

Precarious Legitimacy: Jewish Ghetto Functionaries' Community Recognition as Leaders in Transnistria

The following chapter deals with the legitimacy of Jewish ghetto functionaries in Romanian-occupied Transnistria. It asks whether or not these functionaries gained legitimacy among the respective ghetto populations. The argument unfolds as follows. First, I provide the historical background of the Holocaust in Transnistria under Romanian rule. Next, I turn to the theoretical foundations of my analysis, the starting point of which is Dan Michman's conceptualization of "Jewish Councils" as "headships" rather than "leaderships."¹ Michman concluded that "Jewish Councils" lacked key characteristics of "leadership" and were thus best understood as a "headship." I argue that the distinction drawn by Michman is similar to the one drawn by sociologist Max Weber between "power" and "authority." For Weber, authority depends on whether the ruled see their rulers as legitimate—a turn to motives of compliance resembling that which stands at the heart of Michman's distinction between leadership and headship.² To combine the two terminologies: legitimacy equals leadership, and the lack of legitimacy equals headship. Thus, the debate on "Jewish Councils" can be connected to a broader theoretical debate. As the leadership–headship distinction does not offer any new insights into the theoretical debate, I propose using the more familiar concept of legitimacy. To operationalize "legitimacy" and further refine its conceptualization, I then draw on political scientist David Beetham's work on legitimacy, introducing several of his key concepts to the study of Jewish ghetto functionaries.

1 Laurien Vastenhout is also critical of the concept: Laurien Vastenhout, *Between Community and Collaboration: 'Jewish Councils' in Western Europe Under Nazi Occupation* (Cambridge: Cambridge University Press, 2023), 2n2.

2 Andreas Anter, *Theorien der Macht zur Einführung* (Hamburg: Junius, 2012), 66.

Finally, I empirically test select concepts drawn from Weber and Beetham using the activities of the Jewish ghetto functionaries of six ghettos in Transnistria. The discussion includes aspects of continuity, representation, and justifiability by emphasizing common interests and qualifications. I argue that ghetto populations afforded legitimacy to functionaries if they had held prewar leadership positions in their communities (or acted accordingly). Populations also valued the representation of different groups of Jews in ghetto administrations. If ghetto functionaries were able to provide for ghetto populations materially, this could also bolster their legitimacy. Lastly, speaking the language of occupiers or having formal training and/or charisma could also allow functionaries to gain legitimacy in the eyes of the Jewish population.

Ultimately, legitimacy was precarious because Romanian perpetrators severely constrained Jewish functionaries' room for maneuver. Nevertheless, some functionaries had limited success, and at least some segments of ghetto populations accepted them as legitimate. Besides differences in how the Romanians persecuted different functionaries and ghetto populations, individual factors such as functionaries' qualifications also introduce a high degree of variability.

Sources and Methods

The main source base for this analysis is Soviet investigative case files from the trials launched against former Transnistrian Jewish ghetto functionaries for their alleged collaboration with the Axis Powers. Between 1944 and 1949, the Soviet authorities charged at least fifty-one former functionaries. Most witnesses in the investigations and trials were Jewish survivors of the respective ghettos. I triangulate those investigation and trial materials with ghetto survivors' oral history interviews and memoirs. Many of the following assertions concerning witnesses' and defendants' testimonies are based on a qualitative content analysis of Soviet investigative case files from ten separate investigations of Jewish functionaries in the Balta, Mohyliv-Podil's'kyi, Odesa-Slobidka, Rîbnița, Sharhorod, and Tul'chyn ghettos.³ This analysis included the protocols of 310 pretrial

3 Margrit Schreier, "Qualitative Content Analysis," in *The SAGE Handbook of Qualitative Data Analysis*, ed. Uwe Flick (London: Sage, 2014). A note on names and toponyms: I refer to individuals whose names were transliterated into Russian in Soviet investigative case files. If documentary evidence or historiographical literature allows me to reconstruct the original spelling used in the source, I use that spelling. If not, I transliterate the Russian into Latin characters. For place names, I

witness testimonies and 179 defendants' interrogations. In total, twenty-six defendants and 247 individual witnesses provided these testimonies. The present chapter's source base does not include Romanian-language materials such as the files of state security services, oral history, among others, because of my linguistic limitations. Furthermore, this chapter is a part of a much larger project focusing on the Soviet judicial (and extra-judicial) treatment of Jewish ghetto functionaries. For this reason, the main emphasis is on Russian-language materials (even though many of those who gave testimony were not Soviet citizens). The bulk of the Soviet archival materials cited here have never been analyzed in the historiography.

Historical Background: Transnistria and Its Jewish Ghetto Functionaries

Transnistria's story is best told by beginning further west, with Bessarabia and northern Bukovina. These regions belonged to Romania in the interwar period but were annexed by the Soviet Union in June 1940 as part of the Hitler–Stalin Pact.⁴ Romania reconquered both territories in 1941, and Romanian units murdered approximately 60,000 Jews in these lands between June and October 1941.⁵ In the summer of 1941, Romanian and German troops also conquered territories in Soviet Ukraine and Moldavia. The area between the Dniester river in the west and the southern Bug river in the east, and between the Black Sea in the south and the town of Zhmerynka in the north was awarded to Romania and given the name “Transnistria,” that is, the lands beyond the Dniester.⁶ Einsatzgruppe D and Romanian units murdered around 60,000 local Jews in

use the names of these places in the language of the country to which they belong today. In quotations, I retain the Russian/Russianized names and toponyms.

4 Svetlana Burmistr, “Transnistrien,” in *Arbeitserziehungslager, Ghettos, Jugendschutzlager, Polizeihafilager, Sonderlager, Zigeunerlager, Zwangsarbeitslager*, ed. Wolfgang Benz and Barbara Distel (Munich: Beck, 2009), 390.

5 Vladimir Solonari, “Patterns of Violence: The Local Population and the Mass Murder of Jews in Bessarabia and Northern Bukovina, July–August 1941,” *Kritika: Explorations in Russian and Eurasian History* 8, no. 4 (2007), 755.

6 Jean Ancel and Ovidiu Creangă, “Romania,” in *The United States Holocaust Memorial Museum Encyclopedia of Camps and Ghettos, 1933–1945*, vol. 3, *Camps and Ghettos under European Regimes Aligned with Nazi Germany*, ed., Joseph R. White, Mel Hecker, and Geoffrey P. Megargee (Bloomington: Indiana University Press, 2018), 575 (hereafter *Camps and Ghettos under European Regimes Aligned with Nazi Germany*); Solonari, “Patterns of Violence,” 755.

this region—Transnistria—in the summer of 1941.⁷ Romanian units perpetrated another wave of murders between November 1941 and March 1942, killing tens of thousands of local Jews from the southern parts of Transnistria (especially Odesa).⁸ Starting in July 1941, the Romanians also deported about 180,000 Jews to Transnistria, mainly Jews from Bessarabia, northern Bukovina, as well as southern Bukovina and the Dorohoi region.⁹ In Transnistria itself, the Romanians interned the surviving Jews in some 175 camps and ghettos.¹⁰

Despite extremely harsh living conditions, illness, violence, forced labor, and malnutrition, Transnistria became an “island of life” for Jews.¹¹ When the Axis Powers’ defeat at Stalingrad became clear in late 1942 and early 1943, the Romanian leadership relaxed its persecution of the Jews in order to improve its negotiating position with the Allies.¹² Romanian officials ceased their joint planning with the Germans to deport Jews in the Romanian sphere of power to German extermination camps in occupied Poland.¹³ They also allowed the Central Jewish Council in Bucharest (*Centrala Evreilor din România*, hereafter CER) to deliver aid to the Jews in Transnistria.¹⁴ In the Romanian Old Kingdom, the regime’s antisemitic persecutions had been less severe throughout the war, and the Romanian regime allowed the Jews in Romania to support the Jews in Transnistria.¹⁵ Consequently, Transnistria is a paradox within the

7 Burmistr, “Transnistrien,” 397.

8 Ancel and Creangă, “Romania,” 576.

9 Ancel and Creangă, “Romania,” 576.

10 Herwig Baum, *Varianten des Terrors: Ein Vergleich zwischen der deutschen und rumänischen Besatzungsverwaltung in der Sowjetunion 1941-1944* (Berlin: Metropol Verlag, 2011), 527.

11 Vadim Altskan, “On the Other Side of the River: Dr. Adolph Herschmann and the Zhmernika Ghetto, 1941-1944,” *Holocaust and Genocide Studies* 26, no. 1 (2012): 13.

12 Mariana Hausleitner, “Rettungsaktionen für verfolgte Juden unter besonderer Berücksichtigung der Bukowina 1941-1944,” in *Holocaust an der Peripherie. Judenpolitik und Judenmord in Rumänien und Transnistrien 1940-1944*, ed. Wolfgang Benz and Brigitte Mihok (Berlin: Metropol, 2009), 123.

13 Hausleitner, “Rettungsaktionen für verfolgte Juden,” 123; Bert Hoppe and Hildrun Glass, “Einleitung,” in *Sowjetunion mit annektierten Gebieten I: Besetzte sowjetische Gebiete unter deutscher Militärverwaltung, Baltikum und Transnistrien*, ed. Bert Hoppe and Hildrun Glass (Munich: Oldenbourg, 2011), 70.

14 Bela Vago, “The Ambiguity of Collaborationism: The Center of the Jews in Romania (1942-1944),” in *Patterns of Jewish Leadership in Nazi Europe, 1933-1945: Proceedings of the Third Yad Vashem International Historical Conference, Jerusalem, April 4-7, 1977*, ed. Israel Gutman and Cynthia J. Haft (Jerusalem: Yad Vashem, 1979), 287-89.

15 Yitzhak Arad, *The Holocaust in the Soviet Union* (Lincoln: University of Nebraska Press, 2009), 300-301; Radu Ioanid, *The Holocaust in Romania: The Destruction of Jews and Gypsies Under the Antonescu Regime: 1940-1944* (Chicago: Dee, 2000), 214.

history of the Holocaust. On the one hand, approximately 330,000 Jews became victims of Romanian perpetrators; on the other hand, nowhere else in occupied Soviet territory did so many Jews survive.¹⁶

In his Order No. 23 issued on November 11, 1941, the Romanian governor of Transnistria Gheorge Alexianu decreed that all Jews in Transnistria would be confined to camps and ghettos and denied them free movement beyond the boundaries of these spaces, threatening them with the punishment of death.¹⁷ Furthermore, he ordered the appointment of a “chief” “from among the Jews” in all camps and ghettos.¹⁸ The Jews were to be registered and were expected to “support themselves on their own account and by work,” meaning that they should perform forced labor.¹⁹ Moreover, the Jewish functionaries were personally responsible for ensuring that the Jews remained in place, followed Romanian orders, and performed forced labor.²⁰

Due to the chaotic and corrupt administration, overlapping competences, and the strong position of the Romanian “*praetors*” in Transnistria, Order Nr. 23 was implemented differently from ghetto to ghetto.²¹ Local Romanian perpetrators often created Jewish ghetto administrations of varying sizes under “chiefs” and gave them tasks that had not been stipulated in Alexianu’s order.²² Sometimes Jewish ghetto police forces were also established and tasked primarily with implementing forced labor duties but sometimes also with maintaining order in the ghettos and monitoring entrances and exits.²³ Moreover, Alexianu’s order

16 Ancel and Creangă, “Romania,” 580; Dennis Deletant, “Ghetto Experience in Golta, Transnistria, 1942-1944,” *Holocaust and Genocide Studies* 18, no. 1 (2004): 2; Baum, *Variante des Terrors*, 576.

17 “Die Verordnung Nr. 23 des Zivilgouverneurs von Transnistrien, Gheorghe Alexianu, 11. November 1941,” in Benz and Mihok, *Holocaust an der Peripherie*, 249-52; Hildrun Glass, “Transnistrien in der Forschung: Anmerkungen zu Historiografie und Quellenlage,” in Benz and Mihok, *Holocaust an der Peripherie*, 144.

18 “Verordnung Nr. 23,” 250.

19 “Verordnung Nr. 23,” 249.

20 “Verordnung Nr. 23,” 250.

21 Dalia Ofer, “The Holocaust in Transnistria: A Special Kind of Genocide,” in *The Holocaust in the Soviet Union: Studies and Sources on the Destruction of the Jews in the Nazi-Occupied Territories of the USSR: 1941-1945*, ed. Lucjan Dobroszycki (Armonk, NY: Sharpe, 1993), 141; Burmistr, “Transnistrien,” 404; Jean Ancel, “The Romanian Campaigns of Mass Murder in Trans-Nistria, 1941-1942,” in *The Destruction of Romanian and Ukrainian Jews During the Antonescu Era*, ed. Randolph L. Braham (Boulder, CO: Social Science Monographs, 1997), 91.

22 For an overview of such tasks, see: Dalia Ofer, “Life in the Ghettos of Transnistria,” *Yad Vashem Studies* 25 (1996): 260.

23 Dalia Ofer, “The Ghettos in Transnistria and Ghettos under German Occupation in Eastern Europe: A Comparative Approach,” in *Im Ghetto 1939-1945: Neue Forschungen zu Alltag und Umfeld*, ed. Christoph Dieckmann and Babette Quinkert

often just sanctioned from the top what was already happening at the local level. Through Jewish initiative or by order of Romanian or German officials, some form of Jewish Council had already been established in many places (see below).²⁴ Finally, the Jewish Councils played the key role in the provision of social welfare in Transnistrian ghettos. Councils often developed their own social support systems (hospitals, public kitchens, orphanages, and so on) and distributed aid delivered from Romania by CER and international organizations.²⁵

At this point, some terminological clarification is necessary. I use “Jewish ghetto functionaries” as an umbrella term for Jewish Council members and Jewish ghetto policemen. These analytical terms refer to various words in the sources: “Jewish Councils” in Transnistrian ghettos are primarily referred to as “*primaria*” (mayor’s office), “*obshchina*” (community), or “*komitet*” (committee).²⁶ Accordingly, the heads of these bodies are called “*primar*” or “*predsedatel’ komiteta*” (mayor or committee president), and so on,²⁷ and the members of these bodies are referred to as “*chlen komiteta*” (committee member), etc.²⁸ Policemen are often called “*politseiskii*” (police officer) or “*brigadir*” (brigadier), which highlights one of their primary tasks: the enforcement of discipline in relation to forced labor.²⁹

Some individuals, however, held both “job titles” (police and council) simultaneously.³⁰ Moreover, the tasks of council members and policemen

(Göttingen: Wallstein, 2009), 44; Ofer, “Holocaust in Transnistria,” 147; Deletant, “Ghetto Experience,” 4-5.

24 Ancel and Creangă, “Romania,” 577.

25 See, for example: Iemima Ploscariu, “Institutions for Survival: The Shargorod Ghetto During the Holocaust in Romanian Transnistria,” *Nationalities Papers* 47, no. 1 (2019): 128-29, <https://doi.org/10.1017/nps.2018.16>; Arad, *Holocaust in the Soviet Union*, 300-301; Ioanid, *Holocaust in Romania*, 214-18.

26 See the testimonies in: Moskovich Pavel Mikhailovich, D5916, Haluzevyi derzhavnyi arkhiv Sluzhby bezpeky Ukrainy (Odes’ka oblast’) (Sectoral State Archive of the Security Service of Ukraine, Odesa) (hereafter HDA SBU OO), 33.

27 Rubinshtein Pinkhos Itskovich, D7435, HDA SBU OO, 63-64; Sherf Isaak Lazarevich. Haluzevyi derzhavnyi arkhiv Sluzhby bezpeky Ukrainy (Vinnyts’ka oblast’) [Sectoral State Archive of the Security Service of Ukraine, Vinnytsia] (hereafter: HDA SBU VO), 71-72.

28 Shtern Ignatii Samoilovich, D85-p, Haluzevyi derzhavnyi arkhiv Sluzhby bezpeky Ukrainy (Chernivets’ka oblast’) (Sectoral State Archive of the Security Service of Ukraine, Chernivtsi) (hereafter HDA SBU ChO), 23-25; Vitner Gerbert Maksovich, D2395-o, HDA SBU ChO, 118-19.

29 Shtern Ignatii Samoilovich, 28; Akhtemberg, Moisei Iakovlevich, RG-54.003*01, War Crimes Investigation and Trial Records from the Republic of Moldova, 1944-1955, United States Holocaust Memorial Museum Archives (USHMM), 5-7.

30 Akhtemberg, Moisei Iakovlevich, 23-24; Shtrakhman, Nakhman Mortkovich, RG-54.003*44, War Crimes Investigation and Trial Records from the Republic of Moldova, 1944-1955, USHMM, 58-60 (hereafter Shtrakhman, Nakhman Mortkovich).

differed due to location, and such differences were often only a matter of degree. A *primar* could physically impose forced labor discipline, and a *brigadier* or a policeman could assist in administrative tasks.³¹ Thus, “Jewish ghetto functionary” refers to people both in primarily administrative and primarily executive roles. Because the boundaries between the two were often blurred, subsuming both under one umbrella term offers clarity.

Conceptualization: Headship, Leadership, and Legitimacy

Rather than summarizing the various conceptualizations of “Jewish Councils” that appear in the historiography, I take Michman’s approach as a starting point for my theoretical discussion. Michman’s key concepts of “leadership” and “headship” make it possible to connect the debate around Jewish ghetto functionaries to the broader theoretical debate about legitimacy, enabling us to draw useful concepts from this comparison. Reviewing decades of scholarship on “Jewish Councils,” Michman identifies a scholarly consensus, according to which “Jewish Councils” were “leaderships,” but he argues that the term inadequately captures what “Jewish Councils” were. He also eschews “leadership” because of its normative implications and proposes using “headship” instead.³²

Michman quotes a five-point definition by psychologist Cecil Gibb detailing the differences between the headship and leadership, highlighting the definition’s second and fifth points as “especially relevant”:

2. The group goal is chosen by the headman in line with his interests and is not internally determined by the group itself ...
5. Most basically, the two forms of influence [i.e., leadership and headship] differ with respect to the source of the authority which is exercised. The leader’s authority is spontaneously accorded him by his fellow group members, and particularly by the followers. The authority of the head derives from some extra group-power which he has over the members of the group, who cannot meaningfully be

31 Rubinshtein Pinkhos Itskovich, 56–58.

32 Dan Michman, “On the Historical Interpretation of the Judenräte Issue: Between Intentionalism, Functionalism and the Integrationist Approach of the 1990s,” in *On Germans and Jews Under the Nazi Regime: Essays by Three Generations of Historians: A Festschrift in Honor of Otto Dov Kulka*, ed. Moshe Zimmermann (Jerusalem: Hebrew University Magnes Press, 2006), 389.

called his followers. They accept his domination on pain of punishment, rather than follow.³³

Gibb's "most basic" and crucial point mirrors Max Weber's distinction between "authority" (or "legitimate rule") and "power," a distinction that revolves around the notion of legitimacy. Gibb already mentioned the possibility of connecting the two terminologies, and he highlighted "the possibility that headship has the essential quality of leadership so long as group members perceive the directive attempts of the head as legitimate."³⁴ This strikes me as an essentially Weberian argument.

For Weber, legitimacy stabilizes authority and differentiates it from power.³⁵ Weber defined authority as "the probability that a command with a given specific content will be obeyed by a given group of persons."³⁶ The underlying "motives of compliance" of the ruled may vary, but for authority to be stable, they must include a "belief in legitimacy."³⁷ Weber described different types of belief in legitimacy, two of which I discuss below: legal and charismatic. Rulers foster such beliefs by formulating corresponding claims to legitimacy.³⁸ Authority is, thus, something different than power, defined by Weber as the "probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests."³⁹ Lacking legitimacy, power *can* merely rest on forms of coercion that disregard "motives of compliance."

To combine Gibb's and Weber's terminologies: If subjects believe in rulers' legitimacy, they "accord authority" to them and treat them as a leadership. If they do not believe in it, subjects merely "accept [their] domination on pain of punishment" and treat their rulers as a headship. In other words, legitimacy equals leadership, and the lack of legitimacy equals headship. As it is easily translated into more familiar and common

33 Dan Michman, *Die Historiographie der Shoah aus jüdischer Sicht: Konzeptualisierungen, Terminologie, Anschauungen, Grundfragen* (Hamburg: Dölling und Galitz, 2002), 105-6.

34 Cecil A. Gibb, "Leadership," in *Group Psychology and Phenomena of Interaction*, 2nd ed., ed. Gardner Lindzey and Elliot Aronson (Reading, MA: Addison-Wesley, 1969), 213.

35 Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, with the assistance of Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978), 215.

36 Weber, *Economy and Society*, 53.

37 Weber, *Economy and Society*, 212-13.

38 Weber, *Economy and Society*, 213.

39 Weber, *Economy and Society*, 53.

theoretical terms, the headship–leadership distinction does not seem to add anything significant to the theoretical debate. Therefore, we should simply ask about legitimacy. The question, then, is how to operationalize “legitimacy” for the study of Jewish ghetto functionaries.

David Beetham’s work further distinguishes important aspects of legitimacy and provides some inroads for the operationalization of these concepts. Building on Weber, Beetham emphasized that those who hold power draw their legitimacy from the legality of their rule, that is, by conforming to

rules which determine who shall come to acquire the power of property, position or function, and by what means, confer the right to its exercise and the corresponding duty to acknowledge and respect it on the part of others.⁴⁰

Regarding legality, I focus on how Jewish functionaries were appointed, and whether there was continuity in those who held positions of power before and during the Holocaust. Beetham criticized Weber for his focus on belief in legitimacy and argued that some aspects of legitimacy, such as the legality of a power relationship, are facts independent from people’s beliefs.⁴¹ This point is valid, but I see no reason why one should not still ask whether subjects accepted the rule of power holders as legal regardless of its actual legality.

Moreover, Beetham understands legitimacy in terms of “justifiability.” Thus, a “power relationship is not legitimate because people believe in its legitimacy, but because it can be justified in terms of their beliefs.”⁴² Beetham, therefore, turns away from measuring belief in legitimacy to “an assessment of the degree of congruence, or lack of it, between a given system of power and the beliefs, values and expectations that provide its justification.”⁴³ Consequently, we are then no longer looking for a belief, say, in the traditional holiness of a social order or the exceptional “charismatic” qualities of a ruler. Rather, we are interested in whether what rulers do is “congruent” with the broader attitudes of those ruled. This still concerns people’s attitudes, but it allows for a more indirect measurement of legitimacy. As I argue below, following Beetham, the power relationship between Jewish ghetto functionaries and ghetto populations

40 David Beetham, *The Legitimation of Power*, 2nd ed. (Houndmills: Palgrave Macmillan, 2013), 65.

41 Beetham, *Legitimation of Power*, 12.

42 Beetham, *Legitimation of Power*, 11.

43 Beetham, *Legitimation of Power*, 11.

was often not justifiable because Jewish ghetto functionaries failed (and had to fail due to the circumstances created by perpetrators) to secure even minimal sustenance for ghetto populations. That ghetto functionaries held positions of power was often not justifiable because these functionaries failed to prove that by holding such positions, they were serving the common interests of both the ruled and rulers. That is a more indirect assessment of legitimacy than looking for beliefs in charisma or legality.

Beetham distinguishes between the sources of rules and their content in a given power relationship.⁴⁴ He further argues that “the most common *source* of legitimacy in contemporary societies is the ‘people.’”⁴⁵ For this reason, representation is a key element of the justifiability of domination. Put differently, the dominant must claim to represent their subordinates in some credible form. As I argue below, this often concerned the representation of different groups of Jews in Transnistrian ghetto administrations.

Besides its source, justifiability also concerns the content of rules. Here, justifiability is governed, first, by the “principle of community.”⁴⁶ Power holders must prove that they act not only in their own interest but also in that of their subjects. Most basically, “... it is the failure to guarantee subsistence and the means of livelihood that is destructive to legitimacy.”⁴⁷ Regarding the common interest, I analyze a value framework that focused on the survival and subsistence of ghetto populations. Ghetto functionaries’ legitimacy varied with their ability to ensure ghetto inmates’ survival and provide for them. Moreover, the “principle of community” could take the form of a “community of suffering.” I argue that when ghetto functionaries lost relatives in the ghetto, that could increase their legitimacy among the ghetto population.

Second, the principle of community has a complementary “principle of differentiation.” The former links the dominant and subordinate through common interest; the latter distinguishes them from one another.⁴⁸ Differentiation “justifies their respective access to and exclusion from essential resources, activities and positions” and “[r]ules of power. ... are considered rightful in so far as they select the qualified and exclude the unqualified ...”⁴⁹ To this we may add the Weberian term of

44 Beetham, *Legitimation of Power*, 70.

45 Beetham, *Legitimation of Power*, 75.

46 Beetham, *Legitimation of Power*, 77.

47 Beetham, *Legitimation of Power*, 83.

48 Beetham, *Legitimation of Power*, 76-77.

49 Beetham, *Legitimation of Power*, 77.

“charisma” as a further element of differentiation.⁵⁰ Weber described charisma as “the exceptional sanctity, heroism or exemplary character of an individual person” as perceived by subjects.⁵¹ To be legitimate, rulers must be qualified and/or charismatic. Concerning “differentiation,” I focus on ghetto functionaries’ qualifications, either linguistic or professional, for holding positions of power. Moreover, I briefly touch on the charisma that ghetto inmates ascribed to individual functionaries.

The agenda for the remainder of the chapter is as follows: I examine whether Jewish ghetto functionaries in Transnistria could rely on legality and justifiability to achieve legitimacy, with justifiability differentiated by the representation of “the people,” the principle of community, and the principle of differentiation. If we find these elements, Jewish ghetto functionaries in Transnistria had legitimacy; if we do not find these elements, the functionaries lacked legitimacy.

Legality: Appointment

Regarding legality, Jewish functionaries could gain legitimacy in the eyes of their subordinates, or at least achieve the recognition of their congruence with their subordinates’ value structures, through continuity. Continuity of leadership, therefore, could amount to continuity of legitimacy.⁵² Consider the head of the Sharhorod ghetto’s Jewish Council, Meir Teich. He was deported to Sharhorod from Suceava in southern Bukovina together with the Jewish community there.⁵³ As “President of the Jewish Community of Suceava,” Teich remained in a dominant position throughout the deportation and even in the ghetto, which meant that local Soviet Jews and deportees from other places were now also among his subordinates.⁵⁴ At least for

50 I diverge from Beetham’s conceptualization here. He is critical of Weber’s notion of charisma. See: Beetham, *Legitimation of Power*, 156.

51 Weber, *Economy and Society*, 215.

52 Vastenhout advances a similar argument for the Netherlands and Belgium: Laurien Vastenhout, “Remain or Resign? Jewish Leaders’ Dilemmas in the Netherlands and Belgium Under Nazi Occupation,” *Holocaust and Genocide Studies* 36, no. 3 (2022): 422–23, <https://doi.org/10.1093/hgs/dcac038>.

53 There were several cases of leadership continuity in Transnistria. See: Ofer, “Life in the Ghettos,” 241.

54 Meir Teich, “The Jewish Self-Administration of Ghetto Shargorod (Transnistria),” *Yad Vashem Studies* 2 (1958): 220; Ovidiu Creangă, “Șargorod,” in White, Hecker, and Megargee, *Camps and Ghettos under European Regimes Aligned with Nazi Germany*, 752.

the Jews from Suceava, Teich did not need to acquire legitimacy because he already had it.⁵⁵

A counterexample is Paul Moscovici, who headed the Balta district bureau for Jewish labor.⁵⁶ His case shows how the modalities of functionaries' appointments could limit their legitimacy. Moscovici was a prominent communist lawyer in interwar Romania and defended party notables like Nicolae Ceaușescu and Ana Pauker in political trials.⁵⁷ The Romanian authorities arrested Moscovici, along with many other Jewish communists, even before Operation Barbarossa was launched.⁵⁸ Eventually, they interned Moscovici in the Vapniarka concentration camp for political prisoners in Transnistria.⁵⁹ Moscovici was later summoned to appear before Governor Alexianu in Odesa. Alexianu appointed Moscovici head of the Balta district bureau for Jewish labor and sent him to the Balta ghetto, warning him that should he be unsuccessful in mobilizing the Jews in the district for labor, Alexianu would have all of them transferred to the German zone across the Bug, where they would be shot.⁶⁰ Moscovici arrived in the Balta ghetto only in January 1943, significantly later than most of the Jews confined there, and separately from any of the prewar Jewish communities (or what was left of them) sent to the ghetto.⁶¹ Moreover, many witnesses regarded Moscovici as effectively deposing the existing Jewish Council and assuming total control of the ghetto, which further alienated him from the community.⁶² Thus, compared to Teich, Moscovici could not have arrived to Balta with "inherited" legitimacy.

For the local Soviet Jews in Transnistria, no *visible* leadership continuity was possible. Romanian officials viewed them collectively as "latent

55 Though this legitimacy eroded for a segment of the Suceava Jews over time. Ploscariu, "Institutions for Survival," 125.

56 Moskvich Pavel Mikhailovich, 40-41.

57 Liviu Pleșa, "Vasile Luca În Anii Ilegalității," in *Comuniștii Înainte De Comunism: Procese Și Condamnări Ale Ilegaliștilor Din România*, ed. Adrian Cioroianu (Bucharest: Editura Universității din București, 2014), 63-68; Dumitru Lăcătușu, "Procesul Anei Pauker De La București Și Craiova (27 Februarie 1936 Și 5 Iunie-7 Iulie 1936)," in Cioroianu, *Comuniștii Înainte De Comunism*, 223, 229, 244, 252.

58 Moskvich Pavel Mikhailovich, 16.

59 Moskvich Pavel Mikhailovich, 17; Paul A. Shapiro, "Vapniarka: The Archive of the International Tracing Service and the Holocaust in the East," *Holocaust and Genocide Studies* 27, no. 1 (2013): 120, <https://doi.org/10.1093/hgs/dct003>.

60 Moskvich Pavel Mikhailovich, 18, 61.

61 Only one of the twenty witnesses in the case knew Moscovici from Bucharest. See: Moskvich Pavel Mikhailovich, 18, 30-31, 37-38.

62 Moskvich Pavel Mikhailovich, 43-44, 73-75, 76-78, 79-81, 82-84, 85-88, 89-92, 110-12, 120-23, 124-26, 129-31.

Bolsheviks” and allowed relatively few to take up positions as ghetto functionaries.⁶³ The Romanians excluded anyone with a background in Soviet local government. Among the fifty-one Jewish ghetto functionaries from Transnistrian ghettos whom the Soviets later accused of collaboration, there were thirteen local Soviet Jews. None of these was a Communist Party member nor had any worked for a Soviet governmental institution. Oral history testimony suggests that former Soviet government officials’ position was especially precarious in the ghettos, and even their relatives faced heightened Romanian repression or at least the threat thereof.⁶⁴

Nevertheless, some Jewish ghetto functionaries in Transnistria achieved a form of covert leadership continuity by supporting the Soviet underground, thereby winning legitimacy among local Soviet Jews who knew about their support. Pedutzir Schreiber, a Bukovinian Jew who headed the production department of the Tul’chyn ghetto, extensively supported the communists among the local Jewish community.⁶⁵ He provided false papers for members of the underground, warned them of Romanian raids, gave false testimony on behalf of those who had been arrested, and bribed Romanian officials to have them released.⁶⁶ Moreover, Schreiber saved several girls who were Soviet Komsomol members. When they turned to Schreiber for help, he registered them under false names and helped them hide in the ghetto.⁶⁷ When the Soviets later arrested Schreiber, his previous efforts earned him exonerating witness testimonies and a collective letter of support from ten local Soviet Jews.⁶⁸ In the parlance of the era, the letter claimed that Schreiber had “won the attention of the youth and the vanguard people of the ghetto,” suggesting that the authors accepted him as acting in the spirit of their prewar government

63 Ofer, “Life in the Ghettos,” 253; Altskan, “On the Other Side,” 12.

64 Faina Shlizerman, Segments 74–75, Interview 38100, Visual History Archive (VHA), University of Southern California, Shoah Foundation (USC), January 12, 1998.

65 On Schreiber’s position, see: Vitner Gerbert Maksovich, 20–22. The Soviet case file allows us to corroborate previous findings based on the memoirs of Schreiber’s son Gerhard. See: Vadim Altskan, “The Closing Chapter: Northern Bukovinian Jews, 1944–1946,” *Yad Vashem Studies* 43, no. 2 (2015): 18.

66 Shraiber Pedutsii Borisovich, D1595, HDA SBU ChO, 22–23, 28–31, 32–34, 35, 38–39.

67 Shraiber Pedutsii Borisovich, 22–23, 28–31, 32–34, 35.

68 Shraiber Pedutsii Borisovich, 28–31, 38–39. Meir Teich similarly supported the communist underground in Sharhorod and thus gained supporters pushing for his release from Soviet custody. See: Wolfgang Schneider, “From the Ghetto to the Gulag, from the Ghetto to Israel: Soviet Collaboration Trials Against the Shargorod Ghetto’s Jewish Council,” *Journal of Modern European History* 17, no. 1 (2019): 91–95, <https://doi.org/10.1177/1611894418820266>.

(i. e., the Soviet state).⁶⁹ However, such legitimacy was necessarily limited to a minority of the local Soviet Jews, primarily those who knew about Schreiber's clandestine support, which put him at risk of reprisal by the Romanians.⁷⁰ So, Romanian Jewish ghetto functionaries could gain legitimacy through legality in the sense of continuity in the eyes of at least some Soviet Jews.

Besides the clandestine nature of support, another limiting factor for such legitimacy and leadership were the strong incentives ghetto functionaries deported to Transnistria from Romania had to publicly present themselves as anticommunist. Romanian propaganda justified the persecution of Jews as anticommunist self-defense; dictator Ion Antonescu's first orders to murder the Jews labeled them as "pro-Communist members of the minorities."⁷¹ Incentivized thusly, Romanian Jews petitioning the Romanian government for repatriation from Transnistria regularly seized upon this trope, stressing their anticommunist convictions.⁷² As exposed individuals in regular contact with Romanian officials, these incentives were especially relevant for Jewish functionaries. But anticommunist statements carried the potential to alienate them from local Jews loyal to the Soviet government (which was far from everyone). For ghetto functionaries, publicly cursing the Soviet Union could be useful to dispel Romanian officials' suspicions of links to partisans and curry favor with these officials. However, this strategy meant that later allegations of anti-Soviet agitation were directed even against functionaries who had strongly supported the Soviet underground in the ghetto.⁷³ When functionaries displayed disloyalty to the Soviets, this alienated local Soviet Jews who were loyal to their government and also undermined ghetto

69 Shraiber Pedutsii Borisovich, 38.

70 By order of the local Romanian commander, anyone who illegally sheltered people was "considered as participants in acts of communism and spies" and accordingly "treated with the same standards of the laws on spies." See: Colonel Ion Lazăr, Ordonanța No. 6, November 17, 1941, Reel 7, fond 2242, opis 2, delo 76, RG-31.004M, Odessa Oblast Archives Records, USHMM. I am grateful to Emanuel Grec for translating this document for me.

71 Quoted in: Jean Ancel, *The History of the Holocaust in Romania* (Lincoln and Jerusalem: University of Nebraska Press; Yad Vashem, 2011), 218; Burmistr, "Transnistrien," 395.

72 Ana Bărbulescu, "In Dialogue with the Authorities: Petitions Referring to the Jews Deported to Transnistria, 1941-1944," *Holocaust. Studii și cercetări* XIII, no. 14 (2021): 314, <https://www.cceol.com/search/article-detail?id=1007531>.

73 See the following witness testimony claiming that Meir Teich committed anti-Soviet agitation in the Sharhorod ghetto: Taikh Maer Mendelevich, D633, Derzhavnyi arkhiv Vinnyts'koi oblasti (DAVO), 32.

functionaries' legitimacy.⁷⁴ The pattern is clear in Soviet investigative casefiles: of the 216 witness testimonies of local Soviet Jews, forty-two contain accusations of anti-Soviet agitation or opinions. In conclusion, Soviet Jewish ghetto inmates rarely saw Romanian Jewish ghetto functionaries as legally legitimized through a continuity of rule.

Justifiability I: Communal-Class Representation

According to Beetham, power holders must claim to represent their subordinates ("the people") in some shape or form. In the following section, I argue that one common understanding of "the people" among the Jews in Transnistrian ghettos was all Jews confined there, regardless of their "communal-class" background. Jewish functionaries' actions were justifiable if they did not discriminate between the different groups of Jews in ghettos.

The three principal groups of Jews in Transnistrian ghettos were deportees from northern Bukovina and Bessarabia, deportees from southern Bukovina, and local Soviet Jews.⁷⁵ On average, these groups differed in terms of language, education, culture, politics, wealth, and status.⁷⁶ Historian Gali Tibon termed this "communal-class separation."⁷⁷ These differences stemmed from developmental paths as well as from differences in how German and Romanian perpetrators persecuted these groups starting in 1941. For example, the Jews of southern Bukovina had never lived under Soviet rule, those from Bessarabia and northern Bukovina had experienced brutal Sovietization in 1940, and the local Soviet Jews spent decades under Soviet rule. Their divergent political histories affected property relations, occupational distribution, education,

74 An example of similar accusations in oral history is: Iosif Gel'fer, Segment 41, Interview 34646, VHA, USC, July 29, 1997.

75 To simplify things, I do not treat the Dorohoi Jews separately in the remainder of the article but lump them with the Jews from southern Bukovina. On key issues such as their prewar development, modes of persecution and deportation by the Romanians, etc., their experiences were similar enough to those of the Jews from southern Bukovina to treat them together. Of course, any in-depth study focusing specifically on the ghettos where Dorohoi Jews were interned would need to treat them separately. However, for the present chapter, this seems unnecessary.

76 Hoppe and Glass, "Einleitung," 62-63.

77 Gali Tibon, "Am I My Brother's Keeper? The Jewish Committees in the Ghettos of Mogilev Province and the Romanian Regime in Transnistria during the Holocaust, 1941-1944," *Dapim: Studies on the Holocaust* 30, no. 2 (2016): 113, <https://doi.org/10.1080/23256249.2016.1173338>.

religious life, and community structures.⁷⁸ German and Romanian perpetrators murdered local Jews in Transnistria and Jews in Bessarabia and northern Bukovina *en masse* in the summer of 1941.⁷⁹ Moreover, the Romanians deported Jews from Bessarabia to Transnistria on foot, murdering, raping, and robbing them along the way.⁸⁰ In contrast, many Jews from southern Bukovina arrived at the border crossings for Transnistria by train, which somewhat eased their journey and allowed them to retain some of their valuables.⁸¹ These factors stratified ghetto populations and generated social conflict.⁸² Therefore, the issue of Jewish communal-class representation in the ghetto Jewish Councils became significant.

Some Jewish administrations in Transnistrian ghettos represented their diverse populations. Jewish Councils in Balta, Mohyliv-Podil's'kyi, Sharhorod, and Tul'chyn included individuals from the different communal-class groups confined in these ghettos. In Balta, six of the first nine Jewish Council members were local Balta Jews, and two others were from Bessarabia (the last member could not be identified as belonging to either of these groups).⁸³ In Mohyliv-Podil's'kyi and Sharhorod, local Jews and deportees initially had separate Jewish Councils which then merged.⁸⁴ In Tul'chyn, the Germans first appointed a Jewish Council from local Jews in 1941, which the Romanians left in place when they took over. After the influx of thousands of deportees from northern Bukovina in 1942, a second council was formed from the previous one, and it also included several deportees.⁸⁵ Triangulating judicial sources with oral histories proves that many people in these ghettos were acutely

78 Ofer, "Life in the Ghettos," 233.

79 Burmistr, "Transnistrien," 395-97.

80 Ancel and Creangă, "Romania," 576.

81 Baum, *Varianten des Terrors*, 486.

82 Tibon, "Brother's Keeper," 113.

83 According to the testimony of the former head of the Jewish council: Rubinstein: Rubinshtein Pinkhos Itskovich, 20-21.

84 On Mohyliv-Podil's'kyi, see: Grinberg Mikhail Iosifovich, D10092, HDA SBU ChO, 22, 34-35, 50-52. On Sharhorod, see: Ploscariu, "Institutions for Survival," 124; Teich, "Jewish Self-Administration," 229. See also the testimony of Arkadii Frenkel', whose father represented the Jews from Bessarabia on the council: Arkadii Frenkel', Segments 81-82, Interview 49253, VHA, USC, November 21, 1998. For a differing analysis of the relationship between the different groups in the ghetto and on the council, see: Gali Tibon, "Two-Front Battle: Opposition in the Ghettos of the Mogilev District in Transnistria 1941-44," in *Romania and the Holocaust: Events—Contexts—Aftermath*, ed. Simon Geissbühler (Stuttgart: ibidem-Verlag, 2016), 161-63.

85 Eidler Iakov Bentsionovich, D3834, HDA SBU OO, 14, 64, 75-77, 125-27, 138, 251; Vitner Gerbert Maksovich, 37. See also an undated list of Jewish council members

aware of functionaries' communal-class backgrounds, as were many of the witnesses called during Soviet investigations and trials.⁸⁶

Both ghetto inmates and Jewish functionaries described communal-class discrimination as negative and solidarity as positive. Ghetto survivors frequently accused Jewish functionaries of communal-class discrimination in connection with social welfare, taxation, forced labor, and deportations.⁸⁷ In their pre-trial depositions and during their trials, defendants denied such accusations and argued that they treated everyone equally regardless of communal-class background.⁸⁸ In oral history interviews, survivors positively highlight inter-group solidarity and the support they received from Jewish functionaries that came from other groups.⁸⁹ Meir Teich's memoir corroborates this from the perspective of former functionaries and from a source untouched by the Soviet judiciary's filter.⁹⁰

These sources suggest that despite their differences, there was a shared value framework in which it was justifiable that functionaries assumed positions of power as long as there was communal-class representation, and their actions were considered justifiable if they did not discriminate along communal-class lines. Some functionaries succeeded in achieving limited legitimacy in this way.⁹¹

But it was extremely difficult to ensure the equal treatment of all groups in the ghettos and camps in Transnistria. For example, Shaia Vainstok, head of the Rîbnița ghetto, explained why the Jewish Council began taxing the ghetto population and why some taxes targeted the most vulnerable. Vainstok described how a typhus epidemic ravaged the Rîbnița ghetto in the winter of 1941.⁹² Yet in 1941, the Jewish Council did

in Tul'chyn: Tabel nominal de membrii Oficiului județean al Evreilor, Tulcin, 13/2264/1122, RG-31.004M, Odessa Oblast Archives Records, USHMM, 12.

86 On Shargorod, see: Estra Fleishman, Segment 51, Interview 40588, VHA, USC, February 16, 1998; Arkadii Frenkel', 81-82; Ida Guz', Segment 47, Interview 24081, VHA, USC, December 4, 1996; Grigorii Raibman, Segment 139, Interview 45874, VHA, USC, June 14, 1998.

87 For Balta, see: Moskovich Pavel Mikhailovich, 73-75, 82-84, 124-26, 127-28, 129-31, 189-90, 191-92, 201-2; Rubinshtein Pinkhos Itskovich, 48, 49-50, 51-52, 53-55, 56-58, 59-60, 71-72.

88 Moskovich Pavel Mikhailovich, 55, 64-65; Rubinshtein Pinkhos Itskovich, 26-30.

89 On Balta, see: Khaia Bol'shaia, Segment 133, Interview 29919, VHA, USC, April 1, 1997; Gennadii Rozenberg, Segment 86, Interview 39548, VHA, USC, December 18, 1997; Boris Zaidman, Segments 46-47, Interview 31952, VHA, USC, May 27, 1997.

90 Teich, "Jewish Self-Administration," 229.

91 Ploscariu, "Institutions for Survival," 125.

92 Shtrakhman, Nakhman Mortkovich, 160-61.

not yet have “a connection to the central community in Bucharest” (CER).⁹³ Vainsthok argued that the Rîbnița Jewish Council needed to “provide medical help through drugs and nutrition for the poor and the sick, besides [helping] the [Jewish Council’s] staff” find “the necessary things for the Jewish hospital with 50 beds, the children’s home with around 33,” and, lastly, collect “bribes for the authorities, first that they would not send [us] to camps, would not abuse us, and would not beat Jews during work.”⁹⁴ For these reasons, the Jewish Council began taxing the ghetto population, which included demanding money from the most vulnerable, namely “illegals” who lacked official registration.⁹⁵ According to Vainsthok, this was necessary because Romanian officials would only register “illegals” in exchange for bribes.⁹⁶ Witnesses alleged that local Soviet Jews, being poorer than the deportees from Romania, suffered more under this system, with several dozen being shot by the Romanians due to their lack of documents.⁹⁷ Moreover, witnesses alleged that Soviet Jews bore the brunt of forced labor duties because deportees could pay the Jewish Council and have someone else go in their place.⁹⁸ Soviet Jewish witnesses saw this as communal-class discrimination rather than an expression of functionaries’ powerlessness and lack of resources.

Romanian perpetrators gave the Jewish Council only highly constrained room for maneuver. This affected the extent to which the council’s actions could be justifiable according to the ghetto population’s value system: it was impossible to provide for everyone regardless of communal-class background. This made it more likely that functionaries lacked legitimacy in the eyes of at least some Jews.

93 Shtrakhman, Nakhman Mortkovich, 160.

94 Shtrakhman, Nakhman Mortkovich, 160.

95 Shtrakhman, Nakhman Mortkovich, 160–61.

96 Shtrakhman, Nakhman Mortkovich, 160–61.

97 Shtrakhman, Nakhman Mortkovich, 29–30, 71, 78–79. Dumitru provides a detailed description of the accusations against Vainsthok. Unfortunately, she does not juxtapose the accusations with Vainsthok’s version of events, which is why I cite him here. See: Diana Dumitru, “The Gordian Knot of Justice: Prosecuting Jewish Holocaust Survivors in Stalinist Courts for ‘Collaboration’ with the Enemy,” *Kritika: Explorations in Russian and Eurasian History* 22, no. 4 (2021): 741–42, <https://doi.org/10.1353/kri.2021.0051>.

98 Shtrakhman, Nakhman Mortkovich, 152.

Justifiability II: The Common Interest

A broader issue concerning legitimacy is the “principle of community.” At the most basic level, power holders must show their subjects that they serve the common interest by ensuring their “subsistence” and “means of livelihood.”⁹⁹ Jewish ghetto functionaries could gain legitimacy and be perceived as leaders as long as they succeeded in keeping the ghetto population alive. Again, success or failure often depended on factors completely out of ghetto functionaries’ control.

Nevertheless, Soviet investigation and trial records suggest that ghetto inmates judged functionaries’ actions within a survival and subsistence framework. In a sample of 310 witness testimonies, the most common accusations are (percentages indicating the share of documents that contain at least one accusation related to a given category): forced labor mobilization—45 percent; expropriation (by physical force, taxation, extortion, etc.)—40 percent; deportations (organizing and physically conducting them)—33 percent; violence (actually performing beatings or ordering or assisting with them)—30 percent; arrests (either performing, ordering, or assisting with them)—25 percent; neglect and the denial of aid (nutrition, medicine, etc.)—21 percent. The most common positive acts witnesses described concerned social welfare provision—14 percent; and rescuing, helping, or defending inmates from harm (warnings of impending raids, assistance in hiding, the provision of false documents, intervening in beatings, etc.)—11 percent. Anything functionaries did that enabled ghetto inmates to survive was described as good. Anything that endangered inmates’ survival was described as bad. Within the survival and subsistence framework, ghetto functionaries’ success could equal legitimacy, whereas failure equaled the lack thereof.

The principle of community could also take the form of a community of suffering. That was the case when ghetto functionaries’ relatives died in the ghetto. Meir Teich lost his son and wife in the ghetto: his son died of illness, and his wife committed suicide.¹⁰⁰ Judging from oral history interviews, a common response was sympathy toward Teich’s suffering,

99 Beetham, *Legitimation of Power*, 83.

100 Teich, “Jewish Self-Administration,” 219. The Teich family apparently settled in a room of the Bergang family’s home. Iosif Bergang recalls that Teich’s son Alexander suffered from polio, “could not move,” and that his mother Anna “did not leave his side.” According to Bergang, Teich’s wife committed suicide after the death of her son. Iosif Bergang, Segments 43-45, Interview 37037, VHA, USC, October 14, 1997.

emphasizing community rather than difference.¹⁰¹ Whether ghetto functionaries gained legitimacy in the eyes of ghetto inmates could also depend on whether these functionaries experienced personal suffering.

Justifiability III: Differentiation through Qualification and Charisma

Jewish leaders' personal qualifications and their charisma played an important role in the justifiability of their positions and actions. As discussed above, justifiability is also based on the principle of differentiation either through qualification or charisma.

For Transnistrian ghetto functionaries, one type of qualification was knowledge of languages (German and, more importantly, Romanian). Being able to speak Romanian was a skill commonly cited when historians discuss why Jews were appointed or elected to ghetto functionary positions in Transnistria.¹⁰² It was simply necessary to be able to speak to the occupation authorities. This also applied to local Soviet Jews. The Tul'chyn Jewish Council was appointed by the Germans who initially occupied the town, and the first two members were selected because they both spoke German.¹⁰³ In Soviet investigation and trial materials, witnesses and defendants frequently mentioned such linguistic qualifications.¹⁰⁴

However, qualification could also mean formal qualifications, that is, education and professional training. Witnesses and defendants mentioned Jewish ghetto functionaries' formal qualifications frequently. A typical example is the following:

Question: Tell me who was in charge of ghetto life in the Tul'chin ghetto during your stay there.

Answer: To supervise the ghetto, the Romanian gendarmerie had a ghetto chief, a lawyer named Dr. Fikhman, who now lives in Chernov-

101 Estra Fleishman, Segment 52, VHA; Dora Monastyrka, Segment 61, Interview 17342, VHA, USC, July 12, 1996; Serafina Klueger, Segment 101, Interview 38671, VHA, USC, December 5, 1997; Iosif Bergang, Segments 43-45.

102 Ofer, "Life in the Ghettos," 249; Altskan, "On the Other Side," 11; Dumitru, "The Gordian Knot of Justice," 737.

103 Eidler Iakov Bentsionovich, 125-27.

104 Rubinshtein Pinkhos Itskovich, 75-77; Bosharnitsan, Samuil Samuilovich, RG-54.003*06, War Crimes Investigation and Trial Records from the Republic of Moldova, 1944-1955, USHMM, 94, 129; Grinberg Mikhail Iosifovich, 22; Shtrakhman, Nakhman Mortkovich, 10-11; Vitner Gerbert Maksovich, 112.

vtsy ... The administration also included the lawyer Dr. Mozner ... who controlled the ghetto industry and the workforce ... Also, the lawyers Dr. Iakob and Dr. Brender.¹⁰⁵

Oral histories also provide ample anecdotal examples of survivors mentioning functionaries' qualifications. Let us consider two examples, one from a local Soviet Jew and one from a deportee. Both link qualifications to positive assessments of functionaries' achievements in the Sharhorod ghetto:

Well, they probably achieved a bit more ... because at the head of the community stood fairly intellectual people, fairly intellectual. Let us not look at what they did for themselves in the first instance; surely they did something for themselves, but they also tried to do a great deal for the people who were in the ghetto.¹⁰⁶

In this Jewish leadership, in this committee, shall we call it that, there were lawyers but also people who snuck in, those who wanted to live a little better, because of course they had more security, in the first place, that one should not send them and their families to the Bug [i.e., to German-controlled territory and thus to almost certain death, WS].¹⁰⁷

As the second example shows, there is also a complementary concept of anti-qualification (people who "snuck in"). In Soviet investigative case files, a frequently mentioned form of anti-qualification are contacts as the decisive factor for appointment to the Jewish Council. For example:

He arrived in Mogilev-Podol'skii, and owing to his acquaintance, or rather kinship, with the former head of the Jewish committee Danilov Mikhail, he was accepted by Danilov into the Jewish committee as the chief for sending the workforce of Jews to forced labor for the occupation authorities.¹⁰⁸

A comparison of the frequency with which defendants and witnesses referred to contacts or formal qualification shows that defendants stressed qualification significantly more often (13.4 percent of documents) than

105 Vitner Gerbert Maksovich, 104-5.

106 Arkadii Vinner, Segment 41, Interview 5211, VHA, USC, October 12, 1995.

107 Rita Rosenfeld, Segment 59, Interview 12114, VHA, USC, March 15, 1996.

108 Grinberg Mikhail Iosifovich, 34-35.

witnesses (4.2 percent of documents), while both mentioned contacts equally often (witnesses 3.9 percent, defendants 3.5 percent, respectively). This suggests that defendants were aware of the legitimizing effects that qualifications could have. If Jewish ghetto functionaries succeeded in appearing qualified in the eyes of the ghetto population, this bolstered their legitimacy.

Another element of differentiation is charisma, i.e., being ascribed extraordinary personal qualities.¹⁰⁹ Some former internees of the Sharhodor ghetto described Meir Teich as a charismatic figure in this sense. One survivor claims, “we were lucky in Shargorod” to have Teich, who was “a very popular person, intelligent.”¹¹⁰ Another survivor describes him as “the personality of the town.”¹¹¹ A third wants to “inscribe in gold into the book, the Jewish book, people like Dr. Teich.”¹¹² Teich’s charisma differentiated him from the ghetto population and made him appear qualified to rule, which, in turn, gave him legitimacy in the eyes of some ghetto inmates.

Conclusion

The questions at the core of this essay are: Did Jewish ghetto functionaries in Transnistria have legitimacy, and if they did, why? The answer has three components: strong constraints, limited success, and individual variability. Jewish ghetto functionaries’ legitimacy was precarious because Romanian perpetrators constrained their room for maneuver to an extreme degree (which also varied between functionaries). Nonetheless, some functionaries did achieve legitimacy among ghetto populations (or segments of these populations). If we add individual factors such as qualifications and charisma, legitimacy varied from functionary to functionary.

Some Jewish ghetto functionaries in Transnistria achieved legitimacy through continuity. This was relatively easy for prewar Romanian Jewish community leaders vis-à-vis their original communities. When these functionaries were deported from Romania to Transnistria, it was much harder for them to achieve legitimacy through continuity with local

109 I diverge from Beetham’s conceptualization here. He is critical of Weber’s notion of charisma. See: Beetham, *Legitimation of Power*, 156.

110 Mikhail Zhvanetskii, Segments 94-95, Interview 38462, VHA, USC, December 3, 1997.

111 Serafina Klueger, Segment 101, VHA.

112 Arkadii Vinner, Segments 42-43, VHA.

Soviet Jews. Supporting the Soviet underground meant constructing some sort of continuity to prewar Soviet rule, but by definition, this happened clandestinely, and few persons were aware of their support.

Jewish functionaries could also gain legitimacy in the eyes of ghetto populations if they represented “the people,” which meant populations in their entirety beyond communal-class divisions. Failing to do so meant alienating at least part of the ghetto population, thereby losing legitimacy in their eyes. Moreover, ghetto populations judged Jewish functionaries within a survival and subsistence framework. If ghetto functionaries succeeded in ensuring people’s survival and subsistence, their rule became justifiable in terms of the common interest, and they achieved legitimacy (as a basic requirement for justifiability in the sense of a principle of community). However, success or failure in securing ghetto populations’ survival was often almost completely beyond functionaries’ control. A most bitter form of “common interest” was what I call the community of suffering, when ghetto functionaries lost loved ones like nearly everyone else in the ghetto. Such losses could increase functionaries’ legitimacy.

Complementary to the principle of community, Jewish ghetto functionaries could also gain legitimacy if they proved they held special qualifications for positions of power according to the principle of differentiation. Qualifications could be linguistic (speaking the language of the occupiers), professional (education or professional training), or charismatic (being perceived as an extraordinary individual). To varying degrees, such differentiation provided Jewish ghetto functionaries in Transnistria with legitimacy. Therefore, the question of whether these ghetto functionaries were a “headship,” a “leadership,” or something in between is an empirical one that scholars need to examine in every concrete case. Michman was right to challenge the scholarly consensus of viewing “Jewish Councils” as “leaderships.” But relying on the concept of headship alone is equally ill suited for analyzing “Jewish Councils.” Whether Jewish functionaries had legitimacy, that some saw them as legitimate and some did not—these are empirical questions, not issues to be solved on a terminological level by way of definition.