



Elisabeth von Pezold
nee Schwarzenberg

106 Kennington Road, 20 January 2004
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United Kingdom
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Holocaust Victim Assets Litigation,
P.O. Box 8300,
San Francisco, California 94128-8300
U.S.A.

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FEB 0 2 2004

LEGAL SERVICES

Dear Sir,

I submit the following proposal for the allocation and distribution of unclaimed residual funds for needy Nazi victims for your consideration :

To place \$ 10.000.000.- of the settlement money into an endowment for a private, non profit organisation administered by a board of trustees including myself dedicated to

the improvement of life conditions of Roma and Jews by providing employment and skill and by revitalizing deserted cultural assets within their communities

- such as historic graveyards, synagogues, churches or farm houses -
within the area of the former Schwarzenberg estates in the Czech Republic.

1) I would like to accept responsibilities for the Roma and Jews as victims of the the Nazi regime and the Holocaust in the Czech Republic in the tradition of my family, especially my late grandfather Dr. Adolph Prinz Schwarzenberg, my late father.Dr. Heinrich Prince Schwarzenberg and my late aunt Eleonore Princess Schwarzenberg.

The Schwarzenbergs had settled Jews on their estates in the Czech country, Germany and Austria for centuries. Especially the northern and southern borders of the Czech Republic – where the former Schwarzenberg estates are located - were not only hurt by the Nazi occupation but again by the post war regime which led to the desertion of vast areas in the Bohemian Forest and the north-western part of the country : After the expulsion of the German speaking majority in those areas many Roma were settled there in a rather hopeless situation similar to the situation of people from the Ukraine who were settled in the new western territories of Poland after 1945.

Till today these Roma have been totally neglected with the result that for example in the former Schwarzenberg town of Postoloprty north-west of Prague there is the highest jobless rate countrywide of about 25 % and most of the jobless people hanging around on the beautiful market square with its lovely ramshackle historic buildings falling to pieces are unskilled, diffident Roma youngsters They need jobs, skill and an environment worthy to live in.. My son Georg Philipp in cooperation with the local social worker has established a good relationship with them and goes there regularly; he believes there is a great chance to employ these poor Roma in a revitalizing programme for the dilapidated buildings around the town square and by doing so

- to establish an atmosphere of hope for the local Roma community;
- to procure professional training for the Roma youngsters;
- to create an attraction for tourism and jobs going with it;

However the funds to start such a scheme are not at hand and politicians have visited this Roma dominated town before elections only to make hollow promises for nearly 60 years.

I would like to limit the area for the implementation of such schemes because :

- the area chosen is more affected by the Nazi terror and the resulting post war-injustice than other areas;
- my son and myself are involved in this area anyway and there we can provide the necessary presence to deal with individual cases;
- it would be impossible to deal with the problems countrywide for a single institution.

2) As you can see in the annexed memorandum and on my web page <http://www.restitution.cz> my family resisted the Nazi regime openly and vehemently and exposed themselves especially for the suffering Jews and Czechs till the Gestapo seized their estates, Adolph Schwarzenberg had to escape imprisonment into exile and Heinrich Schwarzenberg was imprisoned during the war i.a. in KZ Buchenwald.

3) The following may support the acceptance of my proposal : The only reason why I could not register a claim under the Swiss Banks Case Settlement is that my grandfather Adolph Schwarzenberg was persecuted by the Nazis and as a Swiss citizen and a Swiss resident lost a fortune by his deposit into a Swiss bank account during the war, but he did not fall into the entitled group of Jews, Roma or homosexuals : He had settled in Zürich/Switzerland, Stockerstrasse 17, in 1940; before he went into exile in the U.S.A. he deposited Swiss Franks five Million with a Zürich bank to enable him to rebuild his estates after the war. When he returned to Zürich after the war the bank had embezzled his funds and the banker shot himself dead.

Under my father's will my own means have to be used for the ongoing legal battle to recover the Czech family estate seized by the Gestapo and illegally confiscated after the war by the Czechoslovak government.

The new endowment I propose will be strictly audited and certified.

4). I feel well prepared to contribute to the foundation

- by my experience from similar initiatives I was involved in over the years;
- by my own time;
- by the assistance of my son Georg Philipp von Pezold who is engaged in my Czech affairs and in social initiatives in the area chosen in the Czech Republic;
- by the support of my husband Rüdiger von Pezold, partner Nörr Stiefenhofer Lutz, <http://www.noerr.de> , with a Prague office since 1990;
- by use of my own flat and my own office in Prague for the foundation.

I would like to mention as references :

Mrs. Christine Beshar, partner Cravath Swaine & Moore, New York, <http://www.cravath.com>
Lord Lester of Herne Hill, Q.C., President Interights, member Blackstone Chambers, London
<http://www.blackstonechambers.com>

Sincerely,



Elisabeth von Pezold

Enclosures : Memorandum; Report "Injustice by Law" by Tim Ryback, Transition 1997.

Memorandum to the Proposal Elisabeth von Pezold nee Schwarzenberg

1) Adolph Schwarzenberg was born in 1890 in Hluboka, today Czech Republic. After the first world war he managed the family estate in Czechoslovakia, which he inherited from his father in 1938.

During Hitler's parade on the Heldenplatz in Vienna 1938 to celebrate the Anschluss of Austria to the German Reich he put up a black flag on top of his Vienna palace flying above the city. On his way back to Hluboka he was arrested by the Nazis at the German border post on the Czechoslovak border.

When Jews were expelled from public gardens and tortured by Eichmann in the Rothschild palace in Vienna after the Anschluss he opened his private gardens of 7 ha opposite this building by putting up a signpost at its door: "Jews warmly welcomed". The late painter Georg Chaimowicz has reported in his radio feature 2003¹ with great sympathy that he himself and other Jewish children could relax in the Schwarzenberg garden – the only one open to them at the time.

In 1937 Adolph Schwarzenberg welcomed President Benes in his Krumlov castle and donated one million Czech Crowns for the defence of the republic against Germany, whereas no member of the Schwarzenberg family was prepared to welcome Hitler at the same place when he went there after the Munich agreement.² At this time he physically freed his Czech director Antonin Nikendey from the Gestapo in his courtyard, when Nikendey³ had been arrested there.

Because of his staunch and open opposition to the Nazi regime Adolph had to escape his imprisonment the day before world war II started. He left for Italy and when he was threatened there again after replying to the German consul's question why he was leaving the Reichsgebiet: "I can live only in a free country and therefore I cannot live under German rule at this stage;" as a Swiss citizen he settled in Switzerland in Zürich.

In 1940 the Gestapo seized his estates in Czechoslovakia, Austria and Germany. Before Adolph emigrated into exile to the U.S.A. he deposited five Million Swiss Franks with a Swiss bank in Zürich to enable him to rebuild his estates after the war. He lost this deposit because the banker embezzled it and shot himself dead when Adolph returned after the war.

In the U.S.A. Adolph wrote his thesis and got a Ph.D. degree from the Columbia University in New York. He also engaged himself with the Carnegie Endowment for Peace. During the war he supplied canned butter and beef to the British forces from his farm in Kenya. He died in Italy 1950.

- 2) The adopted first cousin and heir to Adolph, Heinrich Schwarzenberg, Elisabeth Pezold's father, had managed Adolph's estates since 1939. He resisted the Nazi regime in the same way as Adolph and therefore he was interned in 1940 and imprisoned afterwards, i.a. in KZ Buchenwald.
- 3) Heinrich's sister Eleonore Schwarzenberg, Elisabeth Pezold's aunt, delivered food to Jews who had hidden themselves in Vienna during the war. When she was caught at doing so and interrogated by the Gestapo she managed to swallow her notes of names and addresses and to do the stupid princess so successfully that the Gestapo could not be bothered with pumping out her stomach.
- 4) Elisabeth Pezold accepted an invitation from Noa Treister in Prague, to join the board of the foundation "Community under Construction", a new foundation dedicated to support communities scarred by trauma in Central Europe. She was involved in similar

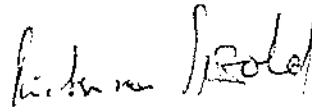
¹ Published as disc by the Austrian Radio ORF „Hörbilder spezial“ 15.8.2003 in memoriam Georg Chaimowicz”

² notwithstanding the fact that they all had inherited the German, Swiss and Czechoslovak citizenships.

³ His son, Ing. Antonin Nikendey, Lidicka 437/74, CZ 37001 C. Budejovice, is a witness.

initiatives over the years. As her seven children are grown up now she can allocate the necessary time to the proposed foundation.

London, 20.. January 2003

A handwritten signature in black ink, appearing to read 'Rüdiger von Pezold', written in a cursive style.

Rüdiger von Pezold



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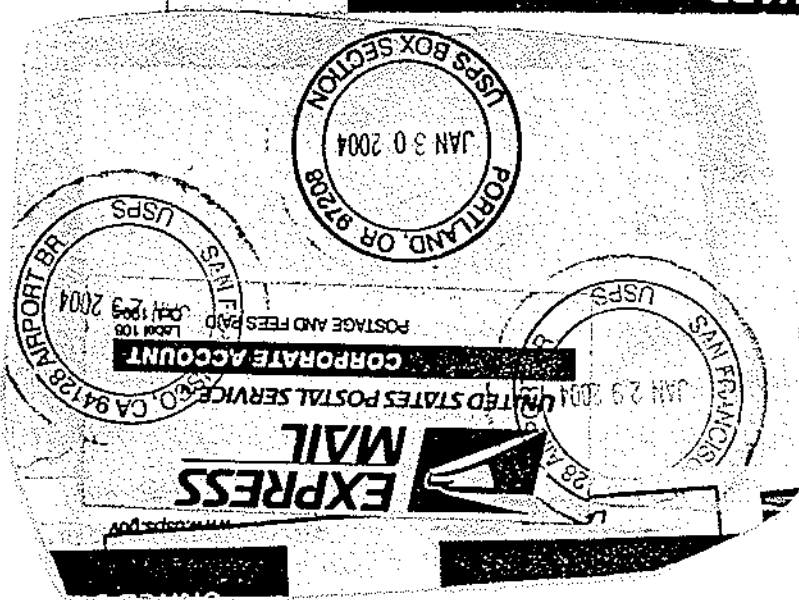
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LEGAL SERVICES

Re. Proposal Elisabeth von Pezold 20.1.2004

Dear Sir,

I apologize that the copy of the Report "Injustice by Law" from Tim Ryback could not be attached to the proposal which was sent to you today.

Attached you find this report.

Sincerely,

Rüdiger von Pezold

Injustice by Law

Europe has seen its share of discriminatory laws, but the Czech Republic may be upholding a law that is a new entry in the catalog of questionable legislation—a law aimed expressly at one aristocratic family

by Timothy W. Ryback

Two hours south of Prague along the E55, a three-lane "highway" on which passers from either side jockey with death among diesel-plumed Tatra trucks and lumbering tractor-drawn hay wagons, lies the town of Hluboka nad Vltavou. This modest settlement on the banks of the Vltava River is home not only to the Czech Republic's 1996 baseball champions but also to one of Bohemia's grander castles. Completed in the middle of the previous century, an era in which Napoleon III put the final flourishes on the Louvre while King Ludwig II bankrupted Bavaria with the construction of Schloss Neuschwanstein, Hluboka Castle is a singular monument to noble pretense.

In June 1838, Elenore Liechtenstein, who had married into the powerful Schwarzenberg dynasty, attended Queen Victoria's coronation. With a frivolity befitting her era, the 32-year-old princess then built a palace "in the neo-Gothic style on the model of Windsor Castle" smack in the middle of the Bohemian woods. Today, in a post-communist landscape littered with neon-lit gas stations, "nonstop" motels, quick-stop erotic clubs, and an occasional McDonald's restaurant,

Hluboka's elegant towers and Gothic arches hearken back to a romantic era long past.

Yet, for all its charm, Hluboka stands at the center of a legal battle between the Czech state and the palace's rightful heir, Elisabeth von Pezold, née Princess von Schwarzenberg. The princess insists that the Czechs have illegally retained possession of numerous Schwarzenberg family properties that include not only Hluboka but also forests, farms, fisheries, and a sprawling hilltop castle at Cesky Krumlov. Last autumn, having futilely battled in Czech courts for two years, Pezold took her case to the United Nations Human Rights Committee, the world's supreme appellate body for issues related to individual rights. The "communication" to the Geneva-based body, drafted by a renowned British human-rights advocate, Lord Lester of Herne Hill, delivered a thundering legal broadside against the Czech ship of state, essentially charging Prague authorities with the discriminatory and unlawful confiscation of property and the denial of rights and equality before the courts and tribunals of the Czech Republic.

To the undiscerning observer, Mrs. Alzbeta Pezoldova vs. the Czech Republic has all the appearances of a royal conspiracy: the English lord mounting the steed of justice to break legal lances for the dispossessed princess. But for Anthony Lester, who acceded to his lordship in March 1993 after a lifetime devoted to fighting human-rights abuses in cases of race and sex discrimination, there is something more noble at stake in the Bohemian woods than palatial residences and aristocratic heirs. It is a question of a fundamental human right: shouldn't an indi-



COURTESY OF DR. GERTH PEZOLD, AUTHOR

Elisabeth von Pezold says she wouldn't keep Hluboka Castle for herself; she just wants justice served. The Nazis confiscated the property of Adolph Schwarzenberg, top left, and his son Heinrich (Elisabeth's father) for their opposition to anti-Jewish laws, and later the Czechs simply kept it.



vidual, be that person princess or pauper, have an equal right to justice before the law?

Unfortunately, in Pezold's case, it is not just a question of equality before the law but a law itself—specifically, Act 143: the Law Concerning the Transfer of Ownership of the Property of the Hluboka Branch of the Schwarzenbergs to the Country of Bohemia, promulgated by the Czechoslovak National Assembly in July 1947. Known in common parlance as "Lex Schwarzenberg," this draconian bit of legislation provided for the confiscation of all "immobile property in agriculture, forestry, fisheries, industries, business, and trade registered in the names of Josef Adolf Furst zu Schwarzenberg, Jan (Johann) Furst zu Schwarzenberg and Dr. Adolph Schwarzenberg, including buildings and castles with their inventory, further live and manumate (dead) inventory including stocks and finally all working capital."

The expropriation of the Schwarzenberg properties took place within the context of the wholesale confiscation of German-owned property in Czechoslovakia after the war. While the state justified the seizures with the fact that the region's 3 million Sudeten Germans had betrayed Czechoslovakia, there was no such basis for the Schwarzenberg confiscations, since the members of that family had been anything but traitorous.

A HISTORY OF LOYALTY

Following the First World War, when empires fractured into nation-states, the Schwarzenbergs pledged their allegiance to Central Europe's fledgling democracies. In the late 1930s, with the specter of German aggression looming over Europe, the family rallied to the cause of democ-

racy. When Czechoslovakia's 3 million ethnic Germans of the Sudetenland clamored for annexation to Germany, Adolph Schwarzenberg donated a million crowns to bolster the country's defenses along the German border. In Austria, his adoptive son, Heinrich, enlisted at the age of 34 as the oldest volunteer in the history of the Austrian army. After the Anschluss in March 1938, Heinrich, who suddenly found himself serving the Reich as a member of the Nazi-run Reichswehr, had himself demobilized.

Shouldn't each individual, princess or pauper, have an equal right to justice before the law?

Schwarzenberg opposition to National Socialism persisted under Nazi occupation. In the autumn of 1938, when Hitler visited the town of Krumau, or Cesky Krumlov, Adolph Schwarzenberg was conveniently out of town. The following spring, as Germans hoisted swastika banners across the Sudetenland in honor of Hitler's birthday, the flagstaffs on the Schwarzenberg properties remained bare. In Vienna, when signs appeared on park benches and in shopwindows declaring "*Juden unenwünscht*" (Jews unwelcome), Adolph opened the Schwarzenberg Palace gardens—for the first time in four centuries—and placed a sign at the entrance: "*Juden herzlich willkommen*" (Jews warmly welcomed).

Schwarzenberg provocations came to an abrupt end in August 1940 when Adolph happened to enter into a conversation with a Prague banker on a train in Switzerland. When the banker spoke of the German *Endsieg* (final victory), Adolph responded in such forthright terms that the banker reported him to the Gestapo in Prague. Shortly thereafter, the Nazis seized the Schwarzenberg properties and froze all their assets. Adolph, who was in Italy at the time, fled into exile in the United States. Heinrich was

eventually arrested and, following an interrogation by the notorious SS Lieutenant General Ernst Kaltenbrunner, was dispatched to the Buchenwald concentration camp. In August 1944, the tall nobleman-cum-inmate, who had meanwhile withered to a mere 45 kilograms, was transferred from Buchenwald to Linz, where he was employed as slave laborer in a munitions factory. With the collapse of Nazi rule in May 1945, the confiscated properties should have been returned to the Schwarzenberg family, but, with Adolph in America and Heinrich in Linz, the estates were placed under the "temporary" administration of the Czechoslovak authorities.

POSTWAR ORDEAL

Despite the Schwarzenbergs' record of opposition to the Nazis, the Schwarzenberg estates were placed under national administration until 1947 under a special decree that provided for confiscation of property held by Nazi collaborators on the pretext that Adolph was a German national who had not proved that he had actively participated in the resistance against the Nazis. For a man who had been born and educated in the Czech lands, who had defended them against Nazi aggression, and who still carried a Czechoslovak passport, the confiscation was a double affront.

In August 1945, Adolph, who remained in American exile, dispatched lawyer Jiri Bukowsky to protest the confiscations. A special commission consisting of officials from the National Committee and the Ministry of Agriculture conceded that it was "impossible to treat Schwarzenberg as a German or as a traitor." But that did not mean the Czechoslovak government intended to return the properties. In July 1947, having exhausted all legitimate means for retaining the Schwarzenberg estates, the Czechoslovak National Assembly, at the urging of communist officials, voted Act 143 into law by a large majority.

Adolph Schwarzenberg eventually returned to Europe and took up residence at a family villa

in Italy, where he died in 1950. Heinrich established himself at Gusterheim, a Schwarzenberg estate in Austria, where his only child, Elisabeth, was born. Although neither Schwarzenberg ever returned to Czechoslovakia, Heinrich continued to insist on the family's right to the confiscated land. "In particular, I herewith bequeath to my universal heir all my claims for restitution or full compensation against the Czechoslovak state," Heinrich stipulated in his will. He died in 1965. In order to ensure that a male heir was available to press those claims, he had adopted Karel Schwarzenberg, a nephew who was the sole heir of the Orlik Schwarzenbergs.

Heinrich's choice was a brilliant bit of genealogical engineering. Two hundred years earlier, the Schwarzenberg family had split into the Hluboka and Orlik branches. With the stroke of a pen, a 600-year-old dynasty was reunited and a 23-year-old law student of modest means became a potential owner of one of the largest landholdings in Central Europe. According to the terms of the adoption, Karel was bound to reclaim the Hluboka properties whenever such a claim became possible. Heinrich's will also stipulated that Elisabeth, Heinrich's natural-born daughter, would inherit a quarter of all Hluboka Schwarzenberg assets.

PRINCE KAREL'S QUANDARIES

Karel carried on the Schwarzenberg family's historical commitment to Bohemia and its people. As a leading figure in the Helsinki Watch human-rights group and through his own initiatives, he supported the dissident movement in Czechoslovakia, refurbishing a Schwarzenberg castle north of Munich as a center for coordinating dissident activities. Following the revolution in November 1989, the new president, Václav Havel, recognized Karel for his support by appointing him chief of the presidential cabinet. Pezold approached her adoptive brother about reclaiming the Schwarzenberg lands in the summer of 1990, shortly after Karel assumed his post at Prague Castle. He assured her that he was well

aware of his familial obligation but said that, given his prominent political position, it would not be appropriate to submit the claim at that time. Pezold agreed to wait.

A year later, the Czechoslovak government passed a generous property-restitution law, which has provided for the return of countless properties belonging to other noble families, but the authorities refused to recognize the Schwarzenberg claims, repeatedly invoking Act 143. In June 1992, following elections that swept the initial group of revolutionaries from power, Karel resigned his position. Thinking it now an appropriate occasion to press the claim, and with the restitution deadline set at 31 December 1992, Pezold called on Karel to do something about it several times during the summer and autumn of that year, but he took no action.

"My dear adopted brother can be, when it suits him, extremely vague," Pezold observes with a slight edge in her voice. "When we realized after these discussions that he was going to do nothing, we decided we had better try to act on our own." Pezold was assisted by the Czech government's eleventh-hour decision to extend the application deadline until 31 January 1993. During the first weeks of 1993, Pezold secured a Czech passport and submitted the required restitution claims in 23 districts across the Czech Republic. In the meantime, she continued to press her cousin to take action on the family's behalf. "I got a rather vague answer from him; then, on 24 January, I received a fax from him in which he said that for 'reasons of conscience' he could not start this whole business."

Prince Karel von Schwarzenberg's last-moment twinge of conscience was surprising not only because it came so close to the restitution deadline but also because he had shown no such hesitation in reclaiming two castles and extensive lands belonging to the Orlik Schwarzenberg branch of the family.

While Karel himself refuses to comment on the issue, there are several theories about why he decided not to submit a claim for the Hluboka

properties. One holds that he was torn between loyalty to his adoptive family, represented by Elisabeth von Pezold, and his loyalty to the Czech people. Another theory maintains that the sheer size of the Hluboka holdings in the Czech Republic prevented him from making the claim. The forests once owned by Schwarzenbergs in Bohemia were so vast that in the 1840s a canal was constructed—and is still in existence—that connected the Labe in the north with the Danube in the south, effectively linking the Baltic Sea with the Black Sea, solely on family land. For his part, Karel von Schwarzenberg states flatly that the 1948 temporal threshold established by the current restitution law prevents him from pursuing the claims. In order to reclaim the property, one would need to leap the double legal hurdle of the 1947 Lex Schwarzenberg and the 1991 restitution law.

The Czech Constitutional Court has explicitly stated that it will not overturn any legislative acts introduced between the end of Nazi rule in May 1945 and the beginning of communist rule in February 1948, insisting that, however imperfect the laws may be, they represent legal instruments introduced by a democratic government.

Further, the 1991 restitution law established 25 February 1948, the date of the communist takeover, as the temporal threshold for property restitution. Even if Lex Schwarzenberg were overturned, the Hluboka properties—like those of the Czech Republic's Holocaust survivors and the 3 million Sudeten Germans—would still be excluded from the restitution process.

According to Vojtech Cepl, a Constitutional Court judge and an expert on property restitution, the controversial temporal threshold will remain inviolable; all confiscations before that date—whether from Germans, Jews, or aristocrats—will not be reversed.

DOUBLE STANDARD

Since 1990, however, the government has made exceptions to the official threshold for several noble families whose properties were confiscated under a land-reform law promulgated a day after Lex Schwarzenberg. Instead of recognizing the confiscations as of the date of the law, the authorities have used the date the confiscations were registered, which was generally after 25 February 1948. While several noble families—the Kinskys, the Lobkoviczes, the Colloredos,

Unfit for Blood Nationalists

On one level, the case of Elisabeth von Pezold is a saga of competing claims to honor and property, that of an ancient aristocratic family and that of a modern nation-state. The princess protagonist stakes her claim on the principle that the heroic and honorable behavior of her late father and grandfather ought not be cause for unremedied punishment, while the state parries pragmatically that what was done to the family by

Nazi and communist rulers need not be fully undone.

But, at a more fundamental level, the case of Alzbeta Pezoldova vs. the Czech Republic is as much about nationalist pride and prejudice as it is about justice, honor, or even land. Although large numbers of Germans have lived in Bohemia and Moravia since the 13th century and settled the uninhabited borderlands, since the early 19th century the Slavic populace has generally viewed them as colonialists or immigrants. The primal attachment to blood nationalism not only inspired Act 143 in 1947 but continues to

drive the Czech legal system today. To the Czech mind, the Hluboka Schwarzenbergs—regardless of their history, citizenship, or loyalties—are German, whereas, in truth, the Schwarzenbergs are as much Czech as they are German or Austrian. As members of an ancient noble family whose vast holdings were scattered across Europe—they have owned properties in present-day Germany, Italy, Switzerland, Austria, and the Czech Republic—the Schwarzenbergs should, if anything, be seen as among the first true Europeans.

—Timothy W. Ryback

and, of course, the Orlik Schwarzenbergs—have slipped through this loophole. The Czech courts in Pezold's case have based their decision on the date of the law rather than the date confiscations were registered. That substantive inconsistency strongly underscores Pezold's argument that her claims have been treated arbitrarily and in a discriminatory manner by the Czech authorities.

Currently, Pezold and Lord Lester are waiting for the Geneva-based UN committee to decide whether it will accept the case for deliberation. Even if it decides to render an opinion on Mrs. Alzbeta Pezoldova vs. the Czech Republic, and even if it decides in the plaintiff's favor, the committee's opinion will be exactly that—an opinion. The tribunal has no executive mechanism for enforcing its rulings. However, given the facts that the International Covenant on Civil and Political Rights has been directly incorporated into the Czech constitution, that the Czech Republic is an associate member of the European Union, and that the country prides itself on being the very model of a post-communist "civil society," it would almost certainly feel compelled to abide by the world's ultimate human-rights forum.

If truth be told, Pezold does not especially care for Hluboka Castle, nor does she particularly want the castle at Cesky Krumlov and some of the other properties that once belonged to the Hluboka Schwarzenbergs.

She does, however, want to exercise her right to her inheritance and had initially hoped to reach some compromise with the Czech government. In this spirit, she wrote letters to both President Havel and Prime Minister Vaclav Klaus. In response to her request that Havel call for the annulment of Lex Schwarzenberg, Pezold received a "rude" letter from one of Havel's secretaries admonishing her for addressing the president directly. She had a very different experience with Klaus. "I got a very polite letter back from his secretary saying that the prime minister regretted that his schedule didn't permit such a meeting, but the

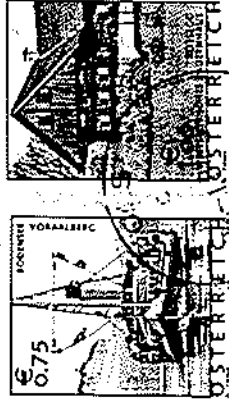
secretary would be glad to meet at whatever date suited me," Pezold recalls. "I arrived at the secretary's with a parcel full of papers in early 1994, and we said: look, let's see if we can find a solution to this matter. We are very prepared to talk and negotiate. [He said]: 'Thank you very much, but no. The prime minister will not interfere in this matter in any way. It is up to the courts to decide. If you win, so be it; if you lose, it's your bad luck.'"

As Pezold discusses the case, which she can do at great length and in impressive detail, there is no anger, resentment, or bitterness in her voice, only determination. Her husband, Rudiger von Pezold, is less equanimous. "My wife will not say so," he told me, "but being, to a certain extent, an outside party to this matter, I can say that it is an outrage what the Czechs have done. Here you have a family that did everything it could to defend its country. It gave money. It was willing to sacrifice its children—for the Czechs, for the Jews, for human dignity. And for this, they lose their property!"

The great irony, Rudiger says, is that, had Adolph Schwarzenberg just kept a low profile, as many Czech nobles did, his property would have been spared confiscation by the Nazis and would then have remained in family hands until its confiscation by the communists. Restitution after 1989 would have been automatic.

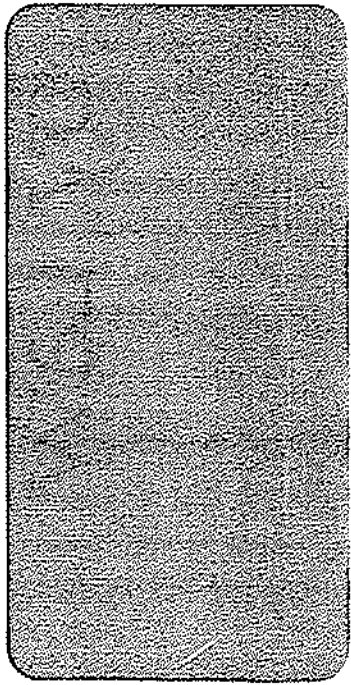
"In the end, we are not just talking about a few castles and some forest land. We are talking about the reputation of Sissi's father and her grandfather," Rudiger von Pezold says. "As long as there is a Lex Schwarzenberg, there will be an implied assumption that Adolph Schwarzenberg was a Nazi collaborator. Why else would there be a law against him? Can you imagine a country that issued a law against an individual? Against one of its own citizens?"

—
Timothy W. Ryback is director of the Salzburg Seminar, a forum for international dialogue based in Salzburg, Austria. He has written on European politics and culture for numerous publications, including *The Atlantic* and *The New Yorker*.



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By *ATW*

Received by Delivery Unit
Date _____ Time _____
By _____

Received by Addressee
Date _____ Time _____
By _____

PS Form 3825, O. April 1978

Customer Receipt - Copy 3

Detach here to remove copies