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Justice for Holocaust survivors

BY HERBERT KARLINER

Earlier this month, the world observed the anniversary of Kristallnacht, the infamous night of broken glass, symbolically marking the beginning of the Holocaust. I was a small child that day, when we awoke to the news that my father's store and most other Jewish-owned businesses had been set on fire. Within hours, the Gestapo arrived and took my father, Joseph Karliner, to Buchenwald.

My father returned after a few weeks, and soon our family looked helplessly on the lights of Miami Beach from the deck of the SS St. Louis. But we were turned away by this great country, dooming my father, my mother, my two sisters and hundreds of others to death at the hands of the Nazis. I was lucky to survive with my brother and to make a home in the United States.

Our father had told us about a life insurance policy that he bought from Allianz, in case something happened to him. He was killed in 1942. When we approached Allianz after the war, they said his policy had been paid out to an "unknown person."

For decades, insurers like Allianz grew fat on Holocaust profits. Conservative estimates show that the current value of unpaid life policies sold to Holocaust victims by Allianz, Generali and other insurers is more than \$18 billion.

- **In the late 1990s**, Florida and other states passed laws to help survivors recover their policies. To dodge that bullet, the industry set up the International Commission for Holocaust Era Insurance Claims, a Swiss-chartered, industry-funded body. Despite skepticism, many survivors applied hoping to get the truth about family policies.
- **My brother and I** were among the hopeful and applied. Allianz again refused payment, saying the funds had been "paid out to the policy holder in 1938."

Years later, I managed to obtain the "repurchase" document. It was dated Nov. 9, 1938 -- Kristallnacht. Neither Allianz nor ICHEIC gave me this document at the time I applied. If they had, I would have told them that I doubted my father stopped by the Allianz office on his way to Buchenwald to cash in his life insurance policy that day.

Congress had the chance to fix this problem with legislation sponsored by the late Tom Lantos, Reps. Ileana Ros-Lehtinen and Robert Wexler and others. It would have required insurers doing business in the United States to publish policyholder names and

guaranteed court access to survivors and heirs. Unfortunately, prominent members of the House and Senate broke promises to help.

The Claims Conference, a nonsurvivor organization -- joined by the Anti-Defamation League, American Jewish Committee, the Religious Action Center of Reform Judaism, B'nai B'rith, the World Jewish Congress and Agudas Israel -- took the insurers' side against survivors. They falsely argued that Germany would reduce the meager financial assistance currently provided for poor survivors if the bill passed -- a claim even the German Embassy denied. In the words of David Mermelstein, president of the Florida Survivors Coalition, survivors are appalled that these groups -- which do not represent survivors, have not consulted with survivors and have done nothing to help survivors in need -- would today oppose our rights to recover what was stolen from our families.

Despite rhetoric about remembering the Holocaust, cruel indifference remains the rule. Recently, Allianz had the audacity to bid millions to name the new Jets-Giants football stadium. Insurers and banks that plundered billions from the Holocaust are now asking that their affiliates get U.S. taxpayer money in the federal bailout. Last month, the U.S. Justice Department sided with Generali in an important court case, saying survivors' access to courts conflicts with "U.S. foreign policy." For shame.

So this year's commemoration of Kristallnacht, is riddled with tragic irony. Tens of thousands of Holocaust survivors in the United States and the world, including thousands in Florida, are too poor to enjoy a decent quality of life. They lack adequate nutrition, housing, home care, medical care, prescriptions, dental care and eyeglasses, and other basic services. As a volunteer for the Jewish Community Services in Miami, I can certify that far too many survivors are not getting the help they need to live in dignity.

Meanwhile, public officials and community leaders, who gather and intone about the need to confront evil, have coalesced to dishonor the actual victims of the Holocaust.

Maybe this 70th Kristallnacht observance will bring, at long last, a commitment to ensuring that we survivors obtain the truth about our families' legacies, including a full accounting from all corporate profiteers. And, maybe at long last, all survivors will be afforded the dignity they deserve in their last years. This will happen only if the public speaks out and demands justice and decency for victims of the Holocaust. This is what remembrance -- and justice -- demand.

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