

**NAZI
GERMANY
AND THE
JEWS**

VOLUME I

The Years of Persecution, 1933–1939

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Introduction

Most historians of my generation, born on the eve of the Nazi era, recognize either explicitly or implicitly that plowing through the events of those years entails not only excavating and interpreting a collective past like any other, but also recovering and confronting decisive elements of our own lives. This recognition does not generate any agreement among us about how to define the Nazi regime, how to interpret its internal dynamics, how to render adequately both its utter criminality and its utter ordinariness, or, for that matter, where and how to place it within a wider historical context.¹ Yet, despite our controversies, many of us share, I think, a sense of personal involvement in the depiction of this past, which gives a particular urgency to our inquiries.

For the next generation of historians—and by now also for the one after that—as for most of humanity, Hitler’s Reich, World War II, and the fate of the Jews of Europe do not represent any shared memory. And yet, paradoxically, the centrality of these events in present-day historical consciousness seems much greater than it was some decades ago. The ongoing debates tend to unfold with unremitting bitterness as facts are questioned and evidence denied, as interpretations and commemorative endeavors confront one another, and as statements about historical responsibility periodically come to the fore in the public arena. It could be that in our century of genocide and mass criminality, apart from its specific historical context, the extermination of the Jews of Europe is perceived by many as the ultimate standard of evil, against which all degrees of evil may be measured. In these debates, the historian’s role is central. For my generation, to partake at one and the same time in the memory and the present perceptions of this past may create an unsettling dissonance; it may, however, also nurture insights that would otherwise be inaccessible.

Establishing a historical account of the Holocaust in which the policies of the perpetrators, the attitudes of surrounding society, and the world of the victims could be addressed within an integrated framework remains a major challenge. Some of the best-known historical renditions of these events have focused mainly on the Nazi machinery of persecution and death, paying but scant attention to the wider society, to the wider European and world scene or to the changing fate of the victims them-

selves; others, less frequently, have concentrated more distinctly on the history of the victims and offered only a limited analysis of Nazi policies and the surrounding scene.² The present study will attempt to convey an account in which Nazi policies are indeed the central element, but in which the surrounding world and the victims' attitudes, reactions, and fate are no less an integral part of this unfolding history.

In many works the implicit assumptions regarding the victims' generalized helplessness and passivity, or their inability to change the course of events leading to their extermination, have turned them into a static and abstract element of the historical background. It is too often forgotten that Nazi attitudes and policies cannot be fully assessed without knowledge of the lives and indeed of the feelings of the Jewish men, women, and children themselves. Here, therefore, at each stage in the description of the evolving Nazi policies and the attitudes of German and European societies as they impinge on the evolution of those policies, the fate, the attitudes, and sometimes the initiatives of the victims are given major importance. Indeed, their voices are essential if we are to attain an understanding of this past.³ For it is their voices that reveal what was known and what *could* be known; theirs were the only voices that conveyed both the clarity of insight and the total blindness of human beings confronted with an entirely new and utterly horrifying reality. The constant presence of the victims in this book, while historically essential in itself, is also meant to put the Nazis' actions into full perspective.

It is easy enough to recognize the factors that shaped the overall historical context in which the Nazi mass murder took place. They determined the methods and scope of the "Final Solution"; they also contributed to the general climate of the times, which facilitated the way to the exterminations. Suffice it here to mention the ideological radicalization—with fervent nationalism and rabid anti-Marxism (later anti-Bolshevism) as its main propelling drives—that surfaced during the last decades of the nineteenth century and reached its climax after World War I (and the Russian Revolution); the new dimension of massive industrial killing introduced by that war; the growing technological and bureaucratic control exerted by modern societies; and the other major features of modernity itself, which were a dominant aspect of Nazism.⁴ Yet, as essential as these conditions were in preparing the ground for the Holocaust—and as such they are an integral part of this history—they nonetheless do not alone constitute the

necessary cluster of elements that shaped the course of events leading from persecution to extermination.

With regard to that process, I have emphasized Hitler's personal role and the function of his ideology in the genesis and implementation of the Nazi regime's anti-Jewish measures. In no way, however, should this be seen as a return to earlier reductive interpretations, with their sole emphasis on the role (and responsibility) of the supreme leader. But, over time, the contrary interpretations have, it seems to me, gone too far. Nazism was not essentially driven by the chaotic clash of competing bureaucratic and party fiefdoms, nor was the planning of its anti-Jewish policies mainly left to the cost-benefit calculations of technocrats.⁵ In all its major decisions the regime depended on Hitler. Especially with regard to the Jews, Hitler was driven by ideological obsessions that were anything but the calculated devices of a demagogue; that is, he carried a very specific brand of racial anti-Semitism to its most extreme and radical limits. I call that distinctive aspect of his worldview "redemptive anti-Semitism"; it is different, albeit derived, from other strands of anti-Jewish hatred that were common throughout Christian Europe, and different also from the ordinary brands of German and European racial anti-Semitism. It was this redemptive dimension, this synthesis of a murderous rage and an "idealistic" goal, shared by the Nazi leader and the hard core of the party, that led to Hitler's ultimate decision to exterminate the Jews.⁶

But Hitler's policies were not shaped by ideology alone, and the interpretation presented here traces the interaction between the Führer and the system within which he acted. The Nazi leader did not take his decisions independently of the party and state organizations. His initiatives, mainly during the early phase of the regime, were molded not only by his worldview but also by the impact of internal pressures, the weight of bureaucratic constraints, at times the influence of German opinion at large and even the reactions of foreign governments and foreign opinion.⁷

To what extent did the party and the populace partake in Hitler's ideological obsession? "Redemptive anti-Semitism" was common fare among the party elite. Recent studies have also shown that such extreme anti-Semitism was not unusual in the agencies that were to become central to the implementation of the anti-Jewish policies, such as Reinhard Heydrich's Security Service of the SS (Sicherheitsdienst, or SD).⁸ As for the so-called party radicals, they were often motivated by the kind of social

and economic resentment that found its expression in extreme anti-Jewish initiatives. In other words, within the party and, as we shall see, sometimes outside it, there were centers of uncompromising anti-Semitism powerful enough to transmit and propagate the impact of Hitler's own drive. Yet, among the traditional elites and within the wider reaches of the population, anti-Jewish attitudes were more in the realm of tacit acquiescence or varying degrees of compliance.

Despite most of the German population's full awareness, well before the war, of the increasingly harsh measures being taken against the Jews, there were but minor areas of dissent (and these were almost entirely for economic and specifically religious-ideological reasons). It seems, however, that the majority of Germans, although undoubtedly influenced by various forms of traditional anti-Semitism and easily accepting the segregation of the Jews, shied away from widespread violence against them, urging neither their expulsion from the Reich nor their physical annihilation. After the attack on the Soviet Union, when total extermination had been decided upon, the hundreds of thousands of "ordinary Germans" (as distinct from the highly motivated SS units, among others) who actively participated in the killings acted no differently from the equally numerous and "ordinary" Austrians, Rumanians, Ukrainians, Baits, and other Europeans who became the most willing operatives of the murder machinery functioning in their midst. Nonetheless, whether they were conscious of it or not, the German and Austrian killers had been indoctrinated by the regime's relentless anti-Jewish propaganda, which penetrated every crevice of society and whose slogans they at least partially internalized, mainly in the context of the war in the East.

By underscoring that Hitler and his ideology had a decisive impact on the course of the regime, I do not mean in anyway to imply that Auschwitz was a preordained result of Hitler's accession to power. The anti-Jewish policies of the thirties must be understood in their context, and even Hitler's murderous rage and his scanning of the political horizon for the most extreme options do not suggest the existence of any plans for total extermination in the years prior to the German invasion of the Soviet Union. But at the same time, no historian can forget the end of the road. Thus emphasis is also placed here on those elements that we know from hindsight to have played a role in the evolution toward the fateful outcome. The history of Nazi Germany should not be written only from the perspective of the wartime years and their atrocities, but the heavy shadow cast

by what happened during that time so darkens the prewar years that a historian cannot pretend that the later events do not influence the weighing of the evidence and the evaluation of the overall course of that history.¹⁰ The crimes committed by the Nazi regime were neither a mere outcome of some haphazard, involuntary, imperceptible, and chaotic onrush of unrelated events nor a predetermined enactment of a demonic script; they were the result of converging factors, of the interaction between intentions and contingencies, between discernible causes and chance. General ideological objectives and tactical policy decisions enhanced one another and always remained open to more radical moves as circumstances changed.

At the most basic level, in this two-volume account the narration follows the chronological sequence of the events: their prewar evolution in this volume, their monstrous wartime culmination in the next. That overall time frame highlights continuities and indicates the context of major changes; it also makes it possible to shift the narration within a stable chronological span. Such shifts result from the changes in perspective my approach demands, but they also stem from another choice: to juxtapose entirely different levels of reality—for example, high-level anti-Jewish policy debates and decisions next to routine scenes of persecution—with the aim of creating a sense of estrangement counteracting our tendency to “domesticate” that particular past and blunt its impact by means of seamless explanations and standardized renditions. That sense of estrangement seems to me to reflect the perception of the hapless victims of the regime, at least during the thirties, of a reality both absurd and ominous, of a world altogether grotesque and chilling under the veneer of an even more chilling normality.

From the moment the victims were engulfed in the process leading to the “Final Solution,” their collective life—after a short period of enhanced cohesion—started to disintegrate. Soon this collective history merged with the history of the administrative and murderous measures of their extermination, and with its abstract statistical expression. The only concrete history that can be retrieved remains that carried by personal stories. From the stage of collective disintegration to that of deportation and death, this history, in order to be written at all, has to be represented as the integrated narration of individual fates.

Although I mention my generation of historians and the insights potentially available to us because of our particular position in time, I cannot

ignore the argument that personal emotional involvement in these events precludes a rational approach to the writing of history. The “mythic memory” of the victims has been set against the “rational” understanding of others. I certainly do not wish to reopen old debates, but merely to suggest that German and Jewish historians, as well as those of any other background cannot avoid a measure of “transference” vis-à-vis this past.¹¹ Such involvement of necessity impinges upon the writing of history. But the historian’s necessary measure of detachment is not thereby precluded, provided there is sufficient self-awareness. It may indeed be harder to keep one’s balance in the other direction; whereas a constantly self-critical gaze might diminish the effects of subjectivity, it could also lead to other, no lesser risks, those of undue restraint and paralyzing caution.

Nazi persecutions and exterminations were perpetrated by ordinary people who lived and acted within a modern society not unlike our own, a society that had produced them as well as the methods and instruments for the implementation of their actions; the goals of these actions, however, were formulated by a regime, an ideology, and a political culture that were anything but commonplace. It is the relationship between the uncommon and the ordinary, the fusion of the widely shared murderous potentialities of the world that is also ours and the peculiar frenzy of the Nazi apocalyptic drive against the mortal enemy, the Jew, that give both universal significance and historical distinctiveness to the “Final Solution of the Jewish Question.”

CHAPTER 1

Into the Third Reich

I

The exodus from Germany of Jewish and left-wing artists and intellectuals began during the early months of 1933, almost immediately after Adolf Hitler's accession to power on January 30. The philosopher and literary critic Walter Benjamin left Berlin for Paris on March 18. Two days later he wrote to his colleague and friend, Gershom Scholem, who lived in Palestine: "I can at least be certain that I did not act on impulse.... Nobody among those who are close to me judges the matter differently."¹ The novelist Lion Feuchtwanger, who had reached the safety of Switzerland, confided in his fellow writer Arnold Zweig: "It was too late for me to save anything.... All that was there is lost."²

The conductors Otto Klemperer and Bruno Walter were compelled to flee. Walter was forbidden access to his Leipzig orchestra, and, as he was about to conduct a special concert of the Berlin Philharmonic, he was informed that, according to rumors circulated by the Propaganda Ministry, the hall of the Philharmonic would be burned down if he did not withdraw. Walter left the country.³ Hans Hinkel, the new president of the Prussian Theater Commission and also responsible for the "de-Judaization" of cultural life in Prussia, explained in the April 6 *Frankfurter Zeitung* that Klemperer and Walter had disappeared from the musical scene because there was no way to protect them against the "mood" of a German public long provoked by "Jewish artistic liquidators."⁴

Bruno Walter's concert was not canceled: Richard Strauss conducted it.⁵ This, in turn, led Arturo Toscanini to announce in early June that, in

protest, he would not conduct at the Bayreuth Festival. Propaganda Minister Joseph Goebbels noted laconically in his diary: "Toscanini canceled Bayreuth."⁶

The same public "mood" must have convinced the Dresden Opera House to hound out its music director, Fritz Busch, no Jew himself but accused of having too many contacts with Jews and of having invited too many Jewish artists to perform.⁷ Other methods were also used: When the Hamburg Philharmonic Society published its program for the celebration of Brahms's hundredth birthday, it was informed that Chancellor Hitler would be ready to give his patronage to the celebrations on condition that all Jewish artists (among them the pianist Rudolf Serkin) disappear from the program. The offer was gladly accepted.⁸

The rush to de-Judaize the arts produced its measure of confusion. Thus, on April 1, a Lübeck newspaper reported that in the small town of Eutin, in nearby Schleswig-Holstein, the last concert of the winter season had offered a surprise: "In place of the Kiel City Orchestra's excellent cellist, John de J., Professor Hofmeier presented a piano recital. We are informed that it has been established that John de J. is Jewish." Soon after, however, there was a telegram from de J. to Hofmeier: "Claim false. Perfect documents." On May 5 the district party leader S. announced that the Dutch-born German citizen de J. was a Lutheran, as several generations of his forebears had been.⁹

The relief felt at not being Jewish must have been immense. In his (barely) fictionalized rendition of the career of the actor and later manager of the Berlin National Theater, Göring's protégé Gustav Gründgens, Klaus Mann described that very peculiar euphoria: "But even if the Nazis remained in power, what had he, Höfgen [Gründgens], to fear from them? He belonged to no party. And he wasn't a Jew. This fact above all others—that he wasn't a Jew—struck Hendrik all of a sudden as immensely comforting and important. He had never in the past estimated the true worth of this considerable and unsuspected advantage. He wasn't a Jew and so he could be forgiven everything."¹⁰

A few days after the Reichstag elections of March 5, all members of the Prussian Academy of the Arts received a confidential letter from the poet Gottfried Benn asking them whether they were ready, "in view of the 'changed political situation,'" to remain members of the parent Academy of Arts and Sciences, in which case they would have to abstain from any crit-

icism of the new German regime. Moreover the members would have to manifest the right "national cultural" attitude by signing a declaration of loyalty. Nine of the twenty-seven members of the literature section replied negatively, among them the novelists Alfred Döblin, Thomas Mann, Jakob Wassermann, and Ricarda Huch. Mann's brother, the novelist Heinrich Mann, had already been expelled because of his left-wing political views.¹¹

Max von Schillings, the new president of the Prussian Academy, put pressure on the "Aryan"* novelist Ricarda Huch not to resign. There was an exchange of letters, with Huch in her final retort alluding to Heinrich Mann's dismissal and to the resignation of Alfred Döblin, who was Jewish: "You mention the gentlemen Heinrich Mann and Dr. Döblin. It is true that I did not agree with Heinrich Mann, and I did not always agree with Dr. Döblin, although on some matters I did. In any case I can only wish that all non-Jewish Germans would seek as conscientiously to recognize and to do what is right, would be as open, honest and decent as I have always found him to be. In my judgment he could not have acted any differently than he did, in the face of the harassment of the Jews. That my resignation from the Academy is not motivated by sympathy for these gentlemen, in spite of the particular respect and sympathy I have for Dr. Döblin, is something everyone who knows me, either personally or from my books, will recognize. Herewith I declare my resignation from the academy."¹²

Living in Vienna, the novelist Franz Werfel, who was Jewish, perceived things differently. He was quite willing to sign the declaration, and on March 19 he wired Berlin for the necessary forms. On May 8 Schillings informed Werfel that he could not remain a member of the academy; two days later a number of his books were among those publicly burned. In the summer of 1933, after the establishment of the Reich Chamber of Culture (Reichskulturkammer, or RKK), and as part of it, of the Reich Association of German Writers, Werfel tried again: "Please note that I am a Czechoslovak citizen," he wrote, "and a resident of Vienna. At the same time, I wish to declare that I have always kept my distance from any political organization or activity. As a member of the German minority in Czechoslovakia, resident in Austria, I am subject to the laws of these states." Needless to say, Werfel never received an answer.¹³ The novelist

* The Nazis gave a peculiar ideological twist to a great many words, such as "German" (as opposed to "Jewish"), "healthy" (often meaning racially healthy or not spoiled by Jews), "modernity," and so on. As the meanings are almost always recognizable, quotation marks will henceforth be avoided in most instances

possibly wanted to ensure the German sale of his forthcoming novel, *The Forty Days of Musa Dagh*, a story based on the extermination of the Armenians by the Turks during the World War. The book was in fact published in the Reich at the end of 1933, but finally banned in February 1934.¹⁴

Albert Einstein was visiting the United States on January 30, 1933. It did not take him long to react. Describing what was happening in Germany as a “psychic illness of the masses,” he ended his return journey in Ostend (Belgium) and never again set foot on German soil. The Kaiser Wilhelm Society dismissed him from his position; the Prussian Academy of Sciences expelled him; his citizenship was rescinded. Einstein was no longer a German. Prominence and fame shielded no one. Max Reinhardt was expelled from the directorship of the German Theater, which was “transferred to the German people,” and fled the Reich. Max Liebermann, at eighty-six possibly the best-known German painter of the time, was too old to emigrate when Hitler came to power. Formerly president of the Prussian Academy of Arts, and in 1933 its honorary president, he held the highest German decoration, the *Pour le Merite*. On May 7 Liebermann resigned from the academy. As the painter Oskar Kokoschka wrote from Paris in a published letter to the editor of the *Frankfurter Zeitung*, none of Liebermann’s colleagues deemed it necessary to express a word of recognition or sympathy.¹⁵ Isolated and ostracized, Liebermann died in 1935; only three “Aryan” artists attended his funeral. His widow survived him. When, in March 1943, the police arrived, with a stretcher, for the bedridden eighty-five-year-old woman to begin her deportation to the East, she committed suicide by swallowing an overdose of the barbiturate Veronal.¹⁶

As peripheral as it may seem in hindsight, the cultural domain was the first from which Jews (and “leftists”) were massively expelled. Schillings’s letter was sent immediately after the March 1933 Reichstag elections, and publication of Hinkel’s interview preceded the promulgation of the Civil Service Law of April 7, which will be discussed further on. Thus, even before launching their first systematic anti-Jewish measures of exclusion, the new rulers of Germany had turned against the most visible representatives of the “Jewish spirit” that henceforth was to be eradicated. In general the major anti-Jewish measures the Nazis would take from then on in the various domains were not only acts of terror but also symbolic statements. This dual function expressed the pervasive presence of ideology within the system: Its tenets had to be ritually reasserted, with the persecution of cho-

sen victims as part of the ongoing ritual. There was more. The double significance of the regime's initiatives engendered a kind of split consciousness in a great part of the population: For instance, people might not agree with the brutality of the dismissals of Jewish intellectuals from their positions, but they welcomed the cleansing of the "excessive influence" of Jews from German cultural life. Even some of the most celebrated German exiles, such as Thomas Mann, were not immune, at least for a time, from this kind of dual vision of the events.

A non-Jew, though married to one, Mann was away from Germany when the Nazis came to power, and he did not return. Writing to Einstein on May 15, he mentioned the painfulness to him of the very idea of exile: "For me to have been forced into this role, something thoroughly wrong and evil must surely have taken place. And it is my deepest conviction that this whole 'German Revolution' is indeed wrong and evil."¹⁷ The author of *The Magic Mountain* was no less explicit months later, in a letter to his one-time friend, the ultranationalist historian of literature Ernst Bertram, who had become a staunch supporter of the new regime: "'We shall see,' I wrote to you a good while back, and you replied defiantly: 'Of course we shall.' Have you begun to see? No, for they are holding your eyes closed with bloody hands, and you accept the 'protection' only too gladly. The German intellectuals—forgive the word, it is intended as a purely objective term—will in fact be the very last to begin to see, for they have too deeply, too shamefully collaborated and exposed themselves."¹⁸ But in fact much ambiguity remained in Mann's attitudes: To ensure the continuing publication and sale of his books in Germany, he carefully avoided speaking out against the Nazis for several years. And, at the outset, some Nazi organizations, such as the National Socialist Students Association, were careful about him as well: Thomas Mann's books were not included in the notorious May 10, 1933, auto-da-fé.¹⁹

Mann's ambivalence (or worse), particularly with regard to the Jews, surfaces in his diary entries during this first phase: "Isn't after all something significant and revolutionary on a grand style happening in Germany?" he wrote on April 4, 1933. "As for the Jews.... That Alfred Kerr's arrogant and poisonous Jewish garbling of Nietzsche is now excluded, is not altogether a catastrophe; and also the de-Judaization of justice isn't one."²⁰ He indulged in such remarks time and again, but it is perhaps in the diary entry of July 15, 1934, that Mann expressed his strongest resentments: "I was thinking about the absurdity of the fact, that the Jews, whose rights in

Germany are being abolished and who are being pushed out, have an important share in the spiritual issues which express themselves, obviously with a grimace, in the political system [Nazism] and that they can in good part be considered as the precursors of the anti-liberal turn."²¹ As examples, Mann mentioned the poet Karl Wolfskehl, a member of the esoteric literary and intellectual circle around the poet Stefan George, and particularly the Munich eccentric Oskar Goldberg. There is some discrepancy between such expressions as "an important share," "in good part," and "the precursors of the anti-liberal turn" and these two marginal examples.²² He went further: "In general I think that many Jews [in Germany] agree in their deepest being with their new role as tolerated guests who are not part of anything except, it goes without saying, as far as taxes are concerned."²³ Mann's anti-Nazi position was not to become clear, unambiguous, and public until early 1936.²⁴

Mann's attitude illustrates the pervasiveness of split consciousness, and thus explains the ease with which Jews were expelled from cultural life. Apart from a few courageous individuals such as Ricarda Huch, there was no countervailing force in that domain—or, for that matter, in any other.

Hitler certainly had no split consciousness regarding anything Jewish. Yet, in 1933 at least, he deferred to Winifred Wagner (the English-born widow of Richard Wagner's son Siegfried, who was the guiding force at Bayreuth): "Amazingly," as Frederic Spotts puts it, that year Hitler even allowed the Jews Alexander Kipnis and Emanuel List to sing in his presence.²⁵

II

Three days before the Reichstag elections of March, the Hamburg edition of the Jewish newspaper *Israelitisches Familienblatt* published a telling article under the headline HOW SHALL WE VOTE ON MARCH 5?: "There are many Jews," the article said, "who approve of the present-day right wing's economic program but who are denied the possibility of joining its parties, as these have, in a completely illogical way, associated their economic and political goals with a fight against Jewry."²⁶

A benefit for Jewish handicrafts had taken place at Berlin's Café Leon on January 30, 1933. The news of Hitler's accession to the chancellorship became known shortly before the event began. Among the attending representatives of Jewish organizations and political movements, only the Zionist rabbi Hans Tramer referred to the news and spoke of it as a major

change; all the other speakers kept to their announced subjects. Tramer's speech "made no impression. The entire audience considered it panic-mongering. There was no response."²⁷ The board of the Central Association of German Citizens of the Jewish Faith (Zentralverein deutscher Staatsbürger jüdischen Glaubens) on the same day concluded a public declaration in the same spirit: "In general, today more than ever we must follow the directive: wait calmly."²⁸ An editorial in the association's newspaper for January 30, written by the organization's chairman, Ludwig Holländer, was slightly more worried in tone, but showed basically the same stance: "The German Jews will not lose the calm they derive from their tie to all that is truly German. Less than ever will they allow external attacks, which they consider unjustified, to influence their inner attitude toward Germany."²⁹

By and large there was no apparent sense of panic or even of urgency among the great majority of the approximately 525,000 Jews living in Germany in January 1933.³⁰ As the weeks went by, Max Naumann's Association of National German Jews and the Reich Association of Jewish War Veterans hoped for no less than integration into the new order of things. On April 4, the veterans' association chairman, Leo Löwenstein, addressed a petition to Hitler including a list of nationalistically oriented suggestions regarding the Jews of Germany, as well as a copy of the memorial book containing the names of the twelve thousand German soldiers of Jewish origin who had died for Germany during the World War. Ministerial Councillor Wienstein answered on April 14 that the chancellor acknowledged receipt of the letter and the book with "sincerest feelings." The head of the Chancellery, Hans Heinrich Lammers, received a delegation of the veterans on the twenty-eighth,³¹ but with that the contacts ceased. Soon Hitler's office stopped acknowledging petitions from the Jewish organization. Like the Central Association, the Zionists continued to believe that the initial upheavals could be overcome by a reassertion of Jewish identity or simply by patience; the Jews reasoned that the responsibilities of power, the influence of conservative members of the government, and a watchful outside world would exercise a moderating influence on any Nazi tendency to excess.

Even after the April 1 Nazi boycott of Jewish businesses, some well-known German-Jewish figures, such as Rabbi Joachim Prinz, declared that it was unreasonable to take an anti-Nazi position. For Prinz, arguing against Germany's "reorganization," whose aim was "to give people bread

and work...was neither intended nor possible."³² The declaration may have been merely tactical, and it must be kept in mind that many Jews were at a loss how to react. Some eccentrics went much further. Thus, as late as the summer of 1933, in the opening statement of his lectures on the Roman poet Horace, the Kiel University historian Felix Jacoby declared: "As a Jew I find myself in a difficult situation. But as a historian I have learned not to consider historical events from a private perspective. Since 1927, I have voted for Adolf Hitler, and I consider myself lucky to be able to lecture on Augustus' poet in the year of the national revival. Augustus is the only figure of world history whom one may compare to Adolf Hitler."³³ This, however, was a rather exceptional case.

For some Jews the continuing presence of the old, respected President Paul von Hindenburg as head of state was a source of confidence; they occasionally wrote to him about their distress. "I was engaged to be married in 1914," Frieda Friedmann, a Berlin woman, wrote to Hindenburg on February 23: "My fiancé was killed in action in 1914. My brothers Max and Julius Cohn were killed in 1916 and 1918. My remaining brother, Willy, came back blind.... All three received the Iron Cross for their service to the country. But now it has gone so far that in our country pamphlets saying, 'Jews, get out!' are being distributed on the streets, and there are open calls for pogroms and acts of violence against Jews.... Is incitement against Jews a sign of courage or one of cowardice when Jews comprise only one percent of the German people?" Hindenburg's office promptly acknowledged receipt of the letter, and the president let Frieda Friedmann know that he was decidedly opposed to excesses perpetrated against Jews. The letter was transmitted to Hitler, who wrote in the margin: "This lady's claims are a swindle! Obviously there has been no incitement to a pogrom!"³⁴

The Jews finally, like a considerable part of German society as a whole, were not sure—particularly before the March 5, 1933, Reichstag elections—whether the Nazis were in power to stay or whether a conservative military coup against them was still possible. Some Jewish intellectuals came up with rather unusual forecasts. "The prognosis," Martin Buber wrote to philosopher and educator Ernst Simon on February 14, "depends on the outcome of the imminent fight between the groups in the government. We must assume that no shift in the balance of power in favor of the National Socialists will be permitted, even if their parliamentary base vis à-vis the German nationalists is proportionally strengthened. In that case,

one of two things will happen: either the Hitlerites will remain in the government anyway; then they will be sent to fight the proletariat, which will split their party and render it harmless for the time being.... Or they will leave the government.... As long as the present condition holds, there can be no thought of Jew-baiting or anti-Jewish laws, only of administrative oppression. Anti-Semitic legislation would be possible only if the balance of power shifted in favor of the National Socialists, but as I have said above, this is hardly to be expected. Jew-baiting is only possible during the interval between the National Socialists' leaving the government and the proclamation of a state of emergency."³⁵

III

The primary political targets of the new regime and of its terror system, at least during the first months after the Nazi accession to power, were not Jews but Communists. After the Reichstag fire of February 27, the anti-Communist hunt led to the arrest of almost ten thousand party members and sympathizers and to their imprisonment in newly created concentration camps. Dachau had been established on March 20 and was officially inaugurated by SS chief Heinrich Himmler on April 1.³⁶ In June, SS Group Leader Theodor Eicke became the camp's commander, and a year later he was appointed "inspector of concentration camps": Under Himmler's aegis he had become the architect of the life-and-death routine of the camp inmates in Hitler's new Germany.

After the mass arrests that followed the Reichstag fire, it was clear that the "Communist threat" no longer existed. But the new regime's frenzy of repression—and innovation—did not slacken; quite the contrary. A presidential decree of February 28 had already given Hitler emergency powers. Although the Nazis failed to gain an absolute majority in the March 5 elections, their coalition with the ultraconservative German National People's Party (Deutschnationale Volkspartei, or DNVP) obtained it. A few days later, on March 23, the Reichstag divested itself of its functions by passing the Enabling Act, which gave full legislative and executive powers to the chancellor (at the outset new legislation was discussed with the cabinet ministers, but the final decision was Hitler's). The rapidity of changes that followed was stunning: The states were brought into line; in May the trade unions were abolished and replaced by the German Labor Front; in July all political parties formally ceased to exist with the sole exception of the National Socialist German Workers Party (Nationalsozialistische Deutsche

Arbeiterpartei, or NSDAP). Popular support for this torrential activity and constant demonstration of power snowballed. In the eyes of a rapidly growing number of Germans, a "national revival" was under way.³⁷

It has often been asked whether the Nazis had concrete goals and precise plans. In spite of internal tensions and changing circumstances, short-term goals in most areas were systematically pursued and rapidly achieved. But the final objectives of the regime, the guidelines for long-term policies, were defined in general terms only, and concrete steps for their implementation were not spelled out. Yet these vaguely formulated long-term goals were essential not only as guidelines of sorts but also as indicators of boundless ambitions and expectations: They were objects of true belief for Hitler and his coterie; they mobilized the energies of the party and of various sectors of the population; and they were expressions of faith in the correctness of the way.

Anti-Jewish violence spread after the March elections. On the ninth, Storm Troopers (Sturmabteilung, or SA) seized dozens of East European Jews in the Scheunenviertel, one of Berlin's Jewish quarters. Traditionally the first targets of German Jew-hatred, these *Ostjuden* were also the first Jews as Jews to be sent off to concentration camps. On March 13 forcible closing of Jewish shops was imposed by the local SA in Mannheim; in Breslau, Jewish lawyers and judges were assaulted in the court building; and in Gedern, in Hesse, the SA broke into Jewish homes and beat up the inhabitants "with the acclamation of a rapidly growing crowd." The list of similar incidents is a long one.³⁸ There were also killings. According to the late March (bimonthly) report of the governing president of Bavaria, "On the 15th of this month, around 6 in the morning, several men in dark uniforms arrived by truck at the home of the Israelite businessman Otto Selz in Straubing. Selz was dragged from his house in his nightclothes and taken away. Around 9:30 Selz was shot to death in a forest near Wang, in the Landshut district. The truck is said to have arrived on the Munich-Landshut road and to have departed the same way. It carried six uniformed men and bore the insignia II.A. Several people claim to have noticed that the truck's occupants wore red armbands with a swastika."³⁹ On March 31 Interior Minister Wilhelm Frick wired all local police stations to warn them that Communist agitators disguised in SA uniforms and using SA license plates would smash Jewish shop windows and exploit the occasion to create disturbances.⁴⁰ This could have been standard Nazi disinformation or some remaining belief in possible Communist subversion. On April 1, the

Göttingen police station investigating the damage to Jewish stores and the local synagogue on March 28, reported having caught two members of the Communist Party and one Social Democrat in possession of parts of Nazi uniforms; headquarters in Hildesheim was informed that the men arrested were the perpetrators of the anti-Jewish action.⁴¹

Much of the foreign press gave wide coverage to the Nazi violence. The *Christian Science Monitor*, however, expressed doubts about the accuracy of the reports of Nazi atrocities, and later justified retaliation against “those who spread lies against Germany.” And Walter Lippmann, the most prominent American political commentator of the day and himself a Jew, found words of praise for Hitler and could not resist a sideswipe at the Jews. These notable exceptions notwithstanding, most American newspapers did not mince words about the anti-Jewish persecution.⁴² Jewish and non-Jewish protests grew. These very protests became the Nazis’ pretext for the notorious April 1, 1933, boycott of Jewish businesses. Although the anti-Nazi campaign in the United States was discussed at some length during a cabinet meeting on March 24,⁴³ the final decision in favor of the boycott was probably made during a March 26 meeting of Hitler and Goebbels in Berchtesgaden. But in mid-March, Hitler had already allowed a committee headed by Julius Streicher, party chief of Franconia and editor of the party’s most vicious anti-Jewish newspaper, *Der Stürmer*, to proceed with preparatory work for it.

In fact, the boycott had been predictable from the very moment the Nazis acceded to power. The possibility had often been mentioned during the two preceding years,⁴⁴ when Jewish small businesses had been increasingly harassed and Jewish employees increasingly discriminated against in the job market.⁴⁵ Among the Nazis much of the agitation for anti-Jewish economic measures was initiated by a motley coalition of “radicals” belonging either to the Nazi Enterprise Cells Organization (Nationalsozialistische Betriebszellenorganisation, or NSBO) headed by Reinhold Muchow or to Theodor Adrian von Renteln’s League of Middle-Class Employees and Artisans (Kampfbund für den gewerblichen Mittelstand), as well as to various sections of the SA activated for that purpose by Otto Wagener, an economist and the SA’s former acting chief of staff. Their common denominator was what former number two party leader Gregor Strasser once called an “anti-capitalist nostalgia”;⁴⁶ their easiest way of expressing it: virulent anti-Semitism.

Such party radicals will be encountered at each major stage of anti-

Jewish policy up to and including the Kristallnacht pogrom of November 1938. In April 1933 they can be identified as members of the party's various economic interest groups, but also among them were jurists like Hans Frank (the future governor-general of occupied Poland) and Roland Freisler (the future president of the People's Tribunal) and race fanatics like Gerhard Wagner and Walter Gross, not to speak of Streicher, Goebbels, the SA leadership, and, foremost among them, Hitler himself. But specifically as a pressure group, the radicals consisted mainly of "old fighters"—SA members and rank-and-file party activists dissatisfied with the pace of the National Socialist revolution, with the meagerness of the spoils that had accrued to them, and with the often privileged status of comrades occupying key administrative positions in the state bureaucracy. The radicals were a shifting but sizable force of disgruntled party members seething for increased action and for the primacy of the party over the state.⁴⁷

The radicals' influence should not be overrated, however. They never compelled Hitler to take steps he did not want to take. When their demands were deemed excessive, their initiatives were dismissed. The anti-Jewish decisions in the spring of 1933 helped the regime channel SA violence into state-controlled measures;⁴⁸ to the Nazis, of course, these measures were also welcome for their own sake.

Hitler informed the cabinet of the planned boycott of Jewish-owned businesses on March 29, telling the ministers that he himself had called for it. He described the alternative as spontaneous popular violence. An approved boycott, he added, would avoid dangerous unrest.⁴⁹ The German National ministers objected, and President Hindenburg tried to intervene. Hitler rejected any possible cancellation, but two days later (the day before the scheduled boycott) he suggested the possibility of postponing it until April 4—if the British and American governments were to declare immediately their opposition to the anti-German agitation in their countries; if not, the action would take place on April 1, to be followed by a waiting period until April 4.⁵⁰

On the evening of the thirty-first, the British and American governments declared their readiness to make the necessary declaration. Foreign Minister Konstantin Freiherr von Neurath made it known, however, that it was too late to change course; he then mentioned Hitler's decision of a one-day action followed by a waiting period.⁵¹ In fact, the possibility of resuming the boycott on April 4 was no longer being considered.

In the meantime Jewish leaders, mainly in the United States and

Palestine, were in a quandary: Should they support mass protests and a counterboycott of German goods, or should confrontation be avoided for fear of further “reprisals” against the Jews of Germany? Göring had summoned several leaders of German Jewry and sent them to London to intervene against planned anti-German demonstrations and initiatives. Simultaneously, on March 26, Kurt Blumenfeld, president of the Zionist Federation for Germany, and Julius Brodnitz, president of the Central Association, cabled the American Jewish Committee in New York: WE PROTEST CATEGORICALLY AGAINST HOLDING MONDAY MEETING, RADIO AND OTHER DEMONSTRATIONS. WE UNEQUIVOCALLY DEMAND ENERGETIC EFFORTS TO OBTAIN AN END TO DEMONSTRATIONS HOSTILE TO GERMANY.⁵² By appeasing the Nazis the fearful German-Jewish leaders were hoping to avoid the boycott.

The leaders of the Jewish community in Palestine also opted for caution, the pressure of public opinion notwithstanding. They sent a telegram to the Reich Chancellery “offering assurances that no authorized body in Palestine had declared or intended to declare a trade boycott of Germany.”⁵³ American Jewish leaders were divided; most of the Jewish organizations in the United States were opposed to mass demonstrations and economic action, mainly for fear of embarrassing the president and the State Department.⁵⁴ Reluctantly, and under pressure from such groups as the Jewish War Veterans, the American Jewish Congress finally decided otherwise. On March 27 protest meetings took place in several American cities, with the participation of church and labor leaders. As for the boycott of German goods, it spread as an emotional grass-roots movement that, over the months, received an increasing measure of institutional support, at least outside Palestine.⁵⁵

Goebbels’s excitement was irrepressible. In his diary entry for March 27, he wrote: “I’ve dictated a sharp article against the Jews’ atrocity propaganda. At its mere announcement the whole *mischpoke* [*sic*, Yiddish for “family”] broke down. One must use such methods. Magnanimity doesn’t impress the Jews.” March 28: “Phone conversation with the Führer: the call for the boycott will be published today. Panic among the Jews!” March 29: “I convene my assistants and explain the organization of the boycott to them.” March 30: “The organization of the boycott is complete. Now we merely need to press a button and it starts.”⁵⁶ March 31: “Many people are going around with their heads hanging and seeing specters. They think the boycott will lead to war. By defending ourselves, we can only win respect.

A small group of us hold a last discussion and decide that the boycott should start tomorrow with fullest intensity. It will last one day and then be followed by an interruption until Wednesday. If the incitement in foreign countries stops, then the boycott will stop, otherwise a fight to the end will start."⁵⁷ April 1: "The boycott against the international atrocities propaganda broke out in the fullest intensity in Berlin and all over the Reich. The public," Goebbels added, "has everywhere shown its solidarity."⁵⁸

In principle the boycott could have caused serious economic damage to the Jewish population as, according to Avraham Barkai, "more than sixty percent of all gainfully employed Jews were concentrated in the commercial sector, the overwhelming majority of these in the retail trade.... Similarly, Jews in the industrial and crafts sectors were active largely as proprietors of small businesses and shops or as artisans."⁵⁹ In reality, however, the Nazi action ran into immediate problems.⁶⁰

The population proved rather indifferent to the boycott and sometimes even intent on buying in "Jewish" stores. According to the *Völkischer Beobachter* of April 3, some shoppers in Hannover tried to enter a Jewish-owned store by force.⁶¹ In Munich repeated announcements concerning the forthcoming boycott resulted in such brisk business in Jewish-owned stores during the last days of March (the public did not yet know how long the boycott would last) that the *Völkischer Beobachter* bemoaned "the lack of sense among that part of the population which forced its hard-earned money into the hands of enemies of the people and cunning slanderers."⁶² On the day of the boycott many Jewish businesses remained shut or closed early. Vast throngs of onlookers blocked the streets in the commercial districts of the city center to watch the unfolding event: They were passive but in no way showed the hostility to the "enemies of the people" the party agitators had expected.⁶³ A Dortmund rabbi's wife, Martha Appel, confirms in her memoirs a similarly passive and certainly not hostile attitude among the crowds in the streets of that city's commercial sector. She even reports hearing many expressions of discontent with the Nazi initiative.⁶⁴ This atmosphere seems to have been common in most parts of the Reich. The bimonthly police report in the Bavarian town of Bad Tölz, south of Munich, is succinct and unambiguous: "The only Jewish shop, 'Cohn' on the Fritzplatz, was not boycotted."⁶⁵

The lack of popular enthusiasm was compounded by a host of unforeseen questions: How was a "Jewish" enterprise to be defined? By its name, by the Jewishness of its directors, or by Jewish control of all or part of its

capital? If the enterprise were hurt, what, in a time of economic crisis, would happen to its Aryan employees? What would be the overall consequences, in terms of possible foreign retaliation, of the action on the German economy?

Although impending for some time, the April boycott was clearly an improvised action. It may have aimed at channeling the anti-Jewish initiatives of the SA and of other radicals; at indicating that, in the long run, the basis of Jewish existence in Germany would be destroyed; or, more immediately, at responding in an appropriately Nazi way to foreign protests against the treatment of German Jews. Whatever the various motivations may have been, Hitler displayed a form of leadership that was to become characteristic of his anti-Jewish actions over the next several years: He usually set an *apparent* compromise course between the demands of the party radicals and the pragmatic reservations of the conservatives, giving the public impression that he himself was above operational details.⁶⁶ Such restraint was obviously tactical; in the case of the boycott, it was dictated by the state of the economy and wariness of international reactions.⁶⁷

For some Jews living in Germany, the boycott, despite its overall failure, had unexpected and unpleasant consequences. Such was the case of Arthur B., a Polish Jew who had been hired on February 1 with his band of "four German musicians (one of them a woman)" to perform at the Café Corso in Frankfurt. A month later B.'s contract was extended to April 30. On March 30, B. was dismissed by the café owner for being Jewish. B. applied to the Labor Court in Frankfurt to obtain payment of the money owed him for the month of April. The owner, he argued, had known when she hired him that he was a Polish Jew. She had been satisfied with the band's work and thus had no right to dismiss him without notice and payment. The court rejected his plea and charged him with the costs, ruling that the circumstances created by Jewish incitement against Germany—which had led some customers to demand the bandleader's dismissal and brought threats from the local *Gau* (main party district) leadership that the Café Corso would be boycotted as a Jewish enterprise if Arthur B. were to continue working there—could have caused severe damage to the defendant and was therefore sufficient reason for the dismissal. "Whether the defendant already knew when she hired him that the plaintiff was a Jew is irrelevant," the court concluded, "as the national revolution with its drastic consequences for the Jews took place after the plaintiff had been hired; the defendant could not have known at the time that the plaintiff's belonging

to the Jewish race would later play such a significant role."⁶⁸

The possibility of further boycotts remained open. "We hereby inform you," said a letter of August 31 from the Central Committee of the Boycott Movement (Zentralkomitee der Boykottbewegung) in Munich to the party district leadership of Hannover-South, "that the Central Committee for Defense Against Jewish Atrocities and Boycott Agitation...continues its work as before. The organization's activity will, however, be pursued quietly. We ask you to observe and inform us of any cases of corruption or other economic activities in which Jews play a harmful role. You may then wish to inform your district or local leadership in an appropriate way about such cases as just mentioned. As indicated in the last internal party instruction from the Deputy Führer [for Party affairs] Party Comrade [Rudolf] Hess, any public statements of the Central Committee must first be submitted to him."⁶⁹

At the same time it was nonetheless becoming increasingly clear to Hitler himself that Jewish economic life was not to be openly interfered with, at least as long as the German economy was still in a precarious situation. A fear of foreign economic retaliation, whether orchestrated by the Jews or as an expression of genuine outrage at Nazi persecutions, was shared by Nazis and their conservative allies alike and dictated temporary moderation. Once Hjalmar Schacht moved from the presidency of the Reichsbank to become minister of the economy, in the summer of 1934, noninterference with Jewish business was quasi-officially agreed upon. A potential source of tension thus arose between party activists and the upper echelons of party and state.

According to the German Communist periodical *Rundschau*, by then published in Switzerland, only the smaller Jewish businesses—that is, the poorer Jews—were harmed by the Nazi boycott. Large enterprises such as the Berlin-based Ullstein publishing empire or Jewish-owned banks—Jewish big business—did not suffer at all.⁷⁰ What looks like merely an expression of Marxist orthodoxy was in part true, because harming a Jewish department-store chain such as Tietz could have put its fourteen thousand employees out of work.⁷¹ For that very reason Hitler personally approved the granting of a loan to Tietz to ease its immediate financial difficulties.⁷²

At Ullstein, one of the largest publishers in Germany (it had its own printing plant and issued newspapers, magazines, and books), the Nazi enterprise cell within the company itself addressed a letter to Hitler on

June 21, describing the disastrous consequences of a surreptitiously continuing boycott for the Jewish firm's employees: "Ullstein, which on the day of the official boycott was excluded from the action due to its being an enterprise of vital importance," the cell's leader wrote to Hitler, "is at present suffering acutely from the boycott movement. The great majority of the work force are party members and an even larger number are in the cell. With every passing day, this work force is increasingly upset by weekly and monthly dismissals, and it urgently requests me to petition the appropriate authorities in order that the livelihoods of thousands of good national comrades [members of the national-racial community, or *Volksgenossen*] not be endangered. Ullstein's publication numbers have gone down by more than half. I am daily informed of quite hair-raising boycott cases. For instance, for a long time now the party enrollment of the head of the Ullstein office in Freienwalde has been rejected on the grounds that as an employee of a Jewish publishing house he would actually cause harm to the party."⁷³

This was complicated enough as it was, but the Communist *Rundschau* would have had even more to ponder if it had been aware of the many contradictions in the attitudes of major German banks and corporations toward anti-Jewish measures. First there were remnants of the past. Thus, in March 1933, when Hans Luther was replaced by Schacht as president of the Reichsbank, three Jewish bankers still remained on the bank's eight-member council and signed the authorization of his appointment.⁷⁴ This situation did not last much longer. As a result of Schacht's proddings and the party's steady pressure, the country's banks banished Jewish directors from their boards, as, for example, the dismissal of Oskar Wassermann and Theodor Frank from the board of the Deutsche Bank.⁷⁵ It is symptomatic of a measure of uneasiness with this step that the dismissals were linked to promises (obviously never fulfilled) of eventual reemployment.⁷⁶

During the first years of the regime, however, there are indications of a somewhat unexpected moderation and even helpfulness on the part of big business in its dealings with non-Aryan firms. Pressure for business takeovers and other ruthless exploitation of the weakened status of Jews came mainly from smaller, midsized enterprises, and much less so, at least until the fall of 1937, from the higher reaches of the economy.⁷⁷ Some major corporations even retained the services of Jewish executives for years. But some precautions were taken. Thus, although most Jewish board members of the chemical industry giant I. G. Farben stayed on for a while,

the closest Jewish associates of its president, Carl Bosch, such as Ernst Schwarz and Edmund Pietrowski, were reassigned to positions outside the Reich, the former in New York, the latter in Switzerland.⁷⁸

Highly visible Jews had to go, of course. Within a few months, the banker Max Warburg was excluded from one corporate board after another. When he was banished from the board of the Hamburg-Amerika Line, the dignitaries assembled to bid him good-bye were treated to a strange scene. As, in view of the circumstances, no one else seemed ready with a valedictory, the Jewish banker himself delivered a farewell address: "To our regret," he began, "we have learned that you have decided to leave the board of the company and consider this decision irrevocable," and he ended no less appropriately: "And now I would like to wish you, dear Mr. Warburg, a *calm old age*, good luck and many blessings to your family."⁷⁹

IV

When the Nazis acceded to power, they could in principle refer to the goals of their anti-Jewish policy as set down in the twenty-five-point party program of February 24, 1920. Points 4, 5, 6, and 8 dealt with concrete aspects of the "Jewish question." Point 4: "Only members of the nation may be citizens of the State. Only those of German blood, whatever their creed, may be members of the nation. Accordingly no Jew may be a member of the nation." Point 5: "Non-citizens may live in Germany only as guests and must be subject to laws for aliens." Point 6: "The right to vote on the state's government and legislation shall be enjoyed by the citizens of the state alone." Point 8: "All non-German immigration must be prevented. We demand that all non-Germans who entered Germany after 2 August 1914 shall be required to leave the Reich forthwith." Point 23 demanded that control of the German press be solely in the hands of Germans.⁸⁰

Nothing in the program indicated ways of achieving these goals, and the failure of the April 1933 boycott is a good example of the total lack of preparation for their tasks among Germany's new masters. But, at least in their anti-Jewish policy, the Nazis soon became masters of improvisation; adopting the main points of their 1920 program as short-term goals, they learned how to pursue them ever more systematically.

On March 9 State Secretary Hans-Heinrich Lammers conveyed a request from the Reich chancellor to Minister of the Interior Frick. He was asked by Hitler to take into consideration the suggestion of State Secretary Paul Bang of the Ministry of the Economy about the application of "a

racial [*völkisch*] policy" toward East European Jews: prohibition of further immigration, cancellation of name changes made after 1918, and expulsion of a certain number of those who had not yet been naturalized.⁸¹ Within a week Frick responded by sending instructions to all states (*Länder*):

In order to introduce a racial policy (*völkische Politik*), it is necessary to:

1. Oppose the immigration of Eastern Jews.
2. Expel Eastern Jews living in Germany without a residence permit.
3. Stop the naturalization of Eastern Jews.⁸²

Bang's suggestions were in line with Points 5 (on naturalization) and 8 (on immigration) of the 1920 party program. As early as 1932, moreover, both the German National Minister of the Interior Wilhelm Freiherr von Gayl and the Nazi Helmut von Nicolai had formulated concrete proposals regarding East European Jews,⁸³ and a month before Frick issued his guidelines the Prussian Ministry of the Interior had already taken the initiative to cancel an order previously given to the police to avoid the expulsion of East European Jews who had been accused by the police of "hostile activities" but had lived in Germany for a long period.⁸⁴ On July 14, 1933, these measures were enhanced by the Law for the Repeal of Naturalization and Recognition of German Citizenship, which called for the cancellation of naturalizations that had taken place between November 9, 1918, and January 30, 1933.⁸⁵

The measures taken against the so-called Eastern Jews were overshadowed by the laws of April 1933.⁸⁶ The first of them—the most fundamental one because of its definition of the Jew—was the April 7 Law for the Restoration of the Professional Civil Service. In its most general intent, the law aimed at reshaping the entire government bureaucracy in order to ensure its loyalty to the new regime. Applying to more than two million state and municipal employees, its exclusionary measures were directed against the politically unreliable, mainly Communists and other opponents of the Nazis, and against Jews.⁸⁷ Paragraph 3, which came to be called the "Aryan paragraph," reads: "1. Civil servants not of Aryan origin are to retire...." (Section 2 listed exceptions, which will be examined later.) On April 11 the law's first supplementary decree defined "non-Aryan" as "anyone descended from non-Aryan, particularly Jewish, parents or grandparents. It suffices if one parent or grandparent is non-Aryan."⁸⁸

For the first time since completion of the emancipation of the German Jews in 1871, a government, by law, had reintroduced discrimination against the Jews. Up to this point the Nazis had unleashed the most extreme anti-Jewish propaganda and brutalized, boycotted, or killed Jews on the assumption that they could somehow be identified as Jews, but no formal disenfranchisement based on an exclusionary definition had yet been initiated. The definition as such—whatever its precise terms were to be in the future—was the necessary initial basis of all the persecutions that were to follow.⁸⁹

Wilhelm Frick was at the immediate origin of the Civil Service Law; he had already proposed the same legislation to the Reichstag as far back as May 1925. On March 24, 1933, he submitted the law to the cabinet. On March 31 or April 1, Hitler probably intervened to support the proposal. The atmosphere surrounding the boycott undoubtedly contributed to the rapid drafting of the text. Although the scope of the law was general, the anti-Jewish provision represented its very core.⁹⁰

The definition of Jewish origin in the Civil Service Law was the broadest and most comprehensive, and the provisions for assessment of each doubtful case the harshest possible. In the elaboration of the law we find traces of the anti-Semitic and racial zeal of Achim Gercke, the specialist for race research at the Ministry of the Interior,⁹¹ a man who during his student days at Göttingen had started, with some help from faculty and staff, to set up a card index of all Jews—as defined by racial theory; that is, in terms of Jewish ancestry—living in Germany.⁹² For Gercke the anti-Jewish laws were not limited to their immediate and concrete object; they also had an “educational” function: Through them “the entire national community becomes enlightened about the Jewish question; it learns that the national community is a community of blood; for the first time it understands race thinking and, instead of an overly theoretical approach to the Jewish question, it is confronted with a concrete solution.”⁹³

In 1933 the number of Jews in the civil service was small. As a result of Hindenburg’s intervention (following a petition by the Association of Jewish War Veterans that was also supported by the elderly Field Marshal August von Mackensen), combat veterans and civil servants whose fathers or sons had been killed in action in World War I were exempted from the law. Civil servants, moreover, who had been in state service by August 1, 1914, were also exempt.⁹⁴ All others were forced into retirement.

Legislation regarding Jewish lawyers illustrates, even more clearly than

the economic boycott, how Hitler maneuvered between contradictory demands from Nazi radicals on the one hand and from his DNVP allies on the other. By the end of March, physical molestation of Jewish jurists had spread throughout the Reich. In Dresden, Jewish judges and lawyers were dragged out of their offices and even out of courtrooms during proceedings, and, more often than not, beaten up. According to the *Vossische Zeitung* (quoted by the *Jüdische Rundschau* of March 28), in Gleiwitz, Silesia, "a large number of young men entered the court building and molested several Jewish lawyers. The seventy-year-old legal counselor Kochmann was hit in the face and other lawyers punched all over. A Jewish woman assessor was taken to jail. The proceedings were interrupted. Finally, the police had to occupy the building in order to put an end to the disturbances."⁹⁵ There were dozens of similar events throughout Germany. At the same time local Nazi leaders such as the Bavarian justice minister, Hans Frank, and the Prussian justice minister, Hanns Kerrl, on their own initiative announced measures for the immediate dismissal of all Jewish lawyers and civil servants.

Franz Schlegelberger, state secretary of the Ministry of Justice, reported to Hitler that these local initiatives created an entirely new situation and demanded rapid legislation to impose a new, unified legal framework. Schlegelberger was backed by his minister, DNVP member Franz Gürtner. The Justice Ministry had prepared a decree excluding Jewish lawyers from the bar on the same basis—but also with the same exemptions regarding combat veterans and their relatives, and longevity in practice, as under the Civil Service Law. At the April 7 cabinet meeting Hitler unambiguously opted for Gürtner's proposal. In Hitler's own words: "For the moment...one has to deal only with what is necessary."⁹⁶ The decree was confirmed the same day and made public on April 11.

Because of the exemptions, the initial application of the law was relatively mild. Of the 4,585 Jewish lawyers practicing in Germany, 3,167 (or almost 70 percent) were allowed to continue their work; 336 Jewish judges and state prosecutors, out of a total of 717, were also kept in office.⁹⁷ In June 1933 Jews still made up more than 16 percent of all practicing lawyers in Germany.⁹⁸ These statistics should, however, not be misinterpreted. Though still allowed to practice, Jewish lawyers were excluded from the national association of lawyers and listed not in its annual directory but in a separate guide; all in all, notwithstanding the support of some Aryan institutions and individuals, they worked under a "boycott by fear."⁹⁹

Nazi rank-and-file agitation against Jewish physicians did not lag far behind the attacks on Jewish jurists. Thus, for example, according to the March 2 *Israelitisches Familienblatt*, an SS physician, Arno Hermann, tried to dissuade a woman patient from consulting a Jewish physician named Ostrowski. The Physicians' Honor Tribunal that heard Ostrowski's complaint condemned Hermann's initiative. Thereupon Leonardo Conti, the newly appointed Nazi commissioner for special affairs in the Prussian Ministry of the Interior, violently attacked the Honor Tribunal's ruling in an article published in the *Völkischer Beobachter*. In the name of the primacy of "inner conviction" and "world view," Conti argued that "every nondegenerate woman must and will internally shrink from being treated by a Jewish gynecologist; this has nothing to do with racial hatred, but belongs to the medical imperative according to which a relation of mutual understanding must grow between spiritually related physicians and patients."¹⁰⁰

Hitler was even more careful with physicians than with lawyers. At the April 7 cabinet meeting, he suggested that measures against them be postponed until an adequate information campaign could be organized.¹⁰¹ At this stage, after April 22, Jewish doctors were merely barred de facto from clinics and hospitals run by the national health insurance organization, with some even allowed to continue to practice there. Thus, in mid-1933, nearly 11 percent of all practicing German physicians were Jews. Here is another example of Hitler's pragmatism in action: Thousands of Jewish physicians meant tens of thousands of German patients. Disrupting the ties between these physicians and a vast number of patients could have caused unnecessary discontent. Hitler preferred to wait.

On April 25 the Law Against the Overcrowding of German Schools and Universities was passed. It was aimed exclusively against non-Aryan pupils and students.¹⁰² The law limited the matriculation of new Jewish students in any German school or university to 1.5 percent of the total of new applicants, with the overall number of Jewish pupils or students in any institution not to exceed 5 percent. Children of World War I veterans and those born of mixed marriages contracted before the passage of the law were exempted from the quota. The regime's intention was carefully explained in the press. According to the *Deutsche Allgemeine Zeitung* of April 27: "A self-respecting nation cannot, on a scale accepted up to now, leave its higher activities in the hands of people of racially foreign origin.... Allowing the presence of too high a percentage of people of foreign origin in relation to their percentage in the general population could be inter-

preted as an acceptance of the superiority of other races, something decidedly to be rejected."¹⁰³

The April laws and the supplementary decrees that followed compelled at least two million state employees and tens of thousands of lawyers, physicians, students, and many others to look for adequate proof of Aryan ancestry; the same process turned tens of thousands of priests, pastors, town clerks, and archivists into investigators and suppliers of vital attestations of impeccable blood purity; willingly or not these were becoming part of a racial bureaucratic machine that had begun to search, probe, and exclude.¹⁰⁴

Often enough the most unlikely cases surfaced to be caught in the bizarre but unrelenting bureaucratic process triggered by the new legislation. Thus, for the six following years, the April 7 law would create havoc in the life of one Karl Berthold, an employee of the social benefits office (*Versorgungssamt*) in Chemnitz, Saxony.¹⁰⁵ According to a June 17, 1933, letter sent from the Chemnitz office to the main social benefits office in Dresden, the "suspicion exists that he [Karl Berthold] is *possibly* of non-Aryan origin on his father's side."¹⁰⁶ The letter indicated that Berthold was most probably the illegitimate son of a Jewish circus "artiste," Carl Blumenfeld, and of an Aryan mother who had died sixteen years earlier. On June 23 the Dresden office submitted the case to the Ministry of Labor, with the comment that unequivocal documentary proof was unavailable, that Berthold's outward appearance did not dispel the suspicion of a non-Aryan origin, but that, on the other hand, the fact that he was raised in the house of his maternal grandfather "in a Christian, strongly militaristic-national spirit, worked in his favor, so that the characteristics of the non-Aryan race, in case he was burdened on his father's side, would be compensated for by his upbringing."¹⁰⁷

On July 21 the Ministry of Labor forwarded Berthold's file (which by then included seventeen appended documents) to the Ministry of the Interior with a request for speedy evaluation. On September 8, the ministry's specialist for racial research, Achim Gercke, gave his opinion: Carl Blumenfeld's paternity was confirmed, but Gercke could not avoid mentioning that, according to all available dates, Blumenfeld must have been only thirteen years old when Karl Berthold was conceived: "The impossibility of such a fact cannot be taken for granted," Gercke wrote, "as among Jews sexual maturity comes earlier, and similar cases are known."¹⁰⁸

It did not take long for the main office in Dresden to be informed of

Gercke's computations and to do some simple arithmetic of its own. On September 26 the Dresden office wrote to the Ministry of Labor pointing out that, as Berthold had been born on March 23, 1890—when Blumenfeld was still under thirteen—the baby had to have been conceived “when the artist Carl Blumenfeld was only eleven and a half. It is difficult to assume,” the Dresden letter continued, “that a boy of eleven and a half could have fathered a child with a woman of twenty-five.” The Dresden office demanded that the obvious be recognized: Karl Berthold was not Carl Blumenfeld's child.¹⁰⁹ Needless to say, that opinion was rejected.

Berthold's story, which with its ups and downs would continue to unfold until 1939, is in many ways a parable; it will reappear sporadically until the paradoxical decision that settled Berthold's fate.

As denunciations poured in, investigations came to be conducted at all levels of the civil service. It took Hitler's personal intervention to put an end to an inquiry into the ancestry of Leo Killy, a member of the Reich Chancellery staff accused of being a full Jew. Killy's family documents cleared him of any suspicion, at least in Hitler's eyes.¹¹⁰ The procedures varied: Fräulein M., who merely wished to marry a civil servant, wanted to be reassured about her Aryan ancestry, as her grandmother's name, Goldmann, could raise some doubts. The examination was performed in Professor Otmar von Verschuer's genetics department in the Kaiser Wilhelm Institute for Anthropology, Human Genetics, and Eugenics in Berlin. One of the questions Verschuer's specialists had to solve was: “Can Fräulein M. be described as a non-Aryan in the sense that she can be recognized as such by a layman on the basis of her mental attitude, her environment, or her outward appearance?” The “genetic examination,” based on photographs of Fräulein M.'s relatives and on aspects of her own physical appearance, led to most positive results. The report excluded any signs of Jewishness. Although Fräulein M. had “a narrow, high and convexly projecting nose,” it concluded that she had inherited the nose from her father (not from the grandmother burdened with the name Goldmann) and thus was a pure Aryan.¹¹¹

In September 1933 Jews were forbidden to own farms or engage in agriculture. That month the establishment, under the control of the Propaganda Ministry, of the Reich Chamber of Culture, enabled Goebbels to limit the participation of Jews in the new Germany's cultural life. (Their systematic expulsion, which would include not only writers and artists but also owners of important businesses in the cultural domain, was for that

reason delayed until 1935.)¹¹² Also under the aegis of Goebbels's Propaganda Ministry, Jews were barred from belonging to the Journalists' Association and, on October 4, from being newspaper editors. The German press had been cleansed. (Exactly a year later, Goebbels recognized the right of Jewish editors and journalists to work, but only within the framework of the Jewish press.)¹¹³

In Nazi racial thinking, the German national community drew its strength from the purity of its blood and from its rootedness in the sacred German earth. Such racial purity was a condition of superior cultural creation and of the construction of a powerful state, the guarantor of victory in the struggle for racial survival and domination. From the outset, therefore, the 1933 laws pointed to the exclusion of the Jews from all key areas of this utopian vision: the state structure itself (the Civil Service Law), the biological health of the national community (the physicians' law), the social fabric of the community (the disbarring of Jewish lawyers), culture (the laws regarding schools, universities, the press, the cultural professions), and, finally, the sacred earth (the farm law). The Civil Service Law was the only one of these to be fully implemented at this early stage, but the symbolic statements they expressed and the ideological message they carried were unmistakable.

Very few German Jews sensed the implications of the Nazi laws in terms of sheer long-range terror. One who did was Georg Solmssen, spokesman for the board of directors of the Deutsche Bank and son of an Orthodox Jew. In an April 9, 1933, letter addressed to the bank's board chairman, after pointing out that even the non-Nazi part of the population seemed to consider the new measures "self-evident," Solmssen added: "I am afraid that we are merely at the beginning of a process aiming, purposefully and according to a well-prepared plan, at the economic and moral annihilation of all members, without any distinctions, of the Jewish race living in Germany. The total passivity not only of those classes of the population that belong to the National Socialist Party, the absence of all feelings of solidarity becoming apparent among those who until now worked shoulder to shoulder with Jewish colleagues, the increasingly more obvious desire to take personal advantage of vacated positions, the hushing up of the disgrace and the shame disastrously inflicted upon people who, although innocent, witness the destruction of their honor and their existence from one day to the next—all of this indicates a situation so hopeless that it would be wrong not to face it squarely without any attempt at prettification."¹¹⁴

There was some convergence between the expressions of the most extreme anti-Semitic agenda of German conservatives at the beginning of the century and the Nazi measures during the early years of the new regime. In his study of the German Civil Service, Hans Mommsen pointed to the similarity between the “Aryan paragraph” of the Civil Service Law of April 1933 and the Conservative Party’s so-called Tivoli program of 1892.¹¹⁵ The program’s first paragraph declared: “We combat the widely obtrusive and subversive Jewish influence on our popular life. We demand a Christian authority for the Christian people and Christian teachers for Christian pupils.”¹¹⁶

The Conservatives, in other words, demanded the exclusion of Jews from any government position and from any influence on German education and culture. As for the main thrust of the forthcoming 1935 Nuremberg laws—segregation of the Jews according to racial criteria and placing of the Jewish community as such under “alien status”—this had already been demanded by radical Conservative anti-Semites, particularly by Heinrich Class, president of the Pan-Germanic League, in a notorious pamphlet, entitled *Wenn ich der Kaiser wär (If I Were the Kaiser)*, published in 1912. Thus, although what was to become the Nazi program of action was a Nazi creation, the overall evolution of the German right-wing parties during the Weimar years gave birth to a set of anti-Jewish slogans and demands that the extreme nationalist parties (the DNVP in particular) shared with the Nazis.

The conservative state bureaucracy had sometimes anticipated Nazi positions on Jewish matters. The Foreign Ministry, for instance, tried, well before the Nazis came to power, to defend Nazi anti-Semitism. After January 1933, with the blessings of State Secretary Bernhard Wilhelm von Bülow and Foreign Minister Neurath, senior officials of the Ministry intensified these efforts.¹¹⁷ In the spring of 1933, anti-Jewish propaganda work in the Foreign Ministry was bolstered by the establishment of a new Department Germany (Referat Deutschland), to which this task was specifically given.

At the Prussian Ministry of the Interior, State Secretary Herbert von Bismarck of the DNVP participated in the anti-Jewish crusade with no less vehemence than Frick, the Nazi minister. Apparently stung by the recently published biography of his great-uncle Otto, the Iron Chancellor, by Emil Ludwig (his real name was Emil Ludwig Kohn), Bismarck demanded pro-

hibition of the use of pseudonyms by Jewish authors. Moreover, as Bismarck put it, “national pride is deeply wounded by those cases in which Jews with Eastern Jewish names have adopted particularly nice German surnames, such as, for example, Harden, Olden, Hinrichsen, etc. I consider a review of name changes urgently necessary in order to revoke changes of that kind.”¹¹⁸

On April 6, 1933, an ad hoc committee—following an initiative that probably originated in the Prussian Interior Ministry—started work on a draft for a Law Regulating the Position of the Jews. Again the German Nationals were heavily represented on the eight-member drafting committee. A copy of this draft proposal, sent in July 1933 to the head of Department Germany of the Foreign Ministry, remained in the archives of the Wilhelmstrasse. The draft suggests the appointment of a “national guardian” (*Volkswart*) for dealing with Jewish affairs and employs the term “Jewish council” (*Judenrat*) in defining the central organization that is to represent the Jews of Germany in their dealings with the authorities, particularly with the *Volkswart*. Already in the draft are many of the discriminatory measures that were to be taken later,¹¹⁹ although at the time, nothing came of this initiative. Thus for part of the way at least, Nazi policies against the Jews were identical with the anti-Semitic agenda set by the German Conservatives several decades before Hitler’s accession to power.¹²⁰

And yet the curtailment of the economic measures against the Jews was also a conservative demand, and whatever exceptions were introduced into the April laws were instigated by the most prominent conservative figure of all, President Hindenburg. Hitler understood perfectly how essentially different his own anti-Jewish drive was from the traditional anti-Semitism of the old field marshal, and in his answer to Hindenburg’s request of April 4, regarding exceptions to the exclusion of Jews from the civil service, limited himself to the regular middle-of-the-road anti-Jewish arguments of the moderate breed of conservatives to which Hindenburg belonged. It was in fact Hitler’s first lengthy statement on the Jews since he became chancellor.

In his April 5 letter, Hitler started by using the argument of a Jewish “inundation.” With regard to the civil service, the Nazi leader argued that the Jews, as a foreign element and as people with ability, had entered governmental positions and “were sowing the seed of corruption, the extent of which no one today has any adequate appreciation.” The international

Jewish "atrocities and boycott agitation" precipitated measures that are intrinsically defensive. Hitler nonetheless promised that Hindenburg's request regarding Jewish veterans would be implemented. Then he moved to a strangely premonitory finale: "In general, the first goal of this cleansing process is intended to be the restoration of a certain healthy and natural relationship; and second, to remove from specified positions important to the state those elements that cannot be entrusted with the life or death of the Reich. Because in the coming years we will inevitably have to take precautions to ensure that certain events that cannot be disclosed to the rest of the world for higher reasons of state really remain secret."¹²¹

Again, Hitler was utilizing some of the main tenets of conservative anti-Semitism to the full: the over-representation of Jews in some key areas of social and professional life, their constituting a nonassimilated and therefore foreign element in society, the nefarious influence of their activities (liberal or revolutionary), particularly after November 1918. Weimar, the conservatives used to clamor, was a "Jewish republic." Hitler had not forgotten to mention, for the special benefit of a field marshal and Prussian landowner, that in the old Prussian state the Jews had had little access to the civil service and that the officer corps had been kept free of them. There was some irony in the fact that a few days after Hitler's letter to Hindenburg, the old field marshal himself had to answer a query from Prince Carl of Sweden, president of the Swedish Red Cross, about the situation of the Jews in Germany. The text of Hindenburg's letter to Sweden was in fact dictated by Hitler, with the early draft prepared by Hindenburg's office significantly changed (any admission of acts of violence against Jews was omitted, and the standard theme of the invasion of the Reich by Jews from the East strongly underlined).¹²² Thus, over his own signature, the president of the Reich sent a letter not very different from the one Hitler had addressed to him on April 4. But soon Hindenburg would be gone, and this source of annoyance would disappear from Hitler's path.

V

The city of Cologne forbade the use of municipal sports facilities to Jews in March 1933.¹²³ Beginning April 3 requests by Jews in Prussia for name changes were to be submitted to the Justice Ministry, "to prevent the covering up of origins."¹²⁴ On April 4 the German Boxing Association excluded all Jewish boxers.¹²⁵ On April 8 all Jewish teaching assistants at

universities in the state of Baden were to be expelled immediately.¹²⁶ On April 18 the party district chief (Gauleiter) of Westphalia decided that a Jew would be allowed to leave prison only if the two persons who had submitted the request for bail, or the doctor who had signed the medical certificate, were ready to take his place in prison.¹²⁷ On April 19 the use of Yiddish was forbidden in cattle markets in Baden.¹²⁸ On April 24 the use of Jewish names for spelling purposes in telephone communications was forbidden.¹²⁹ On May 8 the mayor of Zweibrücken prohibited Jews from leasing places in the next annual town market.¹³⁰ On May 13 the change of Jewish to non-Jewish names was forbidden.¹³¹ On May 24 the full Aryanization of the German gymnastics organization was ordered, with full Aryan descent of all four grandparents stipulated.¹³² Whereas in April Jewish doctors had been excluded from state-insured institutions, in May privately insured institutions were ordered to refund medical expenses for treatment by Jewish doctors only when the patients themselves were non-Aryan. Separate lists of Jewish and non-Jewish doctors would be ready by June.¹³³

On April 10 the president of the state government and minister for religious affairs and education of Hesse had demanded of the mayor of Frankfurt that the Heinrich Heine monument be removed from its site. On May 18 the mayor replied that "the bronze statue was thrown off its pedestal on the night of April 26–27. The slightly damaged statue has been removed and stored in the cellar of the ethnological museum."¹³⁴

In fact, according to the Stuttgart city chronicle, in the spring of 1933 hardly a day went by without some aspect of the "Jewish question" coming up in one way or another. On the eve of the boycott, several well-known local Jewish physicians, lawyers, and industrialists left the country.¹³⁵ On April 5 the athlete and businessman Fritz Rosenfelder committed suicide. His friend, the World War I ace Ernst Udet, flew over the cemetery to drop a wreath.¹³⁶ On April 15 the Nazi Party demanded the exclusion of Berthold Heymann, a Socialist (and Jewish) former cabinet minister in Württemberg, from the electoral list.¹³⁷ On April 20 the Magistrate's Court of Stuttgart tried the chief physician of the Marienspital (Saint Mary's Hospital), Caesar Hirsch, in absentia. Members of his staff testified that he had declared he would not return to Nazi Germany, "as he refused to live in such a homeland."¹³⁸ On April 27 three hundred people demonstrated on the Königsstrasse against the opening of a local branch of the Jewish-owned shoe company Etam.¹³⁹ On April 29 a Jewish veterinarian who

wanted to resume his service at the slaughterhouse was threatened by several butchers and taken "into custody."¹⁴⁰ And so it continued, day in and day out.

In his study of the Nazi seizure of power in the small city of Northeim (renamed Thalburg), near Hannover, William Sheridan Allen vividly describes the changing fate of the town's 120 Jews. Mostly small businessmen and their families, they were well assimilated and for several generations had been an integral part of the community. In 1932 a Jewish haberdasher had celebrated the 230th anniversary of the establishment of his shop.¹⁴¹

Allen tells of a banker named Braun, who tried hard to maintain his German nationalist stance and to disregard the increasingly insulting measures introduced by the Nazis: "To the solicitous advice that was given to him to leave Thalburg, he replied, 'Where should I go? Here I am the Banker Braun; elsewhere I would be the Jew Braun.'¹⁴²

Other Jews in Thalburg were less confident. Within a few months the result was the same for all. Some withdrew from the various clubs and social organizations to which they had belonged; others received letters of dismissal under various pretexts. "Thus," as Allen expresses it, "the position of the Jews in Thalburg was rapidly clarified, certainly by the end of the first half-year of Hitler's regime.... The new state of affairs became a fact of life; it was accepted. Thalburg's Jews were simply excluded from the community at large."¹⁴³

For young Hilma Geffen-Ludomer, the only Jewish child in the Berlin suburb of Rangsdorf, the Law Against the Overcrowding of German Schools meant total change. The "nice, neighborly atmosphere" ended "abruptly.... Suddenly, I didn't have any friends. I had no more girlfriends, and many neighbors were afraid to talk to us. Some of the neighbors that we visited told me: 'Don't come anymore because I'm scared. We should not have any contact with Jews.'" Lore Gang-Salheimer, eleven in 1933 and living in Nuremberg, could remain in her school as her father had fought at Verdun. Nonetheless "it began to happen that non-Jewish children would say, 'No I can't walk home from school with you anymore. I can't be seen with you anymore.'¹⁴⁴ "With every passing day under Nazi rule," wrote Martha Appel, "the chasm between us and our neighbors grew wider. Friends with whom we had had warm relations for years did not know us anymore. Suddenly we discovered that we were different."¹⁴⁵

On the occasion of the general census of June 1933, German Jews, like

everyone else, were defined and counted in terms of their religious affiliation and nationality, but their registration cards included more details than those of other citizens. According to the official *Statistik des deutschen Reiches*, these special cards “allowed for an overview of the biological and social situation of Jewry in the German Reich, insofar as it could be recorded on the basis of religious affiliation.” A census “of Jewry living in the Reich on the basis of race” was not yet possible.¹⁴⁶

VI

The Law for the Prevention of Genetically Diseased Offspring (*Gesetz zur Verhütung erbkranken Nachwuchses*) was adopted on July 14, 1933, the day on which the laws against Eastern Jews (cancellation of citizenship, an end to immigration, and so on) came into effect. The new law allowed for the sterilization of anyone recognized as suffering from supposedly hereditary diseases, such as feeble-mindedness, schizophrenia, manic-depressive insanity, genetic epilepsy, Huntington’s chorea, genetic blindness, genetic deafness, and severe alcoholism.¹⁴⁷

The evolution leading to the July 1933 law was already noticeable during the Weimar period. Among eugenicists, the promoters of “positive eugenics” were losing ground, and “negative eugenics”—with its emphasis on the exclusion, that is, mainly the sterilization, of carriers of incapacitating hereditary diseases—was gaining the upper hand even within official institutions: A trend that had appeared on a wide scale in the West before World War I was increasingly dominating the German scene.¹⁴⁸ As in so many other domains, the war was of decisive importance: Weren’t the young and the physically fit being slaughtered on the battlefield while the incapacitated and the unfit were being shielded? Wasn’t the reestablishment of genetic equilibrium a major national-racial imperative? Economic thinking added its own logic: The social cost of maintaining mentally and physically handicapped individuals whose reproduction would only increase the burden was considered prohibitive.¹⁴⁹ This way of thinking was widespread and by no means a preserve of the radical right. Although the draft of a sterilization law submitted to the Prussian government in July 1932 still emphasized *voluntary* sterilization in case of hereditary defects,¹⁵⁰ the idea of *compulsory* sterilization seems to have been spreading.¹⁵¹ It was nonetheless with the Nazi accession to power that the decisive change took place.

The new legislation was furthered by tireless activists such as Arthur

Gütt, who, after January 1933 besieged the Nazi Party's health department with detailed memoranda. Before long Leonardo Conti had Gütt nominated to a senior position at the Reich Ministry of the Interior.¹⁵² The cardinal difference between the measures proposed by Gütt and included in the law and any previous legislation on sterilization was indeed the element of compulsion. Paragraph 12, section 1, of the new law stated that once sterilization had been decided upon, it could be implemented "against the will of the person to be sterilized."¹⁵³ This distinction is true for most cases, and on the official level. It seems, though, that even before 1933, patients in some psychiatric institutions were being sterilized without their own or their families' consent.¹⁵⁴ About two hundred thousand people were sterilized between mid-1933 and the end of 1937.¹⁵⁵ By the end of the war, the number had reached four hundred thousand.¹⁵⁶

From the outset of the sterilization policies to the apparent ending of euthanasia in August 1941—and to the beginning of the "Final Solution" close to that same date—policies regarding the handicapped and the mentally ill on the one hand and those regarding the Jews on the other followed a simultaneous and parallel development. These two policies, however, had different origins and different aims. Whereas sterilization and euthanasia were exclusively aimed at enhancing the purity of the *Volksgemeinschaft*, and were bolstered by cost-benefit computations, the segregation and the extermination of the Jews—though also a racial purification process—was mainly a struggle against an active, formidable enemy that was perceived endangering the very survival of Germany and of the Aryan world. Thus, in addition to the goal of racial cleansing, identical to that pursued in the sterilization and euthanasia campaign and in contrast to it, the struggle against the Jews was seen as a confrontation of apocalyptic dimensions.