

FLORENT BRAYARD
GOEBBELS AS A CASE

The scope of this article is very limited, and mainly involves revisiting the use I made of Jacques Revel and Jean-Claude Passeron's tough reflections on *Penser par cas*¹ in my book *Auschwitz, enquête sur un complot nazi*². I apologize for this lack of ambition and for its probably very deceptive results. Using my case as a «case» may perhaps offer an occasion to bring to light some unexpected implications of this particular way of thinking or writing history when applied to history that plays such an important role in our self-representation as human beings – and which has Auschwitz as its center.

Holocaust Studies are in many ways a peculiar scientific field, and not only because Auschwitz changed what being a human means. The pressure applied by memory and, as a consequence, politics, to history writing must not be underestimated in this case. On the other hand, Holocaust denial has challenged the notion of proof itself. Writing on the Holocaust requires ongoing and scrupulous attention, as what we say is always in danger of being twisted in one direction or another. The wisest thing is not to say anything, or at the very least, nothing new. But what if evidence contradicts the traditional narrative?

Goebbels' diaries are by no means a new document, given that the first publication of what at the time was seen as the remnant of this source occurred as early as

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¹ J. Revel and J.-C. Passeron, *Penser par cas. Raisonner à partir de singularités*, in Id. (ed.), *Penser par cas*, Paris, Éditions de l'Ehess, 2005

² F. Brayard, *Auschwitz, enquête sur un complot nazi*, Paris, Le Seuil, 2012.

1948³. Indeed, nobody could imagine that a complete copy of his diaries, written over a twenty-year period through to the very end of the war and the Propaganda Minister's suicide, would one day be discovered. A first copy of dubious origin circulated during the seventies⁴, but it was only with the fall of the Berlin Wall that a complete and authentic copy of this monumental source became available⁵. Its discovery raised exaggerated expectations among historians of the Holocaust. Since the long-known excerpts had shown how early and precisely Goebbels had been informed of the planned murder of the Jews in the General Government⁶, the part of Poland under German civil administration, and because Goebbels was the only close confidant of Hitler who kept a diary⁷, one could indeed expect tremendous revelations from the new source.

The initial expectations were soon dampened: no mention was made of a conversation between the two Nazi

³ F.L. Lochner (ed.), *The Goebbels Diaries, 1942-1943*, New York, Doubleday, 1948.

⁴ On the circulation of Goebbels' manuscripts, see H. Möller, *Le «Journal» de Goebbels: histoire d'un texte*, in J. Goebbels, *Journal 1943-1945*, Paris, Tallandier, 2005.

⁵ The definitive edition was produced by the *Institut für Zeitgeschichte* in Munich: E. Fröhlich, *Die Tagebücher von Joseph Goebbels*, Munich, Saur, 1993-2005, 29 voll. There is also an online edition that I will use for the quotations: *Nationalsozialismus, Holocaust, Widerstand und Exil 1933-1945. Online-Datenbank*, K.G. Saur Verlag. The best assessment on the value of this source is A. Hermann, *Der Weg in den Krieg 1938/39. Quellenkritische Studien zu den Tagebüchern von Joseph Goebbels*, Munich, Oldenbourg, 2011.

⁶ One of the most famous entries in Goebbels' diary is the one of 27 March, 1942, where Goebbels wrote what he had learned the day before concerning the fate of the Jews of the General Government: half of them had to be killed in a «barbaric» manner before the end of 1942. This graphic description, already published by Louis Lochner in 1948, is generally seen as the moment when Goebbels learned of the complete murder of the European Jews, and not just of the Polish ones.

⁷ The recently discovered diary of Alfred Rosenberg is nothing compared to the one of the Propaganda Minister: much shorter, incomplete, it also shows the distance between the Minister of the Eastern Occupied Territories and his Führer (F. Bajohr and J. Matthäus (ed.), *Alfred Rosenberg: Die Tagebücher von 1934 bis 1944*, Munich, Piper, 2015).

leaders in which the Führer confessed he had ordered the extermination of the whole of European Jewry. There was no smoking gun nestling between two pages written during the Fall or the early Winter of 1941, when the decision was supposedly made. On the contrary, the first use of the diary by functionalist historians stressed the numerous references to the concept of the «final solution» as a transplantation, ones made even as late as the Spring of 1942⁸. Years later, though, Gerlach proposed a new interpretation of the decision-making process regarding the «final solution», dating the «ground decision» to the middle of December 1941⁹. This decision was thought to have been made known to Party and State officials by Hitler during a speech following the declaration of war on the United States, on 12 December, 1941. The content of this speech is only known through Goebbels' diary, but it is in many ways unspectacular. Hitler just reiterated his 1939 prophecy:

Regarding the Jewish question, the Führer is determined to clear the table. He warned the Jews that if they were to cause another world war, it would lead to their own destruction. Those were not empty words. Now the world war has come. The destruction of the Jews must be its necessary consequence. We cannot be sentimental about it. It is not for us to feel sympathy for the Jews¹⁰.

The demonstration was only made possible by an extraordinarily detailed contextualization of this speech: meetings between Nazi leaders, before and after the speech, cryptic but graphic notations on Himmler's agenda¹¹, references to

⁸ See, for example, M. Broszat, *Hitler and the Genesis of the «Final Solution»*. *An Assessment of David Irving's Theses*, «Yad Vashem Studies», n. XIII, 1979.

⁹ C. Gerlach, *The Wannsee Conference, the Fate of German Jews, and Hitler's Decision in Principle to Exterminate All European Jews*, «The Journal of Modern History», 70, 4, December 1998.

¹⁰ *Ibidem*, p. 785.

¹¹ On 18 December 1941, at a private meeting with Hitler, Himmler wrote on the list of topics to be discussed: «Jewish question | to be exterminated as partisans» (P. Witte, M. Wildt, M. Voigt, D. Pohl, P.

this period in later correspondence. In actual fact, Gerlach could have written almost the same article without making any reference to Goebbels at all. The latter's diary cannot be seen as proof of the decision having been made, but only as an indication concerning the circumstances of its announcement. So in Gerlach's case too, we are far from having a smoking gun.

Gerlach's article made a powerful impact, but, fifteen years on, no consensus has been reached about it. Quite evidently, something happened in mid-December 1941. But was it really a decision to proceed with the systematic killing of the whole of European Jewry? Or, to put it in more precise terms, were the western European Jews included in this new phase of radicalization? This is far from certain. Indeed, even Goebbels' reaction after the speech is not really consistent with the announcement of such an order. After a meeting with Hitler a few days later, he paraphrased the Führer's words in his diary: «The Jews must more than anything leave the Reich territory». «The Jews have all to be expelled to the East. What will happen to them there is not our concern. They have wished this fate, they have begun the war for this, they now have also to pay the bill»¹². The future of the deported Jews was undoubtedly sinister, but the uncertainty expressed concerning its content is not coherent with knowledge of their ineluctable murder.

The evocation of the fate of the deported Jews was made in a similar manner in the following meetings Goebbels had with Hitler: the Jews had to leave Europe. In April 1942, three months after Wannsee, Hitler went so far as to mention, in the presence of the Propaganda Minister, the possibility of sending the European Jews to Africa¹³. Reading Goebbels' diary closely, it can even be affirmed that the first

Klein, C. Gerlach, C. Dieckmann and A. Angrick, *Der Dienstkalender Heinrich Himmlers 1941/42*, Hamburg, Christians, 1999, p. 294). For more on the different interpretations of this sentence, see F. Brayard, «To Be Exterminated as Partisans». *On a Note by Himmler*, «Politix», 2, 82, 2008.

¹² Goebbels' diary, 18 December 1941.

¹³ Goebbels' diary, 30 May 1942.

time the two men consistently alluded to the murder of all the European Jews took place in March 1944, when he made a retrospective comment on the Final Solution: «It is only for the Jewish question that we have made a policy radical enough. It was right and we are now its beneficiaries. The Jews can't harm us anymore»¹⁴. This sentence is unambiguous: all the Jews were dead. Moreover: they had all been murdered, since in Posen, a few months before, Himmler had made it clear to the Nazi elite, Goebbels included, that the Final Solution was nothing but murder¹⁵.

Such a sentence is in marked contradiction with what Goebbels had written, for example, two years earlier, in May 1942: «I am continually trying to send as many [Berlin] Jews as possible to the East. If they are outside of the Reich territory, then they can't harm us, at least for the time being»¹⁶. In my view, this remark, made in a context of fear and anger¹⁷, is also unambiguous. The fact is that, while they are provisionally unable to harm Germany, the danger remains. And if so, then the Jews sent outside Germany are believed by Goebbels to be alive – or if we like, using our way of understanding, not to have been murdered.

A close reading of Goebbels' diary leads to the conclusion that this Nazi leader, who at least in our representation has such importance¹⁸, was only officially informed of the

¹⁴ Goebbels' diary, 4 March 1944.

¹⁵ Goebbels made a brief but eloquent summary of Himmler's speech on 6 October 1943 (Goebbels' diary, 7 October 1943). The complete transcript of this speech can be found in B.F. Smith and A.F. Peterson. *Heinrich Himmler. Geheimreden 1933 bis 1945 und andere Ansprachen*, Frankfurt, Propyläen Verlag, 1974.

¹⁶ Goebbels' diary, 29 May 1942.

¹⁷ The day before, Heydrich had been the victim of an attack by the Czech resistance, and he died soon afterwards. Quite evidently, the Propaganda Minister feared for his life for some time. Goebbels was also very worried and angry because a bomb had exploded a few days earlier in a Propaganda exhibition in Berlin. This was the first act of terror in the German capital, and the «terrorists» were Jewish.

¹⁸ The main biographies of Goebbels are R.G. Reuth, *Goebbels*, San Diego, Harcourt, 1993 and P. Longerich, *Joseph Goebbels: Biographie*, Munich, Siedler, 2010. The latter tends to present a more balanced analysis of Goebbels' power. See also A.A. Kallis, *Nazi Propaganda and*

systematic nature of the killing in October 1943, in Posen, when Himmler also announced that the Final Solution within the territories occupied by Germany was close to an end. This in no way means that he was not fully aware of the massive scale of murder perpetrated in Poland and the USSR on Eastern Jewry¹⁹. The systematic nature ultimately acquired by the murdering has probably oversimplified the categories by which we understand the representation of the Jews under the Nazi regime: this final and indiscriminate phase gives us no pertinent indication as to the way they were thinking during the process itself, and if they were still making a distinction between Western and Eastern Jews. Indeed, a strong differentiation needs to be observed: the decision-making process, the timing of the decisions, the methods used and the publicity or the secrecy concerning the policy of murder were not the same for both categories of Jews. The horrifying novelty represented by the systematic ambition of the crime is no retrospective illusion. What we have to be careful to do is not to let this blinding novelty blur the complexity of the past.

To sum up: Goebbels was not duly informed of every aspect of the real content of the Final Solution. He acquired full knowledge as the result of a process, a gradual evolution whose steps can be reconstructed and dated. Before going further, I have to admit that the conclusions I have drawn regarding the Propaganda Minister's diary dissent from the literature about him²⁰ and that in all likelihood they are not shared by many scholars²¹. At any rate, up to this point, Goebbels is not a case, simply an odd, bizarre singularity

the Second World War, Houndmills, Basingstoke, Hampshire, Palgrave Macmillan, 2005.

¹⁹ Goebbels had a wide variety of channels of information: official reports such as the monthly reports of the *Einsatzgruppen*, official meetings with colleagues dealing with the East, and private sources.

²⁰ See above, note 18.

²¹ See, in particular, the review of *Auschwitz, enquête sur un complot nazi*, cit., by R.J. van Pelt, *A Conspiracy to Deceive, or Tactful Silence?*, «Yad Vashem Studies», 41, 2, 2014, pp. 275-289, and my reply in «Yad Vashem Studies», 42, 2014, pp. 265-273.

within the Nazi elite. Because, as is well known, this elite was well aware of the murderous content of the Final Solution. It had been fully spelled out by Heydrich, the head of the RSHA, in January 1942, during a cross-ministerial meeting in Wannsee²². But Goebbels was not in Wannsee, and the fine historian Christopher Browning has repeatedly suggested that Heydrich forged a fraudulent protocol of the Wannsee conference for Goebbels, in order to mislead him²³. Goebbels might for a long time have been an exception, someone to whom neither Hitler nor Heydrich nor Himmler wanted to disclose the true nature of their plan.

As can be seen, an exception is not a case. In order to transform Goebbels into a case, another historical operation needs to be carried out. We have to ask ourselves if Goebbels could be seen as a model, contradicting the one that has prevailed until now and whose strength and veracity should be reconsidered. This new hypothesis is the one I have tried to explore, though I will not offer a full demonstration here. Instead, I just wish to make a few remarks concerning the construction of a case in general.

First, I would like to emphasize that my demonstration regarding Goebbels' knowledge of the Final Solution is by no means a definitive one. This proviso is not an echo of the general belief, which I share, that writing history is an ongoing operation in which improvement or revision play a key role: new documents might always be discovered, though they are not the condition for a new or a better understanding of the past. All I wish to say is that I have tried to present a comprehensive, coherent and if possible convincing demonstration. At the end of the day, however, it is a matter of interpretation, because here too there is no smoking gun, just a series of elements whose combination

²² On mainstream interpretations of the Wannsee conference, see the excellent volume edited by N. Kampe and Pe. Klein, *Die Wannsee-Konferenz am 20. Januar 1942. Dokumente, Forschungsstand, Kontroversen*, Cologne, Böhlau, 2013.

²³ C. Browning, *Zur Genesis der «Endlösung». Eine Antwort an Martin Broszat*, «Vierteljahrshäfte für Zeitgeschichte», 29, 1, 1981, p. 99.

can lead to a conclusion: the absence of evidence concerning official information with regard to the murder of the whole of European Jewry before October 1943; the persistence, until then, of a distinction in terms of representation between the Eastern and Western Jews, with Goebbels expressing his wishes concerning the murder of the former and the incarceration of the latter; some remarks made in passing, and not previously quoted by historians, showing that for a long time he continued to believe that the German Jews deported to the East were still alive there²⁴.

Far from being a problem, the interpretative character of the demonstration can be seen as a prerequisite for the construction of a case. Indeed, a case cannot be built on evidence that is too conclusive, because if it is too obvious, there is no case, just an undebatable need for a change of narrative. Let's rhetorically imagine the discovery of the order imagined for decades to have been signed by Hitler concerning the extermination of the Jews: historians would simply adapt their views to this new document with no need to challenge the previous narrative, already discredited by lack of evidence. A new document would lead to a new positivist narrative: there would be no need for a *histoire par cas*.

If the probative value of the sources used at the beginning of the inquiry must *not be too strong*, then we can probably also assume that no case exists on its own, in other words, that a case is not a case without somebody to build it. A passage in Revel and Passeron's article deals with this aspect, at the point in which they evoke the configuration of when a case «tombe à pic pour servir de tremplin à l'avocat du diable»²⁵ – when a case «comes just in time to serve as a stepping-stone for the devil's advocate». Behind the invigorating collusion of metaphors, what is important here is the notion of the devil's advocate, whose role is indeed to challenge the aura of saintliness that leads to the opening of a Process of Canonization. Moreover, this advocate is not

²⁴ See F. Brayard, *Auschwitz*, cit., chapters 2 and 3.

²⁵ J. Revel and J.-C. Passeron, *Penser par cas*, cit., p. ????????

convoked by accident: he is waiting for something to happen «just in time», so as to confirm previous intuitions. What this suggests is that, just as the evidence should not be too strong, it should nevertheless *be strong enough*.

As far as Goebbels' diary is concerned, the reader I was had two experiences that led him to devote attention to apparent inconsistencies. The first one is the proposal I advanced in 2004 to change the time frame for the evolution of the Final Solution. In my reconstruction, the Wannsee conference was not the key moment when the policy of transplanting the Western Jews, which by that time had begun to be implemented, became a horrendous program of overall killing. Part of the argument was based on the fact that the change on the ground occurred much later, between April and June 1942. And that, in this period, in April and then in June, two decisions were made: the first regarded the systematic nature of the murder, with no distinction being made any longer between Western and Eastern Jewry; the second, the time limit for accomplishing this policy – one year²⁶. This scheme was borne out by the fact that, at least during the crucial year of 1942, a number of elements show that, in the civil ministries involved in the Final Solution and therefore represented in Wannsee, it was taken for granted that the German Jews sent to the East were still living in the East²⁷. By the same token, no documentary evidence is available – despite the strength of the historical tradition on this topic – to support the hypothesis that those administrations, or others, were in the know. Retrospectively, the other experience comes as no surprise: a search of Goebbels' diary for key dates marking the conception and implementation of the Final Solution yielded nothing but disappointment. It was as if, regrettably, this diary was of no help in supporting my proposition.

²⁶ F. Brayard, *La «solution finale de la question juive». La technique, le temps et les catégories de la décision*, Paris, Fayard, 2004. See also, in English, Id., *To What Extent Was the «Final Solution» Planned?*, «Yad Vashem Studies», 36, 2008.

²⁷ F. Brayard, *La «solution finale de la question juive»*, cit., pp. 92-93.

The elements I have just alluded to were used as supplementary evidence for the demonstration I was making: the murder was not announced in Wannsee, since people attending the cross-ministerial meeting carried on believing a «normal» transplantation was taking place, and acted accordingly. But I felt they were probably too few and disparate to sustain a broader proposition, to the effect that the traditional narrative on the circulation of official information within the Nazi state apparatus concerning the murder of the Jews was not consistent with the available sources. Instead of the idea of a broadly shared secret, of an open secret, it was more a matter of a strict policy of secrecy, keeping most of the civil administration in the dark about the murders while they were being committed. The Goebbels case, in order to be written, had to incorporate into the inquiry the discrepancies discovered years earlier in the traditional open-secret narrative, and to try to find some other ones.

The construction of a case cannot indeed be separated from the elaboration of an alternative set of evidence, *strong or broad enough* to challenge the set of evidence supporting the previous narrative, the one that is disputed. This also means, since the probative value of the new narrative is not in itself sufficient, that this value is to be evaluated only relatively. As a consequence, the description of the case must encompass the previous narratives and appraise them. On what foundations were they based, how solid were those foundations, and how reliable were the historical operations transforming documents into facts and facts into narrative? Considering alternative options for understanding a phenomenon is something we do all the time, before then deciding which one is the most convincing. But by and large this operation remains hidden, as if a captive in the historian's laboratory; it is included in the narrative only when two almost equally satisfying possibilities are so obvious that we have to render explicit why one has been chosen over another. In the process of constructing a case, we can certainly make such a hesitation explicit, but the testing essentially regards already existent narratives, the ones we are trying to challenge. In a case, then, the arrow of time

points in two directions: the time of the event; but also the time required for the narrative to become the mainstream one, before being challenged. For an historian, this means combining history and historiography, the later being not solely an ornament, but a decisive part of the demonstration.

It might well seem rather strange to envision the idea of a «case», as I have just done, from this restrictive point of view, that is, the question of its credibility or of probative value. Perhaps it is just a side effect of my dissatisfaction at not being able to prove more, to have more sources to support my theory and to have been, in a certain way, forced to build a «case», Goebbels' case, just because of the lack of strong, real evidence. On the other hand, such a situation is only logical: it is easier to prove that something happened than that nothing happened, and there are more sources for a history of shared information than for a history of secrecy. And since the value of a narrative should be assessed by way of comparison, I am confident that the traditional narrative is weaker than mine, because it is unable to integrate the series of contradictions, beginning with Goebbels, which is the ground for this alternative proposition.

Yet the question I wish to pose is much more generic. It concerns the singularity of Holocaust Studies, touched upon in the introduction. The question is the following: since «penser par cas» is a weak form of demonstration, or rather, it is a form of demonstration based on not overly conclusive evidence, can it be used in a field where the question of proof is so important?

Indeed, Holocaust denial has played an important role in raising the standard for the burden of proof. We need only think of the in many ways extraordinary trials, in Canada or in England, where the Holocaust had to be proven by historians such as Raul Hilberg, Christopher Browning and Richard Evans²⁸. But there is another aspect, which is

²⁸ See, for example, on the Irving trial, D.D. Guttenplan, *The Holocaust on Trial*, New York, Norton, 2001 and R.J. Evans, *Lying About Hitler: History, Holocaust, and the David Irving Trial*, New York, Basic Books, 2001.

perhaps even more influential: from the middle of the war onwards, an important part of the history of the Holocaust can be seen as a by-product of trials. We have inherited a huge amount of documentation, both genuine sources and interrogations, and a solid set of interpretations. We still use the former and it still seems difficult to distance ourselves from the latter. How could it be otherwise? History and justice have proceeded concurrently for seventy years now, and it is still so today. Suffice it to recall that some Auschwitz guards were only very recently indicted in Germany²⁹.

What is at stake in these trials is the personal responsibility of the perpetrators (and the collective responsibility of organizations). Over time, the judicial frame has evolved considerably, from the Inter-Allied trials to the prosecutions in West Germany, bound by the legal definition of murder in force at the moment of the crime, and to the recent spectacular change in German jurisprudence, permitting the indictment of Auschwitz guards nearly 70 years after the liberation of the camp, solely on the grounds that they were posted to the extermination camp when murders were committed. This means that the standard for the burden of proof on this matter has also changed dramatically. In my view, the criminality on site is not the most important aspect concerning our understanding and memory of the Holocaust. The prevailing dimension relates to the modernity of the crime, a crime perpetrated by a State apparatus, requiring a complex organization and a full set of off-site perpetrators, the *Schreibtischtäter*. For them, in a judicial context, the ultimate question is whether or not they knew what was at the end of the deportation.

If this binary question is the only one that matters, if our understanding of the Holocaust and our abhorrence towards it rely solely on an affirmative response, then probably there is a problem. Or rather, I have a problem. Because my theory puts at risk the usual definition of German criminality. It is therefore time to ask a second question,

²⁹ See F. Lemaître, *L'Allemagne enquête sur 30 gardiens du camp d'Auschwitz*, «Le Monde», September 5, 2013..

which will be the final one. If Goebbels is a «case», if this case does not enable us to be sure of the culpability of the perpetrators following the binary examination I have just alluded to, and if, as I am deeply convinced, their actions were criminal, is it not then necessary to engage in some additional conceptualization? In other words, a first result of such inquiry would be to shed light on new categories of actions. A second one might be to use these new categories of actions to rethink the moral categories we mobilized in exercising our judgment. Wannsee was not the moment when the murderous goal of the Final Solution was disclosed? So what? There were fifteen men round the table, from the security administration and the civil ministries. No one opposed Heydrich when he explained that in the end none of the twelve million European Jews would survive. In other words, they all agreed not to systematic killing but to a complete extinction. Is this not pure evil, or evil enough?

