5. DECREES EXCLUDING JEWS FROM GERMAN CULTURAL AND PUBLIC LIFE (1933–1942)

"In the future Jewish lawyers and notaries may no longer handle the legal affairs of the City of Berlin."
Municipal Government of Berlin, March 18, 1933

"The City Health Insurance Institute will as of April 1, 1933 no longer reimburse the costs for treatment by Jewish physicians."
Berlin Commissioner of Health, March 31, 1933

"Jews are no longer to be employed in the public services of the City of Cologne. This prohibition applies also to baptized Jews and non-Jews who are married to Jews."
Municipal Government of Cologne, April 1, 1933

"All district offices of Berlin are instructed to dismiss immediately all teachers who have Jewish blood (sic)."
Superintendent of Berlin Public Schools, April 1, 1933

"1) Civil servants, who are not of Aryan descent, are to be pensioned; honorary civil servants are to be dismissed. 2) This [ordinance] does not hold for civil servants who are employed since before August 1, 1914, or who fought for the German Reich at the front in the World War or whose father or sons fell in the war."
Chancellor’s Office, the Interior Ministry of the Reich, Finance Ministry of the Reich, April 7, 1933

"An ‘Aryan clause’ is to be introduced into the by-laws of all German sports and gymnastic clubs. It is not to be applied to those who fought at the front in the First World War or lost someone in the war."
Sports Commissioner of the Reich, April 25, 1933

"Jews may change their names only to other Jewish names."
Prussian Interior Minister, May 13, 1933

"Membership in the Greater German Chess Association, which from now on will be the [country’s] sole chess organization, is to be determined in accordance with an Aryan paragraph."
German Chess Association, July 9, 1933

"Farmers of the district of Bütow are forbidden to sell the products to Jewish dealers."
Governor of the District of Bütow, July 18, 1933

"Membership in choral associations will be determined according to the regulations of the Reich [prohibiting] the employment of non-Aryans in public positions."
Chairman of the German Choral Associations, August 18, 1933

"Jews are forbidden to bathe at the following public beaches: Berlin-Wannsee, Fulda, Beuthen, Speyer [etcetera]."
Interior Ministry of the Reich, August 22, 1933

"The performance of Jewish actors is not permitted."
Directive of the Ministry of the Reich for Popular Enlightenment and Propaganda, March 5, 1934

"Non-Aryans and those married to non-Aryans are no longer permitted to have pharmacies."
Ordinance of the Prussian Ministry of the Interior, April 17, 1934

"Theater directors must register and prove their Aryan origins."
The Reich’s Chamber of Theater, May 3, 1934

"Non-Aryan students will not be permitted to take the examination to become teachers of dance."
President of the Reich Chamber of Theater, July 27, 1934

"It is forbidden in the cattle market to speak Yiddish or Hebrew."
Bavarian Ministry of the Interior, August 2, 1934

“Jews are forbidden to display on their shops or homes flags with the Swastika or black-white-red flag [of the Reich].”

Order of the Gestapo, February 12, 1935

“Work permits for non-Aryan musicians will not be renewed.”

The Reich’s Chamber of Music, March 31, 1935

“All Jewish authors are to be notified by the President of the Reich Chamber of Writers that they are not permitted to engage in any literary activity in Germany.”

President of the Reich’s Chamber of Writers, March 1935

“Jews can no longer be trained as book dealers, since membership in the Reich Chamber of Writers is required for such training. Exception: Jews can be accepted who intend to work as booksellers in the Jewish community and sell only to Jews.”

Breslau City Council, December 27, 1934

“Non-Aryans can be engaged as foreign exchange consultants. The law from May 6, 1933, expressly states that non-Aryans are forbidden from acting as tax consultants. The prohibition is thus not valid for representatives in foreign exchange concerns, foreign exchange consultants and the like.”

The Reich’s Bureau for Foreign Exchange, January 22, 1935

“Meetings of Jewish organizations, which seek to dispel fears of staying in Germany, are forbidden. The advisory does not apply to Zionist activities, for the Zionists seek to encourage emigration.”

Karlsruhe Gestapo, February 26, 1935

“Entrance of Jews to public bathing and swimming facilities is forbidden.”

The City Council of Augsburg, July 19, 1935

“Jews are forbidden from entering public bathing facilities, sports halls and the like.”

Mayor of Dortmund, July 25, 1935

§ 1: Marriage between Jews and citizens of German or related blood is forbidden. Such marriages that have already taken places are void.

§ 2: Extramarital intercourse between Jews and citizens of German or related blood are forbidden.

§ 3: Jews are not permitted to engage in their homes female citizens of German or related blood under forty-five years old.

§ 4: Jews are not permitted to fly the flags of the Reich and Nation, or the Display of the Colors of the Reich. They are permitted ‘the Display of Jewish Colors.’

§ 5: Penalties: Violation of § 1 imprisonment; of § 2, for men imprisonment: § 3 and 4, imprisonment and/or a fine.” The Führer, Chancellor of the Reich, the Minister of Interior of the Reich, the Minister of Justice of the Reich, and the Vice Führer.


“To avoid giving foreign visitors a bad impression, all signs with extreme content are to be removed. It should suffice to have signs such as ‘Jews are unwanted here.”

Municipal Council of Frankfurt am Main, January 29, 1936

“It is prohibited to engage the service of a veterinarian, who because of his or his spouse’s racial origin, is not a civil servant.”

The Führer, Chancellor of the Reich, the Minister of the Interior of the Reich, April 3, 1936

“Members of the Reich Press Chamber must prove their and their spouses’ descent from persons of German or related blood back to the year of 1800.”

President of the Reich’s Press Chamber, April 15, 1936

“Conversion of Jews to Christianity has no bearing on their racial status. As soon as the officials of the Racial Research Institute assume their functions, the possibility of camouflage of one’s racial origins through the change of one’s religious confession must be brought to an utter end.”

The Minister of the Interior of the Reich, October 4, 1936

1. Jews with German citizenship will no longer be admitted to doctoral examinations; the issuance of doctoral diplomas [for Jews] shall cease forthwith.

2. Those of mixed race (Mischlinge) will be permitted to earn a doctorate.
3. No consideration will be made for Jews who have already fulfilled the requirements for their doctorate; exceptions to the rule will require the consent of the Minister.

4. Jews of mixed race can earn a doctoral degree in medicine and dentistry if they commit themselves to leaving Germany immediately thereafter.

   Directive of the Reich's Minister of Science, April 15, 1937

"Post office workers who or whose spouse are not of pure Aryan descent are obliged to retire."

   Directive of the Reich's Minister of Posts, June 8, 1937

"Jews can no longer be members of the German Red Cross."

   Employment Instructions of the German Red Cross, January 1, 1938

"As of September 30, 1938, Jewish physicians will no longer be allowed to practice. The Minister of Interior of the Reich can grant permission to Jewish physicians to treat Jews as well as their wives and children. Jews, whose license has expired, and who have not received such permission, are absolutely forbidden to practice medicine. Those Jews who have received permission to treat their fellow Jews may not use the title "Doctor," but the title "health care worker."

   Addendum to the Reich's Law of Citizenship, decreed by the Führer, Vice Führer, the Chancellery of the Reich, the Minister of the Interior of the Reich, the Reich's Minister of Justice, the Reich's Minister of Finance, July 27, 1938

"To the degree it has yet to happen, all streets named after Jews and Jewish Mischlinge of the first degree are to be immediately renamed. The old street signs are to be removed forthwith and exchanged with new signs.

   Minister of the Interior of the Reich, July 27, 1938

"Jews who do not have first names, which are on the list to be circulated on August 18, 1938, by the Ministry of the Interior, must as January 1, 1939, have an additional first name, 'Israel' for men, or 'Sara' for women."

   Minister of Interior of the Reich, Minister of Justice of the Reich, August 17, 1938

"All German passports belonging to Jews are invalid. They must be returned and new ones marked with the letter J will be given for foreign travel."

   Ministry of the Interior of the Reich, October 5, 1938

"Jews are not permitted to leave their apartments and to be on the streets after eight in the evening (in the summer after nine)."

   By order of the Police, September 1, 1939

"Jews holding German citizenship and stateless Jews are forbidden to possess radios. The prohibition holds also for Aryans who live in Jewish houses, and for Mischlinge."

   Headquarters of the Reich Security Service, September 20, 1939

"Jews in Berlin are only permitted to buy food between four and five o'clock in the afternoon."

   President of the Berlin Police, July 4, 1940

"As of September 30, 1940, all telephone lines used by Jews will be cut off. Jewish health and dental workers, and Jewish organizations are exempt [from this order]."

   The Reich's Ministry of Posts, July 29, 1940

"Jews are no longer allowed to possess soap and shaving cream. Jewish men are, therefore, to grow beards as a sign that they are Jews."

   Director of the Bureau of the National Socialist Party, June 26, 1941

"Jews are not permitted to use public libraries."

   President of the Reich's Chamber of Writers, August 2, 1941

"As of September 15, 1941, all Jews over the age of six are forbidden to appear in public without wearing a Jewish Star; without written police permission they are not allowed to leave their residential district and to wear military decorations, honorary badges and the like."

   Ministry of the Interior of the Reich, September 1, 1941

"Jews require the permission of the police to leave their residential district and to travel on designated means of transportation; upon boarding] they must show the certificate of permission. Jews may not use a sleeping wagon of a Reich train nor dine in a train restaurant; they may not use excursion buses or ships. Jews are entitled to use other means of public transportation only if there is a free place, and at no means
during peak travel hours, when non-Jews cannot find a place. Jews may travel only in lower class trains and take a seat only when no other travelers are standing. The use of waiting rooms and other public facilities is strictly limited."

Reich's Ministry of Transport, September 18, 1941

"Bakeries and cafés must display signs that indicate that Jews and Poles will not be served cake."

Director of the Bureau of the National Socialist Party, February 14, 1942

"Jews are no longer allowed to have household pets."

Ordinance published in Juedisches Nachrichtenblatt, Berlin, February 15, 1942

"Jews are not permitted to purchase newspapers, journals, and other documents from newsstands, neither through the post nor directly from the publishers. Permission to do so will be given only in special cases."

Headquarters of the Reich Security Service, February 17, 1942

"Further restrictions of the Jews' use of public transportation: 1) Jews, who are required to wear the Jewish Star, also need permission from the police to use local transportation in their residential district; 2) Jews may only use public transportation if their place of work is more than 7 kilometers from their residence; Jewish school children may only use public transportation if the school is more than five kilometers from their residence; the same limitation applies to health care workers, nurses, and midwives. Violation of these regulations will be dealt with by the police."

Ministry of the Interior of the Reich, March 24, 1942

"Jews, who are obliged to wear in public the Jewish Star, may not be served by non-Jewish barbers."

Headquarters of the Reich Security Service, May 12, 1942

"Jews are to receive coupons to purchase tobacco products."

Deutscher Reichs und Preussischer Staatsanzeiger, June 11, 1942

"Jews are required to surrender immediately electric appliances, optical appliances, bicycles, cameras, binoculars et cetera in their possession. . . . Refusal to do so will meet with the severest measures by the state police."

Headquarters of the Reich Security Service, June 12, 1942

"Jews are no longer to be given coupons to purchase eggs."

Ordinance published in Deutscher Reichs und Preussischer Staatsanzeiger, June 6, 1942

"Jews are not to receive fresh milk."

Director of the Bureau of the National Socialist Party, July 10, 1942

"Jews may no longer purchase meat, meat products, eggs, milk and other rationed foods. Food rations for Jewish children will be reduced. Ration coupons for Jews will be specially marked."

Reich Ministry for Food and Agriculture, September 18, 1942

NOTE

1. With Hitler's ascension to power, the federal government and local authorities issued in the course of the twelve years of the Third Reich more than two thousand separate by-laws, directives, laws, and ordinances intended to exclude Jews, racially defined, from the economic, social, and cultural life of Germany. The above selection of these regulations attests to the intent both to re-ghettoize and demoralize the Jews.
6. PROCLAMATION OF THE (NEW) REICHSVERTRETUNG (SEPTEMBER 17, 1933)¹

REICHSVERTRETUNG DER DEUTSCHEN JUDEN

At a time that is as hard and difficult as any in Jewish history, but also significant as few times have been, we have been entrusted with the leadership and representation of the German Jews by a joint decision of the State Association of the Jewish Communities (Landesverbände),² the major Jewish organizations and the large Jewish communities of Germany.

There was no thought of party interests, no separate aims in this decision, but solely and wholly the realization that the lives and future of the German Jews today depend on their unity and cooperation. The first task is to make this unity live. There must be recognition of the vitality and aims of every organization and association, but in all major and decisive tasks there must only be one union, only the totality of the German Jews. Anyone who goes his own way today, who excludes himself today, has committed a wrong against the vital need of the German Jews.

In the new State the position of individual groups has changed, even of those which are far more numerous and stronger than we are. Legislation and economic policy have taken their own authorized road, including [some] and excluding [others]. We must understand this and not deceive ourselves. Only then will we be able to discover every honorable opportunity to continue to exist. The German Jews will be able to make their way in the new State as a working community that accepts and gives work.

There is only one area in which we are permitted to carry out our own ideas, our own aims, but it is a decisive area, that of our Jewish life and Jewish future. This is where the most clearly defined tasks exist.

There are new duties in Jewish education, new areas of Jewish schooling must be created, and existing ones must be nurtured and protected, in order that the rising generation may find spiritual strength, inner resistance and physical competence. There must be thoughtful selection in order to develop and re-direct our youth toward professions which offer them a place in life and prospects of a future.

All there is now, all that has been begun, all that has been attempted must be joined together here to give aid and support. All that is destructive must be opposed, and all our strength devoted to reconstruction on the religious base of Judaism.

Much of our former economic security has been taken from us German Jews, or at least reduced. Within the area that remains to us the individual must be drawn away from his isolation. Occupational connections and associations, where permissible, can increase existing strength and give support to the weak, can make experience and contacts useful for all. There will be not a few who will be refused a place of work or the exercise of their profession on German soil. We are faced by the fact which can no longer be questioned or opposed, of a clear, historic necessity to give our youth new [living] space. It has become a great task to discover places and open roads, as on the sacred soil of Palestine, for which Providence has decreed a new era, as everywhere where the character, industry and ability of the German Jews can prove themselves, robbing none of their bread, but creating a livelihood for others.

For this and all else we hope for the understanding assistance of the Authorities, and the respect of

our Gentile fellow citizens, whom we join in love and loyalty to Germany.

We place our faith in the active sense of community and responsibility of the German Jews, as also in the willingness to sacrifice of our Brothers everywhere.

We still stand united and, in confidence in our God, labor for the honor of the Jewish Name. May the nature of the German Jews arise anew from the tribulations of this time!

Reichsvertretung der deutschen Juden

Leo BaecK
Otto Hirsch — Stuttgart
Siegfried Moses — Berlin
Rudolf Callmann — Cologne
Jacob Hoffman — Frankfurt
Leopold Landenberger — Nuremberg
Franz Meyer — Breslau
Julius L. Seligsohn — Berlin
Heinrich Stahl — Berlin

NOTES

1. Reichsvertretung der deutschen Juden (National Representation of German Jews) was German Jewry's central organization during the period of the Nazi rule. It was established on September 17, 1933, through the initiative of several Jewish communities in western Germany, joined by the Berlin Jewish community and the Landesverbaende (state unions) of German Jewry; its proclamation, presented here, was endorsed by leading figures of German Jewry representing a wide spectrum of ideological—Zionist and anti-Zionist—and religious factions in German Jewry. The demonstration of unity was an expression of pride and a defiant determination to gather the organizational and moral strength to endure degradation. Practically, its task was to deal with the myriad problems facing Jewry under the ignominious conditions of the Nazi regime.

Rabbi Leo BaecK (see note 3) was elected president and became the moving spirit of the organization; Otto Hirsch (see note 4) was elected executive chairman. Objecting to the appellation "German Jews," the Nazi authorities in 1935 ordered the organization to change its name to Reichsvertretung der Juden in Deutschland (National Representation of Jews in Germany).

The main achievement of the Reichsvertretung was to mount a "spiritual resistance" to Nazi efforts to humiliate and deprive German Jewry of its dignity. Jewish education was strengthened; a renaissance of Jewish culture was vigorously promoted; general cultural life of the German Jew, increasingly excluded from "Aryan" society, was supported with all the resources of the Jewish community. "In brief, it did everything within its power to encourage the creative faculties, to restore a sense of self-respect and to enhance the stature of the remaining [Jewish] community on the eve of its extinction" [Max Grunewald, "The Beginning of the Reichsvertretung" Leo Baeck Institute Year Book 1 (1956): 67].

In July 1939 the government issued an order disbanding the organization and in its stead established the Reichsvereinigung der Juden in Deutschland (National Association of the Jews in Germany), which was a compulsory organization of all Jews, as defined by the Nuremberg Laws, in Nazi Germany (except for those in Austria and the Protectorate of Bohemia-Moravia). Supervised by the Ministry of the Interior, i.e., the secret police, the Reichsvereinigung was to help the regime facilitate the ghettoization of the Jews and their eventual emigration. On June 10, 1943, the Reichsvereinigung was dissolved and its remaining leadership arrested and deported to Theresienstadt.

2. There existed previously in the Weimar Republic a Reichsvertretung der juedischen Landesverbaende (National Representation of Jewish State Unions) which was a loose federation established in January 1932 and which did not lend itself to a unified representation of all German Jews.

3. Leo BaecK (1873–1956) was one of the preeminent rabbis and theologians of German Jewry. From 1912 to his deportation in 1943 to Theresienstadt, he served as a Liberal Rabbi in Berlin. From 1922 he was chairman of the General Rabbinical Council of Germany; he was a leading member of the board of the Central Verein, the Central Union of German Citizens of Jewish Faith, the largest association of German Jews, which while seeking to improve the civic and social status of Jews, affirmed their loyalty to Germany and German culture. Upon his election to the presidency of the Reichsvertretung, he devoted himself to defending the dignity of German Jewry. Rejecting repeated opportunities to leave Germany, he elected to stay with the last minyan (prayer quorum) of Jews in Germany, thus earning the sobriquet "shepherd of German Jewry." Surviving the war, he settled in 1945 in London, where he became the president of the Council of Jews from Germany and the chairman of the World Union for Progressive Judaism.

4. Otto Hirsch (1885–1941) was from Stuttgart, where he held various positions in the municipal administration and later occupied a senior post in the Ministry of
Interior of the State of Hesse. He was also a member of the executive board of the Central Verein, belonging to its pro-Zionist wing. He was executive chairman of the Reichsvertretung. In 1941 he was deported to Mauthausen death camp, from which he never returned.

5. Siegfried Moses (1887–1974) was a leading German Zionist; from 1931 to 1936 he was a member of the executive board of the Berlin Jewish community; from 1933 to 1937 he was the chairman of the Zionist Federation of Germany and a member of the Executive of the Reichsvertretung. In 1937 he emigrated to Palestine, where he later served as the first State Comptroller of the State of Israel.

6. Rudolf Callmann (1892–1976) was a lawyer in Cologne and at the time a member of the board of the Central Verein. From 1933 to 1936 he was a member of the presidential council of the Reichsvertretung. He emigrated to the United States in 1936.

7. Jacob Hoffmann (1891–1956) was a Hungarian-born Orthodox Rabbi in Frankfurt active in Mizrahi, the movement of religious Zionists. In 1937 he emigrated to the United States, settling in Israel a year before his death.

8. Leopold Landenberger (1888–1967) was a lawyer in Nuremberg. From 1922 to 1938 he was a member and the executive chairman of Reichsbund juedischer Frontsoldaten, the association of German Jews who fought in the front during World War I, which defended the rights of Jewish veterans while affirming the patriotism of German Jewry. He was also the president of this organization in Bavaria. He was a member of the presidential council of the Reichsvertretung. In November 1938 he emigrated to England, thence to the United States.

9. Franz Meyer (1897–1972) was a leading Zionist and a member of the executive board of the Jewish community of Breslau; from 1933 to 1939 he was the executive director of the Zionist Federation of Germany. He emigrated to Palestine in 1939.

10. Julius L. Seligsohn (1890–1942) was until 1933 a lawyer in Berlin. A senior officer in the German army in World War I, he was a leading member of Reichsbund juedischer Frontsoldaten. At the time he was a representative of Liberal Judaism on the board of the Berlin Jewish community. He was a member of the presidential council of the Reichsvertretung and later the Reichsvereinigung. In 1940 he was deported to Sachsenhausen, from which he did not return.

11. Heinrich Stahl (1868–1942) was the president of the Berlin Jewish community during the Third Reich. He was the vice president of the Reichsvertretung. He later served as the executive chairman of the Reichsvereinigung until his deportation to Theresienstadt, where he died.

7. WHY THE NUREMBERG LAWS (SEPTEMBER 15, 1935)¹

ADOLF HITLER

[With respect to the recent attempts to sabotage German interests in the international arena,] we must point out that we are speaking, almost without exception, of the action of Jewish elements, who stand revealed as the agents of this incitement and subversion against [our] people ["Träger dieser Völkerverhetzung und Völkerzersetzung"].

Unfortunately it appears that this international ferment in the world has aroused among the Jews of Germany the idea that perhaps the time has come

to oppose outright the interests of the Jews to the national interests of Germans in the Reich. Bitter complaints have come in from countless places citing the provocative behavior of individual members of this people. On the basis of the striking increase in the number of these occurrences and the similarities among them we may conclude that a certain amount of planning was involved.

Lest these occurrences lead to the outbreak of vigorous defensive actions on the part of the [Aryan] population, we have no choice but to contain the problem through legislative measures. The government of the German Reich is guided in this by the idea that it may nonetheless be possible, through the agency of a definitively secular solution, to create a basis upon which the German people can have a tolerable relation with the Jews. Should this hope not be realized, and Jewish incitement within Germany and outside her borders continue, the situation will be reviewed.

I hereby propose to the Reichstag the adoption of laws which will be read to you by Party Member and President of the Reichstag Goering.2...

This law is an attempt to find a legislative solution to the Jewish problem; in the event that this attempt fails it will be necessary to transfer the problem, by law, to the National Socialist Party for a final solution [endgültige Lösung]. The National Socialist Party supports all three laws and is in turn supported by the entire German people.

I ask you to adopt these laws.

NOTES

1. In this speech before the Reichstag, Hitler outlined the ideological objectives of the so-called Nuremberg Laws. For a comprehensive analysis of this speech, see Otto Dov Kufka, "The Jewish Question in the Third Reich" (Ph.D. diss., Hebrew University, 1975), vol. 1, part 1, pp. 20ff.

2. Hermann W. Goering (1893–1946) was Hitler's designated successor, President of the Reichstag, and commander of the Luftwaffe (German Air Force).

8. LAW FOR THE PROTECTION OF GERMAN BLOOD AND HONOR

THE NUREMBERG LAWS (SEPTEMBER 15, 1935)

Imbued with the conviction that the purity of the German blood is the pre-requisite for the future existence of the German People, and animated with the unbending will to ensure the existence of the German nation for all the future, the Reichstag has unanimously adopted the following law, which is hereby proclaimed.

Paragraph 1. (1) Marriages between Jews and state members [Staatsangehörige] of German or cognate blood are forbidden. Marriages concluded despite this law are invalid, even if they are concluded abroad in order to circumvent this law. (2) Only the State Attorney may initiate the annulment suit.

Paragraph 2. Extra-marital relations between Jews and state members of German or cognate blood are prohibited.

Paragraph 3. Jews must not engage female domestic help in their households among state members of

German or cognate blood, who are under forty-five years [of age].

Paragraph 4. (1) The display of the Reich and national flag and the showing of the national colors by Jews is prohibited. (2) However, the display of the Jewish colors is permitted to them. The exercise of this right is placed under the protection of the state.

Paragraph 7. This law goes into effect on the day following promulgation, except for Paragraph 3, which shall go into force on January 1, 1936.

NOTE
1. Despite the discriminatory legislation, all Jews, with the exception of those who were naturalized after September 1918, remained German citizens. Moreover, many Jews were granted extraordinary status, permitting them to practice their professions. By September 1935, however, the Nazi leadership concluded that Germany had reached the political juncture that would allow the full rescission of emancipation. This policy was implemented by the Nuremberg Laws, so-called because they were promulgated at the Nazi Party Congress that met at Nuremberg in September 1935.

9. THE REICH CITIZENSHIP LAW

THE NUREMBERG LAWS (SEPTEMBER 15, 1935)

Paragraph 2. (1) A Reich citizen [Reichsbuerger] is only the state member [Staatsangehoeriger] who is of German or cognate blood, and who shows through his conduct that he is both desirous and fit to serve in faith the German people and Reich....(3) The Reich citizen is the only holder of full political rights in accordance with the provisions of the laws.

NOTE
1. In effect, the Jews were by virtue of this law and its various amendments deprived of citizenship and all civil and political rights.

10. FIRST DECREES TO THE REICH CITIZENSHIP LAW (NOVEMBER 14, 1935)

Paragraph 4. (1) A Jew cannot be a citizen of the Reich. He cannot exercise the right to vote on political matters; he cannot hold public office. (2) Jewish officials are to be retired on December 31, 1935. In case these officials served either Germany or her allies at the front in the World War, they shall receive as a pension, until they reach their age limit, the full salary last received; they are not, however, to be promoted according to seniority. After they reach the age limit, their pension is to be calculated anew according to the salary last received, on the basis of which their pension was to be computed. (3) Affairs of religious organizations are not affected therewith. (4) The conditions of service of teachers in public Jewish schools remain unchanged until the forthcoming regulation of the Jewish school system.

Paragraph 5. (1) A Jew is anyone who is descended from at least three full Jewish grandparents. (2) A Jewish state member of mixed descent [Staatsangehöriger jüdischer Mischlinge] who is descended from two full Jewish grandparents is also considered a Jew. If (a) He belonged to the Jewish religious community at the time this law was issued or [he] joined the community later; (b) He was married to a Jew at the time when the law was issued, or if he married a Jew subsequently; (c) He is the offspring of a marriage with a Jew within the meaning of clause 1, which was contracted after the Law for the Protection of German Blood and Honor of September 15, 1935 went into effect; (d) He is the offspring of extra-marital intercourse with a Jew, within the meaning of clause 1, and will be born out of wedlock after July 31, 1936.

11. THE RESPONSE OF THE CHRISTIAN POPULATION IN GERMANY TO THE NUREMBERG LAWS (SEPTEMBER 1935)¹

A PUBLIC OPINION SURVEY

KOENIGSBERG: In Allenstein, a town with a predominantly Catholic population, it must be stated that many purchases are still made in Jewish shops. It should also be mentioned that a certain part of the Catholic population displays a friendly attitude toward the Jews and shows little consideration for the race laws. Therefore, no actual success of the antisemitic endeavors and no real reduction of the numbers of Jews can be sensed in Allenstein itself. On the other hand, the picture is entirely different in the [predominantly Protestant] cities of the district.

AACHEN: The new laws promulgated in Nuremberg did not meet with unanimous public approval. The church circles do not quite approve of the Jewish legislation, as might have been expected considering the well-known mentality of the local Catholic population. Only the fact that the Jewish legislation would prevent extreme manifestations of anti-Semitic propaganda and riots is received with satisfaction. It would indeed be desirable to stop such anti-Semitic excesses, which are condemned by the greater part of the population.

NOTE

1. Upon their rise to power, the Nazis developed an elaborate system to monitor the public's response to their various deeds and programs. Secret periodical reports—so-called Lageberichte or Stimmungsberichte—on the mood and attitude of the public were prepared by the security services and various government and party authorities. The picture that these reports reveal, as Otto Dov Kulka observes, "differs from that projected in the daily press and in the official organs and contradicts the image of nation-wide monolithic identification with the regime and its doctrines...." (Kulka, "Popular Christian Attitudes," p. 252). We herein present two Lageberichte from September 1935, which survey the response of Christian laity to the Nuremberg Laws. The first is from the East Prussian district of Koenigsberg, the second from the district of Aachen in the western part of the country. These similar reports indicate that the response varied, although it had a discernible pattern. "In some areas, we can see that responses denouncing the anti-Jewish policy of the regime came forth from a Catholic minority in a Protestant area or vice versa; in certain sectors, especially in the western part of the Reich, reactions in this spirit were characteristic of the mood of the predominantly Catholic population of these areas" (Kulka, "Popular Christian Attitudes.") For an abridged English version of this article under the same title, see The Jerusalem Quarterly 25 [Fall 1982]: 121–44; 26 [Winter 1982]: 35–45. For an extensive study of German public opinion as revealed by the secret Lageberichte, see Otto Dov Kulka, and Eberhard Jaeckel, eds., The Jews in Secret Nazi Reports on Popular Opinion in Germany, 1933–1945 (New Haven/London: Yale University Press, 2010).

12. GERMAN ECONOMIC GOALS AND THE JEWISH QUESTION (AUGUST 1936)\textsuperscript{1}

ADOLF HITLER

The Political Situation. Politics are the conduct and the course of the historical struggle for life of the peoples. The aim of these struggles is the assertion of existence. Even the idealistic ideological struggles [Weltanschauungskämpfe] have their ultimate cause and are most deeply motivated by nationally [volklich] determined purposes and aims of life. Religions and ideologies are, however, always able to impart particular harshness to struggles of this kind, and therefore are also able to give them great historical impressiveness. They leave their imprint on the content of centuries. In such cases it is not possible for people and States living within the sphere of such ideological or religious conflicts to dissociate or exclude themselves from these events....

Since the outbreak of the French Revolution, the world has been moving with ever increasing speed towards a new conflict, the most extreme solution of which is called Bolshevism, whose essence and aim, however, is solely the elimination of those strata of mankind which have hitherto provided the leadership and their replacement by worldwide Jewry.

No State will be able to withdraw or even remain at a distance from this historical conflict. Since Marxism, through its victory in Russia, has established one of the greatest empires in the world as a forward base for its future operations, this question has become a menacing one....

Germany. Germany will, as always, have to be regarded as the focal point of the Western world in face of the Bolshevik attacks. I do not regard this as an agreeable mission but rather as a handicap and encumbrance upon our national life regrettably resulting from our position in Europe.

We cannot, however, escape this destiny....

It is not the aim of this memorandum to prophesy the time when the untenable situation in Europe will become an open crisis. I only want in these lines, to set down my conviction that this crisis cannot and will not fail to arrive and that it is Germany's duty to secure her own existence by every means in the face of this catastrophe, and to protect herself against it, and that from this compulsion there arises a series of conclusions relating to the most important tasks to which our people have ever been set. For a victory of Bolshevism over Germany would not lead to a Versailles Treaty but the final destruction, indeed to the annihilation of the German people.

The extent of such a catastrophe cannot be foreseen. How, indeed, would the whole of densely populated Western Europe (including Germany) after a collapse into Bolshevism [nach einem bolschewistischen Zusammenbruch] live through probably the most gruesome catastrophe for the people which has been visited upon mankind since the downfall of the States of antiquity? In face of the necessity of defense against this danger, all other considerations must recede into the background as being completely irrelevant....

I consider it necessary for the Reichstag to pass the following two laws: (1) A law providing the death penalty for economic sabotage, and (2) A law making the whole of Jewry liable for all damage inflicted by individual specimens of this community of criminals upon the German economy, and thus upon the German people....

NOTE

1. Antisemitism was central to Hitler’s political vision and strategy. In this document, an unsigned memorandum on the Four Year Plan of 1936—a plan that was to strengthen the German economy and military preparedness—Hitler presented the ideological rationale of this plan as the “apocalyptic” struggle against Bolshevism and world Jewry. On Hitler’s authorship of the memorandum, see Documents on German Foreign Policy, 1918–1945, Series C (1933–37) (Washington, DC, n.d.), vol. 5, pp. 853ff., n. 1.

13. KRISTALLNACHT—A PRELIMINARY SECRET REPORT TO H. W. GOERING (NOVEMBER 1938)

R. T. HEYDRICH

Re: Action Against the Jews. The reports so far received from the stations of the State Police give the following picture until November 11, 1938:

In numerous cities the plundering of Jewish shops and firms has taken place. In order to prevent further plundering, severe measures were taken everywhere. One hundred seventy-four plunderers were arrested.2

The number of pillaged Jewish shops and apartment houses cannot yet be confirmed. The following numbers appearing in the reports—815 destroyed shops, 29 warehouses set on fire or otherwise destroyed, 171 apartment houses set on fire or otherwise destroyed—reflect only part of the actual damage. The urgency with which the reports had to be prepared made it necessary to restrict them to general statements, such as “numerous” or “most shops destroyed.” The reported numbers, therefore, will greatly increase.

One hundred ninety-one synagogues were set on fire, another 76 completely demolished. Also, 11 community houses, cemetery chapels and the like were set on fire and another 3 completely destroyed. About 20,000 Jews were arrested,3 also 7 Aryans and 3 foreigners. The latter were taken into protective custody.

Thirty-six fatalities were reported, as well as 36 seriously wounded. All fatalities and the seriously wounded are Jews. One Jew is still missing. Among the Jewish fatalities there was one Polish citizen; among the wounded there were 2 Polish citizens.4

NOTES

1. Reinhard Tristan Heydrich (1904–1942). In 1931 Heydrich joined the SS (Schutzstaffeln), the private army of the Nazis, as chief of its Intelligence Service. He later became chief of the Gestapo—the German State Secret Police. He was also to play prominent roles in the design and execution of the Final Solution (see document 24 in this chapter).

After the Nuremberg Laws and certain amendments that followed, there was a lull in anti-Jewish legislation. After the Anschluss, or the occupation of Austria on March 13, 1938, the pace of legal measures against the Jews suddenly gained momentum. In that year, as a prelude to confiscation, registration of Jewish
properties was ordered; the exclusion of Jews from the professions was completed; Jews were issued new passports and identity papers stamped with a red *J* for *Jude*; they were compelled to adopt Jewish names: special taxes were imposed on the Jews; they were required to obtain special permission to open up a new industry or commercial enterprise. Also in that year the Jews of Polish origin who lived in Germany were expelled en masse. The Polish government refused to accept the refugees, and they were obliged to live in congested transit camps on the Polish frontier. On November 7, 1938, Herschel Grynszpan (1921–c. 1943/1945), whose family was among the unwanted refugees, assassinated Ernst vom Rath, the third secretary of the German Embassy in Paris. This act provided the Nazis with the pretext to launch the next stage of their Jewish policy: liquidation. Two days later, on the night of November 9, a wave of anti-Jewish pogroms swept through Germany and Austria. Although the German government sought to present the *Aktion* against the Jews as a spontaneous protest on the part of the Aryan population, it was clearly orchestrated by the Nazi leadership. Because of the many shop windows broken, the pogroms became known as the *Kristallnacht* or “Night of the Broken Glass.” The extent of the pogroms is indicated in this matter-of-fact “provisional” report made by the head of the Gestapo, Heydrich, to Goering.

Hermann Wilhelm Goering (1893–1946), was an intimate friend of Hitler from the days of the founding of the Nazi party. With the accession of Hitler to power, he was appointed prime minister of Prussia and President of the Reichstag. In 1936 he was appointed plenipotentiary for the Four Year Plan to prepare the German economy for war. For this purpose he devised a scheme to expropriate Jewish property and wealth.

2. It is hardly to be expected that police intervened in order to protect Jewish property. Goering himself, at a meeting on November 11, 1938, put it very bluntly and cynically: “…Look, gentlemen, I’m quite fed up with the demonstrations. In the end they will not harm the Jews but myself who, in the last resort, is responsible for the economy…” (cited in Leon Poliakov and Josef Wulf, eds., *Das Dritte Reich und die Juden* [Berlin: Arani-Verlag, GmbH, 1955], p. 41).

3. These Jews were sent to concentration camps at Sachsenhausen, Buchenwald, and Dachau. Early in 1939 many were released.

4. In Austria major pogroms broke out on November 10, during which 42 synagogues were destroyed in Vienna alone. A total of 7,800 Jews were arrested in Vienna; 4,600 Jews from all of Austria were sent to Dachau, of whom 4,000 were later permitted to emigrate. According to the Security Service of the SS, 680 Jews committed suicide; 27 Jews were reported killed.
14. THE OPERATION AGAINST THE JEWS
(NOVEMBER 9–10, 1938)

SECURITY SERVICE REPORT ON THE KRISTALLNACHT

The foundations of Jewish life and their internal organization were completely altered as a result of the operation mounted against Jewry in all parts of the Reich in the wake of the murder of the Counsel [of the German Embassy in Paris] Ernst vom Rath by Herschel Grynszpan, a Jew of Polish nationality.

In general the operation took the form of destruction or burning of synagogues, and the destruction of almost all Jewish shops, which were thereby forced to discontinue business. Some Jewish apartments were damaged. Due to lack of attention or ignorance on the part of those involved in the incidents archival materials and valuable art treasures were destroyed. Several Jews were killed or wounded attempting to resist. At the same time, in order to intensify the pressure on emigration, 25,000 Jewish men were brought to concentration camps, in some cases temporarily.

After the conclusion of the operation further steps were taken against the Jews in the form of laws and administrative orders....

Thus the order concerning the arrangement about Jewish property of December 3, 1938, prescribes that the owner of a Jewish business—industrial, agricultural or forestry—can be forced to transfer the business or to close it within a specified period of time.... Further decrees were issued forbidding Jews from possessing weapons, and they were decisively excluded from participating in German culture and education.

In addition, a collective fine of one billion marks was imposed upon the Jewish population to compensate for the damages caused by the operation.

Hence, in conclusion it can be stated that Jewry—in so far as German citizens and stateless persons are concerned—has finally been removed from all areas of life of the German people, and Jews, therefore, have only one way to insure their continued existence and that is emigration.

NOTES

1. In its annual report for 1938, the SD (the Security Service of the SS) provided a lengthy discussion of the Kristallnacht and the ensuing legislation against the Jews. In this report the SD not only clearly stated the motivations behind the anti-Jewish riots (and later legislation) but also that the SD and the SS had orchestrated the "popular demonstrations against the Jews." This thesis, based on an analysis of previously unpublished materials, is advanced by Otto Dov Kulka ("Public Opinion" in National Socialist Germany and the Jewish Question" [Hebrew with documents in German], Zion: Quarterly for Research in Jewish History 40, nos. 3–4 [Jerusalem, 1975], pp. 46–47. See also The Jerusalem Quarterly 25 (Fall 1982), pp. 135ff.

2. The report ascribes this "excess" to the unsupervised actions of forces "who lacked the professional training in dealing with the Jewish Problem." On the night of the riots, Reinhard Heydrich (1904–1942), chief of the SD and the Gestapo, issued specific orders instructing the SD and the Gestapo to protect Jewish archives and art treasures, and generally to observe the "proper" limits of the demonstrations. See Kulka, "Public Opinion," p. 231, n. 114.

The hostile attitude of Jewry toward the German nation and Reich, an attitude which does not even shrink from cowardly murder, demands determined resistance and severe punishment.

On the basis of the Decree of October 18, 1936 for the Execution of the Four Year Plan, I therefore order the following:

Paragraph 1. The payment of an atonement of one billion Reichsmarks to the German Reich is imposed on all Jewish subjects of the State.

Paragraph 2. The Reich Minister of Finance in cooperation with the competent Reich ministers shall issue the regulations for the execution of this decree.

NOTE

1. Following the Kristallnacht, Goering (see this chapter, document 7, note 2) convened a conference on November 12 of Nazi officials to deliberate what punitive action to take against the Jews for the assassination of vom Rath and for thus provoking the "just wrath" of the Aryan masses. The conference decided upon the decree presented here. The same conference also issued a decree compelling Jewish store owners to repair at their own cost the damage incurred to their properties; insurance claims were also nullified. On November 28, 1938, a police order empowered the local authorities to "prevent Jews from entering certain districts or from appearing in public at certain times."

[A] The actions against Jewry in November have been received very badly....The destruction of the synagogues was declared an irresponsible act. ... It could be observed that the opposition to the anti-Jewish actions was much stronger in the south (with the exception of Ostmark) and in the west of the Reich (with a dense Catholic and mostly urban population) than in the north (with a Protestant, less dense, and rural population).

[B] Dear Sirs:

The events that occurred amongst our people on and after November ninth of this year [1938] force me to take a clear stand. Far be it from me to disregard the sins that many members of the Jewish people have committed against our Fatherland, especially during the last decades; also, far be it from me to deny the right of orderly and moderate proceedings against the Jewish race. However, not only will I by no means justify the numerous excesses against Jewry that took place on and after November ninth of this year (it is unnecessary to go into details), but I reject them, deeply ashamed, as they are a blot on the good name of the Germans.

First of all, I, as a Protestant Christian, have no doubt that the commitment and toleration of such reprisals will evoke the wrath of God against our people and Fatherland, if there is a God in heaven. Just as Israel is cursed and on trial because they were the first who rejected Christ, so surely the same curse will fall upon each and every nation that, by similar deeds, denies Christ in the same way.

I have spoken out of the ardent concern of a Christian who prays to his God everyday for his people and their rulers [Obrigkeit]. May God harken to my voice, [I hope] not the only one of this kind. With due respect to the authorities [Obrigkeit]....

17. DECREE FOR THE ELIMINATION OF THE JEWS FROM GERMAN ECONOMIC LIFE (NOVEMBER 12, 1938)

On the basis of the Decree of October 18, 1936 for the Execution of the Four Year Plan, the following is decreed:

Paragraph 1. (1) From January 1, 1939, Jews are forbidden to own retail stores, mail order houses, or commission houses [Bestellkontore] and to engage independently in a trade. (2) They are further forbidden, from that day on, to offer for sale, goods or trade services, to advertise them or to accept orders at markets of all sorts, fairs or exhibitions. (3) Jewish enterprises which violate this decree are to be closed by the police.

Paragraph 2. (1) From January 1, 1939, a Jew can no longer be head of an enterprise within the meaning of the Law of January 20, 1934 for the Regulation of National Work. (2) If a Jew is employed in an enterprise in an executive position, he may be given notice to leave within six weeks. At the expiration of the term of the notice, all claims of the employee, based on the contract, especially such pertaining to maintenance and compensation, expire.

Paragraph 3. (1) A Jew cannot be a member of a cooperative. (2) Jewish membership in cooperatives expires on December 31, 1938. No special notice is necessary.


18. NUMERUS NULLUS IN SCHOOLS (NOVEMBER 16, 1938)

After the ruthless murder of Paris, German teachers no longer can be expected to give instruction to Jewish pupils. It is also self-evident that German students find it unbearable to share classrooms with Jews.

Racial segregation in schools has been carried out in general during the past years, but a small number of Jewish pupils have remained, who can no longer be permitted to attend schools together with German boys and girls. Reserving additional regulations by law, Reich Minister of Education [Bernard] Rust has decreed the following which goes into effect immediately.

1. Jews are forbidden to attend German schools. They are permitted to attend Jewish schools only. Insofar as it has not yet happened all Jewish school boys and girls still attending German schools are to be dismissed immediately.

2. Paragraph 5 of the First Decree to the Reich Citizenship Law of November 14, 1935, specifies who is Jewish.

3. This regulation extends to all schools under the supervision of the Reich Minister of Education, including continuation schools.

NOTES
1. The "murder of Paris" refers to the shooting of Ernst vom Rath, the third secretary of the German Embassy in Paris, by Herschel Grynszpan, a Jewish Polish refugee, on November 7, 1938.
2. See this chapter, document 10.

19. GHETTO DECREED FOR BERLIN
(DECEMBER 5, 1938)

On the basis of the Police Decree Regarding the Appearance of the Jews in Public of November 28, 1938, the following is decreed for the police district of Berlin.

Paragraph 1. Streets, squares, parks and buildings, from which the Jews are to be banned, are to be closed to Jewish subjects of the State and stateless Jews, both pedestrians and drivers.

Paragraph 2. Jewish subjects of the State and stateless Jews who at the time when this decree goes into effect still live within a district banned to the Jews, must have a local police permit for crossing the banned area.

By July 1, 1939, permits for Jews living within the banned area will no longer be issued.

Paragraph 3. Jewish subjects of the State and stateless Jews who are summoned by an office within the banned area, must obtain a local police permit for twelve hours.

Paragraph 4. The ban on Jews in Berlin comprises the following districts: (1) All theatres, cinemas, cabarets, public concert and lecture halls, museums, amusement places, the halls of the Fair, including the Fair grounds and broadcasting station on the Messe; the Deutschlandhalle and the Sport Palace, the Reich Sport Field, all athletic fields including ice skating rinks; (2) All public and private bathing places . . . .