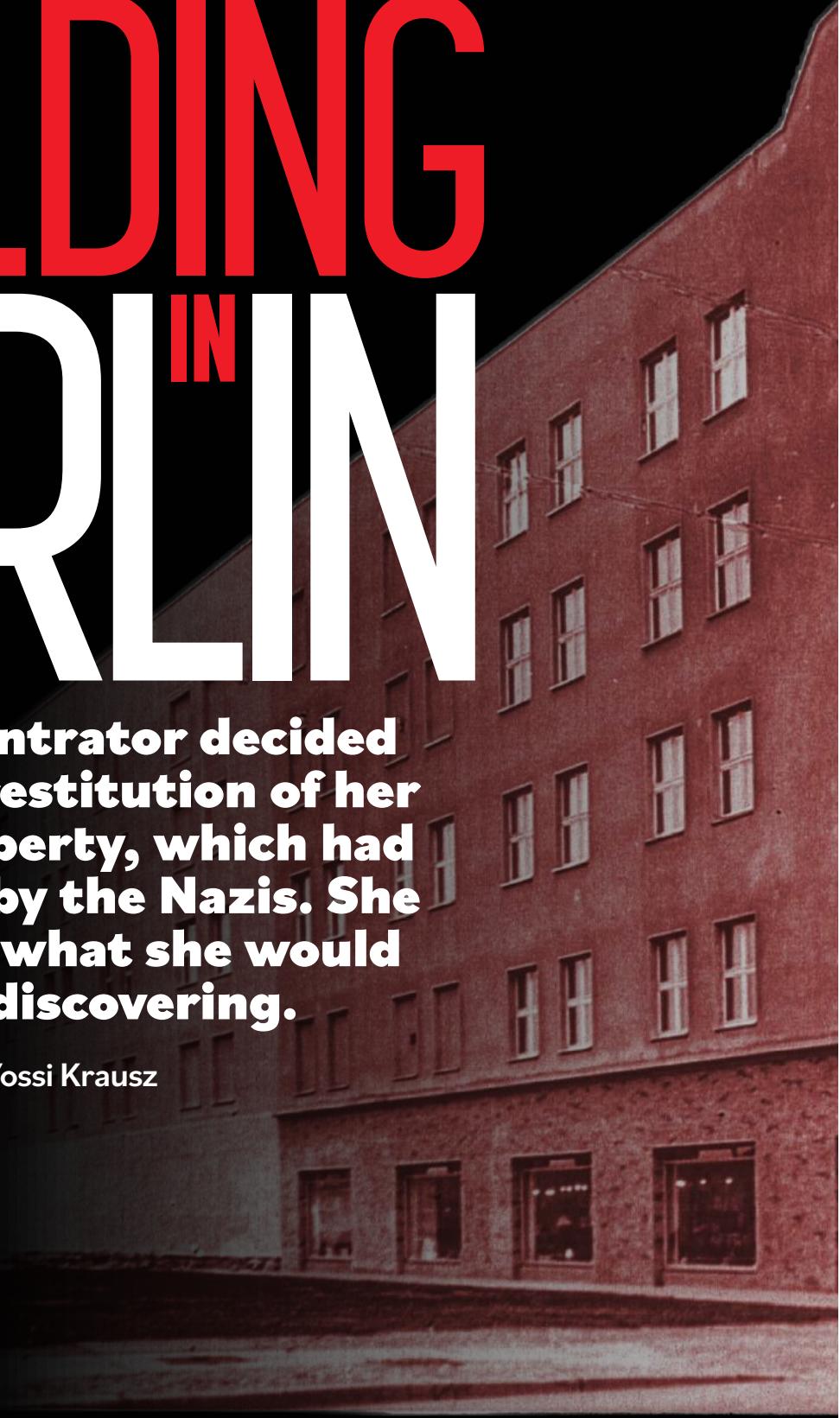


THE BUILDING IN BERLIN



Dr. Joanne Intrator decided to fight for restitution of her family's property, which had been stolen by the Nazis. She had no idea what she would end up discovering.

By Yossi Krausz

The building, repaired after the war



“My very last visit with my father was in Palm Beach in April of 1993. At that time, he looked as if he was in a coma. I was sitting next to him, and he sat up all of a sudden, as if nothing was wrong with him.

He looked at me and said, “Are you tough enough yet, and do they know who you are?”

And then he lay back. Those were the last words I ever heard from my father. He passed away a couple of days later.”

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Joanne's father on the ship to America

oanne Intrator is a prominent psychiatrist with a practice in Manhattan. Her research into the brains of psychopaths is cited as an important contribution to knowledge of the inner workings of psychopathy. But in the mid-1990s, she took on a role that she hadn't trained for—fighting to regain control of family property in Berlin that had been taken forcefully under the Nazis.

Dr. Intrator describes herself as having been an anxious person during that period of her life, despite her impressive professional credentials. In taking on the German legal system, she had to learn to assert herself in a way that she didn't find easy. Her

father's last words, however, were a spur for her. He seemed to know that she would need to find new toughness in order to prevail.

She would find startling information about the building in Berlin that her grandparents had once owned and how the Nazis had used it—and there would also be revelations about her own abilities.

In a recent interview, Dr. Intrator—a gifted storyteller in her 70s—told me the history of her fight for her grandfather's building. She has also written about the events in a book, *Summons to Berlin*, scheduled for release next year.

Only late in his life did he learn that his father had owned a building—a building that it would now be possible to reclaim.

The building

Joanne Intrator's paternal grandparents moved from Galicia, Poland, to Germany in 1905, along with other family members. Her grandfather, Jacob, was in the import-export business, and he had more opportunities in Berlin. He served in the German Army during World War I, and after the war, his business continued to flourish.

The building that Dr. Intrator would fight for, at 16 Wallstrasse in the center of Berlin, was a textile manufacturing building that was part of that import-export business. Jacob's cousins, the Berglasses, were among the largest textile manufacturers in Germany, and they were partners in this building, which took up almost an entire city block.

But in 1938, Jacob was forced to sell the building at auction. His businesses had been shut down by the Nazis starting in 1933. He had also been one of the largest importers and exporters of eggs in Berlin, and his licenses to import and export had been taken away. He could no longer make the mortgage payments on the building.

Dr. Intrator's father, Gerhard, who was trained as a lawyer, saw the writing on the wall relatively early and left for the US in 1937. From there, he tried to get his family members out. His parents were able to escape to Spain in 1941, and Gerhard was able to bring them to the US in 1943. Shockingly, Jacob died the day after they set foot on American soil, adding even more heartbreak to the saga.

Dr. Intrator's parents married in the US, settled in Forest Hills, and had Joanne and her brother. Her father became chronically ill early on and had a hard time working. Ironically, and disturbingly, they were able to make ends meet because he still had a pension from the German government, for which he had worked as a lawyer while still in Germany.

Only late in his life did he learn that his father had owned a building—a building that it would now be possible to reclaim.

A father's hope, a daughter's worry

There was a reason that the existence of the building at 16 Wallstrasse was unknown to Dr. Intrator until the 1990s—it was in East Germany, just east of the Berlin Wall. In the communist country, old Jewish property was not on the table as something to return.

Then the wall fell—and Dr. Intrator's father said his last words to her, asking her if she was tough enough yet.

"I answered him," Dr. Intrator told me. "I said something like 'I'll be okay.' I didn't know what he meant. But he was always worried about me because I was an anxious child from the get-go. I was always surrounded by refugees, and my father was very ill by the time I was seven. I was always worried."

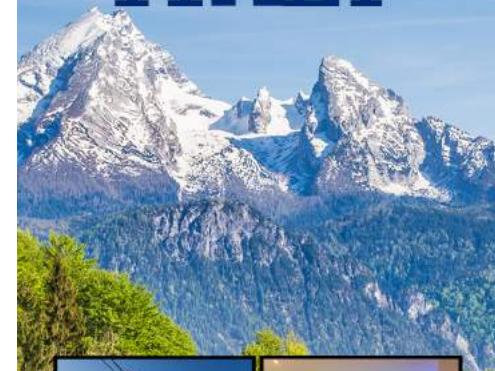
It took her ten years to apply to medical school, because when her mother told her that she "would never get in," Joanne be-

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lied her. Her mother told her to marry a doctor instead. "Somehow I got in and got through med school very successfully, despite being an anxious person," she said.

"What occurred to me was that my father knew that I would likely go to Berlin. He had just learned that our family's name had just come up in a *Grundbuch* [land registry] for a building in Mitte Berlin. The wall had just come down and there was our family's name, with another owner, a nephew of my grandfather. So there was an opportunity for restitution, and my father wanted to know if I was strong enough to go for it."

There had actually been some other properties in West Berlin that they might have had a claim to, which came up during

the 1960s. At the time, though, Dr. Intrator's father had not been well enough to fight for them. "He received a pittance," she said. "If you were a broken-down Jew after the war, without any money, you took what you got, basically."

Now, with this building in East Berlin, Dr. Intrator was the one who would have to fight—and her father wasn't sure if she was up to the task.

"In 1967, I had been in Berlin, and he wanted me to meet certain people who had taken care of his parents during the war, and I couldn't handle it. I was extremely anxious, and I actually had a panic attack and asked if I could come home. So my father knew it would be an issue for me."

Then the lawyer arrived.

"There was an opportunity for restitution, and my father wanted to know if I was strong enough to go for it."

A lawyer's visit

A few months after Dr. Intrator's father passed away, a lawyer from Germany came to the US to meet with her and her brother to discuss the building at 16 Wallstrasse. They met at the Waldorf-Astoria Hotel in New York City.

"He told us a little about the building and its history and said that the building was taken in what was called a forced auction in September of 1938," she said. "A forced auction basically meant that my grandfather could no longer pay the mortgage, and the building was taken away."

"That was no surprise. It was over five years into the Nazi regime."

To Dr. Intrator, the situation seemed clear; the property should be returned to them. But then the lawyer said two things that disturbed her.

The first: "You have to prove that you lost the building due to anti-Semitism."

"I thought he was joking," Dr. Intrator said. "I said, 'What do you mean, have to prove? That's our whole story.'

"And he said, 'No, that's what the law requires. In forced auctions, that's what you have to prove.'

"I said, 'It was five years into the Nazi regime. My father could no longer practice law and try to be a judge. My family had nothing.'"

Then he said the second disturbing thing. "Well, there's a problem, because



The building as it looked before the war



Joanne's grandfather, during World War I

the descendants of the people who got the building in 1938 have put a claim in as well, and essentially what they have said is that your grandfather lost the building simply because he was a bad businessman."

"Obviously, I was beyond horrified," Dr. Intrator said.

The lawyer advised the two siblings to make a deal with the descendants of those who had taken the building from their grandfather. He said that with the wall just having come down, the building was at the height of its value.

In describing the other descendants,

the lawyer referred to them as the descendants of the *"Ariseur."* Dr. Intrator later realized, with some disgust, that *"Ariseur"* in German means "Aryanizer"—that is, Germans who took buildings away from Jews and thus "Aryanized" them.

"I said—and my brother agreed with me—that under no circumstances were we joint-venturing," Dr. Intrator said. "These were people who said that my grandfather had lost the building due to poor business practices, and we could not abide that. My grandfather's old business partner, my uncle Alex, was alive then, and

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I knew we would be speaking for him as well. So we said no."

The lawyer responded, "You're making a mistake. You'll win the building on the first round. But they will come after you in appeals court. And some of your elderly relatives will be dead by then."

After the meeting, Dr. Intrator would view the lawyer's insensitive, aggressive language with repugnance. (She remembers it well because, as she said, "Like a good German daughter, I wrote everything down.") They did agree, however, to have this German lawyer represent them.

To Berlin

As it happened, Dr. Intrator had a reason to go to Berlin not long afterward.

"I had a research paper to give in Munich in October of 1993," she said. The paper was on the brain-imaging work that she had been doing with psychopathic patients at the Bronx VA, together with her mentor, Robert Hare, who was then the world's biggest expert on psychopaths.

"So I told the lawyer, 'Why don't I come and talk with you about this in October?'"

Because of her concerns about the lawyer, however, she decided to get a second opinion before she traveled to Germany. For that, she turned to Hans Frank, a legendary Jewish lawyer in New York City who helped many Jews navigate the difficult terrain of the restitution process.

"He said, 'I happen to be going to Berlin at the same time. Let me go with you to the meeting.'"

Dr. Intrator added, "He was like my rabbi. I don't know what I would have done without him."

In hindsight, she wishes that she would have been more assertive at the meeting. It was held in German, and though she speaks some German, she was at a disadvantage. And the lawyer repeatedly referred to her simply as "Frau Intrator" despite the fact that she was a doctor.

"I was a German Jewish girl from a Ger-

man Jewish home who knew that children should be seen, not heard, and *'Alles ist in Ordnung'*—everything is as it should be." That is, she felt compelled to agree that everything was fine.

"After the meeting, Hans spoke to me and said, 'Joanne, do not negotiate. You have a very good case.' And he added, 'The law will soon change. You won't have to prove that you lost the property due to anti-Semitism—which was an absurd law. How dare the Germans make that a requirement."

One of Dr. Intrator's students from New York, a German national, was back in Germany, and they went to the building together.

"It was quite something. The building was locked, but a young man came out, and Kirsten, my student, introduced me to him, saying, 'This is the granddaughter of the owner of this building from before the Nazi period.' She said this in German, and it was stunning. Suddenly, it was all real. He looked at me, and I looked at him."

The fight—and the disturbing rumor

In the end, the case took nine years.

"That speaks to the slowness—the deliberate slowness, I think—of the bureaucracy," Dr. Intrator said. "The case took place in East Germany, even though it was now unified. Everyone working on the case had never lived under a democratic regime." They had retained the old German deliberateness that the West Germans had shed—and that meant slowness.

There were also not many people in the bureaucracy who were working on these cases. And while the wheels of government spun exceedingly slowly, those claiming property had deadlines that they had to meet. Dr. Intrator told me she felt that the idea that survivors, who were possibly broken by their experiences, had to get all sorts of papers filled out on a strict schedule was extremely unfair.

"By the way, there is a rumor that the Nazi flag was made in the building."

Dr. Intrator was married and had a son who was then a little boy. She had family obligations—but she was also determined to get this done. And she notes that while today we think about communications with every kind of government office as going through email and other instant methods, in those days all communications were through letters. "Towards the end there may have been some faxing," she said.

Hans Frank told her that she had to go back to Germany, however. "He said, 'You have to make yourself known to them.'" If not, he said, they would simply not prioritize her claim, and with so few people working on these cases in the German bureaucracy, hers would be lost.

"My next meeting was in 1995. It was snowing. You only go to Berlin in very bad weather. If you go in beautiful October sun, you can't feel the Nazi history. You go in the dead of the winter, with those Siberian winds and the grayness. It was exactly what I needed to be strong."

"In the middle of the meeting, the lawyer said, while he was trying to get me to negotiate, 'By the way, there is a rumor that the Nazi flag was made in the building.'

"I said, 'What?' That means that whoever took the building must have been Nazis."

"He said to me, 'There is no way you can know. Everyone was a Nazi at that time.' That wasn't true. Only ten percent of the Germans were card-carrying Nazis, but I didn't know that yet."

The lawyer seemed to be trying to intimidate her. But the word "rumor" and the idea of the flags had gotten under her skin.

"I went back to my hotel and got under my quilt because I was so anxious. But that day was the 50th anniversary of the liberation of Auschwitz, and I decided that I wasn't going to hide in my bed. I was going to go to Sachsenhausen [the concentration camp just north of Berlin] in the snow and pay my respects.

"I hired an English-speaking German, a car and a driver. The camp wasn't cleaned up when I went there. I was the only person walking in that camp. I walked into every room, and I thought about the case. Maybe I should negotiate, get out of Germany. I thought to myself, 'It's just a building, Joanne. Why are you getting so worked up about this?'

"And then I realized that it wasn't just a building. By the time they took the building, they had broken my grandfather. They boycotted his businesses in 1933. They took his licenses to import and export. At the time that building was taken from him, he was a broken man.

"It wasn't about a piece of land. It was about people and their sense of identity. And I said to myself, 'You have to fight for this building. You're fighting for your family and to find out what happened.'

She went back to the US, but the Germans continued to drag out the process. Hans Frank told her that she needed to keep going back.

She went back in 1996, but nothing advanced. But during a trip in 1997, the lawyers told her that she should meet the judges who were going to be deciding on the building's status.

To make sure her German was good enough, she spent three weeks in an intense Berlitz language course. "I said, 'I'm going to be prepared for this.'

On the way to pick up her lawyers to head to East Berlin, she entered what she calls an altered state. "I imagined my grandfa-

ther walking with me. And I walked into a camera store, bought a camera, loaded it with film, and put it in my purse.

"I went into the meeting and sat down. One of the three judges started in again, in German, about how my grandfather was such a bad businessman that he took a mortgage out in 1933 and bled the building. He was just smearing my family.

"I went into my purse, took out my camera and took a picture of the judges. I said, 'I'm going to show my relatives in the United States what you look like.' And they all flipped out.

"I started crying. The chief judge tried to soothe me and then said, 'I'm putting your building on the top of the pile. It was on the bottom of the pile; now it's on the top.'

"And on the way out, I asked her, 'Was the Nazi flag made in my family's building?'

"She said, 'Yes.' No 'rumor,' just a yes."

Dr. Intrator's study of psychopaths examined in particular the way their brains processed language. (She found, for example, that they processed emotionally loaded words in a part of the brain that doesn't deal with emotion, unlike the average person.) She was sensitive to nuances in language.

"What does 'rumor' mean? It means that you don't take responsibility to tell the truth. My lawyer knew much more than he was telling me when he mentioned a rumor. He just wanted me to make a deal very quickly and move on. This made me much more attuned to paying attention to what people were telling me."

Finishing the saga—and learning about the stars

In 1999, Dr. Intrator hired an international investigator to look into the history of the building.

"Within a couple of months, I had the Nazi Party memberships of the two people whose descendants were claiming the



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Joanne's grandparents' balcony in Berlin

building. And not only were they Nazis, they had been in the building as tenants since 1931. They were just like vultures, waiting to destroy my grandfather and take the building."

These revelations were upsetting, of course, and they increased her anger at her lawyers, who had obfuscated the way in which the takeover of the building had been a transfer to Nazis.

The building had gone down in value, and there was increased pressure on her to make a deal. "The other side wanted me to give them between 30 and 50 percent of whatever we would sell the building for."

Hans Frank ended up helping her finalize a deal. "He said, 'You have a life and a family.'" Others had been warning her that she was burying herself in this process for revenge, crushing herself.

"So we negotiated and paid them 12 percent, early in 2001. I signed the deal, and just after I signed the deal, I found out that the first million Jewish stars [used to identify Jews from 1939 and on] had been fabricated in my family's building."

"I was beyond grief-stricken. If I could have torn up that deal and shoved it down someone's throat..."

But there were also revelations of a better sort. "During that time, I had the honor of discovering my father's papers, which included hundreds and hundreds of letters from relatives, all describing that period of time. They are all now in the Jewish Museum in Berlin. Through the letters, I followed my father's cousins until their deaths and researched everything."

She wrote their story as part of her own in her upcoming book.

"I feel very honored that I could add that to my story," she said.

Dr. Intrator has continued to travel to Berlin. She has German Jewish friends there with whom she visits. And in 2018, a plaque was placed on the building at 16 Wallstrasse, describing what happened there. She gave a talk at the time.

Lessons for others

"Restitution for me, really, was the story," Dr. Intrator told me. "My percentage of the building didn't pay for half the traveling that I did [she shared the proceeds of the sale with her brother and other relatives]. And I was fortunate, because I didn't need the money."

She said that when people do need the money from a restitution case, they don't have the luxury of looking for the truth.

That was really what she was able to gain through her fight.

Dr. Intrator has used her own journey, learning how to overcome her natural anxiety and fight for a measure of justice, in her practice to help other people overcome their own childhood traumas and anxieties.

She has some practical advice for people who are still working on restitution cases. "The trouble is that many of them are contingency cases. That means that the lawyer wants to work quickly because they are paid for the outcome, not the time. I dragged the case on for nine years, and that wasn't very profitable for anyone who worked with me."

That's a reason you can't rely on the lawyer alone and that you should get some

The lawyer wants to work quickly because they are paid for the outcome, not the time. I dragged the case on for nine years, and that wasn't very profitable for anyone who worked with me."

help trying to understand your case on your own, she said. "Read the fine print and get help from someone who reads the language," she advised.

She said that there is another general lesson to learn from her story.

"The other thing that people should learn is the slippery slope of language—how people will say, 'It's just a rumor' or 'We can't find out' or 'The case is on the bottom of the pile' or 'We don't know anything.'"

She said that is something we need to think about in our broader lives.

"We are living in a time when authoritarian actions are on the front stage. It's easy to confuse people.

"I needed to get angry, and I needed to trust my judgment and dig more deeply. That's something we need to do as citizens as well. We trust too many people. We need to think, 'Does this make sense?' We need to think into things ourselves." ●

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