

Herbert Pell Papers
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WASHINGTON 8, D. C.
ADAMS 8800

וועד לשחרור האומה

HEBREW COMMITTEE OF NATIONAL LIBERATION

January 13, 1945

The Honorable Herbert Pell
c/o Department of State
Washington, D. C.

My dear Mr. Pell:

I take the liberty to enclose herewith,
for your information, copy of text of our state-
ment pertaining to the United Nations War Crimes
Commission.

We have been heartened by your forth-
right and firm stand in this matter, and are happy
to take this opportunity to express to you person-
ally our sincere appreciation, even as we did pub-
lically in the enclosed statement.

Faithfully yours,



Peter H. Bergson, Chairman

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NEWS

From
HEBREW COMMITTEE OF NATIONAL LIBERATION
 2315 Massachusetts Avenue, Northwest, Washington 8, D. C.
 ADams 8800

Copies of this Bulletin are filed with the Department of Justice where the statement of the Hebrew Committee of National Liberation, which is registered as representing the interest of the Hebrew Nation, is available for public inspection.

FOR RELEASE:

P.M. Papers, Friday,
 January 12
 Morning Papers, Saturday,
 January 13, 1945

Peter H. Bergson, Chairman of the Hebrew Committee of National Liberation, today issued the following statement in connection with the resignation of Sir Cecil Hurst as Chairman of the United Nations War Crimes Commission:

On November 26 the Hebrew Committee of National Liberation made public an appeal to all the member governments of the United Nations War Crimes Commission, as well as to the Government of the Soviet Union; which is not a member of the Commission, pointing out the Commission's failure to act on crimes committed against the Hebrews of Europe. It was stated that the issue was not one of especially stressing the punishment for crimes committed against Frenchmen or Dutchmen of the Jewish religion, but crimes committed against Hebrew Nationals - now referred to as "stateless Jews", "German Jews" or "Hungarian Jews". These people are neither stateless nor Germans nor Hungarians. They are Hebrews, belonging to the renaissance Hebrew Nation.

The Committee at that time made the following requests deemed essential to remedy the situation:

- 1: That the governments of the United Nations concerned issue a joint declaration proclaiming that crimes committed against Hebrews in Europe, irrespective of the territory on which the crime was committed or the citizenship or lack of citizenship of the victim at the time of death, be considered as a war crime and punished as such.
- 2: That the governments of the United Nations concerned instruct their representatives on the War Crimes Commission to see to it that the above mentioned declaration is put into effect.
- 3: That representatives of the Hebrew people be given membership on the War Crimes Commission and that temporarily, until such time as a Hebrew national sovereignty be re-established, the Hebrew Committee of National Liberation be authorized to constitute the Hebrew representation on the War Crimes Commission.

Now that the whole issue has been brought to the attention of United Nations public opinion, the Hebrew Committee wishes to raise once again its voice in vehement protest against the present inexplicable attitude on this matter.

What makes this a very grave and urgent problem is that most of

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the estimated million or more Hebrews still alive in German-occupied Europe are former Axis citizens and while being in constant danger of death, which hundreds of them meet daily, the Germans know that crimes committed against them are not considered war crimes. The German murderers in their criminal way of thinking might very well look upon the present policy of the War Crimes Commission as tacit consent to their continuing mass murder of Hebrew men, women and children.

We are indebted to Sir Cecil Hurst for acting with the courage of his convictions and resigning. The Hebrew Committee also wishes to express its deep appreciation for the forthright attitude of Mr. Herbert Pell, the American representative on the Commission, and his manifold attempts to remedy the situation.

We are shocked to learn that the callousness of the British Government to the disaster that has befallen the Hebrew people in Europe could go that far. While President Roosevelt has repeatedly voiced his abhorrence, Prime Minister Churchill did not find it necessary to make one single statement during these horrible long months in which more than three million Hebrews were exterminated.

In view of the historical and deep friendship between the British and Hebrew peoples, only a tragic blunder can be responsible for the attitude of the British Government.

The Hebrew Committee of National Liberation appeals to the people of the United States to support this Committee's proposals as outlined above, so that our British allies may revise their present position in this matter. What less can be done for a nation which has already lost in this war more than fifty per cent of its entire population?



חוגג לשחרור האומה
HEBREW COMMITTEE OF NATIONAL LIBERATION

Bulletin

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Issued by the Information Department, 2315 Massachusetts Ave., N.W., Washington, D. C.

DEMAND HEBREW REPRESENTATION ON UNITED NATIONS WAR CRIMES COMMISSION

Following is the text of a statement made by Peter H. Bergson, Chairman of the Hebrew Committee of National Liberation, at a press conference Saturday, November 25, 1944, concerning the punishment of Germany for war crimes committed against the Hebrew people, and Hebrew representation on the United Nations War Crimes Commission charged with this task.

The War Refugee Board has released, for publication on Sunday, November 26, a detailed report containing evidence of the unspeakable atrocities systematically committed in the two extermination camps set up in Oswiecim and Birkenau, in German-occupied Poland. Men of various religions and nationalities were the victims of these atrocities, but, as was known before and as is again confirmed by this report, the main victims were Hebrews.

It is exceedingly difficult for me to discuss this report. I could hardly gather the strength to read it through. But I believe that the War Refugee Board should be highly commended for bringing these monstrous activities of Germany to the attention of the American people in full detail.

It is in connection with the publication of this first detailed report of the atrocities issued on the authority of an agency of the United States Government, that the Hebrew Committee of National Liberation wishes to raise a question which can no longer be delayed. This question concerns the inexplicable abstinence of the governments of the United Nations from taking any measures that would effectively interfere with this slaughter of a whole people or that would, at least, make it clear that those guilty of the slaughter will be punished.

There is a wide-spread impression that a joint agency of the United Nations, known as the United Nations War Crimes Commission, is sitting in London and is assembling data that would make possible to bring to just trial the people who participated in these cruelties. This impression is totally erroneous. The truth is that the War Crimes Com-

mission, under the interpretation placed upon its terms of references by the Chairman of that Commission, Sir Cecil Hurst, has refused to take into consideration any acts committed against persons other than nationals of the United Nations. The truth is, further, that despite all efforts, none of the governments of the major powers among the United Nations has instructed its representative on the War Crimes Commission to broaden its activities so as to include crimes committed against stateless persons and persons who are or were subjects of the Axis nations.

In the case of the Hebrews slaughtered by the Germans, a great many were subjects of the Axis nations. In the course of the war, most of them were deprived of their citizenship by the governments of those nations. They have thereby become stateless in name, after having been stateless in effect for quite some time. Others among those slaughtered Hebrews have been stateless all along.

The consistent refusal of the War Crimes Commission to take into consideration crimes committed against these persons, the consistent refusal of the major United Nations to instruct the War Crimes Commission to change its stand, amount, in the circumstances, to a declaration that crimes against such people are of no concern to the United Nations and, as far as they are concerned, may remain unpunished. It amounts to a declaration that people who committed these crimes are not regarded by the United Nations as war criminals and, as far as the United Nations are concerned, may go scot free and continue in the post-war world

preaching the doctrine which they have been practicing in Oswiecim, Birkenau and in innumerable other charnel houses. This attitude amounts to proclaiming that a Jew may not be tortured or killed if he happens to be a citizen of one of the United Nations, but that his life is considered of no value if he is a stateless Jew—a Hebrew.

This attitude may have resulted in many cases from a lack of attention given to this issue. It is a product of thoughtlessness rather than of cruelty. This is why we hereby draw public attention to the issue and its implications.

One implication is the stake which, whether it realizes it or not, the world has in a just solution of this problem. In 1933 the Germans began their butchery of Hebrews who were Axis subjects. The world shut its ears to warnings that the butchery was not going to stop with Hebrews. Today millions of the best youths of many nations are dead because this warning was not heeded and the activity of the German murderers was not curbed before it spread. We feel duty bound to sound another warning today. The German nation-murderers have created a precedent which carries in it all the threats of neo-barbarism in which nations will try not merely to subjugate other nations and conquer their territory, but in which nations will endeavor to bring about the extermination of entire segments of populations. If humanity and civilization are to survive, this system must be eradicated at its source. Leaving unpunished crimes of this kind on the pretext that they were committed only against Hebrews would mean to leave in existence a free zone for crime and extermination. Within this free zone the philosophy of barbarism would continue to

coming peace only an armistice which is sure to be followed by another war, just as surely as the present war followed the last.

Another implication concerns the moral issue involved: Is it tolerable or is it not that the United Nations wash their hands of the wholesale murder of the kind described in the report being published by the War Refugee Board? This, and this alone, is the moral question involved. Attempts are being made to disguise this moral issue by raising objections allegedly springing from respect for international law. It is suggested in some quarters that the United Nations are estopped from assuming jurisdiction over these murders on the ground that they concern people who did not have a right to the protection of the United Nations during their lifetime.

It is difficult to conceive that this objection is made in good faith. Intervention in the treatment of persecuted stateless individuals in foreign countries and even in the treatment of members of persecuted minority groups is a well established procedure in international law. It was practiced in numerous cases by the United States, by the British Empire, by Russia and by many other nations of the western world, even in time of peace. More reason why such intervention and consequent retribution be practiced in times of war. At the basis of such intervention there always lay the assumption that the systematic and large-scale extermination or persecution of human beings sins against the elementary precepts of humanity and that civilized nations have a right and a moral obligation to prevent their occurrence.

Since this is the case, the refusal of the United Nations to include the perpetrators of such crimes in any scheme for punishment of crimes against humanity committed by the Axis nations during the present war cannot be justified on the ground that the acts in question have not hitherto been regarded as war crimes. It is true that no specific punishment has been proclaimed as applicable to such crimes previous to their commission, and that no specific tribunal has been given jurisdiction over such crimes before they have occurred. But this is equally true of all crimes over which the United Nations, acting through the War Crimes Commission or otherwise, are ready to assume jurisdiction. With the sole and narrow exception of crimes foreseen under the Hague Conventions, the War Crimes Commission is taking cognizance of cruelties committed by the Axis on the sole and sufficient ground that the conscience of civilized mankind considers them to be crimes. Unless it is desired to emphasize, for the guidance

of some future Hitmlers, that exterminating Hebrews is no crime in the conscience of mankind, it is inconceivable that the exception which has been made will be allowed to stand.

The issue, therefore, is not one between morality and far-sighted statesmanship on the one hand and international law on the other. No valid objection can be raised under international law to a course of action which is so obviously dictated by both morality and statesmanship. The objection can proceed from two sources only: indifference or bad will.

This issue is being submitted hereby to the people of America, the standard bearers of decency and true justice, in the hope that they will raise their voice and induce their government, as well as other governments concerned, to instruct the War Crimes Commission that a German who tortured and killed Hebrew men, women and children coming from Berlin, Budapest, Bucharest, Rome or Sofia, is no less a war criminal than had he tortured and killed men, women and children coming from Moscow, Paris, Warsaw, Brussels or Amsterdam.

There is another point to which attention is drawn herewith.

The extermination of the Hebrews by Germany was not directed against citizens of particular countries. It was directed against the Hebrew people as such. Some of the Jews who found their death in the horrible manner described in the report being published by the War Refugee Board will be more or less wholeheartedly represented by the delegates of their respective countries on the War Crimes Commission.

But who will represent those Jews who did not have the status of citizenship in one of the United Nations and who nevertheless suffered horrible death to the number of over one million? Who will represent the Hebrews? It is because they were and are unrepresented that the thoughtless injustice against which we are compelled to protest publicly today could have occurred. No one thought of them because no one represented them.

We, therefore, believe it only fair and proper that the Hebrew people as such be given representation on the War Crimes Commission and thus be accorded the chance, equal to all other victims of Axis cruelty, to see to it that the guilty be punished. It is a travesty upon justice that the War Crimes Commission should include representatives of all nations against whom atrocities were committed except the one nation against which more atrocities were com-

mitted than on all the others combined.

There is a third point to which attention may be drawn at this juncture, because it too illustrates the injustice resulting from the Hebrew people's being recognized by the Axis only but not by the decent peoples of the world: Time after time leaders of the United Nations gave warning to the Axis Powers against using poison gas, declaring that should poison gas be used against any of the Allies, retaliation would be practiced against Germany. For a long time it has been known that Germany had consistently used poison gas against the Hebrew people. The report now being published by the War Refugee Board again confirms this fact. The report states that well over a million Hebrews were murdered by poison gas. The Hebrew Committee of National Liberation has on numerous occasions in the past drawn the attention of the Government of the United States and the Government of Great Britain in repeated communications that the warning which was given to Germany against the use of poison gas be specifically extended to cover the use of poison gas against Hebrews. We feel constrained to express our deep regret that no action has been taken on these proposals, and confidently hope that the publication of the present governmental report on the use of poison gas will be followed by an appropriate warning, and unless effective, appropriate action will be taken against the Germans.

The Hebrew Committee of National Liberation is therefore making the following requests of the governments of the United Nations concerned:

1: *That they issue a joint declaration proclaiming that crimes committed against Hebrews in Europe, irrespective of the territory on which the crime was committed or the citizenship or lack of citizenship of the victim at the time of death, be considered as a war crime and punished as such.*

2: *That the governments of the United Nations concerned instruct their representatives on the War Crimes Commission to see to it that the above mentioned declaration is put into effect.*

3: *That representatives of the Hebrew people be given membership on the War Crimes Commission and that temporarily, until such time as a Hebrew national sovereignty be re-established, the Hebrew Committee of National Liberation be authorized to constitute the Hebrew representation on the War Crimes Commission.*



NEWS

From **הוועד לשחרור העם**
HEBREW COMMITTEE OF NATIONAL LIBERATION

2315 Massachusetts Avenue, Northwest, Washington 8, D. C.
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FOR RELEASE:

Saturday,
 January 27, 1945

FOLLOWING IS THE TEXT OF A STATEMENT MADE TODAY BY PETER H. BERGSON, CHAIRMAN OF THE HEBREW COMMITTEE OF NATIONAL LIBERATION, ON THE ISSUE OF WAR CRIMES IN CONNECTION WITH THE REMOVAL OF MR. HERBERT C. PELL FROM THE UNITED NATIONS WAR CRIMES COMMISSION IN LONDON

The Hebrew Committee of National Liberation has learned with deep regret that Mr. Herbert C. Pell, the United States representative on the War Crimes Commission, has been withdrawn from his post. Mr. Pell has been in this country for consultation, and it was generally hoped that on his early return to London he would bring with him the backing of a definite policy of the United States Government for an intensification of the Commission's work. The statement made today by Acting Secretary of State Joseph C. Grew, however, indicates that there is as yet no readiness on the part of the United Nations either to clarify the issue or to accelerate the work of the Commission.

Since it is a matter of public knowledge, reported in the press, that Mr. Pell has constantly advocated a positive course of action by the Commission on crimes committed against the Hebrew people, we feel naturally apprehensive over this development.

For several months the Hebrew Committee of National Liberation has endeavored to the best of its ability to move the governments of the United Nations, and more particularly the Government of the United States and the Government of Great Britain officially to clarify their stand in relation to Germany's wanton mass murder of the Hebrew people of Europe. While more than three million people have thus been murdered, the attitude of these governments amounts to maintaining that, unless the victims happen to be citizens of the United Nations, this does not constitute a war crime, and since it is certainly not considered a crime under the national laws of the Axis, the murder and extermination of the

Hebrews of Europe appear to have been agreed all around,

The issue is not one of especially stressing the punishment for crimes committed against Frenchmen or Dutchmen of the Jewish religion, but crimes committed against Hebrew nationals - now referred to as "stateless Jews," "German Jews" or "Hungarian Jews". These people are neither stateless nor Germans nor Hungarians. They are Hebrews, belonging to the renaissance Hebrew Nation.

We wish to stress most emphatically the extreme urgency of this situation. Close to a million and a half Hebrews are still in territories dominated by Germany and are still being murdered daily. To maintain that this does not constitute officially a war crime is tantamount, to the barbarous Germans, to tacit consent and practical encouragement to proceed with the mass murder.

After innumerable communications and appeals the situation has not changed. The United Nations War Crimes Commission still refuses to announce that the murder of Hebrews constitutes a war crime. As far as the United Nations War Crimes Commission is concerned, therefore, it is quite proper for Germany to continue the mass extermination of Hebrews, and since the United States is represented on that Commission, its tacit consent to this attitude must be presumed.

The Hebrew Committee of National Liberation maintains that the overwhelming majority of the American people, who have been shocked to the depths of their beings by the Axis' diabolical atrocities, will come to our aid and back our request that this issue be immediately clarified.

We propose that the Government of the United States issue a declaration proclaiming that crimes committed against Hebrews in Europe, irrespective of the territory on which the crime is committed or the citizenship or lack of citizenship of the victim at the time of death, be considered as war crimes and punished as such.

For weeks we have been waiting for such, or a similar, statement to be forthcoming, but it seems that this will not be done unless public opinion in this country vociferously demands it.

The Secretary of State declared at a press conference some time ago that while this question has not yet been officially decided, it is being "attacked with forcefulness and determination." We are issuing this

appeal in the hope that it will also be with speed.

In view of the desperate position of surviving Hebrews still in Germany's clutches, we feel duty bound to state that every additional day in which the governments of the United Nations concerned continue to maintain their present position in this matter makes them morally passive partners in Germany's wanton crime against our nation.

(Thirty)

2315 MASSACHUSETTS AVENUE, N. W.
WASHINGTON 8, D. C.
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וועד לשחרור ארצות

HEBREW COMMITTEE OF NATIONAL LIBERATION

April 11, 1945

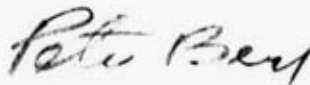
Dear Mr. Pell,

I am very anxious to know whether you have heard from the President and what the present chances are of your returning to London.

The attack on the policies of the War Crimes Commission by the Czech representative is an additional indication, if one was needed, as to how harmful your prolonged absence from London is.

With kind regards,

Cordially yours,



Peter Bergson

Mr. Herbert C. Pell,
Knickerbocker Club,
Fifth Avenue,
New York City.

April 19, 1945

Mr. Peter H. Bergson
Hebrew Committee of National Liberation
2315 Massachusetts Avenue, N. W.
Washington, D. C.

Dear Mr. Bergson:

I have been in consultation in New York and find that at the present time it will be impossible for me to go to San Francisco. I have been strictly ordered to do as little as possible and to live as quietly as I can. Doctors are doctors and their orders must be followed.

Regretting very much that my health will prevent me from going, and looking forward to seeing you when I next get to Washington, I am

Yours very sincerely,

Herbert Pell

2315 MASSACHUSETTS AVENUE, N. W.
WASHINGTON 8, D. C.

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וועד לשחרור העם

HEBREW COMMITTEE OF NATIONAL LIBERATION

June 8, 1946

Mr. Herbert Pell
Knickerbocker Club
807 Fifth Avenue
New York 21, N. Y.

My dear Mr. Pell,

Your letter of June 6 has just been forwarded to me here and I am hastening to write to you. Naturally, we are still very much interested in the whole question of war crimes and the great contribution that you can make to the attainment of some just action on this disasterously neglected subject.

I am exceedingly sorry not to have written to you before but I have given your articles to a prospective publisher in New York who apparently cannot make up his mind. I shall be in New York June 13-15, and in the event he still hesitates, will take the script back from him and endeavor to have it published some other way.

I will write to you again next week and if you happen to be in New York, please call me at Bryant 9-4600.

With kind regards.

Faithfully yours,


Peter H. Bergson

May 6, 1946

Mr. P. Bergson
25 West 45th Street
New York, N. Y.

Dear Mr. Bergson:

I have been in New York, and have just come back to the country where I had your address, which explains the lateness of this letter. I am enclosing you the document on the subject of war crimes which I hope will still interest you. I expect to be here now pretty regularly, so there will be no further such terrible delays.

I should be glad to help you in any way, but honesty compels me to say that I am pretty tired of the whole affair. You were the only one who did anything to help us during this struggle. The whole affair reminds me of a story told of the Italian war with Turkey about thirty-five years ago. There was a company of Italian soldiers behind some sort of a rampart who received an order to charge. The commanding officer made them an impassioned speech on the subject of patriotism and the beauty of sacrifice for their country to which they all listened with glistening eyes. He then drew his sword, shouted the order to charge and rushed at the enemy followed by impassioned shrieks of "bravo, bravo" but not by a single man.

With the exception of your efforts, that was my experience a year ago. I was applauded at dinner parties and cheered not only in the Jewish papers but in most of the newspapers all over the country. My course was followed by every interested politician anxious to appraise the real political value of Jewish influence. I need not tell you to what conclusion they came.

When I first submitted the idea of a book, I gave the publisher a list of those organizations which had asked me to speak or given me dinners. He received requests for fewer than ten books and then refused to undertake the publication. With a great deal of public opinion back of them in my case, it was a magnificent occasion to show that Jewish pressure amounted to something and could be made into a political force which could be respected, but nothing was done.

In most of my speeches I suggested to the audiences, who were in a considerable proportion merchants with customers and acquaintances in many parts of the country, to write to their friends urging them to communicate with their representatives in Washington to insist on adequate justice. Needless to say they did nothing of the kind. The result of this attitude is the complacency with which we are now observing the slow starvation (and not so slow at that) of an enormous number of your co-religionaries in Europe.

The refusal to adequately punish all but a ridiculously small number of those responsible for cruelties in the concentration camps is clear notice to everyone who wants to start an anti-Semitic campaign that the United States at least will do nothing to prevent it. It might surprise a good many of our fellow citizens, but it is a fact that editorials in Jewish newspapers or in the rest of the American papers, or even a few speeches in Congress, will not insure a sufficient protection for the unfortunate victims of physical violence in other countries.

You may have noticed some talk of the Klan in the papers. Look at this from the point of view of the politician. Klanman and Jew vote. One vote is as good as another. Which group can be best counted on to support those who have supported them?

If at any time I am asked to speak before a Jewish organization, I shall tell them exactly this.

Looking forward to seeing you, I am

Yours very sincerely,

Herbert Pell

HP:CK