

SECRET

G 152  
16th October 1945

UNITED NATIONS WAR CRIMES COMMISSION

REPORT BY THE LEGAL COMMISSION OF THE FREE GERMAN MOVEMENT  
IN GREAT BRITAIN, CONCERNING THE PERSECUTION OF THE GERMAN  
ANTI-NAZIS SINCE 1933 (CRIMES AGAINST HUMANITY WITHIN THE  
MEANING OF ARTICLE 6, PARAGRAPH C, OF THE CHARTER OF THE  
INTERNATIONAL MILITARY TRIBUNAL).

Introduction

The enclosed report is submitted by us on behalf of the Legal Commission of the Free German Movement in Great Britain in response to a request from the United Nations War Crimes Commission to state the case of the persecution of the German anti-Nazis since 1933.

Whereas the case of the numerous nations oppressed by the Hitlerites can be presented by the National War Crimes Officer of the respective States, this report is submitted by a private and voluntary organization which has no facilities for collecting evidence from witnesses on the spot. The present report is based entirely on original sources as far as they are available in London. Only in one instance however it has been possible to cite a witness who is prepared to give evidence before the International Tribunal (see Appendix I).

It is nevertheless thought that the report presents at least a general outline of the persecution against the political opponents, the Jews, the Catholics and the Protestants, and it is hoped that we, as refugees from the Nazi terror may in this small way help the United Nations to effect a just punishment also for the crimes committed by the Nazis against German nationals who opposed the Nazi regime.

It is typical for the Nazi regime that in many instances persecution and terror were carried on in the form of laws. In this connection the defence may be raised on behalf of the departmental Ministers that the members of the Cabinet were merely advisers to the Führer, but it is submitted that this cannot free any of them of their criminal liability. As a leading Nazi text book characterizes the position: "Political leadership is of course vested in the hands of the Führer. But the Ministers are not merely his assistants, but his colleagues who although bound to him by personal allegiance are independent in their departmental sphere." (1). They are - to use the terminology of criminal law - accomplices. Moreover it may be noted that by order of the Führer dated the 27th July 1934 the Deputy Leader Hess was given an important position in connection with all legislative matter which was within the jurisdiction of the Cabinet. He had to be consulted in the preparation of all legislative proposals.

The presentation of the case is necessarily based on a different type of sources in respect of the different classes of victims. As regards the persecution of political opponents and the Jews the Nazi laws largely speak for themselves. The persecution of the Catholics was not in the main line carried on by means of laws. The report will show that more subtle methods were adopted. Quite a number of facts relating to the Catholics are reported in pastoral letters and in the famous encyclical of the late Pope Pius XI "Mit brennender Sorge" which was no doubt based on authenticated material submitted to the Pope by the German clergy. It is submitted that all the facts indicated in our report can be and should be substantiated by the evidence of the leading Catholic Bishops and other authorities in Germany.

(1) Kussmann, Verfassungsleben des dritten Reiches, 1937, p. 120.



Again on a different line is the story of the persecution of the Protestant Church. Here the Nazis applied for the first time the tactics of the Trojan Horse by forming their own Nazi Church Movement, the Faith Movement of German Christians. Only in the first stages this fight was reported in the German press. Later on it was mainly carried on by way of decrees favouring the German Christian Faction in the Protestant Church and by arbitrary measures against their opponents which only in rare cases were reported in the German press. This is therefore the only instance where some quotations from non German sources are necessary to give at least a rough outline of the case. It is however suggested that the main leaders of the German Confessional Church, such as Pastor Niemöller, Bishops Wurm and Meiser, Dr. Otto Dibelius and others be called as witnesses to give evidence of the persecution against the Protestant Church.

K. RAWITZKI  
Dr. Jur.  
Former barrister at law in Germany.

F. HELLENDALL  
LLB., Dr. Jur.

London, 8th October, 1945.

#### 1. PREPARATION FOR THE SEIZURE OF POWER.

After Hitler had failed to seize power by force in his Beer Cellar Putsch of 1923 he proclaimed that henceforth his fight would be carried on by legal means only, and in 1930 he confirmed this on oath when he was called as a witness before the Supreme Court of Leipzig.

But a few months after he had seized power (4.9.1933), Hitler himself stated the real purpose of this so-called "legality": "We made use of an unreasonable right which was part and parcel of an unreasonable system in order to overthrow the unreason of that system." - One of the leading "legal theorists" of the Nazi Party formulates the essence of Nazi "legality" during the period of the Weimar Republic as follows:

"The parliamentary battle of the Nazi Party had the single purpose of destroying the parliamentary system from within through its own methods."

But even legality in this perverted sense was only adhered to as long as it suited the Nazis. In the early years of the Weimar Republic leading exponents of democratic and anti-imperialist opinion in Germany fell victims of political murder perpetrated by Nazi thugs and their ideological antecedents: Liebknecht, Luxemburg, Eisner, Erzberger and Rathenau were only the most outstanding examples.(1) This weapon of political terror and murder was never abandoned by the Nazis. In the same speech in which Hitler pledged his legality to the Supreme Court at Leipzig on the 25.9.30, he also stated "If the Movement is victorious, then a new State Tribunal will convene, then heads will roll".

Footnote (1): The Nazis quite openly proclaimed their solidarity with these murderers. Thus an official Nazi publication printed in 1934 entitled "Kampf, Lebensdokumente deutscher Jugend 1914 - 1934" with an introduction by Dr. W. Frick, Reich Minister of the Interior, compiled and edited by Berthold Roth referred to the murder of Rathenau on p. 89 as follows: "The life of these Republican leaders was unsafe. It had to be unsafe, because their heads had to roll so that the Red Spook could be finally torn asunder. Rathenau had to fall."



A year later, after the Nazis had obtained more than a third of the total poll at the Reichstag elections of July, 1932, after Hindenburg had replaced the Brüning Government by the pro-Nazi government of von Papen, the Nazi terror reached its height with the murder of a Communist by five Nazis at Potempa in Upper Silesia. Although at that time it was the general rule that political crimes committed by Nazis were treated by the German courts with more leniency than those committed by their opponents, the special court at Beuthen, Upper Silesia, which had been appointed by the Papen Government to combat acts of political terror, had no alternative but to find the five Nazis guilty of murder and condemned them to death.

Potempa was the first occasion for the Nazis to drop completely the pretence of political legality and to declare quite openly their sympathy with the perpetrators of political murder. Thus, Göring sent the following telegram to the condemned murderers of Potempa:

"Embittered and disgusted beyond measure about the verdict of terror I assure you comrades that our whole fight will from now on be devoted to your freedom. Chins up! More than 14 million of the best Germans have made your course their own." (Angriff, 24.8.32).

And Alfred Rosenberg asserted in the "Völkischer Beobachter" of the 25.8.32. "Man is not like man; deed is not like deed. By the verdict Hitler's S.A. men are not only put on an equal basis with Bolsheviks, but where these are Poles as well, they (the S.A. men) are placed below subhumanity (Untermenschentum). Such "justice" is against the national elementary instinct of self-preservation. For National Socialism there is no such thing as law in itself."

Even more cynical in his praise for the Potempa criminals was Goebbels in his article in the "Angriff" of the 24th August, 1932:

"The real culprits are still hiding behind the police cordons. There will come the hour when counsel for the prosecution will have to fulfil other tasks than to protect the traitors to the people against the indignation of the people. Never forget, comrades! Tell yourselves a hundred times a day until it follows you into the bottom of your dreams: The Jews are guilty."

Subsequent events have proved to the world that these threats were anything but empty. But even at that time there was ample evidence that the Nazis not only intended violently to suppress their opponents once they had seized power, but that they had prepared their terroristic plans to the minutest detail. In November, 1931, the Republican Government of Hesse discovered the so-called Boxheim documents which laid down in all particulars what was going to happen when the Nazis would seize power. Inter alia these documents contained the following draft decree:

"Every command given by the S.A. irrespective of rank must be obeyed immediately. Resistance will always be punished by death. All foodstuffs are at the disposal of the leaders and must be handed to their representatives free of charge. Penalty for sabotaging the requisitioning, and for selling or exchanging foodstuffs: in every case confiscation of the entire property, every degree of imprisonment, or the death penalty." (see Frankfurter Zeitung 25.11.31).

It may be noted, that the author of these documents, Dr. Walter Best, became one of the leading Gestapo officials in Nazi-occupied territory during the war.



## 2. THE PERSECUTION OF POLITICAL OPPONENTS

When the so-called "National Revolution"<sup>(1)</sup> had succeeded the Nazis' "night of long knives" was put into practice. Immediately the Nazis had taken over the Government, even the slightest pretence of legality was dropped. The political terror against all anti-Nazis was organised by the Government, and the police force was encouraged to act ruthlessly against opponents of the regime. Göring's decree addressed to the police force on February, 17, 1933, is a clear indication of the methods by which the Nazis were to impose their criminal intentions on the German people. It reads as follows:-

"Every man who in pursuance of his duty makes use of his weapons will be protected by me regardless of the consequences of his action. On the other hand, every man who from any foul scruple does not use his weapons can anticipate criminal proceedings against himself. Every officer must at all times remember that omission to take the necessary measures is more serious than a mistake made in applying such measures."

Five days later Göring thought it necessary to put the meaning of this decree beyond any doubt. A further decree dated February, 22, 1933, explained:-

"I assume that it is unnecessary specially to point out that the police must in all circumstances avoid giving even the appearance of a hostile attitude towards patriotic associations (S.A. and Steel Helmet)."

Five further days passed, and on the 27th February, 1933 the Reichstag was set on fire. The Nazi propaganda machine put the blame on the Communists and Socialists, thus trying to provide for themselves a moral excuse for the terror against anti-Nazis of all shades of opinion which then started in full blast.

The Reichstag fire was used as a pretext to issue an emergency decree for "the Protection of People and State" which was based on Article 48, Sub-Section 2 of the Weimar Constitution. This decree was stated to be "a defensive measure against Communist acts of violence endangering the State". This decree "suspended" the fundamental rights of the Weimar Constitution<sup>(2)</sup> until further notice, and "authorised" restrictions on personal liberty, such as "protective custody" in Concentration Camps. Thus, this Decree became the "legal" basis for the reign of terror since established in Nazi Germany.

The interpretation of this Decree is one of the examples of how the Nazis did not even care to abide by their own laws. The Decree was expressly stated to be a measure against alleged Communist acts of violence, but it was used as a pretext to arrest any person who showed any opposition to the Nazi regime. The Prussian Supreme Administrative Court (Oberverwaltungsgericht) managed to interpret this clause in such a way that it included any activity "hostile to the State"<sup>(3)</sup>. It was held that it was irrelevant whether a person deprived of his liberty by virtue of this decree belonged to the Communist or to the "reactionary" camp. "In this connection one must start from the assumption that any act of a Volksgenosse which is hostile to the State, will further Communist aims"<sup>(4)</sup>.

(1) As to how this "National Revolution" was engineered by the Nazis and their wirepullers in German Heavy Industry, the testimony of Miss Cecilie Müller should be referred to (see Appendix 1)

(2) See Articles 114, 115, 117, 118, 123, 124 and 153 of the Weimar Constitution.

(3) Decisions of the Prussian Supreme Administrative Court, vol. 94, pp. 134 et seq.

(4) See Drews, President of the Prussian Supreme Administrative Court in a lecture on the latest decisions of the Prussian Supreme Administrative Court on General and Special Police Law, quoted by Schwedler, Politische Polizei, 1937, pp. 154-55.



Nazi authorities quite openly admit that protective custody and Concentration Camps have no foundation in German law. Thus Geigenmüller (1) declares: "Although the Decree of February, 28, 1933, was issued formally in accordance with the Weimar Constitution, its basis has long since ceased to exist. By virtue of Article 48, Sub-Section 2 the fundamental rights enumerated there may be 'temporarily' suspended wholly or in part 'for the purpose of restoring public order and security'. Neither of these conditions have been present for a long time. After all the actual situation in Germany is sufficient proof to show that public order and security have been restored a long time ago; but the Communist danger which gave rise to the Decree and which has been expressly mentioned in the preamble as the reason for it, is still subsisting in undiminished force".

The "formal" procedure governing protective custody was laid down in a Regulation issued by the Reich Minister for Home Affairs dated April, 12, 1933. This Regulation gave power to the Police Authorities of the Länder to impose "protective custody" and very soon afterwards Decrees were issued in all the German Länder entrusting this task to the newly formed Secret State Police (Geheime Staatspolizei - GESTAPO) (2). By a Decree of the Führer dated June, 17, 1936, the command of the whole German Police was given to the Reichsführer of the SS, Heinrich Himmler.

Although the Nazi propaganda machine tried to dispose of the numerous reports on the terror raging in Germany by describing them as "atrocities" invented by the Jews and other enemies of the regime, the Nazi leaders quite openly admitted that brutal force was used against their opponents. Again and again, they pointed out that Marxism had to be eradicated. Hitler himself in his Reichstag speech of March, 23, 1933, stated: "Treason (which in Nazi terminology means any opposition to the regime) shall in future be blotted out with barbaric ruthlessness". Göring, the author of the two shooting decrees previously mentioned, admits quite frankly: "If you call that murder, then I am a murderer. Everything has been ordered by me; it was only natural that in the beginning excesses were committed. I assume full responsibility for all shootings" (see Göring, Germany Reborn, p.129), and in his speech made at Essen on the 10th March, 1933 (see Vossische Zeitung 11.3.33) "I would rather shoot a few times too short and too wide, but at any rate I would shoot."

The following months witness a rapid liquidation of all non-Nazi political organisations. The first organisation to be outlawed was the Communist Party. Even the election of Communist members to the Reichstag on the 5th March, 1933 was annulled and thus a clear majority assured for the Nazi Party in the Reichstag. On the 2nd May, 1933, the Free Trade Unions were dissolved and their property "taken over" by Dr. Ley's German Labour Front. In an appeal to the public Dr. Ley stated on this day: "The devilish era of Marxism must ignominiously perish (elend krepieren) on the battlefield of the National Socialist Revolution". On the 10th May, 1933 the Angriff reported that an order had been issued for the confiscation of all property of the Social Democratic Party and its newspapers as well as of the property belonging to the Republican "Reichsbanner" and its press. In fact, both, Social Democratic and Reichsbanner Press had been banned since the day of the Reichstag fire. On the 22nd June, 1933, Frick expressly dissolved the Socialist Party as it had to be "considered as subversive and thus could claim no other treatment than the Communist Party". On the 27th June, 1933

(1) Politische Schutzhaft im nationalsozialistischen Staat, 1937, p.10.

(2) Prussia: Laws of April 26, and November 30, 1933, superseded by the Law of February, 10, 1936. Regarding the other German Länder see Schweder, op.cit., p.166, Footnote 2.



the Conservative German National Party dissolved itself "voluntarily", and on the 5th July, 1933, the former Reichs Chancellor Brüning announced the "voluntary" dissolution of the Catholic Centre Party. By the 14th July, 1933, all other non-Nazi parties had either been banned or had declared their "voluntary" dissolution<sup>(1)</sup>. The remnants of the last political non-Nazi organisation the "Stahlhelm" were dissolved in January, 1934 (see Völkischer Beobachter, 28/29.1.1934).

The blood purge of June, 30, 1934, another orgy of terror, once more gave clear evidence of the criminality of the whole gang of Nazi leaders. Thus Dr. Ley's "Westdeutscher Beobachter" of July, 1, 1934, wrote:-

"A parallel case is not to be found in the whole of history. Superhuman leadership such as we have just witnessed, can surely not be repeated. We stand in the awe of this man and his unexampled self-sacrifice. The blood that was shed yesterday will purify all of us".

This time, the Nazi took the trouble of passing a "law" which purported to legalise the innumerable murders committed on June, 30, 1934. This "law" is perhaps one of the most cynical perversions of law and justice which the Nazis have ever brought about. It consists of a single article: "The measures employed on June 30, July 1, and 2, 1934, for the suppression of treasonable attacks are declared to be legal in defence of the State." Signed by the Chancellor of the Reich, Adolf Hitler, by the Minister for the Interior, Frick, and by the Minister of Justice, Görtner.

As a further illustration of the spirit in which these crimes were committed, the speeches which Hitler, Göring and Blomberg made to justify the "measures" taken on June, 30, 1934, may be quoted. Hitler stated before the Reichstag on July, 13, 1934: "In this hour I was responsible for the fate of the German nation; thereby the Supreme Court of the German people during the 24 hours, consisted of myself." Göring in a speech addressed to the Public Prosecutors of Prussia on the 12th July, 1934 (see Das Archiv, 1934, p.494) stated: "The action of the State leadership in those days was the highest realisation of the legal consciousness of the people", and Blomberg then Minister of War, declared at a Cabinet Meeting held on the 3rd July, 1934 (see Das Archiv, 1934 p.493): "The Leader has shown such greatness as a statesman and soldier that in this difficult hour he has awakened in the hearts of the members of the Cabinet and the whole German people a pledge of achievement, devotion and loyalty."

But besides murdering anti-Nazis or confining and torturing them in "protective custody" and concentration camps, the Nazis issued a number of statutes and decrees designed against their political opponents, and at the same time they interpreted the existing law to suit their own purposes. Thus they tried to keep up the pretence that Germany was a country ruled by law and order. But under the pressure of total war even this pretence had to be dropped. A decree of the Führer dated 20th August, 1942, signed by Hitler and Lammers, by which special powers were granted to the Reich Minister of Justice, provided as follows:

"For the fulfilment of the tasks of the Greater German Reich a strong administration of justice is essential. Therefore I order and empower the Reich Minister of Justice to build up a National Socialist administration of justice according to my directions and in agreement with the Chief of the Reich Chancellery and the Chief of the Party Chancellery, and to take all measures necessary to this end. For this purpose he is not bound by existing law."

(1) Schweder, Politische Polizei, 1937, p.443, admits quite openly that the "Allies" of the 30th January, 1933, were forced to go into "voluntary" liquidation.



### 3. THE JEWS

The crimes against the Jews which the Nazi leaders instigated, committed or to which they became accomplices were crimes directed against Jewish life, honour and property, against the Jews as individuals and as a community. The motives given for the persecution of the Jews pictured the measures taken as being of a defensive character against a "racial" danger and as being in the true interest of the German people. Their ultimate object, however, was the material, ideological and psychological preparation of the German people for Hitler's criminal war. The methods applied against the Jews were a rehearsal for the methods by which that war was to be conducted: atrocities, pillage, and extermination of whole communities and peoples, always accompanied by lying propaganda. Hitler himself clearly stated his ultimate aims with regard to the Jews in "Mein Kampf" (1): "The inexorable world Jew fights for the domination of the world. Only a forceful national passion could defy the subjugation of all the nations. Such a process, however, is and will be bloody." And the methods of Auschwitz and Maidanek are clearly anticipated on another page (2): "If at the beginning and during the war one had once kept twelve or fifteen thousand of these Hebrew corrupters of the people under poison gas the sacrifice of millions at the front would not have been in vain. \* Twelve thousand scoundrels removed in time might have saved a million real Germans of great value for the future."

But a party which proclaims to assume power by "legal" means had, of course, to couch its real aims in a more careful and legal language. Nicolai, the leading Nazi legal theorist, distinguishing between Reich citizens (Staatsbürger) and subjects (Reichsangehörige) foreshadows the Nuremberg laws (3), the party programme in article seven anticipated expulsion of the Jews "if it should not be possible to find enough food for the total population" (4). At a later stage when put into practice expulsion develops from mass expulsion to mass extermination and this ultimate aim was expressed in a hardly veiled form by Goebbels (5): "Certainly, the Jew is also a human being. Never any of us has doubted that. But the flea is also an animal but not a pleasant one. And because the flea is not a pleasant animal we have not a duty to ourselves and to our conscience to guard and to protect it, to make it grow so that it molests and tortures us, but to render it harmless. Just the same applies to the Jew." On numerous occasions the notorious Jew-baiter Streicher proclaimed the same aim: "There will be no war if the world knows that in the next war we shall kill every Jew" (6), and again at a press conference in 1936 "Some people say the Jewish question could be solved without shedding of blood. That is a mistake. The final solution of the Jewish question can only be achieved by bloody means" (7).

Soon after the Nazis had seized power they began to put into effect their plans against the Jews. Immediately after the election of March 5th, 1933 sporadic outbreaks of Jew-baiting started and were reported by the foreign press, (8) and from the second week of March onwards, crowds led by S.A. and S.S. drove Jewish Judges, Magistrates and Lawyers from the law courts all over Germany.

The first concentrated action against the Jews was the boycott on April 1st 1933. Hitler commissioned Streicher to organise the boycott. In an order published in the Völkischer Beobachter, March 30th, 1933 it was declared: "everywhere it must be stressed that the boycott is a measure of

(1) 1933 edition page 738.

(2) op.cit. p. 616

(3) Staatsrechtlicher Aufbau des Dritten Reiches, written in 1931, published in 1933, pp.20-23.

(4) Gottfried Feder: Das Programm der N.S.D.A.P. und seine weltanschaulichen Grundlagen, 1933.

(5) Der Nazi-Sozi, 1932 p.12

(6) Fränkischer Kurier, 20.5.33.

(7) Times, 16.9.36.

(8) Manchester Guardian, 14.3.33., Times 15.3.33.



defence", but Streicher himself told the Press on the same day: "It is not important any more whether the horror propaganda ceases. This propaganda was only the welcome occasion for the boycott which will be carried out. My only fear during the last week was that the attack of destruction against the Jews should not take place."(1)

The Central Committee for the defence against Jewish atrocity and boycott propaganda published the following order signed by Streicher:

"... 2) The committees of action have to identify all business firms in Jewish hands. . . .

7) The committees of action have to hand out the lists of Jewish business firms to the S.A. and S.S. in order to enable them to post guards. . .

9) At the doors of Jewish business firms posters with the yellow spot have to be affixed. (2)

An order to all party organisations declared that every local branch had to form at once committees for the boycott of all Jewish business firms, doctors, and lawyers. (3)

The official boycott carried out in accordance with Streicher's orders lasted only one day, the 1st April 1933 - to be replaced by an unofficial boycott. The political purpose of the boycott was stated by Alfred Rosenberg (4) "The boycott of last Saturday has only to be considered as a dress rehearsal for new measures." And on the first of April the official Wolff telegraph agency published the following message from the Nazi Women's league: "Do not underestimate the formidable seriousness of the last fight. The Jew will fight until the German people is annihilated. We shall fight until Jewry is annihilated."

The barbaric methods introduced by the Nazis against the Jews created a wave of indignation and protest all over the world, and the Nazi Government which at that time was still sensitive as to how foreign countries judged their methods was at pains to conceal the beginning of barbarism from the world. It was afraid that foreign trade might suffer and that the rearmament programme which the Nazis put into effect immediately after they had seized power might be adversely affected. Thus in the early days of the Third Reich spokesmen of the so-called "conservative" wing of the Nazi gang had to make declarations to foreign countries explaining that the Nazis really had no bad intentions towards the Jews. On 4th March 1933 Göring stated in an interview to the Swedish Paper "Svenska Dagbladet": "If the Jews behave themselves loyally and pursue their business nobody has to fear anything."; and Lammers, Secretary of State cabled to the German Societies in New York on 2nd April 1933 - one day after the official boycott and five days before the publication of the first anti-Jewish laws - : "German Jews will be treated in the same way as all other citizens according to their position towards the national government." On 15th September 1933 von Neurath, then Minister for Foreign Affairs, stated to the Foreign Press: "I do not doubt that the senseless talk of foreign countries about purely German affairs such as the so-called Jewish question will soon cease when it is recognized that the cleansing of public life which is absolutely necessary may perhaps have caused personal hardship in individual cases, but that its sole purpose was to strengthen the reign of law and justice."

- (1) Völkischer Beobachter 1.4.1933
- (2) Völkischer Beobachter 31.3.1933
- (3) Völkischer Beobachter 30.3.1933
- (4) Völkischer Beobachter 3.4.1933



The new measures Rosenberg had mentioned were contained in the law for the restitution of the Civil Service published on 7th April 1933 which for the first time introduced the "racial" principle into German Law. It distinguished between "Aryans" and "Non-Aryans", the latter being Jews, persons with at least one Jewish grandparent and persons married to Jews. "Non-Aryans" could no longer be Civil Servants, Judges, or act in any other official capacity. As a concession to conservative elements "Non-Aryan" Civil Servants of long standing or those who had served in the front line during the war of 1914 were allowed to retain their positions.

Between summer 1933 and the Party Congress at Nuremberg of September 1935 the law for the restitution of the Civil Service which aimed at the exclusion of the Jews from German public life was gradually extended to all professions, doctors, lawyers, dentists, chemists and even workers and other employees in the service of official or semi-official bodies. At the same time the unofficial boycott of Jewish businesses and those "Non-Aryan" members of the professions who were still allowed to practise under the 1933 laws spread from one district to the other and was carried out by Streicher with particular vigour.

The next stage in the Nazi campaign against the Jews was the elimination of the Jews from the social life of the German people. As always the notorious Julius Streicher was the leading spokesman in this campaign which was conducted by Streicher in his infamous weekly pornographic journal "Der Stürmer". As far back as December 1934 Streicher had demanded the death penalty for sexual intercourse of a Jew with a non-Jewish woman (1). By mid-summer 1935 the German population was generally prepared for radical measures against the social position of the Jews. Before the Party Congress of September 1935 a special issue of "Der Stürmer" was published in a vast circulation. The headline of this issue was "Mass Murderers from the Beginning". This referred of course to the Jews. By a special decree of Dr. Ley this issue was brought to the attention of the millions of members of the Nazi Labour Front. Thus the ground was prepared for the drastic racial laws passed in September 1935 on the occasion of the Nuremberg Party Congress and since notorious as the Nuremberg Laws. These laws codified the social ostracism of the Jews. German Jews were no longer citizens, but merely members of the Protective Union (Schutzverband) of the German Reich. The various exceptions still prevailing under the anti-Jewish laws of 1933 in favour of Jewish ex-Servicemen and civil servants of long standing were abolished with one stroke. But what was perhaps the worst was the introduction of Streicher's pornography to the German Statute Book. Marriages between Jews and non-Jews were forbidden. Extramarital sexual intercourse between Jews and non-Jews was made a criminal offence punishable by penal servitude, and Jews were forbidden to have female "Aryan" domestic servants under the age of 45.

But in the economic sphere a considerable number of Jews still continued to carry on, although the unofficial boycott encouraged by all party organisations (2) drove many of them into bankruptcy or forced sales of their business. By the beginning of 1938 the anti-Jewish boycott had driven the Jews out of most businesses in the country side, and in January of that year a decree was published regarding the sale of Jewish businesses. Nothing had to be paid for the goodwill of these businesses, the only consideration permitted was the actual value of the goods taken over (3) - ascertained of course by Nazi standards.

(1) Fränkische Tageszeitung 14.12.34, see also Rosenberg, Mythus des 20. Jahrhunderts, 1933 p. 579

(2) From 1935 onwards the Nazified law courts supported this boycott by declaring it legal - contrary to the clear provisions of German law still in force. see Angriff, 25.10.36; Völkischer Beobachter, 4.7.37; and Westdeutscher Beobachter 1.7.38.

(3) Frankfurter Zeitung, 24.1.38.



In the meantime Hitler Germany's criminal war preparations were proceeding at a feverish pace. Austria had been annexed and the campaign against Czechoslovakia was in full swing. The financial means for these purposes were provided by Göring's "Four Years Plan". In pursuance of the decree for the execution of this Four Years Plan, on the 26th April 1938 Göring ordered the registration of all property belonging to German Jews in Germany and abroad. Perhaps on no other occasion the intimate connection between Nazi war preparations and the Nazi crimes against the Jews has been demonstrated in such an obvious manner. On the 3rd November 1938, the Schwarzes Korps gave a last warning of what was in store for the Jews: "The Jews in Germany are part of world Jewry. They must share responsibility for any attacks world Jewry launches upon Germany, and they must answer for any injury Jewry inflicts or is likely to inflict upon us."

On the 6th November 1938 a Polish Jew, Herschel Grynszpan fired a shot at von Rath, a German consular official in Paris. It still remains to be explained how in those days of tension a young Polish Jew could succeed in penetrating to the office of a Higher Consular Official at the Nazi Embassy in Paris, and it may well be that a thorough examination of the circumstances will reveal that Grynszpan was a Jewish van der Lubbe. In any event it was only the Nazis who benefited from these shots.

On the 9th November 1938 the German Evening Press announced that von Rath had died. In the middle of the night a sudden outbreak of "popular indignation" occurred - whilst the vast majority of the German people were asleep. "Spontaneous actions" against the Jews were carried out by members of the S.A. and S.S. disguised as civilians all over the Reich. Jewish property was systematically wrecked and plundered, the synagogues burnt and the male Jewish population irrespective of age dragged to concentration camps. On the 10th November 1938 Goebbels proclaimed quite frankly (1): "The justified and comprehensible indignation of the German people about the cowardly Jewish murder of a German diplomat in Paris has resulted in numerous demonstrations during the past night. In numerous towns and villages acts of revenge were carried out against Jewish businesses and buildings." On the 11th November 1938 Goebbels issued an order to stop the "popular indignation" and announced that legal measures would be taken against the Jews (2). On the 13th November 1938 the Völkischer Beobachter gave a report of a meeting of Ministers at which the measures to be taken against the Jews were agreed upon. According to this report Göring was in the chair and apart from him Ministers Frick, Goebbels, Görtner, Schwerin-Krosigk and Funck were present. As the Völkischer Beobachter stated, "complete unanimity was achieved in the analysis of the situation and the measures to be adopted to deal with the question under discussion. A number of vital measures towards the solution of the Jewish Problem were discussed and partly decided." Again, significantly enough on the authority of the decree for the execution of the Four Years Plan, Göring published a decree concerning the atonement (Sühneleistung) by German Jews (3): "The hostile attitude of the Jews towards the German people and Reich which does not even shrink from dastardly murder demands strong measures of defence and drastic punishment." The decree provided that the German Jewish Community had to pay a levy of 1000 million Reichsmarks to the German Reich. By a further decree for the restoration of the streets published on the 12th November 1938 it was ordered that "all damage caused to Jewish businesses and premises by the popular indignation about the propaganda of International Jewry against the new Germany, must be repaired at once by the Jews concerned. The expense of the repairs must be paid by the Jews concerned. Claims for insurance held by German Jews are confiscated in favour of the Reich." The virtual expropriation of Jewish wealth was proclaimed by

- (1) Völkischer Beobachter, 10.11.38.
- (2) Angriff, 11.11.38.
- (3) Reichsgesetzblatt, 1938, I., P. 1581.



a decree dated 3rd December, 1938. Article 1 of that Decree provided for the compulsory sale or winding up of the property belonging to Jewish business men. By Article 2 Jews were no longer allowed to convey real property without permission, and by Article 14 Jews were no longer allowed to sell, pawn or buy objects consisting of gold, platinum, silver, or pearls and jewellery.

On the 15th November, 1938, the Angriff reported that the Jewish children had been excluded from all German schools. Funk, Reich Minister for Economics, admitted quite openly that the death of von Rath was only a welcome occasion to put into effect anti-Jewish decrees which had been prepared a long time before. "The fact that the last forcible explosion of popular indignation caused by a criminal attack against the German people at a time when we were about to complete our measures for the elimination of the Jews from German economic life proves that we did not act in time and not drastically enough." Even more outspoken was Göring's Berliner Börsenzeitung of the 18th November 1938: "Long before the measures now instituted the attentive reader could have seen the impending utilisation of Jewish property in the economic process coming. The registration decree issued earlier this year by the government was such a hint. And with the utilisation of Jewish property he could have anticipated the requisite elimination of Jewish influence from our economic life, to an extent which the government, indeed the German people as a whole, regard as right and necessary. In one form or another, therefore, the special application of Jewish capital to the benefit of our entire national economy, and with it the sterilisation of Jewish influence on our economic life would have taken place sooner or later in any event. . . The shots fired in Paris at an aide of the German Ambassador did indeed prematurely set in motion measures which, in view of the gravity and particular heinousness of this Jewish act of vengeance took on the character of an atonement with any consideration out of the question."

But even the economic elimination caused by the November decrees of 1938 was not enough. "The Jew is not a human being"(1) was the real gospel of Nazism. The last chapter in the tragedy of German Jewry which culminated in the Death Camps of Belsen and Buchenwald, and in the gas chambers of Maidanek and Auschwitz was most cynically foreshadowed by the Schwarzes Korps, the official organ of the S.S., on 24th November 1938: "The programme is clear. It runs complete elimination, absolute separation. What does that mean? It means not merely the elimination of the Jews from German economic life - which they well merit because of their foul murders, their wars and their murderous agitation. It means more than that. No German can any longer be expected to dwell under the same roof with Jews who stand branded as a race of murderers, criminals and deadly enemies of the German people. Jews therefore must be driven from our houses and residences and lodged in streets and blocks where they are amongst themselves and have as little contact with Germans as possible. They must be branded with marks of identification. They must be deprived of the right to own or control real property in Germany, for no German can be expected to be in the power of a Jewish landlord and to feed him with the work of his hands. - In such complete isolation this tribe of parasites will be reduced to poverty since it is both unwilling and incapable of doing its own work. There may still be thousands of millionaires among them; even the so-called poor Jew may still have hidden and hoarded his quota of wealth; but their capital will soon be eaten up, once their parasitic life-blood has been cut off . . . and when, as will prove to be necessary we have forced the rich Jews to support their "poor" brethren then will they all sink into criminality, obeying the inherent blood-conditioned bent. Let no one think that we will follow this development with equanimity. The German people do not have the slightest desire to tolerate within their realm hundreds of thousands of criminals who not only seek to live by crime but who thirst for vengeance."

(1) Major Walter Buch, presiding judge of the Supreme Party Court at Nuremberg Party Congress, September 1938, see Deutsche Justiz, October 1938, p. 1660.



Still less do we desire to see these hundreds of thousands of pauperized Jews become a breeding place of Bolshevism and a receptacle for the criminal sub-human fringe which crumbles off the edge of our own people by natural selection. Were we to tolerate such a thing the result might be a conspiracy of the underworld that might be possible in America but certainly not in Germany. At such a stage of development we would be faced with the harsh necessity of rooting out the Jewish underworld in the same manner in which our State, founded on law, extirpates criminals: with fire and sword. The result would be the actual and final end of Jewry in Germany, its absolute annihilation."

If there should still be any doubt that the extermination of the Jews was planned by Hitler and his gang long beforehand the following quotation from Hitler's Reichstag speech on the sixth anniversary of his accession to power (30.1.39) may be quoted: "Europe cannot have peace before the Jewish question is settled. . . . If international Jewry again succeeded in precipitating a world war, the consequence would not be bolshevisation, and through that the victory of the Jew, but the annihilation of the Jewish race in Europe."

The liberation of Europe has brought to light how the remnants of European Jewry were put to death by the Nazi mass murderers. But it is perhaps less known that right up to the last stage the Nazis added insult to injury inflicted on the German Jews. Shortly after the outbreak of war a law was published putting all Jews under an obligation to wear a yellow star as a distinguishing mark. Before being slaughtered in Maidanek and Auschwitz the Jews were compelled to work for the Nazi war machine in slave gangs, and the law dated 3rd October 1941 governing their conditions of service may be quoted: "Jews who are directed to work are in a service relationship of a special kind. Jews as people of foreign blood cannot enjoy membership of a German works organisation. Jews are not entitled to overtime pay. The Juvenile labour act does not apply to Jewish employees between the ages of 14 and 18. The Factory Safeguards Act does not apply to Jews."

By a law dated 25.11.41 German Jews residing abroad were deprived of their German nationality and whatever had remained of their property in Germany was confiscated for the benefit of the Reich.

The Marna Charta for Auschwitz and Maidanek is to be found in the "law" dated 1.7.43 by which the police (Himmler's Gestapo, which was in charge of all concentration and extermination camps) was given jurisdiction "to try and punish offences committed by Jews." Ominously the law adds that after the death of a Jew his possessions are confiscated for the benefit of the Reich.

#### 4. THE CHURCHES

Towards the churches a different attitude from that adopted towards the Jews and the political opponents had to be applied. The great majority of the German people were religious Catholics or Protestants, and it would have been bad tactics to extend the totalitarian claim of Nazism to the realm of the churches too early. Thus ostensibly tolerance towards the Christian religion was proclaimed and Article 24 of the party programme (1) states: "We demand religious freedom for all denominations so long as they do not endanger the stability of the state or offend against the German people's instincts of morality and decency. The party as such takes its stand on a positive Christianity without committing itself to any particular creed. It combats the materialist Jewish spirit within and without and is convinced that the permanent recovery of our people is possible only from within and must be based on the principle of the common interest before self-interest."

(1) Gottfried Feder, Das Programm der N.S.D.A.F. Munich 1933.



When the Nazis had seized power this pretence of tolerance towards the Christian religion was upheld. Thus Hitler proclaimed in his first Reichstag speech on the 23rd March 1933: "The Government being resolved to undertake the political and moral purification of our public life are creating and securing the conditions necessary for a really profound revival of religious life. The National Government regards the two Christian confessions as the weightiest factors for the maintenance of our nationality. They will respect the agreements concluded between them and the Federal States."

a) The Catholic Church

It was the same spirit (1) which led to the conclusion of the Concordat between the Reich and the Vatican on the 20th July 1933 by which the Nazi State promised absolute protection for Catholic education, complete freedom of religious practice and no interference whatever in church affairs. In exchange the Church promised to take no further part in the political development of the Reich and even to swear allegiance to the State.

But such a demarcation between the sphere of the State and the sphere of the Church is incompatible with the totalitarian principles of National Socialism, and the real aims of the Nazis with regard to the Catholic Church had been stated by Rosenberg: "A German church will gradually replace representations of the Crucifixion in its churches by representations of the spirit of Fire, of the Heroic in the highest sense." (2)

The Catholic press was not banned in the wholesale manner applied to the Socialist and Communist newspapers which had been suppressed en bloc on the day of the Reichstag Fire. A more subtle method was adopted: in December 1933 the editors law (Schriftleitergesetz) was passed which excluded from publication anything likely to weaken the will for union of the German people and German culture. Shortly after this law came into force the Essen "National Zeitung" which was known as Göring's mouthpiece stated (No. 92, of 1934): "It must be maintained with firmness that according to the new editors law which embodies the spirit of the National Socialist State there are no longer Catholic or Evangelical editors but only German editors." On the 24th April 1935 Amann, the president of the Reichspressekammer issued a decree which heralded the complete liquidation of the Catholic daily press: Article 4 of this decree provided that "newspapers in what regards the arrangements of their contents, may not be adapted to suit the preferences of a group of persons, determined or determinable by their denomination, calling or common interest." On the 17th February 1936 Amann went even a step further by issuing a regulation which severely curtailed even publications such as parish magazines and other church periodicals: "It cannot be allowed that the kind of publication which is excluded from the daily and weekly press should find a substitute in the denominational periodicals, and therefore it can no longer be tolerated that these though they omit all political news should contain matter of general interest or of a didactic nature whose selection is influenced by the fact that the subscribers are members of a certain denomination whereas every article ought to have an exclusive religious content." Thus contrary to the express provision of article 4 sub-section 2 of the Concordat which authorized the publication of diocesan Gazettes "in the form hitherto used" the publication even of purely ecclesiastical journals was subject to continuous interference by the State (3).

(1) Another reason which induced the Nazis to make the pretence of a peace with "Rome" was stated by Hasselblatt, Reichskonkordat und Minderheitenschutz, Nation und Staat 1932 - 1933, p.690: "It was thought that the Concordat might mean that the Roman Church would defend German interests beyond the frontiers of the Reich.

(2) Mythos des 20. Jahrhunderts, p.616.

(3) For detailed and authenticated particulars of such interference see: The Persecution of the Catholic Church in the Third Reich, London, Burns Oates, 1940, pp. 71 et seq.



Article 31 of the Concordat expressly protected those Catholic Organisations which pursue "exclusively charitable, cultural or religious ends. . . provided they guarantee to develop their activities outside all political parties."

It should have been thought that this provision would have sufficed to guarantee the further existence of the numerous Catholic organizations established in Germany prior to Hitler's accession to power. But Nazism proclaimed total power over Youth and very soon the Reich Youth Leader Baldur von Schirach plainly expressed what was the intention of the Nazi Government. He stated on the 27th March 1934 (1) "the incorporation of the Protestant Youth Associations will sometime or other be followed by that of the Catholic Youth (loud applause). At a time when all are abandoning their private interests, Catholic youth has no longer any right to lead a separate existence". Hardly a year later he became even more threatening (2) "It will be decided in the coming weeks whether the Catholics will possess enough sense to give up of their own accord their cliquish and disloyal system or whether it will be necessary to use force . . . and unless the devil himself is against us, we shall succeed in compelling the Catholics just as we have compelled the hundred and one other clubs and associations."

Whilst no general ban was imposed on Catholic youth associations, methods of intimidation were applied to prevent parents from allowing their children to become members of these organizations. The following order issued by Baron von Holzschuher, District Governor of Nieder-Bayern-Oberpfalz of the 23rd July 1936 (3) was typical: "It is not right for officials and servants of the State to let their children enter denominationally controlled Youth Organizations as long as the ecclesiastical authorities do not succeed in bringing their politically minded clergy to adopt a positive attitude towards the State and the Führer." But the local Nazi officials who in the Führer State must have been certain of the approval of their leaders openly flouted Article 31 of the Concordat. Thus Catholic organizations such as Deutsche Jugendkraft, Neu-Deutschland, Catholic Young Men's Associations were locally banned in various parts of the Reich between 1934 and 1939. As an example of the methods adopted the following decree of the Area Leader of Schweinfurt dated 25th April 1934 signed by Weidling, Area Leader and Rohrbacher, Area Charge d'Affairs (4) may be quoted.

"1) In accordance with the District Order of April 25th 1934 all Catholic Youth and Young Men's Associations are forthwith forbidden in the interest of public peace and order and for the protection of the State and its citizens.

2) The above Order renders void the protection granted with reservations to the said Associations under the terms of Article 31 of the Reich Concordat of July 20th 1933 . . . .

3) The prohibition extends to all registered and non-registered Catholic Associations and any bodies resembling such Associations which are devoted to the care of Youth. Associations which according to their constitutions concern themselves with a purely religious training of Youth are likewise included."

Similar methods were applied to the Catholic Religious Adults Organizations whose existence was equally guaranteed by Article 31 of the Concordat. But this express guarantee did not prevent Dr. Ley, the Leader of the German Labour Front, from issuing the following regulation on the 28th April 1934: "There is occasion to point out that members of other vocational and class organizations, especially denominational workers and journeymen's associations, cannot be members of the German Labour Front. In cases of such

- (1) Schlesische Volkszeitung 29.3.34.
- (2) Leipziger Neueste Nachrichten 9.4.35.
- (3) Augsburger Anzeiger 1936 No. 206.
- (4) Mainfränkische Zeitung, 26.4.34.



double membership and of one of the above mentioned associations, membership of the German Labour Front must be cancelled forthwith." Although this meant that any member of a Catholic Workers' and Journeymen's Association was debarred from the numerous benefits enjoyed by members of the Nazi Labour Front, these Organizations still carried on their activities until the Nazi Government finally dissolved them by virtue of the emergency decree for the protection of People and State. The Catholic Women Teachers' Union was dissolved in July 1937 by virtue of the same law, and the Catholic Students' Associations "voluntarily" gave up their denominational character early in 1936.

Perhaps the most vital part of the Nazi fight against the Catholic religion was the campaign against the Catholic schools. Article 23 of the Concordat guaranteed retention of the Catholic denominational schools in all parishes where parents requested it if a sufficient number of pupils was available. But denominational schools did not fit into the principles of the Nazi Totalitarian State. Thus Kerrl, Minister for church affairs declared in Fulda on 27th November 1937 (1): "We cannot recognise that the Church has a right to insure that the individual should be educated in all respects in the way which it holds to be right; but we must leave it to the National Socialist State to educate the child in the way it regards as right", or as Rosenberg stated on 7th March 1937 (2): "the education of youth can only be carried out by those who have saved Germany from disaster. It is therefore impossible to demand a united co-ordinated nation as long as education is carried out by forces which are mutually exclusive of each other."

True to these principles the Nazis organised polls all over the country ostensibly to ascertain the will of those parents who desired the establishment of catholic schools for their children. These polls were carried out in such a way that the late Pope Pius XI in his famous encyclical "Mit brennender Sorge" published on the 14th March 1937 strongly complained about "the open war against the confessional schools which were guaranteed by the Concordat and the nullification of the freedom of the ballot for those entitled to a Catholic education" and "an oppression of the conscience of the faithful that has never before been witnessed;" and he further protested: "Laws or other regulations concerning schools which take no account of the rights of the parents given them by natural law or which by threats of violence nullify them contradict the natural law and are essentially immoral. The Church, the chosen Guardian and interpreter of the natural law cannot do otherwise than declare that the enrolment of pupils which has just taken place in circumstances of notorious coercion are the effects of violence and void of all legality . . . the nominal maintenance of religious instruction especially when controlled and fettered by incompetent people in the atmosphere of a school which in other branches of instruction works systematically and invidiously against this same religion, can never justify a faithful Christian in accepting freely such an anti-religious educational system . . . we know that a free and secret ballot would mean for you an overwhelming majority in favour of the confessional school."

A free and secret ballot is of course incompatible with the principles of Nazi morality, and it was only natural that Wagner, Minister of State in Catholic Bavaria, was able to pronounce in October 1938 (3): "Throughout the Bavarian territory the transformation of denominational schools into community schools has been completed. At this turning point in the history of our public teaching, I want to thank all those who have collaborated in the accomplishment of the task which was put before them". True, in these "community" schools religious instruction was given, but its real aims were disclosed by Alfred Rosenberg's Völkischer Beobachter on the

- (1) Das Archiv 1937, p. 1028
- (2) Das Archiv 1937, p. 1716.
- (3) Völkischer Beobachter, 27.10.38



29th March 1939: "It is therefore a National Socialist and consequently a religious act for the State to ordain that denominational religious instruction is to be given only by such lay and clerical teachers as can be expected not to abuse the school for denominational controversy and strife . . . it must lead to hypocrisy if young boys and girls are compelled to observe denominational practices which are for them of no religious significance."

An important part in the Nazi struggle against Catholicism was played by show-trials designed to undermine the authority and reputation of Catholic dignitaries and religious orders. In 1935 it was discovered that a number of members of the clergy and of religious orders had carried out transactions which infringed the currency regulations imposed by the Third Reich. The trials of these cases were used by the Nazis to start a general propaganda campaign against the Catholic clergy. Particularly the Nazi press was prominent in this kind of propaganda and it published sensational accounts of these trials under big headlines, e.g. "Brazen blasphemy" (Ingriff 18.5.35), "Millions skilfully smuggled from convents" (Ingriff 17.5.35), "Martyrs and Clerical Currency Tricksters" (Schwarzes Korps 22.5.35).

An even more serious campaign against Catholicism was commenced in 1936 when numerous Catholics were tried for sexual offences. These trials were systematically organized to suit the purposes of the Nazi propaganda machine. The purpose of these trials - unscrupulous defamation of the Catholic Church - was plainly stated in the Völkischer Beobachter of the 29th May 1937: "In the solid mass of so-called 'regrettable individual lapses' in the overtolerant attitude of clerical superiors, and in the lying propaganda of this international body under the guidance of Roman or Vatican laws, we perceive symptoms of a disease leading to the complete internal decay of an institution which up to now has not achieved its aims amongst us and never shall". The Government considered these trials of such an importance that a leading member of the Cabinet made a speech on the subject which was relayed over all German wireless stations. It was not the Minister of Justice or the Minister for Church Affairs who made this speech but the Minister for Propaganda Dr. Goebbels; in his speech he alleged inter alia (German wireless 28.5.37) "No other class of society has ever come to shelter such depravity . . . In our civilized world no other class of society has contrived to practise immorality and indulge in filth on a scale resembling that achieved by the German clergy in all its ranks. . . There is no doubt that even the thousands of cases which have come to light represent but a small fraction of the total moral corruption."

When the trials had served their purpose the Nazi Minister for Church Affairs Kerrl disclosed how many thousands of cases "had really come to light" - according to Nazi statistics (1): Persons condemned; Priests 45, brothers and nuns 176, employees etc. 21, total 242. Cases still in progress: Priests 93, brothers and nuns 743, employees 118, total 955. Cases withdrawn or convictions not obtained: Priests 29, brothers 127, employees 31, total 187.

It should be noted that according to figures published by the "Osservatore Romano", the official Vatican paper, on the 9th June 1937, the total number of secular priests in Germany amounted to 21,461 and the number of priests belonging to religious Orders amounted to 4,174. If it is further taken into consideration that the convictions were obtained by the Nazi courts which worked according to the principle "Law is an instrument in the hands of the Führer for the realization of National Socialism(2)" these trials and the capital the Nazis made out of them should be seen in their proper proportion.

(1) Westdeutscher Beobachter 1.12.37, reporting speech at Hagen, Westphalia.  
(2) Dr. Hans Frank, Völkischer Beobachter 16.5.1936.



Since 1933 leading Nazis and their organs left no doubt as to their real opinion about Catholicism. Though lip service was again and again paid to the Catholic religion, anti-Catholic propaganda was made in speeches and articles. Thus Adolf Wagner, Minister of State in Bavaria, declared on the 18th June 1936(1): "With a few trustee followers of whom Alfred Rosenberg was one, Adolf Hitler took up the fight against the ever increasing red tide. And when the black International took the place of the dead Bolshevists, there was no change on the battlefield of the young National Socialist movement. For the enemy was still there; he has merely changed his colours." Hitler himself was more careful in the choice of his words when he referred to the Church question in his Berlin speech on the 1st May 1937: "So long as they (the Churches) concern themselves with their religious problems the State does not concern itself with them. But so soon as they attempt by any means whatever - by letters, encyclical or otherwise - to arrogate to themselves rights which belong to the State alone, we shall force them back into their proper spiritual pastoral activities."

These formulae of Hitler and Wagner together represent a true picture of Catholicism under the Nazis. Whilst it was pretended that the religious sphere of Catholicism was left untouched, the Nazi leaders at heart regarded and treated Catholicism as an enemy. Together with other opponents of the regime, Dr. Klausener, the head of Catholic Action in Germany was murdered in the blood purge of the 30th June 1934; the Catholic Pacifist, Father Rossaint was tried for "high treason" just in the same way as other anti-Nazis, and the Papal encyclical "Mit brennender Sorge" had to express the Pope's praise and thanks to those priests who "had to bear imprisonment and condemnation to concentration camps" - just the same as innumerable Jews, Socialists and Communists.

With the approach of the war, the Nazi press became more outspoken than ever. Thus "Die Bewegung", the organ of the Nazi Union of Students, stated plainly on the 1st November 1938: "The Catholic Church to-day is simply an international party pursuing purely earthly objectives with its problems of eternity and its after-life . . . The Vatican is concerned to uphold, not any particular belief in God, but (with an eye on the profits) the destructive international machinations of Jewry, Freemasonry and Bolshevism which are being more and more hard pressed . . . To-day, the young national powers of Europe are confronted by a solid front of adversaries: World Jewry, World Freemasonry, a World Church and World Bolshevism. National Socialism has conquered Bolshevism, Jewry and Freemasonry. The last international idol will also fall and must fall under the iron hand of National Socialist politics. The States of the new Europe cannot tolerate any disruptive institutions in their midst. But the determination of the Roman Church is not to build but to tear down. Clericalism - we must not mince our words - to-day is our enemy. It is alien to the people, without a Fatherland."

The policy of wholesale confiscation of Catholic property adopted during the war was foreshadowed in the following article of "Schwarzes Korps" of the 17.11.1938: "A morally corrupt and treasonable clerical set indifferent to the welfare of the nation is neither willing nor able to exploit profitably or to administer German resources. If its property is confiscated it merely gives up something to which it has no colourable claim. What pious donors have given was received to be used for the nation's welfare not for its destruction, and still less for the maintenance of an un-Christian life of unbridled luxury. Such a state within a State must no longer exist in Germany."

(1) Münchener Neueste Nachrichten 18.6.36.



The war intensified the persecution of Catholicism, and when Nazi Germany's power was at its zenith, on the 6th April 1941 the German Catholic Bishops stated in a pastoral letter that Catholic youth education, Kindergartens, Schools, religious teaching had been almost completely abolished in Germany and that even the purely religious press such as Sunday papers and diocesan bulletins could no longer be published. In October 1941 Alfred Rosenberg published a thirty point programme for a National Reich Church from which the following extracts may be quoted:

"1) The National Reich Church claims with all decisiveness the sole right and sole power over all churches within the German Reich's boundaries; declares them as National Reich Churches of Germany.

"5) The National Reich Church is determined unswervingly and by all means to annihilate Christian faith which though foreign to our being and character was imported to Germany in the tragic year 800.

"13) The National Reich Church demands that printing and delivery of the Bible immediately be stopped in Germany as well as the further appearance of Sunday papers, writings, lectures and books with churchly content.

"14) The National Reich Church will guard with the utmost strictness against the importation of Bibles and Christian religious literature into Germany.

"15) The National Reich Church declares that henceforth our peoples greatest document and book will be our Führer's Mein Kampf. The National Reich Church is conscious that this book contains not only the greatest but, much more the purest and truest ethics for the present and future life of our people.

"18) The National Reich Church removes from all altars the crucifix, the Bible, and all holy pictures.

"19) On the altars of the National Reich Church will be our all holy book Mein Kampf and on its left a sword consecrating our German people to the same token of God.

"30) On the day of foundation all of the new National Reich Churches, Cathedrals and Chapels within the Reich and its colonial boundaries will remove the Cross of Christ which will be replaced by the Swastika as the only unconquerable symbol of Germany".

These points were not merely academic demands; whilst they were printed and published they were actually being put into effect all over Germany. In a further pastoral letter of the German Catholic Bishops read from all pulpits on the 22nd March 1942 it was stated inter alia: "Pressure is frequently used on those who depend on State or Party positions to force them to conceal their Catholic religion or to compel them to abandon the Church. Through numerous ordinances and laws open worship of the Catholic religion has been restricted to such a degree that it has disappeared almost entirely from public life . . . even worship within the Houses of God is frequently restricted and oppressed. Quite a number of places of worship . . . have been closed by force and even used for profane purposes. Services in rented rooms have been prohibited despite urgent necessity . . . From time to time religious instruction for children and juveniles has been prohibited even in church-owned premises and has been punished. Religious care in Hospitals has been most severely restricted through new laws . . . Catholic priests are watched constantly and suspiciously in their teaching and pastoral duties; priests, without proof of any guilt are banned from their dioceses and homes and even deprived of their freedom and punished for having fulfilled their priestly duties. Clergymen are being punished with expulsion from the country or internment in a concentration camp without court procedure . . . The religious press has been destroyed almost entirely; the reprinting of religious books, even Catechisms, school Bibles and diocesan prayer books is not permitted while anti-Christian writings may be printed and distributed in mass circulation . . . The Catholic Orders have been expelled from schools almost entirely and are being curtailed in their other activities on an ever increasing scale. A large part of their property and their institutions has been taken away from them . . . For months, regardless of war misery, an anti-Christian wave of propaganda, fostered by party meetings and party pamphlets has been carried through the country with the clearly noticeable, even outspoken, aim to suffocate the vigour of the Catholic Church in German lands." Similar complaints were repeated by Cardinal Faulhaber in a sermon held at Munich on the 8th May 1942.



However, these complaints were restricted to the actual oppression of the Catholic religion, and they did not realize that the persecution of the Catholics was in fact an essential part of the criminal Nazi methods of total war. The Catholic Church in Germany as an organization never opposed this criminal war itself, although Catholic individuals like the Munich students Hans and Sophia Scholl had to pay with their lives for their courageous resistance against the Nazi war regime. However, if in the end Rosenberg has not been able to replace the Cross by the Swastika, this is entirely due to the military victory of the armed forces of the United Nations.

b) The Protestant Church.

Another strategy was applied to the forces of the Protestant Church in Germany. For a long time the German Protestant Church had contained a strong element of nationalist and chauvinistic tendencies. The first anti-Semitic movement in Germany in modern times was led by a prominent Protestant Clergyman, Stöcker, in the 1880s. The Protestant Church was the State Church and thus one of the main pillars of Kaiser Germany. The great majority of the Protestant Clergy sympathised with the anti-democratic nationalist forces during the period of the Weimar Republic, and whilst Nazi ideology was intrinsically opposed to the Christian faith of the Protestants, its Nationalist programme appealed to a great part of Protestant believers, all the more as in the early stages the Nazis carefully avoided an ideological conflict with Protestantism. They appreciated that the majority of the German population was Protestant and an open fight against the Protestant Churches would have spoiled all their chances of success. Thus the Nazis adopted a tactic which later on they applied so successfully in many countries of the European continent, the policy of the Trojan Horse. Working within the framework of the German Evangelical Church they formed their own faction, the Faith Movement of German Christians. The aim of this Movement was the gradual infiltration of Nazi doctrines into the Church. At its first conference held after Hitler's accession to power, a resolution was adopted which provided inter alia: "Christian Faith demands the fight against atheist Marxism and against ultramontaniam (the Catholic Church) . . . The Church will never allow that God's Creation which is evident in blood and race be attacked by one of his members." Consequently it demanded that Protestants who married persons of the "Jewish race" should be expelled from the Church(1).

The first step in the process of the Nazification of the Church was the unification of the twenty-eight Churches existing in the various German States (Landeskirchen). This had been a popular demand in all parts of the Evangelical Church a long time before the Nazis seized power. This led to the election of a Bishop for the whole Reich. In May 1933 a Council of Church Federations was called together to elect an Evangelical Bishop for the whole Reich. Instead however of electing Hitler's favourite, the Leader of the German Christians, Wehrkreispfarrer Müller, they elected von Bodelschwingh, a Protestant Clergyman of great reputation to be the first Reich Bishop(2). But the Nazis knew how to organise a wave of spontaneous protests and the German press in the early part of June 1933 daily reported meetings of Nazi-influenced Protestant organisations, protesting against the election of von Bodelschwingh and demanding the appointment of Müller as Reich Bishop(3). Eventually of course, the Nazi Government was "forced" to intervene in this artificially created unrest. Armed with the necessary authority by Göring, then Prime

(1) Frankfurter Zeitung 6.4.33

(2) Frankfurter Zeitung 27.5.33

(3) The most detailed reports of this "Protest" campaign can be found in almost every issue of the Frankfurter Zeitung in the month of June 1933.



Minister of Prussia, Rust, the Prussian Minister of Education, appointed Dr. Jäger, State Commissar for the Evangelical Church in Prussia "to take the necessary measures to remove the confusion".(1) As a result of this State intervention, Rodelschwingh had to resign his Office as Reich Bishop(2).

At the end of August 1933 the Nazi Ministers Frick, Göring and Rust were appointed as members to the Prussian Synod of the Evangelical Church(3). The first great success of the Nazi infiltration into the Church was the election of Müller as Reich Bishop on the 27th September 1933, a few days after he had plainly stated what his intentions were with regard to the Church: "Who does not wish to participate in the construction of this Church, whoever does not wish to fight in the same way as we do in the Third Reich should keep quiet and stand aside. If he does not do this voluntarily, I must force him to do so." (4)

But the oppositional leaders in the Protestant Church who by now realised that the racial doctrines of the "German Christians" were fundamentally incompatible with the true doctrines of Christianity did not submit to Müller's regime and continuously disputed the legitimacy of his appointment as Reich Bishop. They formed themselves into a Pastor's Emergency League, the forerunner of the now famous Confessional Church. The resistance of the oppositional Churchmen became so strong that Müller's adjutant, Bishop Hossenfelder, was forced to resign all his offices shortly before Christmas 1933. But whilst ostensibly giving some way to the claims of the Confessional Church, Müller continued to abuse his office for the benefit of the totalitarian aims of Nazism: on the 22nd December 1933, the Völkischer Beobachter published an announcement by the Reich Bishop that he had sent a telegram to the Führer informing him that he had incorporated the Evangelical Youth into the Hitler Youth. But the resistance of the Pastor's Emergency League did not abate, and on the 25th January 1934, Hitler and other leading members of the Nazi Government had a conference with the opposition Church leaders in which by a mixture of persuasion and black-mail, the Nazis succeeded in creating a temporary split in the Church opposition (5)

On the 23rd September, 1934, Müller was formally installed as Reich Bishop (6), but the Confessional Church, as the Church opposition now called itself, refused to recognise him and the Dean of Chichester reports that by the end of March 1935 he had ceased to be an effective force in the Protestant Church (7).

On the 21st February 1935, the Provisional Church Government appointed by the Confessional Church Movement published a summons to the parishes against the introduction of racial doctrines into the Church. This challenge to the Gospel of Nazism inaugurated a new chapter in the Nazi oppression of the Protestant Church. Müller's method of infiltration from within had proved unsuccessful, and the direct intervention of the State had become necessary. It started at the most vulnerable point, Finance(8).

(1) Kirchliches Gesetz und Verordnungsblatt für die Altpreuussische Union 27.6.33, No.9 p.69.

(2) Deutsche Allgemeine Zeitung, 27.6.33.

(3) Deutsche Allgemeine Zeitung, 31.8.33.

(4) Frankfurter Zeitung, 20.9.33.

(5) A full account of this meeting can be found in Duncan-Jones, Dean of Chichester, The Struggle for Religious Freedom in Germany, 1938, p.70. The German press merely reported that a meeting between the Führer and leading officials of the Church had taken place, Frankfurter Zeitung 26.1.34.

(6) Frankfurter Zeitung 24.9.34.

(7) op.cit. p.87

(8) In this connection it should be noted that in Germany the main income of the Churches is derived from the so-called Church Tax which the States' Tax Collector collects from the believers on behalf of the Church.



On the 12th March 1935 Rust, the Prussian Minister of Education issued a decree providing for the reduction of the Church Tax in Prussia by one fifth, and another decree creating special departments for the administration of Church funds (1). At the same time about 700 Confessional Pastors were arrested or put under house-arrest in Prussia, (2) and four Hessian Pastors were imprisoned in the notorious Dachau concentration camp. (3).

The opposition of the Confessional Church against the Müller regime had hitherto been carried on to a great extent by legal arguments, the main contention being that Müller's election was contrary to the Constitution of the Evangelical Church signed by Hitler and Frick (4). This legal argument was cut short by the Nazi State which on the 26th June 1935 simply published a new law creating a new method for determining legal questions touching the Evangelical Church. All legal questions relating to the Church had to be decided, not by the courts, but by a special bureau set up at the Ministry of Interior (Beschlussstelle). This bureau would settle first if the point raised came within its competence; its decision would be final and would come immediately into force. All legal questions touching points which had occurred since the 1st May 1933 would come within the competence of this bureau.

On the 19th July 1935 Kerrl was appointed Reich Minister for Church Affairs, and on the 3rd August, 1935 he appointed himself President of the Beschlussstelle. On the 24th September 1935 a further decree, the law for the safeguarding of the German Evangelical Church was published which contained one paragraph: "The Reich Minister for Church Affairs is empowered for the restoration of orderly conditions in the German Evangelical Church and the regional Evangelical Churches to issue ordinances with binding legal force. The ordinances will be promulgated in the Reich Law Gazette." This meant the virtual dictatorship of Kerrl and through him of the Nazi Government over the German Protestant Church. But at first Kerrl proceeded rather cautiously. On the 14th October 1935 he appointed a Reich Church Committee for the whole Evangelical Church, and at the head of it Dr. Zöllner, a well-known Lutheran Superintendent (5). It was also provided that over the whole of Germany local Church Committees should be appointed. The real purport of this step became clear by an order of Kerrl dated 2nd December 1935 denying Church Associations and groups the right to exercise executive or administrative functions wherever Church Committees had been set up - this only a few days after the Gestapo had confiscated the funds of the Confessional Movement (28.11.35.) (6)

Whilst during the whole of 1936 Zöllner genuinely attempted the impossible, namely to make peace between totalitarian Nazism and the Protestant Church, the Nazi State continued its campaign against the Church. On the 1st January 1937 the Pastors of the Confessional Church announced from the pulpits that Rust had made a decree to the effect that any theological student who had anything to do with confessional activities, who attended their lectures or was ordained by confessional pastors, would be forthwith expelled from any German University and prevented from studying there. They also announced that the Theological School at Elberfeld, a free college of the Reformed Church, attached to the Confessional Movement, had been closed by Rust's orders (7).

Early in 1937 Zöllner's house was searched by the Gestapo, and Kerrl forbade him to visit Lübeck where German Christian Bishops had dismissed nine pastors belonging to the Confessional Church (8). Under these circumstances,

(1) Preussische Gesetzes-Sammlung 1935, p.39.

(2) The Times, 11th, 20th, 24th, and 27th April and 27th May 1935.

(3) Duncan-Jones, op.cit. p.101.

(4) Reichsgesetzblatt, 1933, I. p.471.

(5) Frankfurter Zeitung 16th October 1935.

(6) Duncan-Jones op.cit. p.114.

(7) Duncan-Jones op.cit. p.138.

(8) Duncan-Jones op.cit. p.140.



Zöllner resigned without of course any reasons for his resignation being given in the press (1). Two days afterwards a decree was published that the Church would make a new constitution for itself in complete freedom (2) but the elections which were promised in this decree have never been held. Instead the screw was put tighter on all oppositional movements within the Church. On the 17th June 1937 the Reich Minister of the Interior Frick issued a decree by which it was forbidden to make any financial contributions to the Confessional Church or to any other Church organisations not approved by Kerrl, the Minister for Church Affairs (3). On the 25th June 1937 Finance decrees were issued which put the pastors completely under State control, by setting up Finance Departments for the German Evangelical Church and for each of the Regional Churches. The extent of their power may be judged by the following regulations: "This Department carries on the property administration of the Church. It represents the Church. If any decree of the Church Authority is held up by obstruction, the Finance Department takes control. The Finance Department can itself make regulations having the force of law. In particular it can regulate the conditions of service of all officials of the General Church Administration, of the pastors, of the local parish officials and employees" (4). As the Dean of Chichester reports (5) this stranglehold has been used without mercy.

On the 3rd July 1937 the Völkischer Beobachter reported the arrest of Niemöller, the most prominent spokesman of the Confessional Church whose sermons at the Dahlem Church had become famous. The reason for this arrest was given as "continuous abuse of the pulpit". After having spent 8 months in prison for the investigation of his "offences" to be completed (Untersuchungsschaft), he was finally - on 2nd March 1938 - sentenced to 7 months imprisonment for abuse of the pulpit and fined 200 reichsmarks for an offence under an emergency decree of February 1933. He was given credit for his 8 months imprisonment and released by the court. But the mockery of German Justice under Hitler was demonstrated to all the world when this courageous man was seized by the Gestapo immediately he stepped out of the dock. In spite of the fact that he had been set free by the court, he was detained in numerous concentration camps until at last he was released by the Allied Liberation Armies in 1945.

During the Munich Crisis in December 1938, members of the Provisional Government of the Evangelical Church (Confessional Church) had the courage to arrange a special prayer for peace. It was natural that in due course the Nazi Authorities which were not interested in peace, commenced disciplinary proceedings against them (6). At the same time financial support was withdrawn from all pastors who disobeyed the orders of the Nazi Government (7). In 1939 the Nazis had to issue further drastic decrees in order to cut the last ground from under the feet of the Confessional Church. This time the decree was issued by the Nazified Church Authorities themselves. On the 20th April 1939, the Frankfurter Zeitung reported that Werner, the Nazi president of the Consistorium, the highest authority in the German Protestant Church, had issued a new decree. This decree empowered the Consistorium - which by that time had everywhere been filled with trusted Nazis - to remove priests from parishes against their will. At the same time it deprived the parishes of their traditional right to elect their parson. By these dictatorial powers the Nazi Authorities were of course put in a position to remove any priest who had made himself "unpopular" by professing adherence to the Confessional Church.

- (1) Cf. Frankfurter Zeitung 14.2.37.
- (2) Reichsgesetzblatt 1937, I 203.
- (3) Frankfurter Zeitung 17th June 1937.
- (4) Reichsgesetzblatt 1937, I p.697.
- (5) op.cit. p.145.
- (6) Westdeutscher Beobachter 11.11.38.
- (7) Westdeutscher Beobachter 19.10.38.



From the scarce reports that leaked out of Germany after the outbreak of war, it appears that the campaign against the Protestant Churches and their institutions was intensified. The Swiss Evangelical Press Service stated on the 4th June 1941 that in the last term of 1940 the number of Protestant theology students in Germany amounted to 402, as compared with about 5,000 in normal times. On 5th September 1941, the Deutscher Reichsanzeiger published a decree signed by Richter on behalf of the Gestapo announcing the confiscation of all property belonging to the nine Berlin Churches of Christian Science by virtue of the law for the confiscation of Communist property of the 26th May 1933 in conjunction with the law for the confiscation of property belonging to enemies of State and people of the 14th July 1933.

At that time when war had actually broken out the sub-ordination of everything to the criminal war machinery of the Nazis became even more evident. The Swiss Evangelical Press Service reported on 24th September 1941 that all the members of the Leadership of the Confessional Church in so far as they had not been called up for the army, were under arrest, and that 86% of the confessional priests had been mobilised for the army so that the activity of this Church had been almost totally paralysed. But still, in December 1942, Dr. Wurm, the Confessional Bishop of Württemberg, published an open letter to Goebbels (1) in which similar to the Catholic Bishops in the pastoral letter of the 22nd March 1942, he protested that the publication of religious literature was impossible in Germany and that even the Bible could not be published although anti-Christian literature was brought out in larger editions. On the side of the Confessional Church again we note no visible opposition against the criminal Nazi war itself; there was opposition only against one of its symptoms, the intensified persecution of Christianity.

The strangling of the Confessional Church went hand in hand with an increasingly outspoken perversion of Christian doctrines by the Nazis in order to fit them into the picture of total war ideology. Rosenberg's National Reich Church (2) was only one example. In 1942 the Evangelical Publishing Firm of Schneider & Co., Weimar, published a Hymn Book on the Authority of the Institute for the Investigation of Jewish Influence on German Church Life (3), entitled "Grosser Gott wir loben Dich". All references to the Bible were omitted and Luther's famous Easter Hymns were dropped. How far the Nazi perversion of the Church into a docile organ of war propaganda had succeeded, may perhaps be illustrated by a proclamation issued by the Nazi Dean of the German Evangelical Church on the 10th anniversary of Hitler's accession to power: "Anyone who has seen how the Churches in Soviet Russia are converted into mineral water factories, grain bearers and electric power plants and who also witnessed the sinister influence of Jewry in the vast country of Soviet Russia must appreciate what the assumption of power by National Socialism means for Germany and possibly for Europe." (4)

#### 5. CONCLUSION.

The persecution of the political opponents of National Socialism, of the Jews, of the Catholics and of the Confessional Church may differ in method, intensity and brutality. But intrinsically they served all one purpose, the mental preparation of the German people for Hitler's criminal war and the removal of all obstacles which any humanitarian ideas - Jewish or Christian, Socialist or Liberal - may have put in the way of the execution of the Nazi gangsters' barbaric war plans. By Article 6 of the Charter for the Trial of Major War Criminals, this persecution has rightly been comprised under the heading "Crimes against Humanity". It is sincerely hoped that this report will assist in bringing to justice all those who have in any way participated in the perpetration of these crimes.

(1) Reported in the Swedish Paper "Trots Allt" 17.12.42.

(2) See supra p.

(3) This Institute had been formed shortly before the war under the Leadership of Professor Grundmann; see Frankfurter Zeitung 9.5.39.

(4) Trans-Ocean (Nazi Press Agency) 29.1.43.



APPENDIX I

Miss Cecilie Müller of 70, Compayne Gardens, London N.W.6. will say:

From 1.1.1921 till 30. September 1934 I was Private Secretary to Baron von Schröder of the famous Banking Institute at Cologne.

In that capacity I was present at all the discussions beginning in October 1932 between Mr. Wilhelm Keppler as representative of Adolf Hitler and Baron von Schröder as representative of the heavy industrialists in Germany. I also was present at the last meeting on January 3rd 1933 which took place in the private home of Baron von Schröder at Cologne when the document of the alliance between Hitler and the leaders of the German industry and finance was signed. Adolf Hitler, Wilhelm Keppler, von Papen and von Schröder were the only persons present, besides myself as Secretary.

The large cheques presented by German industrialists to the National Socialist Movement were sent by me to Holland and Switzerland. I am able to mention all the important leaders of German industry who supported Hitler with money. Amongst them were: v. Schröder, Thyssen, both Röhlings, v. Springgorn, Flick, Vogler, Abraham Frowein, Pönsgen and von Bock (Maria Farina Cologne) etc.

In the last meeting on January 3rd 1933 it was von Papen who suggested the burning of the Reichstag in order to accuse the Communist Party of the responsibility for this crime and so find the pretext for the prohibition of the Party. Göring, Papen said, would be very willing to assist. After some hesitation Keppler and Schröder fell in with this suggestion. Hitler sat silent but did not oppose this plan.

I am willing to appear as a witness before the International Tribunal at Nuremberg.

(signed) Cecilie Müller

London, N.W.6.  
4.X.1945



APPENDIX II

The Principal Laws against the Political Opposition.

Date	Name of the Law	Reichsgesetzblatt	Signatures.
28.2.33	Notverordnung des Reichspräsidenten zum Schutz von Volk und Staat	1933.I.83	Hitler Hindenburg Frick, Gürtner
29.3.33	Reichsgesetz zur Bildung von Sondergerichten	1933.I.136	Hitler, Papen
29.3.33	Notverordnung des Reichspräsidenten zur Abwehr heimtückischer Angriffe gegen die Regierung der nationalen Erhebung	1933.I.135	Hindenburg Hitler, Frick, Papen.
31.3.33	Vorläufiges Gesetz zur Gleichschaltung der Länder mit dem Reich.	1933,I,153	Hitler, Frick.
31,3,33	Ausführungsverordnung zum vorläufigen Gesetz zur Gleichschaltung der Länder mit dem Reich.	1933,1.171-	Frick.
26.5.33	Gesetz zur Einsiehung kommunistischen Vermögens.	1933.I.293	Hitler, Frick.
7.7.33.	Verordnung zur Sicherung der Staatsführung.	1933,1,462	Frick.
14.7.33	Gesetz gegen die Bildung von Parteien	1933.I.479	Hitler, Frick, Gürtner.
14.7.33	Gesetz zur Einsiehung staatsfeindlichen Vermögens	1933.I.479	Hitler, Frick.
30.4.33	Gesetz zur Schaffung eines Volksgerichtshofs	1933.I.	Hitler, Gürtner, Blomberg.
20.12.34	Gesetz zur Abwehr von heimtückischer Angriffe auf Volk und Reich.	1934.I.1269	Hitler, Gürtner, Hess, Frick.



APPENDIX III

Laws relating to Jews.

Date	Name of Law	Reichsgesetzblatt (or other)	Signatures.
1. 7.4.33	Gesetz über Zulassung zur Rechtsanwaltschaft.	I 186	Gürtner
2. 7.4.33	Wiederherstellung des Berufsbeamtentums	I 175	Hitler, Frick Schwerin.
3. 11.4.33	Durchführungsverordnung zu 2	I 195	Hitler, Frick Schwerin.
4. 24.4.33	Zulassung der Ärzte zu Krankenkassen.	D.R.A.	
5. 22.4.33	Bildung von Studentenschaften.	I 215	Hitler, Frick.
6. 22.4.33	Gesetz über Patentanwaltschaft	I 217	Hitler, Gürtner
7. 25.4.33	Überfüllung deutscher Schulen und Universitäten.	I 225	Hitler, Frick.
8. 25.4.33	Durchführungsverordnung zu 7	I 226	Frick.
9. 4.5.33	2. Durchführungsverordnung zu 2	I 233	Frick, Schwerin
10. 6.5.33	3.        "      "      "	I 245	Frick, Schwerin
11. 10.5.33	Verordnung bezügl. Zulassung von Ärzten zu Krankenkassen	D.R.A.	
12.	Erbhofrecht	Pr.G.S. 33 S 165	
13. 6.5.33	Zulassung als Steuerberater	33 I 257	Hitler, Schwerin.
14. 13.5.33	Ehrenämter in der Sozialverwaltung.	33 I 277	Hitler, Seldte Frick.
15. 20.5.33	Verordnung zu 13	R. Anz.	
16. 6.6.33	Verordnung betr. Ärzte und Zahnärzte bei Krankenkassen.	R. Anz.	
17.	Zulassung als Verwaltungsgerichtsanwälte	33 S 209 Pr.G.S.	
18. 26.6.33	Durchführungsverordnung zu 4.	R.A.Z.	
19.	Verordnung über Zulassung ausländischer Bildstreifen	R.M.Bl. 33 S 350	
20. 1.7.33	Gesetz über Beamtenrecht.	33 I 433	Hitler, Frick. Schwerin.
21. 14.7.33	Widerruf von Ehrenämtern	33 I 480	Hitler, Schwerin, Neurath.



	Date	Name of Law	Reichsgesetz- blatt (or other)	Signatures.
22.	6.8.33	Vergebung Öffentl. Aufträge	V.B.	
23.	21.7.33	Änderung der Rechtsanwaltsordnung	33 I 522	Hitler, Selde Gürtner.
24.	26.7.33	Widerruf von Einbürgerungen	33 I 538	Pfundtner.
25.	28.7.33	Zulassung von Zahnärzten zu Krankenkassen.		
26.	28.9.33	Patentanwaltsgesetz	33 I 669	Hitler Gürtner.
27.	30.9.33	Reichserbhofgesetz	33 I 685	Hitler, Gürtner, Darre.
28.	4.10.33	Schriftleitergesetz	33 713	Goebbels.
29.	1.11.33	Reichskulturkammergesetz	33 797	Goebbels, Schmidt.
30.	20.11.33	Zulassung von Ärzten und Zahn- Ärzten zu Krankenkassen.	33 983	Krohn.
31.	9.11.33	Verordnung zum Reichskultur- kammergesetz.	33 969	Hitler, Gürtner.
32.		Zugehörigkeit von Rabbinern zu Schulvorständen	Pr.G.S. 33 S 492	
33.	19.12.33	Schriftleitergesetz	33.I.1085	Göring, Pfundtner, Schlegelberger.
34.	13.2.35	3. Verordnung über Zulassung von Zahnärzten zu Krankenkassen	35.I.192	
35.	11.9.35	Rassentrennung in Öffentl. Schulen.	V.B.	
36.	15.9.35	Gesetz zum Schutze deutschen Blutes und deutscher Ehre	35.I.1146	Hitler, Frick, Gürtner, Hess.
37.	15.9.35	Reichsbürgergesetz	35.I.1145	Hitler, Frick, Gürtner, Hess.
38.	14.11.35	Durchführungsverordnung zu 37	35.I.1333	Hitler, Frick, Gürtner, Hess.
38a.	14.11.35	Durchführungsverordnung zu 36	35.I.1334	Hitler, Frick, Gürtner, Hess.
39.	1935	Arische Abstammung von Notaren	Deutsche Justiz No.47	
40.	1935	Verbot von Rassenmischen	M.Bl. für innere Verw. S.1439	
41.	13.12.35	Verordnung zur Verhütung von Misserfolgen bei der Rechts- beratung.	35.I.1481	Gürtner.



Date	Name of Law	Reichsgesetzblatt (or other)	Signatures.
42.	Reichsarzte-Ordnung	Das Archiv 36 1446	
43. 23.2.35	Durchführungsverordnung zum Schutze deutschen Elites und deutscher Ehre.	Pr.Min.Bl.	
44. 19.3.37	Änderung des Reichsarbeitsdienstgesetzes.	I.325	Hitler, Frick, Hess.
45. 6.11.37	Verordnung über erbrechtliche Beschränkungen wegen gemeinschaftswidrigen Verhaltens.	37.S.1161	Hitler, Gürtner.
46. 26.3.36	Verpachtung und Verwaltung von Apotheken.	36.I.317	Pfundtner.
47. 3.4.36	Reichstierärzte-Verordnung	36.I.347	Hitler, Frick.
48. 11.1.36	Verordnung zur Durchführung der Reichsabgabenordnung.	36.I.11	Reinhardt.
49. 29.6.36	Verordnung über die geschäftsmässige Hilfsleistung in Devisengesetzen.	36.I.524	Schacht.
50. 26.4.38	Verordnung über die Anmeldung des Vermögens der Juden.	38.I.414	Göring.
51. 26.4.38	Anordnung auf Grund v. 50	38.I.414	
52. 14.6.38	Verordnung zum Reichsbürgergesetz.	38.I.627	Frick, Hess Funck, Gürtner.
53. 12.11.38	Verordnung zur Ausschaltung der Juden aus dem deutschen Wirtschaftsleben.	38.I.1530	Göring.
54. 23.11.38	Durchführungsverordnung zu 53	I.1642	Brückner, Gürtner.
55. 21.12.38	Hebeammengesetz	38.I.1893	Hitler, Frick.
56. 31.12.38	Nichtgewährung von Mietsbeihilfen an Juden.	38.I.2017	Schütze, Engels, v. Manteuffel.
57. 11.11.38	Verordnung gegen Waffenbesitz von Juden.	I.1573	Frick.
58. 3.12.38	Verordnung über den Einsatz jüdischen Vermögens.	I.1709	Funck, Frick.
59. 22.4.38	Verordnung gegen die Unterstützung der Tarnung jüdischer Gewerbebetriebe	38.I.404	Göring.
60. 14.6.38	Dritte Verordnung zum Reichsbürgergesetz.	38.I.627	Frick, Funck, Hess, Gürtner.



Date	Name of Law	Reichsgesetz- blatt (or other)	Signatures.
61. 25.7.38	Vierte Verordnung wie oben (Ausschaltung der jüdischen Ärzte)	I.969	Hitler, Frick, Hess, Gürtner, Reinhardt.
62. 27.9.38	Ausscheiden der Juden aus der Rechtsanwaltschaft.	I.1403	Hitler, Frick, Hess, Gürtner, Reinhardt.
63. 31.10.38	Verbot des Berufes als Patentanwalt.	I.1545	Hitler, Frick, Hess, Gürtner, Schwerin.
64. 28.7.38	Keinkartenverordnung für Juden	I.922	Frick.
65. 17.8.38	Änderung der Familiennamen und Vornamen.	I.1044	Stuckart, Frick, Gürtner.
66. 12.11.38	Wiederherstellung des Strassen- bildes auf Kosten der Juden.	I.1581	Göring.
67. 12.11.38	Sühneleistung der Juden	I.1579	Göring.
68. 21.11.38	Durchführungsverordnung	I.1638	Schwerin.
69. 12.11.38	Ausschaltung der Juden aus dem deutschen Wirtschaftsleben.	38.I.1580	Göring
70. 3.12.38	Verordnung über den Einsatz des jüdischen Vermögens.	38.I.1709	Funck, Frick.
71. 28.11.38	Auftreten der Juden in der Öffentlichkeit	I.1676	Heydrich.
72. 3.12.38	Durchführungsverordnung zur Ver- ordnung zur Einsetzung des jüdischen Vermögens.	38.I.37	Brückner, Pfundtner, Hauck.
73. 21.2.39	3. Anordnung zur Anmeldung des Vermögens der Juden.	I.387	Köhler.
74. 17.1.39	Ausübung des Apothekerberufs.	I.47	Pfundtner, Hess.
75. 17.1.39	Ausübung der Gesundheitspflege	I.47	Pfundtner, Hess.
76. 21.2.39	2. Anordnung zur Verordnung über die Anmeldung des Vermögens der Juden.	39.I.282	Göring
77. 15.3.39	Nichtgewährung der Ausgleichs- entschädigung.	I.614	Pfundtner, Hess.
78. 29.3.39	Ausschluss der Juden von der Jagdpatchung.	I.643	Pfundtner, Hess.
79. 30.4.39	Mietsverhältnisse der Juden	I.864	Hitler, Gürtner, Krohn, Hess, Frick.
80. 4.7.39	Verbot der Ausübung der Reise- vermittlung.	I.895	Landfried.



Date	Name of Law	Reichsgesetz- blatt (or other)	Signatures.
81. 1.9.39	Aberkennung der Bestellung als Apotheker.	I.1567	Pfundtner.
82. 15.11.39	Ausübung der Säuglingspflege	I.2339	Frick, Hess, Gürtner.
83. 12.11.39	Verordnung zur Verordnung der Sühneleistung der Juden.	I.2059	Schwerin.
84. 30.11.39	Nichtberechtigung zur Inanspruch- nahme der Richter.	I.2329	Frick.
85. 30.10.41	Gesetz über die Behandlung der Juden als Arbeiter.	41.I.675	
86. 1.7.43	13 V.O. zum Reichsbürgergesetz	I.372	Frick, Bormann, Schwerin, Thierack.



APPENDIX IV

Laws Relating to the Protestant Church.

Date	Name of the Law	Reichsgesetzblatt	Signatures.
14.7.33	Verfassung der Deutschen Evangelischen Kirche.	1933.I.471	Hitler, Frick.
26.6.35	Gesetz über Beschlussverfahren in Rechtsangelegenheiten der Evangelischen Kirche.	1935.I.774	Hitler, Frick.
27.7.35	Zweite Durchführungsverordnung zum Gesetz über das Beschlussverfahren in Rechtsangelegenheiten etc.	1935.I.851	Kerrl, Frick.
24.9.35	Gesetz zur Sicherung der deutschen evangelischen Kirche	1935.I.1178	Hitler, Kerrl
2.12.35	Fünfte Durchführungsverordnung zum Gesetz zur Sicherung etc.	1935.I.1370	Kerrl
15.2.37	Erllass des Führers über die Einberufung einer verfassunggebenden Generalsynode der deutschen evangelischen Kirche.	1937.I.203	Hitler
25.6.37	Fünfzehnte Verordnung zur Durchführung des Gesetzes zur Sicherung der deutschen evangelischen Kirche.	1937.I.697	Kerrl