

Izzy Einstein  
1880-1938



Konrad Morgen  
1909-1982



**Two very different fanatics  
for justice**

Student Rabbi Gabriel Webber



Morgen's story

*Testimony to the  
Frankfurt  
Auschwitz trials in  
the 1960s*



# Morgen's story

- Born to a railwayman in Frankfurt
- Law degree from The Hague
- German judge in occupied Poland
- Dismissed in 1939 for not toeing the line
- Briefly an officer of the SS, then demobilised and designated as an (investigative) judge within the SS
- Deeply committed to the SS code of honour



# Morgen's story

- Investigated Koch: “I’m a fanatic for justice”
- Issued a warrant for Eichmann’s arrest (Eichman was quite annoyed about this and brought it up at his trial in Jerusalem!)



Morgen's story

*Testimony to the  
Frankfurt  
Auschwitz trials in  
the 1960s*



# Morgen's story



- Got on Himmler's bad side
- The Dilbert Principle
- "Dead man"
- After the war



# Izzy's story

- Born in Austria, speaking Yiddish
- Parents wanted him to be a rabbi. But... postal clerk
- Prohibition (1920-1933) caused a huge shortage of law enforcement officers
- Record-breaking number of arrests with 95% conviction rate



# Izzy's story



~



# Izzy's stories



- The false gullet
- The photo on the wall
- The up-front badge
- The blackface (...)
- The rabbis



# Common themes

- Blind justice
- Going after 'their own'
- Belief in their people having the moral high ground
- Sticking to the manual
- Taking pleasure in a good job well done



# Thank you for joining me

[gabriel@gabrielquotes.org.uk](mailto:gabriel@gabrielquotes.org.uk)



### *Konrad Morgen's testimony to the Frankfurt Auschwitz trials*

My investigations in the concentration camp of Auschwitz were triggered by a small package in the military mail. It was a somewhat small packet, long rather than short, an ordinary box, which had probably come to the attention of the postal service because of its enormous weight, and the customs investigators had confiscated it because of its contents. It contained three lumps of gold. Gold was a currency subject to inspection, and that is how it came to be confiscated by the customs investigators.

The sender was a medical assistant in the concentration camp Auschwitz, and this packet was addressed to his wife. He came under the jurisdiction of the SS Police Court, and this confiscated mailing was directed to me, with a short notation; I think it was “for further action.” As for the gold, it was high-carat dental gold that had been crudely smelted together. It was a very large lump, perhaps the size of two fists; the second was considerably smaller, the third less significant. But in any case, it was a matter of kilos.

Before I dealt with it any further, I reflected on the matter. First, the audacity with which the as yet unknown perpetrator had proceeded: astounding. It seemed to be outright stupidity. But as I thought more about it, I thought that this interpretation underestimated the

perpetrator. For after all, among hundreds of thousands of packages in the military post, there was a very small chance that this particular risky shipment would be confiscated and uncovered.

My further reflection, however, sent no small shudder down my spine, since a kilogram of gold is 1,000 grams. I knew that the dental wards of the concentration camps were tasked with collecting the gold that accumulated from the burning of bodies and sending it to the Reichsbank. And a gold filling is only a few grams. One thousand grams, or several thousand grams, thus represented the death of several thousand people. But not everyone had gold fillings in that impoverished time, only a fraction. And depending on whether one estimated that one twentieth or fiftieth or hundredth had gold in their mouths, one had to multiply the number, and so this confiscated shipment represented as it were twenty-or fifty-or a hundred-thousand bodies. *[Pause]* A shocking thought.

But the literally incomprehensible thing was that the perpetrator could have set aside such a considerable quantity undetected. And given that little notice was taken of the suspect's exploit, I concluded, equally little notice might be taken if 50,000 or 100,000 people had disappeared and been turned to ash. A natural cause of death wouldn't have done it: those people must have been murdered. It was from this

standpoint that I first realized that this little-known Auschwitz, whose location cost me some trouble to find on a map, must have been one of the largest human-extermination facilities that the world had ever seen.

**Konrad Morgen: Later...**

In order to be able to proceed against Himmler or Hitler, the initiators of these crimes... to be able to proceed against them judicially, I would have had to propose to Hitler himself or Himmler himself a warrant to arrest themselves. And even if he had opened proceedings against himself, it would have been impossible to convene a court. For the court must be composed in this manner: with a lay observer of the same rank as the accused, and with a higher official. So one would need to have brought in a Hitler as lay observer, and an über-Hitler as second observer. So you can see that it was absolutely impossible. You have to realize that Hitler moved within a legal vacuum in which all constraints of the separation of powers had been overturned.

In this situation, the obvious thing is to consider extra-legal possibilities, namely, an assassination. But that was impracticable because you could go to the Führer's headquarters only upon a written order from Hitler himself. You had to go to a particular office in Berlin to pick up tickets for the special train that went there. There was very

stringent security at the station and in the train. And then, after a night's journey, about noon on the following day, the train halted suddenly somewhere in East Prussia, in a green meadow amongst cows. A car came along a path and picked you up. You drove through a thick forest, through many wave traps. And there, scattered about, and protected by camouflage nets, heavily guarded, were the barracks. Who lived in each of these barracks, where Himmler or Hitler stayed, you couldn't figure out.

One might also think of bearing public witness to this development. But if one had done that, nobody would have believed it. One would have been declared mad and arrested. At the end of that sleepless night, I had to acknowledge that this system could be combatted and toppled only from without. And I thought that I had to try.

It occurred to me that I had some time earlier spoken with a criminal commissar who oversaw the border division at Switzerland, and in conversation he told me about the many possibilities of crossing the border. I thought I could find these crossing points. So I made up my mind to go to Switzerland. About thirty-six hours later I neared my destination. In the meantime I had calmed myself enough to try and face what was about to happen. I thought that I would succeed in crossing the border, and I asked myself how things on the other side

would play out in detail. Certainly an immediate interrogation: I'd be passed from one office to the next higher one. My story would have to sound so unbelievable and incomprehensible to an outsider, especially in a neutral country, that I wouldn't be believed. The question would definitely arise: Have you seen a gassing yourself, have you seen a corpse, a battered prisoner? And I would have to say in all honesty, No.

But I tore myself from that rumination and pictured it the other way around. I thought, If all goes well, and you are believed, then what? I would probably be presented to the press. The result would be that war propaganda against Germany would go into high gear. In the event of the defeat of Germany, the victorious powers would exterminate us, the whole German people, because of these events, draw and quarter each of us. *[Pause]* And to set such a thing in motion and answer for it: that was beyond my strength.

"The German people"... that is a big idea, but it is made up of many individuals. And then I thought of my near and dear. First of all, of course, my parents, who had sacrificed to put me through school and who I knew to be fine, decent people who didn't deserve such a fate. Then I thought of my comrades, whom I had left at the Russian front hardly three months ago. They had frankly explained to me that they weren't National Socialists at all, but were just, inadequately armed,



fighting against a superior force, obeying senseless orders and then sent to the slaughter in whole divisions but even so going to their deaths for their ideals. They too didn't deserve it. And so I then saw, no matter how I looked at the situation, that such a course of action could lead only to a fresh calamity, and I thereupon went back to Berlin.

### **Izzy Einstein: editor of the New York 'City Herald'**

What Izzy brought to prohibition enforcement was the spirit of fun, of buffoonery. There are a few convinced prohibitionists among the agents, who conduct raids and lock up bootleggers because their hearts are in the cause: not many, but a few. But this fanatical pleasure is vastly different from the sheer joy experienced by Izzy when, disguised as a musician, a waiter, a drummer, a mill hand or a visiting buyer, he betrayed the evil-doers. He was not bitter against booze, but it was fun to be in the tricky business of catching the violators. He made raids before dawn, when he didn't have to. One Sunday he raided seventy-one places!

### **Izzy Einstein in the 'New York Times', 1922**

With blackened faces and a fluent flow of negro dialect, Izzy Einstein and Moe Smith, two of the most versatile as well as productive sleuths,

were constant patrons for nearly a week of a delicatessen store near 133rd Street.

They discovered that, when a customer asked for a small can of tomatoes, he would receive a can of tomatoes plus a half-pint bottle of gin. To obtain that amount of whisky the request would be for a small can of beans.

Yesterday, the agents made a raid on the place and seized a large quantity of whisky and gin, which was loaded into trucks after great difficulty.

### **Izzy Einstein: sacramental wine**

The law permitted Jews to buy sacramental wine from their rabbis. But it didn't exactly authorise the selling of "sacramental" hard liquor to "Jewish worshipers" running saloons under such names as Murphy or Angelo. Which was why the government brought me into the picture. I, as a member of the Jewish faith, was assigned to find out why there was such a remarkable increase in thirst for religion, or vice versa.

I began by checking up on rabbis. One of the first I called on was an alleged reverend who in his statements to the government had been claiming to have a congregation of six hundred. I found him ironing shirts.

No less odd was the well-supplied flock of “Jewish worshipers” which “met”, according to their address, in what an uninitiated person would have taken to be a pork butcher’s shop. In fact, there was even something peculiar about a certain “congregation” that attended “religious rites” at a pool room in Brooklyn. When I dropped in there a crap game was going on and the “reverend” who ran the joint - an ex-prizefighter - seemed to feel I was intruding.

Other rabbis - I checked up on 180 in all, real and fake - cashed in quite openly. Had stores with their names out in front. One such place, located on Upper Fifth Avenue, even had a stock of “sacramental” champagne!

I also came upon a box of matzohs that leaked - which is something that matzohs don’t do. Whether or not you are personally acquainted with these disks of unleavened bread we eat at Passover time, I need hardly tell you that water crackers haven’t a whiskey breath.