

External Influence and Transitional Justice: Examining United States Intermediation in Latvia's 2022 Holocaust Restitution Law

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ABSTRACT

Holocaust restitution legislation has played a significant role in shaping post-war and post-communist political cultures across Europe, often serving as a mechanism through which states articulate shared values, historical responsibility, and collective memory. Existing transitional justice scholarship has largely focused on the internal dynamics of European societies and institutions in the development of Holocaust-related legal frameworks. While this body of work has made important contributions, it has tended to underemphasize the role of external actors in influencing domestic restitution processes and the broader political cultures they shape. This article addresses that gap by examining the role of United States intermediation in the adoption of Latvia's 2022 Holocaust restitution law. Through a contextual and analytical study of legislative developments, diplomatic engagement, and normative discourse, the article explores how U.S. involvement contributed to framing restitution as part of a broader "community of values" linking Latvia to transatlantic political and moral norms. Rather than displacing domestic agency, U.S. intermediation operated alongside Latvian political objectives, influencing both the content of the law and the symbolic meanings attached to it. The analysis situates Latvia's restitution law within the broader context of post-communist transitional justice, where Holocaust remembrance and restitution intersect with narratives of national victimhood, sovereignty, and democratic alignment. The article argues that U.S. engagement functioned not merely as external pressure, but as a form of normative mediation that reinforced particular understandings of historical justice, responsibility, and political belonging. By foregrounding the role of external actors, this study broadens existing scholarship on transitional justice and Holocaust restitution. It demonstrates how international intermediation can shape domestic legal outcomes and political culture, while also revealing the complex interactions between global norms and national memory politics in post-communist Europe.

KEYWORDS: transitional justice; Holocaust restitution; Latvia; external intermediation; post-communist memory politics; political values

Introduction

In early 2022, Latvia passed a Holocaust restitution law. The law was reported in various international media sources, such as Haaretz, the New York Times, the American Associated Press, and many others. In addition, several high-ranking U.S. officials, such as Secretary of State Antony Blinken, publicly praised the law. The restitution law was an important achievement for Latvia and the many non-Latvian actors, who helped ensure its passage.

In the existing scholarship, analyses of Holocaust restitution laws typically occur in discussions of transitional justice. There are different ways of defining transitional justice based on analysts' specific foci (Nagy 2008). However, in this article, I draw from Teitel's definition: 'the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoings of repressive predecessor regimes' (70, 2017). Teitel's legalistic definition may not fully capture the entire range of war-related crimes included in transitional justice literature, but it applies well in analyses of post-communist spaces where state expropriation of properties was common. One central theme running through much of the voluminous literature on transitional justice relates to the international nature of its methods (Posner and Vermeule 2004; Haider 2014; Verovšek 2021). The UN Secretary General's Report on the Rule of Law and Transitional Justice in Conflict and Post-conflict Societies, enumerates the following methods: 'judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual prosecutions, reparations, truth-seeking, institutional reform, vetting and dismissals, or a combination thereof' (2004). Several international institutions and officials play important roles in influencing processes of transitional justice. Scholars have also pointed out the role of diaspora groups in terms of the transnational dimension of transitional justice (Koinova and Karabegović 2017).

In analyzing post-communist spaces, the existing research unpacks the influence of European actors in facilitating Holocaust restitution laws (Belavusau and Gliszczynska-Grabias 2017; Krawatzek and Soroka 2022). Some important examples included in these analyses are the European Union and the Council of Europe. As researchers have noted, the intermediation of these and other European bodies on Holocaust-related initiatives has led, in part, to the formation of pan-European collective memories, identities, and institutions (Kucia 2006; Sierp 2014).

While this research is important, it does not account for the influences and motivations of several non-European governments and organizations. For example, what role do the U.S. or Israel play in these processes? Various non-European actors, such as the Office of the U.S. Special Envoy on Holocaust Issues, the American Jewish Committee, and the World Jewish Restitution Organization, significantly influence the creation and passage of Holocaust restitution laws, too. The transitional justice scholarship has not explained how or why other foreign actors influence these same processes.

By analyzing the role U.S. actors (both governmental and non-governmental) played in Latvia's 2022 Holocaust restitution law, this article seeks to broaden the existing scholarship on international transitional justice, particularly as it relates to Holocaust restitution in post-communist Europe. I argue that U.S. actors also influence several Holocaust-related transitional justice measures among other NATO member states in Europe. In Latvia, U.S. actors lobbied Latvian MPs from diverse political parties. Among other factors, these MPs' specific ideological orientations and their heightened security concerns about Russian aggression made them especially receptive to U.S. intermediation.

As such, while this analysis does not contradict the existing scholarship, it does seek to broaden it by highlighting the diverse range of national and international actors influencing the political and cultural landscapes of post-Cold War Europe.

In what follows, I begin with a brief overview of the scholarship on transitional justice, particularly as it relates to Holocaust restitution. In this overview, I add to the existing

scholarship the role of the U.S. in these processes. After describing the article's methods, I unpack the findings, which come from documentary analyses of Latvian parliamentary records as well as 20 expert interviews. I conclude the article with a discussion of areas in which future scholarship could continue pursuing the topic of U.S. intermediation – both in Latvia as well as in other international contexts.

International transitional justice

The existing scholarship on Holocaust restitution and transitional justice in post-communist Europe has done a great deal to unpack the role played by European actors. For example, Marek Kucia has argued that the European Parliament (EP), the Council of Europe, the Organization for Security and Cooperation in Europe, and several other European bodies have influenced how many post-communist countries deal with historical injustices. For Kucia, creating common Holocaust memories and policies are tied to 'Europeanization':

The Europeanization of Holocaust memory was begun by the EP, which was also the major agent of that process. The EP adopted resolutions and declarations that, although not legally binding, have been the formal expressions and statements of the parliament's opinions or intentions addressed to other EU institutions (notably the Council of Ministers and the European Commission), the governments and citizens of EU member states, and often also to the governments of non-member states and other European organizations (102, 2006).

Among the resolutions are included provisions about how to deal with the issue of restitution, such as the 'Resolution on the return of plundered property to Jewish communities' (1995); the 'Resolution on restitution of the possessions of Holocaust victims' (1998); the 'Resolution on countering racism and xenophobia in the European Union' (2000); and others. These and others have contributed to Europeanization processes in Central and Eastern Europe – or, in some cases, at least many MPs' rhetoric about Europeanization (Woll and Jacquot 2010; Fittante 2022). Aline Sierp makes a similar argument by claiming that the establishment of these memorializing laws played a decisive role in the creation of an international yet unified European culture and identity, particularly around historical memory (2014).

While these analyses are important in describing how European-led initiatives about Holocaust issues have shaped many aspects of post-Cold War European politics, they overlook other important external actors, such as the United States and Israel. For example, the U.S. has long played a significant role in how EU members deal with issues of restitution. From the 1990s, several U.S. actors, such as the Office of the Special Envoy on Holocaust Issues, the American Jewish Committee (AJC), U.S. embassies, and others have played important roles in promoting restitution laws. As Regula Ludi argues, "The Clinton administration's Special Envoy on Property Restitution in Central and Eastern Europe, Stuart E. Eizenstat, for instance, depicted his mission as a 'crusade' that 'laid the groundwork for resolving future disputes arising from man's inhumanity to man, proving that it is possible to bring justice, even imperfect justice, to an unjust world'. The term 'crusade', and the religious imagery it conjures up, testifies to the moral significance that was ascribed to the campaign" (2018). As with many European countries, the U.S. also used restitution to gauge the progress of newly established democracies in post-communist Europe. The U.S. has passed bi-partisan legislation, such as Justice for

Uncompensated Survivors Today (JUST) Act Report, which seeks to ensure restitution or compensation for properties confiscated during the Holocaust or nationalized during the communist period. And, as Ludi points out, the U.S. incentivized several countries with the prospect of NATO membership. In a hearing from 2002, the U.S. Special Envoy on Holocaust Issues, Randolph Bell, articulated this intention:

We have stressed that, in joining the Euro-Atlantic mainstream and applying for membership in multilateral organizations, these countries are seeking to join a community of values. Membership involves continued and pervasive scrutiny of laws and practices for all of us. Consequently, we stress that the process a country creates for achieving restitution will be expected to continue and to achieve results. For countries invited to join the Alliance, this will be true after their accession to NATO as much as it has been in advance of their joining.

In the early 2000s, accession to NATO may have proven an important incentive for many post-communist countries; however, even after joining NATO, many of these same countries remain wary of Russian military aggression and receptive to external pressure from the U.S. But the upshots of this pressure have not been sufficiently analyzed. Even though scholars have noted the extent to which European institutions pulled from Holocaust-related issues to facilitate transition into the EU (Subotić 2018), there exists less about how U.S. actors have relied on the same issues in brokering post-communist transition.

Broadening the European focus of the existing scholarship, this analysis analyzes the direct involvement of U.S. actors in establishing Holocaust restitution laws. There does exist some research noting the important roles the U.S. plays in Holocaust restitution (Ludi 2018; Bazylar et al. 2019); however, this topic is largely overlooked in the transitional justice literature. Furthermore, there exists even less empirical research unpacking how U.S. officials influence transitional justice processes in post-communist Europe. Drawing from data collected in Latvia, this analysis unpacks U.S. intermediation in the creation and passage of post-communist Holocaust restitution laws.

Methods

This research comes out of a larger research project, which the Swedish Ethical Review Authority (Etikprövningsmyndigheten) reviewed and approved. Data for this specific part of the project were collected in Riga, Latvia during a three-month period in early, mid-2022. In Riga, I undertook 20 expert interviews as well as extensive non-participant observation. In addition, data are culled from analyses of parliamentary records, which treat the Holocaust restitution laws. These included debates, minutes from committee meetings, proposals, and voter results. The expert interviews consisted, largely, of Latvian officials from all the major parties. I had the opportunity to speak with over a dozen serving MPs, the former deputy prime minister, and three former ministers of state. I also conducted interviews with officials from the American Jewish Committee (AJC), the Special Envoy on Holocaust Issues (SEHI), and several members of the Jewish community in Latvia. Most of these interviews took place in person; however, for officials based in the U.S., interviews took place via Zoom or Teams.

With permission from those who participated, these interviews were audio-recorded and partially transcribed. I have anonymized any participants, who specifically asked that I not include any personal information in the analysis. The interviews were semi-

structured and took place in English. For documentary analyses, I relied on the translation assistance of a Latvian scholar, who is fluent in English.

These two approaches – namely, documentary analysis and fieldwork data – corroborated and strengthened research findings. Crosschecking these sources ensured consistency in factual accuracy of interviewees' accounts. In addition, this combination gave me a much deeper understanding of Latvia's political machinery.

In terms of recruiting prospective interviewees, I used selective and snowballing approaches. Based on the parliamentary archives as well as early interactions with members of the Jewish community in Latvia, I was able to identify the most important political actors both in support and opposition. While interviewing those identified, I asked them to recommend anyone else, who might not appear in the minutes but played an important role behind the scenes. This proved especially fruitful in engaging non-Latvian actors. This mixed approach ensured I received a much fuller understanding of the many influences giving rise to the law.

Latvian policymakers as well as international political actors manifested a very high level of receptivity. The vast majority of those whom I asked to interview made time and helped me gain a clear understanding of their respective roles. There were a few exceptions, however. For example, although a great many of those I interviewed mentioned him as an important actor, the U.S. Ambassador to Latvia declined to be interviewed on this specific topic. In addition, a member of the National Alliance (NA), Edvīns Šnore, who played an important role in opposing the restitution bill, did not return any of my emails. I also did not receive a response to my requests to interview the founder and chairman of the Council of Jewish Communities of Latvia, Arkady Suharenko. Otherwise, I encountered very little resistance or reluctance.

Goodwill reimbursement/compensation to the Jewish community of Latvia

Latvia's 2022 Holocaust restitution law provides a vivid example of the extent to which U.S.-based intermediation factors in the passage of several pieces of international legislation, particularly relating to transitional justice in post-communist Europe. For over two decades, U.S. actors operated alongside members of the Jewish community in Latvia. These actors played important roles not only in the ultimate passage of the restitution law but also in creating its content. While the existing literature has unpacked how European groups have relied upon Holocaust-related transitional justice initiatives (such as restitution) to create a common European identity or collective memory, there exists very little empirical data reflecting the extent to which U.S. actors have also attempted to build cohesion through the same initiatives. Some of the U.S. actors who play important roles in these processes include the Office of the Special Envoy on Holocaust Issues (SEHI), the American Jewish Committee (AJC), and the U.S. Embassy to Latvia. I spoke to officials from some of these groups, and they, too, reinforced the role the U.S. plays in restitution and other Holocaust-related transitional justice measures throughout post-communist Europe. For example, the Director of AJC's International Jewish Affairs, Rabbi Andrew Baker, who has worked on combating anti-Semitism and promoting restitution laws in Europe for several decades, told me the following:

The whole debate on NATO enlargement in America had to go beyond simply enlarging a military alliance... So the way the argument became framed in the U.S. was understanding NATO to be a community of values. Candidate countries were expected to

demonstrate that they could meet this standard, that they could be a part of this community of values. So, what does that mean? It means promoting democracy and a free market economy, but it also means dealing with intolerance, dealing with prejudice. Each country had its own issues with its own minority groups. But all of them had to face questions about Holocaust-era history and property restitution and about anti-Semitism. For those U.S. policymakers, those within this bi-partisan group promoting NATO enlargement, this became a way to measure one country against another and their overall progress.

As with European and other international actors, the U.S. too relies on Holocaust-related measures to evaluate political transition in several Eastern European and Baltic spaces. As Rabbi Baker articulates, participation in NATO goes beyond a military alliance; it also signifies creating a ‘community of values’. As such, Baker understands U.S. intermediation (for NATO membership) in terms quite similar to the way that many have theorized European involvement in transitional justice processes and EU membership. And, as this article’s findings bear out, U.S. and other, non-European actors do not merely use Holocaust-related initiatives to gauge shared values; they actively participate in the creation and passage of the bills ultimately promulgated into law.

U.S. Intermediation before 2018

Shortly after regaining independence, Latvia began a process of de-nationalizing properties seized during the previous Soviet and Nazi occupations. This involved the enactment of laws and regulations covering privatization, restitution, and de-nationalization (Bazyler et al. 2019). Included among them was the Law on the Restitution of Property to Religious Organizations (1992). This law stipulated that religious properties seized between 1940 and 1992 were to be returned to religious organizations and compensation provided for those that could not be physically returned (exempting those destroyed during the Second World War). But the law included some rather severe successorship requirements for reclaiming communal properties; these requirements proved insurmountable barriers for Jews of Latvia because of the decentralized nature of the Jewish religious organization (with no ‘central authority’) as well as the near annihilation of the Jewish population during the war years (Bazyler et al. 2019). As a result, Jews received only a small percentage of total properties of a much more comprehensive list Latvian Jews had compiled with the World Jewish Restitution Organization (WJRO). In the early 2000s, the Council of Jewish Communities of Latvia was formed; one of its central goals became lobbying Latvian government for restitution of the remaining properties on that list. Chairman of the Board of the Council of Jewish Communities of Latvia, Arkady Suharenko, who is also a founder of Rietumu Banka – the largest local capital bank in Latvia – made lobbying for restitution a priority. At about the same time the Council was established, the SEHI was ramping up its efforts to pressure post-communist governments throughout Europe to pass such initiatives. Established in 1999, the SEHI seeks ‘to return Holocaust-era assets to their rightful owners, secure compensation for Nazi-era wrongs, and ensure that the Holocaust is remembered and commemorated appropriately’.

The Special Envoy – either acting directly by making trips to Latvia or indirectly through the U.S. Embassy – encouraged Latvian policymakers to adapt the resolution. Given Latvia’s geopolitical position in the early 2000s, these initiatives proved influential for

several officials; however, they did not ultimately eventuate in a restitution law. Between 2003 and 2015, the Council worked alongside government officials in an effort to draft and table legislation for compensation (or reimbursement) of religious, communal, and heirless properties (Bazyler et al. 2019). But the topic proved too sensitive among most MPs as well as the Latvian public. While Latvian officials felt the pressure from international intermediaries, they had devised a way to placate the Latvian public as well as their strategic allies. Thus, in response to pressure from the U.S. and other foreign intermediaries, the Latvian government – particularly as it was articulated by the Foreign Ministry – supported the law early on. Other groups, such as the Russian-speaking party, *Saskaņa* (Harmony), also supported restitution. Despite their support, they did not openly advocate the restitution law. One of Harmony’s long-serving members, Boriss Cilevičs, shared the following with me about external influences in these early initiatives:

The crucial factor was pressure on the part of the United States. It started some 20 years ago, if not more... Our position was always very consistent: We silently support. Because our political faction always 100 percent voted in favor... but we never spoke out, because it would be very easy to manipulate our position. To present [us] anti-state, these Russians from Moscow and blah blah blah. So we met on several occasions with this U.S. Special [Envoy] for this restitution and said [laughing], ‘Okay, don’t preach to the converted!’ The government was against because the coalition parties never had a majority. The foreign minister tried, somehow, to get it through, some reduced version... The government tabled the bill and the Parliament voted against. So this was absolutely unique. It never happened that the majority voted against what the government decided. It seems like the only governmental bill, which was rejected for 20 years. But he said to Americans: ‘See, we did our best. I wash my hands.’ So then they switched to this dialogue with the political parties rather than the government.

As Cilevičs articulates, initiatives from the SEHI and other groups did not glean sufficient support within the Parliament of Latvia (*Saeima*) to pass the restitution bill. This disparity enabled the Ministry to signal alignment with the U.S. without having to confront the political consequences of passing an unpopular bill. Even for the Russian-speaking party, *Harmony*, the bill proved potentially explosive; they feared it might exacerbate their already tenuous position in Latvian politics.

Despite several failed efforts, local and international actors remained resolute. Over the course of many years, U.S. and other non-European actors worked with members of the Jewish community in Latvia. The former played central roles in intermediating with the Council. For example, the Council’s board member, Dmitry Krupnikov, who played a significant role lobbying Latvian officials and authored much of the bill, explained this U.S.-led intermediation to me:

In 2014/2015, the Special Envoy to the Holocaust Issues, she said, ‘You know what, let’s start with five properties. Out of the list of 275, first step...’ We were forced to accept it. Out of the five, we took possession of four. Three had not been used for twenty years. One we received with a tenant – the property was rented. And the rent agreement is recorded in a way that it cannot be broken until 2027. And we are very happy now because it is the only income we have. During the debate the National Alliance said, ‘Okay, we’ll consider five properties, but not as one but five laws. So if there are 270 properties coming, there

will be 270 laws.’ It would have taken years of negotiations; it would have been a nightmare.

Acting on behalf of the Council, Krupnikov, a U.S. citizen himself, worked closely with U.S. governmental and non-governmental groups to pressure Latvian policymakers. For example, the U.S. Special Envoy and U.S. Embassy remained very active in the process. David Harris from AJC visited Latvia to encourage members of the Saeima to support the bill. Several other high-ranking state officials also urged MPs to support the initiative. As Krupnikov suggests, not only were these actors active in promoting restitution, but they also participated in shaping the restitution bill itself. They worked through officials from the Council as well as directly with individuals from the Saeima.

After over a decade of limited progress, the Council, working with several international actors, did obtain from Latvia’s government five properties. In February 2016, the Saeima passed a package of laws, which transferred five properties to the Council. The Foreign Affairs Commission, which was chaired by Latvian American (and former Latvian Ambassador to the U.S.), Ojars Āriks Kalniņš, led these initiatives within the Saeima. Addressed in separate parliamentary hearings and votes, this law passed after a year of lobbying and intermediation from various international actors. While a significant accomplishment, this concessionary legislation did not include most properties from a list of 275 that the Council had created in conjunction with WJRO and other intermediaries. As such, the Council continued to lobby – both among local and international actors – for restitution of these lost properties. But they continually encountered resistance from nationalist party members in terms of compensation or restitution funds. This proved especially insurmountable in certain departments of government: For example, the Ministry of Justice, which had traditionally been held by members of the far-right party, *Nacionālā Apvienība* (National Alliance), had to review the list of properties and consistently objected. As a result, there did not exist enough support to pass a bill. This status quo remained in place until Latvia’s 2018 parliamentary elections.

U.S. Intermediation after 2018

While Latvian parliamentary elections generally manifest a high level of volatility, the 2018 election fundamentally reconfigured the Saeima, both demographically and ideologically. The 2018 election yielded 66 (out of 100) MPs, who had never acted in parliament before. Laura Dean has explained the extent to which this election changed the gender composition of the Latvian Parliament: ‘women’s descriptive representation in parliament increased from 18% to 31% in one election. Subsequently, Latvia moved from 124th in the world (out of 190 ranked countries) for women’s representation to 48th (IPU 2018), as they expanded the number of female politicians in one election almost two-fold’ (635, 2021).

In addition to the shift in gender, the 2018 election cycle introduced several new ideological orientations, as well. These new parties covered a broad range; they included the liberal coalitional group, *Attīstībai/Par!* (AP!), which won thirteen seats; *Jaunā Konservatīvā* (now the Conservatives), which had previously broken away from the nationalist party, *Nacionālā Apvienība* (NA), and, in 2018, won 16 seats; and the right-wing populist party, *Kam pieder valsts?* (KPV), which won 16 seats. In addition to MPs, the political affiliation of several important ministers in government also changed in 2018 – such as the Ministry of Justice. Many of the newcomer MPs had previously worked as

journalists, activists, or academics. They brought new perspectives and ambitions to Latvian politics. They also introduced opportunities to reconsider legislation, which had not received much support in previous parliaments. As such, the 13th Parliament introduced several human rights-oriented pieces of legislation, such as the recognition of the Genocide of Crimean Tartars (2019), the Armenian Genocide recognition resolution (2021), the Civil Union law (2022), and others – legislation that would have been nearly impossible to pass in previous parliaments.

Support from new parliamentary groups would ultimately give the Holocaust restitution bill the votes necessary to pass. But not all these newcomer parties initially supported the bill. In particular, KPV and Conservative members remained reticent. Rather, the initiative of another new group, the liberal faction, AP!, spearheaded the initiative. In fact, the restitution bill became a part of the party agenda. Working with the Jewish community in Latvia as well as several international actors, AP! members became strong institutional activists for the restitution bill. Influential members of government from AP!, such as Juris Pūce (Chairperson of the party and former Minister of Environmental Protection), Mārtiņš Bondars (former Chairperson of the Budget and Finance Committee), Daniels Pavļuts (former Minister of Health), and others played integral roles in advocating for the bill from 2018 onward. In 2019, they submitted the proposal, which stipulated 40 million euros over the course of ten years (four million per year). In a conversation with Juris Pūce, he explained to me the strategic value of their support as well as that of the U.S. intermediaries with whom they worked:

This has always been a huge factor; it was always brought up by the United States, in our discussions. And, of course, in general, we tend to think if our strategic allies something is strongly felt, we should at least give a thought... I was the Minister of Environment, [and] some two times I met the Ambassador to the United States. As the Minister of the Environment, I have been talked [to] about the restitution bill. It was very high on the talking points for state officials, to say it.

The persistent intermediation among U.S. officials and the strategic value of the bill made, for many AP! members, Holocaust restitution an attractive policy to promote. In order to expedite the process, AP! officials sent the bill to the Committee of Budget and Finance, whose chairperson was an AP! MP, Mārtiņš Bondars. By doing so, they could skip one round of votes, which occurs in Latvian Parliament when an individual MP puts forward a proposal. AP! members played an important role in getting the bill on the agenda through the proposals put forward by the Committee of Budget and Finance; in addition, joining Harmony and Unity, they increased the overall number of total votes in favor of the bill. Nonetheless, they still did not have quite enough votes (at least 51 total) for it to pass. Thus, they asked U.S. officials to target and intermeditate. Or, as Juris Pūce explained to me: ‘We knew the National Alliance would never vote in favor of it. So, at that point, the question was either the KPV – a very populist outfit – we thought they would vote against; there were the Greens and Farmers, or the Conservatives. Who would switch? So we both advocated for the community to talk to them as well as the United States Embassy to talk to them, to be part of that direction’. Recognizing the limitations they faced, AP! members encouraged intermediation among local and international actors, particularly those from the U.S. And, in turn, U.S. and other non-European actors proved very supportive. For example, a representative from the SEHI told me the following: ‘Our mission is restitution and Holocaust education and remembrance. We do

work closely with the WJRO on restitution, and last year, we had about six countries – based on the JUST Act and other information that were priority countries. And Latvia was one of them, because this restitution was remaining’. Therefore, after withdrawing the bill in 2019, Latvian officials continued working with non-European actors. Ultimately, this international intermediation proved particularly important for those Latvian officials, who remained reluctant.

Although not exclusively, the eventual support from the Conservatives (formerly, the New Conservatives), ensured the bill’s success. A breakaway from the NA, the Conservatives have made a concerted effort to distinguish themselves from the NA and advance a new brand of conservatism. They have also sought to forge new ties with several political officials (particularly Republicans) in the U.S. Conservatives desire to develop ties with U.S. governmental officials played an important role in their decision to change course and support the bill. For Conservatives (as with others), the U.S. offers security from Russia and its regional aggression. As such, geopolitics (and anxiety about Russia) played an important role in their ultimate decision to support the bill. For example, Gatis Eglītis, the former Minister of Welfare, played a decisive role in convincing other Conservatives, who were staunchly opposed to the bill, to support it. He told me why, despite the fact that the bill went against the wishes of their voters, he strongly encouraged Conservative support:

We were acting very responsibly, and, of course, what played in our favor was the geopolitical situation. I know something foreign affairs and having U.S. backing is very instrumental... The restitution law issue is one of the key points in our bilateral relations, which have not been resolved for a long time. So, basically, whenever there were high-level meetings, it would always come up. We have good relations, economic, security, and so on... If we want to have good relations, let’s work on resolving this.

Many high-ranking Latvian policymakers equated support from the U.S. (for security purposes) and support for the restitution bill. For many of the Latvian officials with whom I spoke, they consistently referred to security and pressure from U.S. officials as the primary motivations sitting behind their support. Similarly, Deputy Speaker from the Conservative party and Latvian sociologist, Dagmāra Beitnere-Le Galla, succinctly identified the bind she and her party confronted: ‘We finally discussed it was a very fruitful discussion that we need to vote for this, because it can be politically hard for us, but very important. And this was [a] common decision. And, Danny, I need to stress that this was a big pressure from the Embassy of the United States’. Even though the restitution bill was not popular among Conservative voters, they ultimately decided to support it by mid-2021.

Nationalist opposition and the bill’s passage into law (2022)

Despite U.S. intervention, nationalist MPs in Latvia consistently opposed efforts at passing restitution bills. For members of the NA (and others), the national victim narrative and the collective efforts to prioritize Latvian collective trauma under Soviet occupation play integral roles in organizing party ideology. These positions fit well with what scholars refer to as ‘competitive martyrdom’ (Shafir 2014) or ‘victimhood nationalism’ (Lerner 2020). These claims to victimhood provided nationalists the opportunity to reify their victimhood status. In several hearings in 2015 (which eventuated in the restoration of five properties), NA MP, Aleksandrs Kiršteins, argued

against the bill; among other claims, he often evoked competitive victimhood to justify his opposition. For example, in the third hearing, he argued the following:

Suddenly it [the Council] appears somewhere after 15 years a new organization is created, founded by people who entered Latvia during the occupation of the USSR, who demand some kind of privileges, demand that they be granted as an exception... belittling the other nationalities living in Latvia, not showing respect to the Latvian people, who has lost half of its population in the 20th century.

Victimhood proved a core theme in nationalist opposition to the transfer of properties. In attacking the Council (and its chairperson, Arkady Suharenko), Kiršteins justifies his opposition by situating Latvian losses at the center of the debate and arguing that such transfers ‘belittle’ the suffering of Latvians (and other minority populations). By associating Council members with the USSR, he uses the rhetoric of competitive victimhood as a strategy to reinforce nationalist claims to victimhood. As with many other nationalist parties in Central and Eastern Europe, victimhood is a central component of the NA party ideology; therefore, its members perceived Holocaust memory laws as both a threat and opportunity. While nationalists posited several other oppositional opinions during the 2015–2016 hearings, the rhetorical theme of competitive victimhood proved consistent.

In 2021, they also employed various strategies to undermine the bill. For example, while Parliament of Latvia typically allows two weeks for any potential opposition to put forward amendments to the proposal, in this case, NA members asked for an additional month. As such, the debate and vote did not take place until nearly two months after the proposal’s first reading (late 2021). During that time, MPs from the NA did research and put forward over 30 amendments. These amendments spanned quite a range of objections – such as distributing the restitution money to Latvia’s Society Integration Fund; sharing the funds with other persecuted minorities (such as the Roma); prohibiting former members of Nazi or USSR organizations from benefiting from the funds; preventing beneficiaries of the funds from using them for profit; and several others. The amendments, largely, sought to discredit Jewish claims to victimhood with aspersions that sought to associate members of the Council with the USSR. Even as they undertook research to discredit members of the Council, however, nationalists were aware that the bill would pass. Still, the amendments proved a part of a larger strategy; with the rhetoric of competitive victimhood, they mobilized their base and reified their claims to victimhood. Nonetheless, Latvian MPs voted down all amendments before passing the Goodwill Reimbursement to the Jewish Community of Latvia Bill. The vote received a rather impressive majority 64 in favor and 21 against. As table 1 reflects, the vast majority of those who opposed it came from the nationalist party. Joining Harmony and Unity members, newcomer party members voted largely in support. Of the 64 favorable votes, newcomer party members from AP! and the Conservatives comprised nearly 41 percent of the total. By 2022, many newcomers from KPV did not have any party affiliation, because the party had fragmented; these newcomers split their votes. Harmony and Unity also supported the bill. After passing in the Saeima, Latvia’s President, Egils Levits, promulgated the bill into law.

The law allocates 40 million Euros to the Council over a ten-year period (paid out at a rate of four million per year). In addition, it stipulates proper use of the funds. This includes restoring and preserving Latvian Jewish cultural and historical sites; supporting Latvian

Jewish community organizations; maintaining Latvian museums whose foci deal with Latvian Jewish community and the history of the Holocaust in Latvia; financing events/projects relating to 'religion, culture, education, science, health care, history, sports, charity'; promoting cohesion and development of Latvian society; and maintaining/beautifying Holocaust victim memorials.

While nationalists did not stop the bill from passing, its ultimate formulation does create clear distance between Latvians and the Holocaust. It explicitly differentiates any potential wrongdoing of the Latvian state from that perpetuated by Nazi and Soviet regimes:

[R]ealizing that the Latvian state is not to blame and is not responsible for the Holocaust carried out by the Nazi regime during the occupation of Latvia and the nationalization of property carried out by the Soviet occupation regime, but confirming the goodwill of the Latvian state to eliminate the historical unjust consequences that have arisen on the territory of Latvia due to the Holocaust carried out by the Nazi totalitarian regime and as a result of the activities of the Soviet communist totalitarian regime, to restore justice and provide support to the Latvian Jewish community by compensating the cadastral value of unrecovered real estate as part of the property rights restoration process (hereinafter referred to as compensation).

While technically true as regards the Latvian state, this formulation anticipates and responds to the potential interpretation that the law incriminates Latvians. This language reinforces a nationalist strategy in post-communist Europe of distancing the titular population from the atrocities of the Holocaust. While Latvia's law does not penalize public speech, Poland's controversial 2018 Holocaust law also employed a strategy of heroizing the titular group and distancing it from Holocaust crimes (Kończal 2021). When I asked the former Minister of Health, Daniels Pavļuts, about this formulation, he rather succinctly replied: 'There were some concerns within the camp of National Alliance that this would be a necessary disclaimer that would need to be made, so I would say it was politically necessary'. As such, this 'necessary disclaimer' helps achieve some important nationalist goals – namely, to identify the 'real' perpetrators (as distinct from Latvians) and highlight the intrinsic generosity of the Latvian state ('confirming the goodwill of the Latvian state ...').

Latvia's Holocaust restitution law received a lot of positive attention in news outlets in Europe and North America. In addition, several high-ranking officials, such as U.S. Secretary of State, Antony Blinken, praised the Latvian government. Ultimately, strong support and lobbying among U.S. actors proved among the most influential forces, which gave rise to the restitution bill's passage into law. As the Council's spokesperson and one of the bill's main authors, Dmitry Krupnikov, told me:

Undoubtedly, the U.S. expressed its position, had always been expressing its position, that this is a question that has to be addressed. Some people say that America was pressuring Latvia to do something for the Jews, no, Americans are pressuring Latvia to adhere to the moral values that we, as Americans, and you and me as taxpayers, are paying for American troops, who are stationed here. American tanks, not the Russian tanks. And we want to know that the allies of ours follow the same logic to the furthest extent possible.

The dynamics with Latvian nationalists embody what Kaposov refers to as 'memory wars' (2017). The U.S. sought to use Holocaust to facilitate Latvia's transition into the 'West'

(or NATO), while nationalists responded vehemently to whitewash their own history and mobilize their base. But this case study also demonstrates that many non-European actors also actively participate in the creation and passage of post-communist transitional justice measures.

Conclusion

This analysis does not contradict the existing scholarship. Rather, it broadens it by demonstrating that the U.S. also actively participates in influencing the political landscape of many countries in Europe via Holocaust-related legislation. Just as European actors use Holocaust-related legislation to gauge EU preparedness in certain contexts, U.S. officials have a similar gauge to evaluate NATO fitness and shared values. During debates leading up to Latvia's 2022 Holocaust restitution bill, officials from the U.S. made frequent visits to the country, where they met with and lobbied diverse policymakers to support the bill. Also, according to those whom I interviewed, the U.S. Ambassador to Latvia also consistently encouraged various members of government to help ensure the bill became law. The rather central role of American actors in Latvia's restitution law reflects the extent to which the U.S. also significantly participates in European transitional justice measures. As such, this analysis suggests that the prevailing narrative about Europeanization via Holocaust memory and legislation also should factor the rather central role of U.S. interests and involvement.

To be sure, U.S. intermediation did not change the dynamics about which scholars have written: Latvian nationalists opposed and used the Holocaust to promote their own interests (Demirel and Eriksson 2020). Latvian nationalists did not only oppose Holocaust memory to displace responsibility; they also used it to mobilize their base rhetorically. This form of competitive victimhood, as with memory appropriation, whitewashes history and downplays the role titular national groups played in the Holocaust (Subotić 2019). Furthermore, they intervened to ensure the language of the law distanced them from any Holocaust-related wrongdoing and even enshrined the projected heroism of Latvians. Nonetheless, while these dynamics were consistent with what scholars have noted, this analysis explains the broader range of motivations sitting behind political actors' decisions to support transitional justice measures. In the case of Latvia, many MPs weighed the military and economic advantages of closer ties with the U.S. as central considerations in their decisions to support the bill. Because U.S. actors operate throughout post-communist Europe, this analysis invites future research to continue unpacking the implications of U.S. intermediation in transitional justice cases related to Holocaust restitution. Although this analysis does not focus on Israeli actors – such as the WJRO – they also actively participate in the creation and negotiation of Holocaust-related laws. Analyses of these different actors – Europe, the U.S., and Israel – and their respective roles and motivations in transitional justice cases will further clarify several political dynamics of contemporary Europe.

In addition, while this analysis has focused on the role of U.S. officials, it also builds on what Mälksoo calls the 'unfreezing of memory' among several states in Eastern Europe and the Baltic region (Mälksoo 2009). Nationalist political actors opposed the restitution bill; however, its passage comes as a result not only of U.S. intermediation but also the support of many Latvian newcomer MPs, who articulated a distinct ideological orientation to Latvian politics. Many of these newcomers represent the first generation of

contemporary Latvian elected officials, who received their higher education training in the U.S., the U.K., or Western Europe – or have spent much of their adult lives in an EU-integrated Latvia. These MPs have become involved with national politics and are working to reform specific parts of the country – and this involves not only the policies they choose to support but also how those laws speak to Latvian collective memories and foreign policy. This group of MPs certainly does not represent everyone in leadership positions. Moreover, their presence does not guarantee linear, ideological progression. As elsewhere, politics in Latvia is reactionary and contentious; furthermore, Latvian politics involves unpredictable vacillations among voters. Nonetheless, a ‘new generation’ of activist-minded MPs are taking the helm as policymakers in many Baltic and Eastern European countries. These MPs often articulate their understandings of national politics through the memory laws and transitional justice legislation they support and enact. In addition to the diverse actors discussed in this article, these MPs and their contributions warrant more scholarly attention.

As such, this analysis calls for researchers to account for two other under-explored areas: first, the dynamic complexity of political landscapes across post-communist Europe particularly in ‘post-Soviet’ spaces. The new political actors in Latvia, who made not only the Holocaust restitution law possible but several other pieces of human-rights legislation, may represent a significant political shift among many Baltic and Eastern European countries. As a new generation of political actors, who were educated either in the West or after the fall of the Soviet Union, gain support among voters, scholars may need to begin thinking beyond ‘post-Soviet’ identifications and conceptualizing the implications of a gradual, generational antiquation of this appellation in several post-‘post-Soviet’ spaces.

But, secondly, this research also notes the power asymmetries involved in relations brokered between the U.S. and Latvia. These asymmetries relate, in part, to geopolitics. While a new generation of political actors with their own national agendas are emerging across Europe, regional considerations are also causing many to respond to pressures from powerful allies, particularly the U.S. As noted in the analysis, the anxiety of many Latvian MPs regarding Russia’s increasing aggression in the region created a heightened degree of receptivity to U.S. influence. For many of these elected officials, geopolitical considerations meant supporting legislation, which was unpopular among their voters. This topic of how Russian aggression is influencing the behavior of European MPs deserves close scholarly analysis. Future scholarship should continue unpacking how these issues are influencing the behavior of MPs in creating other policies (both in Latvia and elsewhere in Europe), especially in the aftermath of Russia’s 2022 invasion of Ukraine. The implications of these geopolitical considerations can contribute to the scholarship treating the decision-making behavior of political officials (Schubert 1958; Linde and Vis 2017) as well the research on Europeanization and compliance in Eastern European and Baltic countries (Schmidt 2008; Schimmelfennig 2015).

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