwhile, America's Ambassador to Turkey, Laurence Steinhardt noted, "There is a problem of visas, none too much enthusiasm on the part of the British for a large number of Jewish refugees in Palestine as they have their eyes on the Arab world"²¹¹. In the end, these new immigration restrictions would have a devastating result for Jewish refugees and a direct effect on the foreign policy of Turkey.

Over the course of the war, the British took extraordinary steps to thwart the escape of Jews headed for concentration camps in order to pacify the Arab population in Palestine²¹². Britain's prolific naval block-

²⁰⁷ OFER, *supra* note 5, at 6.

²⁰⁸ *Id.* at 128. Furthermore, approximately 170,000 Jewish immigrants arrived in Palestine between 1935–1939. GUTTSTADT, *supra* note 3, at 108.

²⁰⁹ The 75,000 quota enforced by Britain was broken down to 50,000 for immigrants with legal immigration certificates, and 25,000 for war refugees. GUTTSTADT, *supra* note 3, at 108. See full text of British White Paper of 1939, available at http://avalon.law.yale.edu/20th_century/brwh1939.asp (last visited 1 June 2015).

²¹⁰ OFER, *supra* note 5, at 129.

²¹¹ SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 261 (referencing Laurence Steinhardt papers, Library of Congress, Container 82).

²¹² *Id.* at 53–57. For a comprehensive discussion on the British White Paper of 1929 and Britain's exhaustive efforts to block immigration to Palestine, see *id.* at 128–46. See memorandum excerpts from Colonial Secretary re Britain's position on illegal immigration. *Id.* at 56–57. There were at least forty-six vessels with Jewish

ades to prevent “illegal” immigration often took place in Turkish waters, notably, incidents such as the sinking of the *Salvador* and the *Struma*, received worldwide attention²¹³. To cover all bases, and prevent Jews from immigrating to Palestine, Britain continually exerted pressure on Turkey to limit assistance to Jewish refugees, but often these threats were ignored. Regardless of intimidation, some refugees without proper documentation were allowed to enter and remain in Turkey until the end of the war²¹⁴.

Disgracefully, in May 1944, Britain rejected Adolf Eichmann’s offer to the Jewish Agency in Istanbul, to trade one million Jews from Hungary, Romania, Poland, and Czechoslovakia for money and supplies, because it “would involve our being pressed to receive unmanageable numbers into Palestine, and thereby introduce the dangerous complication that the immigration quota would be exceeded at a particularly critical time”²¹⁵. Besides, Britain also had its own demons regarding anti-Semitism, and it was clear there would be no immigration to the UK “unless in some quite rare and exceptional cases it can be shown that the admission of the refugee will be directly advantageous to our war effort”²¹⁶. In the meantime, Britain’s politics played directly into the hands of Hitler and substantially contributed to the mass extermination of Jews²¹⁷.

refugees intercepted by the Royal Navy. *Id.* at 271–72.

²¹³ *Id.* at 51–63; OFER, *supra* note 5, at 147–56. Turkey received much of the blame for the sinking of the *Struma*, a rescue ship from Romania carrying 769 refugees, because of their refusal to let the ship disembark in Istanbul and continue to Palestine. Turkey was steadfast in blaming Britain for this incident as a result of their immigration policies. OFER, *supra* note 5, at 166. Further, Britain even went to the extent of blocking ships carrying refugees that the Nazis permitted to leave from Germany and Czechoslovakia. *Id.* at 31.

²¹⁴ TURKEY AND THE HOLOCAUST, *supra* note 5, at 286, 289; OFER, *supra* note 5, at 286–89.

²¹⁵ TURKEY AND THE HOLOCAUST, *supra* note 5, at 286.

²¹⁶ LONDON, *supra* note 183, at 200.

²¹⁷ TURKEY AND THE HOLOCAUST, *supra* note 5, at 280. British policies, embodied in the British White Paper of 1939, prevented Jewish refugees from immigrating to Palestine. As a result, many were unable to escape Nazi Germany and the occupied territories. OFER, *supra* note 5, at 128–38.

IX. ISTANBUL: AN ESCAPE ROUTE FOR JEWISH REFUGEES TO PALESTINE

Turkey's Neutrality and Geographic Location Helps Jews Escape the Holocaust

Turkey's neutrality enabled Istanbul to operate as a central locale for relief organisations such as the Jewish Agency and War Refugee Board, as well as international embassies, the Red Cross and Vatican representatives²¹⁸. Most importantly, because of its Mediterranean location and proximity to Palestine, Turkey was the most essential transit route for Jewish refugees²¹⁹. During the course of the war, it is estimated that over 100,000 refugees passed through Turkey by land and sea, with both the government and private citizens providing ships and other means of provision, despite tenacious interference by the British²²⁰. After banning refugee transit in 1938, Turkey eventually became more flexible as the war progressed, but maintained strict controls²²¹.

Although the Jewish Agency had offices in Geneva, neutral Switzerland had its own struggles with anti-Semitism and provided significant logistical support for the German war effort, including blocking escape routes for Jews²²². As a result, it deemed Turkey a much friendlier environment to carry out its rescue activities²²³, and senior

²¹⁸ TURKEY AND THE HOLOCAUST, *supra* note 5, at 257. Further, it has been reported that the War Refugee Board was responsible for saving 200,000 Jews. AN AMBASSADOR AND A MENSCH, *supra* note 8, at 182.

²¹⁹ OFER, *supra* note 5, at 163; SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 181.

²²⁰ TURKEY AND THE HOLOCAUST, *supra* note 5, at 266. Also, Britain opposed the War Refugee Board as inconsistent with its policies regarding Palestine. OFER, *supra* note 5, at 269.

²²¹ BAHAR, *supra* note 7, at 5774, 5980, 6331–400.

²²² Jonathan Petropoulos, *Co-Opting Nazi Germany: Neutrality in Europe During WWII*, ADL.ORG, http://archive.adl.org/braun/dim_14_1_neutrality_europe.html#.VGdnceeZOqR (last visited 1 June 2015); Roger Cohen, *The (Not So) Neutrals of World War II*, N.Y. TIMES (26 Jan. 1997), <http://www.nytimes.com/1997/01/26/weekinreview/the-not-so-neutrals-of-world-war-ii.html>.

²²³ Turkey replaced Switzerland as the primary headquarters for Jewish Agency efforts. TURKEY AND THE HOLOCAUST, *supra* note 5, at 257.

representative Chaim Barlas successfully lobbied Turkey to loosen up its immigration and visa restrictions²²⁴. Afterward, Turkey instructed its consulates in Bucharest, Belgrade, Geneva, Kaunsas, Stockholm, and Salonica to issue the necessary immigration and visa documentation for refugee transit to Palestine²²⁵. Of crucial importance, Turkey enacted Transit Law no. 2/15132 in 1941 that allowed more flexibility in facilitating transit for European Jews to Palestine²²⁶. In his memoirs, Barlas noted the importance of Turkish support,

One of the most important reasons for the success of the Jewish immigration to Palestine was the consent of the Turkish government which even though subject to German influence and under danger of invasion by sea and land, enables Jewish immigrants to pass through Turkey in accordance with requests made by the Jewish Agency. The “Transit Law” which was passed by the Turkish cabinet on 12 February 1941, became the primary basis of this immigration movement²²⁷.

Moreover, Turkey assisted the Red Cross’s efforts to ship humanitarian aid throughout Europe, and the Ministry of Finance allowed the banking system to be used to purchase food, transportation fares, and other material aid for the refugees²²⁸. In turn, this enabled Jewish relief organisations to act as communication hubs that gathered information about deportations and other Nazi atrocities, while also serving as processing centers for passports, visa, and other citizenship related documents. Furthermore, members of the “Rescue Committee” used Istanbul as an indispensable location and traveled throughout occupied Europe gathering intelligence and planning escapes routes with the

²²⁴ BAHAR, *supra* note 7, at 5851; GUTTSTADT, *supra* note 3, at 110–11.

²²⁵ For the complete text of Barlas Memorandum to Turkish government, *see* TURKEY AND THE HOLOCAUST, *supra* note 5, at 259–61. Also, Turkey permitted its banks in Istanbul to be used as depositories for funds to assist relief efforts, including money used for bribery. *Id.* at 275.

²²⁶ *Id.* at 261–63.

²²⁷ TURKEY AND THE HOLOCAUST, *supra* note 5, at 264.

²²⁸ *Id.* at 274–75.

assistance of Turkish diplomatic channels²²⁹.

In addition, the Vatican had a diplomatic mission in Istanbul, which was staffed by Monsignor Angelo Roncalli, who was affectionately referred to as the Turkish Pope²³⁰. Roncalli spoke out boldly against the Nazi persecution of Jews, and has been credited with intervening on behalf of persecuted Jews with numerous foreign governments, including Bulgaria, Italy, Romania, Slovakia, Greece, Croatia, France, Germany, and Hungary²³¹. The Turkish government worked with Roncalli to arrange for humanitarian aid and he encouraged the Vatican to engage with neutral countries to accept Jewish refugees²³². Moreover, Roncalli and Ira Hirschman of the War Refugee Board concocted “Operation Baptism” to save Hungarian Jews²³³ and were even able to convince the German Ambassador in Istanbul, Franz von Papen, to use his position to help rescue Jews²³⁴. Ultimately, the Wallenberg Foundation recognised Monsignor Roncalli’s achievements: “He did not only exercise direct action to save thousands of men, women and children condemned to extermination but also . . . was restless in the act of revealing to the Holy See and allied countries . . . the horrendous

²²⁹ *Id.* at 276–77. The Rescue Committee was also known as the Committee of Four to save Polish Jews. Peter Landé & Joyce Field, “*Jews for Sale*”: *The Rudolph Kasztner Transports*, JEWISHGEN.ORG, http://www.jewishgen.org/databases/Holocaust/0172_Kasztner_Jews.html (last visited 1 June 2015).

²³⁰ Roncalli, *The “Turkish Pope”*, GARIWO.NET, <http://en.gariwo.net/righteous/rescuers/roncalli-the-turkish-pope-9694.html> (last visited 1 June 2015).

²³¹ *Humanitarian actions of Monsignor Angelo Roncalli*, RAOUL WALLENBERG FOUND., <http://www.raoulwallenberg.net/general/humanitarian-actions-monsignor/> (last visited 1 June 2015).

²³² TURKEY AND THE HOLOCAUST, *supra* note 5, at 277–78; SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 211.

²³³ Roncalli organised fake baptisms for Jews in Hungary to avoid deportation to concentration camps. TURKEY AND THE HOLOCAUST, *supra* note 5, at 297–98; SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 219–33.

²³⁴ Michael Curtis, *Honoring Pope John XXIII, a Righteous Man*, AMERICAN THINKER (31 May 2014), http://www.americanthinker.com/articles/2014/05/honoring_pope_john_xxiii_a_righteous_man.html. At the Nuremberg trials, Von Papen most likely did not receive the death sentence as a result of assisting Roncalli in rescuing Jews.

genocide that was taking place”²³⁵. Angelo Roncalli became Pope John XXIII on 28 October 1958.

Some of the refugees who arrived in Turkey were the first survivors of the concentration camps. With the support of the government, these evacuees were able to communicate to the world details regarding the massacres taking place in Europe²³⁶. Over time, fifteen relief organisations dedicated to the Jewish refugee problem were based in Istanbul, many illegally, while the government looked the other way²³⁷. Likewise, the Mossad operated extensively in Istanbul and was intricately involved in negotiating with Turkish officials and local shippers to transport “illegal” refugees by boat²³⁸. Later on, after they terminated diplomatic relations with Germany in 1944, Turkish authorities ordered consuls in occupied regions to issue 400 visas every ten days for travel to Turkey²³⁹. The Jewish Agency also convinced Turkey to delay entering the war as to not interfere with Germany’s “expatriation ultimatum”, which permitted more Turkish Jews to leave occupied territories²⁴⁰.

However, the effectiveness of Turkey as a transit route was drastically limited by pressure exerted by Britain, the U.S., and the war efforts of Germany²⁴¹. There were frequent impediments involving the

²³⁵ Horacio Moreno, *Remembering Monsignor Angelo Giuseppe Roncalli*, RAOUL WALLENBERG FOUND. (4 Dec. 2001), <http://www.raoulwallenberg.net/roncalli/tributes-29/programs/remembering-monsignor-angelo/>.

²³⁶ This information was compiled and known as the “Istanbul Lists”. TURKEY AND THE HOLOCAUST, *supra* note 5, at 266.

²³⁷ *Id.* at 256; SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 203.

²³⁸ OFER, *supra* note 5, at 238–66. Mossad was a Jewish organisation significantly involved in transporting illegal immigrants from Europe to Palestine. Today, Mossad is Israel’s intelligence agency similar to the CIA in the United States. Refugees were deemed illegal if they did not have immigration certificates to enter Palestine that were approved by Britain. *Id.* at 5–7, 11–17.

²³⁹ TURKEY AND THE HOLOCAUST, *supra* note 5, at 298. Ambassador Steinhardt believed Turkey would accept up to 500 refugees per week. OFER, *supra* note 5, at 28, 131–33.

²⁴⁰ TURKEY AND THE HOLOCAUST, *supra* note 5, at 296. Finally, Turkey, under pressure from the Allies, declared war on Germany and the Axis powers in February 1945. *Id.*

²⁴¹ *Id.* at 255–56, 287. In fact, U.S. Ambassador Steinhardt felt rescue efforts were

government's constraints prohibiting vessels to pass through its waters. Turkey's tendency was to raise concerns about safe passage due to war-time hostilities, or yield to unbending British pressure regarding illegal immigration²⁴². Additionally, because of the limitations imposed by the White Paper, many refugees who passed through Turkey to Palestine did not have proper documentation and were deemed "illegal" by the British. Complicating matters, the United States was in full support of Britain's immigration policies regarding the Jews²⁴³.

In order to appease the British, Turkey often relented by denying Jews entry, and created obstacles for private ships participating in transporting Jews from occupied territories²⁴⁴. Also, Turkey was known to be extremely diligent in inspecting the paperwork of refugees, and to delay or deny entrance if documentation was not in order²⁴⁵. The primary concern of Ankara was a scenario whereby Jews would arrive in Turkey and remain there because they were subsequently refused admission to Palestine by the British²⁴⁶. While this may be true, Turkey was generally amenable to avail itself as a transit route for refugees on their way to Palestine; but the government, not unlike Britain or the United States, was not receptive to "opening its doors" to Jewish refugees²⁴⁷.

hampered by the inability to procure transit visas through the Baltic States to Turkey. OFER, *supra* note 5, at 270–71.

²⁴² OFER, *supra* note 5, at 128–38, 278. See also WYMAN, *supra* note 184, at 215–20. Turkey was also concerned about its ships being attacked by the Germans. The Nazis sank the *Mefkura*, a privately owned Turkish rescue ship, and all 295 refugees were lost, including one-hundred children. *Id.* at 195–98.

²⁴³ WYMAN, *supra* note 184, at 159.

²⁴⁴ BAHAR, *supra* note 7, at 5660–77, 6015–66.

²⁴⁵ OFER, *supra* note 5, at 163–64, 279. Ira Hirschman believed officials were deliberately dragging their feet in approving refugee transit visas because of anti-Semitic leanings. *Id.* at 272.

²⁴⁶ GUTTSTADT, *supra* note 3, at 132–33.

²⁴⁷ SHOAH: TURKEY, THE US AND THE UK, *supra* note 5, at 61.

CONCLUSION

The relationship between Turkey and its Jewish population has a long and rich history. Jews in the Ottoman Empire flourished and integrated into society, but the collapse of the empire at the end of WWI gave way to nationalism and the Turkification of society. This seismic shift produced a destabilising environment, triggering almost fifty percent of Turkish Jews to emigrate, mostly to European countries. Moreover, Turkey's preference to populate and expand its economy with Muslims, as opposed to minorities, also affected its policies regarding immigration and repatriation. Domestically, Turkey's economy was in crisis mode, and gearing up for war created additional economic concerns.

Remaining neutral was the centerpiece of Turkey's foreign policy during the Holocaust and WWII, and its politics reflected its determination to act in its own self-interest. After Hitler's conquest and occupation of Europe, Jews of Turkish descent were looking to either return to Turkey or immigrate to Palestine. Wartime politics, combined with German-inspired anti-Semitism and Turkey's nationalistic tendencies, resulted in the tightening of citizenship laws, which had catastrophic consequences for Turkish Jews living in occupied Europe who were attempting to repatriate. For exiles without a nexus to Turkey, the conferences at Evian and Bermuda demonstrated that Turkey was not alone in refusing Jewish refugees a humanitarian place of sanctuary.

On the other hand, Turkey's efficacy as a transit route for refugees to Palestine was dictated, for the most part, by Britain's immigration policies and Germany guaranteeing safe passage, whether by sea or rail. As long as refugees were just passing through on their way to Palestine, Turkey's objections were diminished. But, as often was the case, the quandary occurred when Jews escaping occupied Europe would make their way into Turkey without proper certificates to Palestine. For the most part, Turkey objected to refugees entering the country unless their

stay was short, and their paperwork to Palestine was in order. Ultimately, when the United States and Britain altered their immigration strategies towards the end of the war, Istanbul served as an important location for humanitarian relief organisations and a critical transit route for refugees escaping occupied Europe.

There is significant evidence that individual Turkish diplomats, especially in France, were actively engaged in attempting to secure the rights of and repatriate Turkish Jews. There is a conflict of opinion whether or not the activities of these diplomats were the result of individual humanitarian concerns, or a consequence of affirmative directives from Ankara. Most of the research leads to the conclusion that Turkey was not interested in a large influx of Jews and that these officials, for the most part, acted out of their own compassion with minimal directives from government officials.

The question remains, could Turkey have done more to repatriate its Jews, provide a more effective transit route to Palestine or open its doors to refugees. Over 80 years later, the answer is clearly, yes. But, at the time, Turkey's skillful diplomacy was focused predominantly on independence, stability, and survival, while the complexities of domestic and international policy were exacerbated by war. However, unlike some of its European contemporaries, the fabric and backbone of Turkey's moral compass allowed it to steadfastly resist active collaboration with Hitler's Final Solution. That, in and of itself, provides an essential mitigating factor when rigorously critiquing Turkey's political maneuvering during the Holocaust.