

THE
DESTRUCTION
OF THE
EUROPEAN
JEWS

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REVISED AND DEFINITIVE EDITION

RAUL HILBERG

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The work culminating in the contents of these volumes was begun in 1948. Thirty-six years have passed since then, but the project has remained with me, from early youth to late middle age, sometimes interrupted but never abandoned, because of a question I asked. From the start I have wanted to know how the Jews of Europe were destroyed. I wanted to explore the sheer mechanism of destruction, and as I delved into the problem, I saw that I was studying an administrative process carried out by bureaucrats in a network of offices spanning a continent. Understanding the components of this apparatus, with all the facets of its activities, became the principal task of my life.

The "how" of the event is a way of gaining insights into perpetrators, victims, and bystanders. The roles of all three will be described in this work. The German officeholders will be shown passing memoranda from desk to desk, conferring about definitions and classifications, and drafting public laws or secret instructions in their relentless drive against the Jews. The Jewish community, caught in the thicket of these measures, will be viewed in terms of what it did and did not do in response to the German assault. The outside world is a part of this history by virtue of its posture as spectator.

Still, the act of destruction was German, and the primary focus in

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this portrayal is therefore placed on the German conceptualizes, initiators, and implementers of the deed. They constructed the framework within which collaborators in Axis and occupied countries made their contributions to the operation, and *they* created the conditions that confronted Jewry in a closed ghetto, the roulette wheel of a roundup, or at the entrance of a gas chamber. To inquire into the structure of the phenomenon is to ask the question about the Germans first.

I have looked for answers in a large number of documents. These materials are not merely a record of events, but artifacts of the administrative machinery itself. What we call a documentary source was once an order, letter, or report. Its date, signature, and dispatch invested it with immediate consequences. The sheet of paper in the hands of the participants was a form of action. Today most surviving collections are German, but there are also some relics of Jewish councils and other non-German agencies. I have drawn upon them all, not only for the facts that they contain but to recapture the spirit in which they were written.

Mine is not a short account. The book is large and complex because it depicts an undertaking that was massive and intricate. It is detailed because it deals with nearly all of the important occurrences in the arena of destruction, inside and outside Germany, from 1933 to 1945. It is unabridged so that it may record, in full, measures that were taken in full.

The first edition of this work appeared in Chicago twenty-three years ago. It filled eight hundred double-columned pages and was reprinted several times. I knew even as the original version went to press that inevitably I would become aware of errors, that there were gaps in the story, and that analytical statements or conclusions would some day strike me as incomplete or imprecise. I also knew that to achieve greater accuracy, balance, and clarity, I would have to make use of more documents.

My early probing had been concentrated principally on Nuremberg evidence and on stores of captured German records located in the United States at the time. Now my research was going to be extended to cover diverse materials surfacing in the archives of several countries. Prolonged as this labor had to be, it yielded information about organizations and events that had hitherto been shrouded or undiscovered altogether. Among the documents I found were telegrams of the German railroads setting up schedules of death trains, wartime protocols of Jewish community officials in Berlin on their periodic meetings with Gestapo officers, and newly declassified files of the U.S. Office of Strategic Services about the death camp of Auschwitz. Each

set of communications was written in an internal language, each enclosed a separate world, and each was a missing link.

The atmosphere in which I have worked has changed considerably. In the 1940s and 1950s, I was copying documents by hand, writing the manuscript on a bridge table, typing it on a manual machine. During those days, the academic world was oblivious to the subject, and publishers found it unwelcome. In fact, I was advised much more often not to pursue this topic than to persist in it. Much later, in the dimly lit court archives of Dusseldorf or Vienna, I still copied out testimony on a pad, but the feeling of isolation was gone. The subject, no longer unmentionable, has engaged the public.

Fortunately, I received decisive help when I began with few resources. I remember Hans Rosenberg, whose lectures on bureaucracy welded my thoughts while I was still a college student; the late Franz Neumann, whose sponsorship was essential to me in the early stages of my research when I was a doctoral candidate at Columbia University; William T. R. Fox of the same university, who stepped in with acts of exceptional kindness when I was stranded; the late Filip Friedman, who, believing in my work, encouraged me; and my late father, Michael Hilberg, whose sense of style and literary structure became my own. My old friend, Eric Marder, listened as I read to him my handwritten drafts of long passages. With his extraordinarily penetrating mind, he helped me overcome difficulty after difficulty. The late Frank Petschek interested himself in the project while it was still unfinished. He read it line by line and, with a singular gesture, made possible its first publication.

A researcher is utterly dependent on archivists and librarians. Some of those who assisted me I do not know by name, others could not possibly recall who I am. A recapitulation of all those whose specialized knowledge was vital is hardly possible, and therefore I will mention only Dina Abramowicz of the YIVO Institute, Bronia Klibanski of Yad Vashem, Robert Wolfe of the National Archives, and Sybil Milton of the Leo Baeck Institute. Serge Klarsfeld of the Beate Klarsfeld Foundation and Liliana Picciotto Fargion of the Centro di Documentazione Ebraica Contemporanea sent me their valuable publications and talked to me about their data. Many more historians and other specialists facilitated my search for sources at the Columbia University Law Library, the Library of Congress, archives of German courts, the German railroad archives at Frankfurt and Nuremberg, the Institut für Zeitgeschichte in Munich, the German Federal Archives at Koblenz, the Zentrale Stelle der Landesjustizverwaltungen in Ludwigsburg, the U.S. Berlin Document Center, the Centre de Documenta-

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tion Juive Contemporaine in Paris, the archives of the American Jewish Committee, and the Office of Special Investigations in the U.S. Department of Justice.

I have lived in Vermont since 1956, and during these decades I worked at the University of Vermont, which has given me the sort of support that only an academic institution providing tenure, sabbatical leaves, and occasional small sums of money for research, can furnish over time. At the university I have also had colleagues who stood by me. The first of them was the late L. Jay Gould, who was always patient with me, and more recently, Stanislaw Staron, with whom I worked on the diary of Warsaw ghetto chairman Adam Czemiakow; and Samuel Bogorad, with whom I taught a course on the Holocaust.

To H. R. Trevor-Roper, who wrote several essays about the book when it first appeared, I owe most of the recognition that it received. Herman Wouk, novelist, and Claude Lanzmann, film maker, both of whom portray the Jewish fate in large-scale artistic endeavors, reinforced me in my own quest on many occasions.

My literary agent, Theron Raines, who is a man of letters with an understanding of the subject, has made unceasing efforts on my behalf. Max Holmes, publisher of Holmes & Meier, took on the task of publishing the second edition with a deep knowledge of what I was trying to do.

For my family I have a special word. My son David and my daughter Deborah have given me purpose and peace. My wife Gwendolyn has aided me with her caring presence and her faith in me.

Burlington, Vermont

September 1984

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The German destruction of the European Jews was a tour de force; the Jewish collapse under the German assault was a manifestation of failure. Both of these phenomena were the final product of an earlier age.

Anti-Jewish policies and actions did not have their beginning in 1933. For many centuries, and in many countries, the Jews had been victims of destructive action. What was the object of these activities? What were the aims of those who persisted in anti-Jewish deeds? Throughout Western history, three consecutive policies have been applied against Jewry in its dispersion.

The first anti-Jewish policy started in the fourth century after Christ in Rome.¹ Early in the fourth century, during the reign of Constantine, the Christian Church gained power in Rome, and Christianity became the state religion. From this period, the state carried out Church policy. For the next twelve centuries, the Catholic Church prescribed the measures that were to be taken with respect to the Jews. Unlike the pre-Christian Romans, who claimed no monopoly on religion and faith, the Christian Church insisted on acceptance of Christian doctrine.

For an understanding of Christian policy toward Jewry, it is essential to realize that the Church pursued conversion not so much for the sake of aggrandizing its power (the Jews have always been few in number), but because of the conviction that it was the duty of true believers to save unbelievers from the doom of eternal hellfire. Zealousness in the pursuit of conversion was an indication of the depth of faith. The Christian religion was not one of many religions, but the

1. Pre-Christian Rome had no anti-Jewish policy. Rome had crushed the independent Jewish state of Judea, but the Jews in Rome enjoyed equality under the law. They could execute wills, enter into valid marriages with Romans, exercise the rights of guardianship, and hold office. Otto Stobbe, *Die Juden in Deutschland während des Mittelalters* (Leipzig, 1902), p. 2.

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true religion, the only one. Those who were not in its fold were either ignorant or in error. The Jews could not accept Christianity.

In the very early stages of the Christian faith, many Jews regarded Christians as members of a Jewish sect. The first Christians, after all, still observed the Jewish law. They had merely added a few nonessential practices, such as baptism, to their religious life. But their view was changed abruptly when Christ was elevated to Godhood. The Jews have only one God. This God is indivisible. He is a jealous God and admits of no other gods. He is not Christ, and Christ is not He. Christianity and Judaism have since been irreconcilable. An acceptance of Christianity has since signified an abandonment of Judaism.

In antiquity and in the Middle Ages, Jews did not abandon Judaism lightly. With patience and persistence the Church attempted to convert obstinate Jewry, and for twelve hundred years the theological argument was fought without interruption. The Jews were not convinced. Gradually the Church began to back its words with force. The Papacy did not permit pressure to be put on individual Jews; Rome prohibited forceful conversions.^{2 3 4} However, the clergy did use pressure on the whole. Step by step, but with ever widening effect, the Church adopted "defensive" measures against its passive victims. Christians were "protected" from the "harmful" consequences of intercourse with Jews by rigid laws against intermarriage, by prohibitions of discussions about religious issues, by laws against domicile in common abodes. The Church "protected" its Christians from the "harmful" Jewish teachings by burning the Talmud and by barring Jews from public office.⁷

These measures were precedent-making destructive activities. How little success the Church had in accomplishing its aim is revealed by the treatment of the few Jews who succumbed to the Christian religion. The clergy was not sure of its success—hence the widespread practice, in the Middle Ages, of identifying proselytes as former Jews;² hence the inquisition of new Christians suspected of heresy;⁷ hence the issuance in Spain of certificates of "purity" (*limpieza*), signifying purely Christian ancestry, and the specification of "half-new Chris-

2. This prohibition had one weakness: once converted, even though forcibly, a Jew was forbidden to return to his faith. Guido Kisch, *The Jews in Medieval Germany* (Chicago, 1949), pp. 201-2.

3. Actually, non-Jews who wished to become Jews faced formidable obstacles. See Louis Finkelstein, "The Jewish Religion: Its Beliefs and Practices," in Louis Finkelstein, ed., *The Jews: Their History, Culture, and Religion* (New York, 1949), vol. 2, p. 1376.

4. Kisch, *Jews in Medieval Germany*, p. 315.

tians," "quarter-new Christians," "one-eighth-new Christians," and so on.⁶

The failure of conversion had far-reaching consequences. The unsuccessful Church began to look on the Jews as a special group of people, different from Christians, deaf to Christianity, and dangerous to the Christian faith. In 1542 Martin Luther, the founder of Protestantism, wrote the following lines:

And if there were a spark of common sense and understanding in them, they would truly have to think like this: O my God, it does not stand and go well with us; our misery is too great, too long, too hard; God has forgotten us, etc. I am no Jew, but I do not like to think in earnest about such brutal wrath of God against this people, for I am terrified at the thought that cuts through my body and soul: What is going to happen with the eternal wrath in hell against all false Christians and unbelievers?^{7 8}

In short, if *he* were a Jew, he would have accepted Christianity long ago.

A people cannot suffer for fifteen hundred years and still think of itself as the chosen people. But this people was blind. It had been stricken by the wrath of God. He had struck them "with frenzy, blindness, and raging heart, with the eternal fire, of which the Prophets say: The wrath of God will hurl itself outward like a fire that no one can smother."⁸

The Lutheran manuscript was published at a time of increasing hatred for the Jew. Too much had been invested in twelve hundred years of conversion policy. Too little had been gained. From the thirteenth to the sixteenth century, the Jews of England, France, Germany, Spain, Bohemia, and Italy were presented with ultimatums that gave them no choice but one: conversion or expulsion.

6. Cecil Roth, "Marranos and Racial Anti-Semitism—A Study in Parallels," *Jewish Social Studies* 2 (1940): 239-48. New Christian doctors were accused of killing patients, a Toledo tribunal handed down a decision in 1449 to the effect that new Christians were ineligible for public office, and in 1604 new Christians were barred from the University of Coimbra (*ibid.*). Anyone who was a descendant of Jews or Moors was also ineligible to serve in the "Militia of Christ," Torquemada's army, which tortured and burned "heretics." Franz Helbing, *Die Tortur—Geschichte der Folter im Kriminativverfahren alter Völker und Zeiten* (Berlin, 1902), p. 118.

7. Martin Luther, *Von den Jueden und Jren Luegen* (Wittenberg, 1543), p. Aiii. Page numbers in the original edition of Luther's book are placed on the bottom of every second or fourth page, as follows: A, Aii, Aiii, B, Bii, BUI, to Z, Zii, Ziii, starting over with a, aii, aiii.

8. Luther, *Von den Jueden*. p. diii. The reference to frenzy is an inversion. Frenzy is one of the punishments for deserting the one and only God.

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Expulsion is the second anti-Jewish policy in history. In its origin, this policy presented itself only as an alternative—moreover, as an alternative that was left to the Jews. But long after the separation of church and state, long after the state had ceased to carry out church policy, expulsion and exclusion remained the goal of anti-Jewish activity.

The anti-Semites of the nineteenth century, who divorced themselves from religious aims, espoused the emigration of the Jews. The anti-Semites hated the Jews with a feeling of righteousness and reason, as though they had acquired the antagonism of the church like speculators buying the rights of a bankrupt corporation. With this hatred, the post-ecclesiastic enemies of Jewry also took the idea that the Jews could not be changed, that they could not be converted, that they could not be assimilated, that they were a finished product, inflexible in their ways, set in their notions, fixed in their beliefs.

The expulsion and exclusion policy was adopted by the Nazis and remained the goal of all anti-Jewish activity until 1941. That year marks a turning point in anti-Jewish history. In 1941 the Nazis found themselves in the midst of a total war. Several million Jews were incarcerated in ghettos. Emigration was impossible. A last-minute project to ship the Jews to the African island of Madagascar had fallen through. The "Jewish problem" had to be "solved" in some other way. At this crucial time, the idea of a "territorial solution" emerged in Nazi minds. The "territorial solution," or "the final solution of the Jewish question in Europe," as it became known, envisaged the death of European Jewry. The European Jews were to be killed. This was the third anti-Jewish policy in history.

To summarize: Since the fourth century after Christ there have been three anti-Jewish policies: conversion, expulsion, and annihilation. The second appeared as an alternative to the first, and the third emerged as an alternative to the second.

The destruction of the European Jews between 1933 and 1945 appears to us now as an unprecedented event in history. Indeed, in its dimensions and total configuration, nothing like it had ever happened before. As a result of an organized undertaking, five million people were killed in the short space of a few years. The operation was over before anyone could grasp its enormity, let alone its implications for the future.

Yet, if we analyze this singularly massive upheaval, we discover that most of what happened in those twelve years had already happened before. The Nazi destruction process did not come out of a void;

it was the culmination of a cyclical trend.' We have observed the trend in the three successive goals of anti-Jewish administrators. The missionaries of Christianity had said in effect: You have no right to live among us as Jews. The secular rulers who followed had proclaimed: You have no right to live among us. The German Nazis at last decreed: You have no right to live.

These progressively more drastic goals brought in their wake a slow and steady growth of anti-Jewish action and anti-Jewish thinking. The process began with the attempt to drive the Jews into Christianity. The development was continued in order to force the victims into exile. It was finished when the Jews were driven to their deaths. The German Nazis, then, did not discard the past; they built upon it. They did not begin a development; they completed it. In the deep recesses of anti-Jewish history we shall find many of the administrative and psychological tools with which the Nazis implemented their destruction process. In the hollows of the past we shall also discover the roots of the characteristic Jewish response to an outside attack.

The significance of the historical precedents will most easily be understood in the administrative sphere. The destruction of the Jews was an administrative process, and the annihilation of Jewry required the implementation of systematic administrative measures in successive steps. There are not many ways in which a modern society can, in short order, kill a large number of people living in its midst. This is an efficiency problem of the greatest dimensions, one which poses uncounted difficulties and innumerable obstacles. Yet, in reviewing the documentary record of the destruction of the Jews, one is almost immediately impressed with the fact that the German administration knew what it was doing. With an unflinching sense of direction and with an uncanny pathfinding ability, the German bureaucracy found the shortest road to the final goal.

We know, of course, that the very nature of a task determines the form of its fulfillment. Where there is the will, there is also the way, and if the will is only strong enough, the way will be found. But what if there is no time to experiment? What if the task must be solved quickly and efficiently? A rat in a maze that has only one path to the goal learns to choose that path after many trials. Bureaucrats, too, are sometimes caught in a maze, but they cannot afford a trial run. There may be no time⁹

9. A regular trend is unbroken (for instance, an increase of population); a cyclical trend is observed in some of the recurring phenomena. We may speak, for example, of a set of wars that become progressively more destructive, depressions that decline in severity, etc.

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for hesitations and stoppages. This is why past performance is so important; this is why past experience is so essential. Necessity is said to be the mother of invention, but if precedents have already been formed, if a guide has already been constructed, invention is no longer a necessity. The German bureaucracy could draw upon such precedents and follow such a guide, for the German bureaucrats could dip into a vast reservoir of administrative experience, a reservoir that church and state had filled in fifteen hundred years of destructive activity.

In the course of its attempt to convert the Jews, the Catholic Church had taken many measures against the Jewish population. These measures were designed to "protect" the Christian community from Jewish teachings and, not incidentally, to weaken the Jews in their "obstinacy." It is characteristic that as soon as Christianity became the state religion of Rome, in the fourth century A.D., Jewish equality of citizenship was ended. "The Church and the Christian state, concilium decisions and imperial laws, henceforth worked hand in hand to persecute the Jews."¹⁰ Table 1-1 compares the basic anti-Jewish measures of the Catholic Church and the modern counterparts enacted by the Nazi regime."

No summation of the canonical law can be as revealing as a description of the Rome ghetto, maintained by the Papal State until the occupation of the city by the Royal Italian Army in 1870. A German journalist who visited the ghetto in its closing days published such a description in the *Neue Freie Presse*.^{10 11 12} The ghetto consisted of a few damp, dark, and dirty streets, into which 4,700 human creatures had been packed tightly (*eingepfercht*).

To rent any house or business establishment outside of the ghetto boundaries, the Jews needed the permission of the Cardinal Vicar. Acquisition of real estate outside the ghetto was prohibited. Trade in industrial products or books was prohibited. Higher schooling was prohibited. The professions of lawyer, druggist, notary, painter, and architect were prohibited. A Jew could be a doctor, provided that he confined his practice to Jewish patients. No Jew could hold office. Jews were required to pay taxes like everyone else and, in addition, the following: (1) a yearly stipend for the upkeep of the Catholic officials who supervised the Ghetto Finance Administration and the Jewish

10. Stobbe, *Die Juden in Deutschland*, p. 2.

11. The list of Church measures is taken in its entirety from J. E. Scherer, *Die Rechtsverhältnisse der Juden in den deutsch-österreichischen Ländern* (Leipzig, 1901), pp. 39-49. Only the first date of each measure is listed in Table 1-1.

12. Carl Eduard Bauemschmid in *Neue Freie Presse*. May 17, 1870. Reprinted in *Allgemeine Zeitung des Judenthums* (Leipzig), July 19, 1870, pp. 580-82.

T A B L E 1 - 1
CANONICAL AND NAZI ANTI-JEWISH MEASURES

<i>Canonical Law</i>	<i>Nazi Measure</i>
Prohibition of intermarriage and of sexual intercourse between Christians and Jews, Synod of Elvira, 306	Law for the Protection of German Blood and Honor, September 15, 1935 (RGB I I, 1146.)
Jews and Christians not permitted to eat together. Synod of Elvira, 306	Jews barred from dining cars (Transport Minister to Interior Minister, December 30, 1939, Document NG-3995.)
Jews not allowed to hold public office, Synod of Clermont, 535	Law for the Re-establishment of the Professional Civil Service, April 7, 1933 (RGB I I, 175.)
Jews not allowed to employ Christian servants or possess Christian slaves, 3d Synod of Orléans, 538	Law for the Protection of German Blood and Honor, September 15, 1935 (RGB I I, 1146.)
Jews not permitted to show themselves in the streets during Passion Week, 3d Synod of Orléans, 538	Decree authorizing local authorities to bar Jews from the streets on certain days (i.e., Nazi holidays), December 3, 1938 (RGB I I, 1676.)
Burning of the Talmud and other books, 12th Synod of Toledo, 681	Book burnings in Nazi Germany
Christians not permitted to patronize Jewish doctors, Trulanic Synod, 692	Decree of July 25, 1938 (RGB I I, 969.)
Christians not permitted to live in Jewish homes, Synod of Narbonne, 1050	Directive by Goring providing for concentration of Jews in houses, December 28, 1938 (Bormann to Rosenberg, January 17, 1939, PS-69.)
Jews obliged to pay taxes for support of the Church to the same extent as Christians, Synod of Oerona, 1078	The "Sozialausgleichsabgabe" which provided that Jews pay a special income tax in lieu of donations for Party purposes imposed on Nazis, December 24, 1940 (RGB I I, 1666.)
Prohibition of Sunday work, Synod of Szabolcs, 1092	
Jews not permitted to be plaintiffs, or witnesses against Christians in the Courts, 3d Lateran Council, 1179, Canon 26	Proposal by the Party Chancellery that Jews not be permitted to institute civil suits, September 9, 1942 (Bormann to Justice Ministry, September 9, 1942, NG-151.)
Jews not permitted to withhold inheritance from descendants who had accepted Christianity, 3d Lateran Council, 1179, Canon 26	Decree empowering the Justice Ministry to void wills offending the "sound judgment of the people," July 31, 1938 (RGB I I, 1937.)

TABLE 1-1

CANONICAL AND NAZI ANTI-JEWISH MEASURES (Continued)

<i>Canonical Law</i>	<i>Nazi Measure</i>
The marking of Jewish clothes with a badge, 4th Lateran Council, 1215, Canon 68 (Copied from the legislation by Caliph Omar II [634-644], who had decreed that Christians wear blue belts and Jews, yellow belts.)	Decree of September 1, 1941 (RGBI I, 547.)
Construction of new synagogues prohibited, Council of Oxford, 1222	Destruction of synagogues in entire Reich, November 10, 1938 (Heydrich to Goring, November 11, 1938, PS-3058.)
Christians not permitted to attend Jewish ceremonies, Synod of Vienna, 1267	Friendly relations with Jews prohibited, October 24, 1941 (Gestapo directive, L-15.)
Jews not permitted to dispute with simple Christian people about the tenets of the Catholic religion, Synod of Vienna, 1267	
Compulsory ghettos, Synod of Breslau, 1267	Order by Heydrich, September 21, 1939 (PS-3363.)
Christians not permitted to sell or rent real estate to Jews, Synod of Ofen, 1279	Decree providing for compulsory sale of Jewish real estate, December 3, 1938 (RGBI I, 1709.)
Adoption by a Christian of the Jewish religion or return by a baptized Jew to the Jewish religion defined as a heresy, Synod of Mainz, 1310	Adoption of the Jewish religion by a Christian places him in jeopardy of being treated as a Jew. (Decision by Oberlandesgericht Königsberg, 4th Zivilsenat, June 26, 1942.) (<i>Die Judenfrage [Vertrauliche Beilage]</i> , November 1, 1942, pp. 82-83.)
Sale or transfer of Church articles to Jews prohibited, Synod of Lavour, 1368	
Jews not permitted to act as agents in the conclusion of contracts, especially marriage contracts, between Christians, Council of Basel, 1434, Sessio XIX	Decree of July 6, 1938, providing for liquidation of Jewish real estate agencies, brokerage agencies, and marriage agencies catering to non-Jews (RGBI I, 823.)
Jews not permitted to obtain academic degrees. Council of Basel, 1434, Sessio XIX	Law against Overcrowding of German Schools and Universities, April 25, 1933 (RGBI I, 225.)

community organization; (2) a yearly sum of 5,250 lire to the Casa Pia for missionary work among Jews; (3) a yearly sum of 5,250 lire to the Cloister of the Converted for the same purpose. In tum, the Papal State expended a yearly sum of 1,500 lire for welfare work. But no state money was paid for education or the care of the sick.

The papal regime in the Rome ghetto gives us an idea of the cumulative effect of the canonical law. *This* was its total result. Moreover, the policy of the Church gave rise not only to ecclesiastical regulations; for more than a thousand years, the will of the Church was also enforced by the state. The decisions of the synods and councils became basic guides for state action. Every medieval state copied the canonical law and elaborated upon it. Thus there arose an "international medieval Jewry law," which continued to develop until the eighteenth century. The governmental refinements and elaborations of the clerical regime may briefly be noted in Table 1-2, which shows also the Nazi versions.

These are some of the precedents that were handed down to the Nazi bureaucratic machine. To be sure, not all the lessons of the past were still remembered in 1933; much had been obscured by the passage of time. This is particularly true of negative principles, such as the avoidance of riots and pogroms. In 1406 the state sought to make profits from mob violence in the Jewish quarter of Vienna. Christians suffered greater losses in this pogrom than Jews, because the Jewish pawnshops, which went up in smoke during the great ghetto fire, contained the possessions of the very people who were rioting in the streets." This experience was all but forgotten when, in November 1938, Nazi mobs surged once more into Jewish shops. The principal losers now were German insurance companies, who had to pay German owners of the damaged buildings for the broken window glass. A historical lesson had to be learned all over again.

If some old discoveries had to be made anew, it must be stressed that many a new discovery had not even been fathomed of old. The administrative precedents created by church and state were in themselves incomplete. The destructive path charted in past centuries was an interrupted path. The anti-Jewish policies of conversion and expulsion could carry destructive operations only up to a point. These policies were not only goals; they were also limits before which the bureaucracy had to stop and beyond which it could not pass. Only the removal of these restraints could bring the development of destructive operations to its fullest potentiality. That is why the Nazi adminis-¹³

13. Otto Stowasser, "Zur Geschichte der Wiener Geserah," *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* 16(1922): 117.

TABLE 1-2

PRE-NAZI AND NAZI ANTI-JEWISH MEASURES

<i>Pre-Nazi Slate Development</i>	<i>Nazi Measure</i>
Per capita protection tax (<i>der goldene Opferpfennig</i>) imposed on Jews by King Ludwig the Bavarian, 1328-37 (Stobbe, <i>Die Juden in Deutschland</i> , P-31)	
The property of Jews slain in a German city considered as public property, "because the Jews with their possessions belong to the Reich chamber," provision in the 14th-century code <i>Regulae juris "Ad decus"</i> (Kisch, <i>Jews in Medieval Germany</i> , pp.360-61,560-61)	13th Ordinance to the Reich Citizenship Law providing that the property of a Jew be confiscated after his death, July 1, 1943 (RGBI I, 372)
Confiscation of Jewish claims against Christian debtors at the end of the 14th-century in Nuremberg. (Stobbe, <i>Die Juden in Deutschland</i> , p. 58)	11th Ordinance to the Reich Citizenship Law, November 25, 1941 (RGBI I, 722)
"Fines": for example, the Regensburg fine for "killing Christian child," 1421. (<i>Ibid.</i> , pp. 77-79)	Decree for the "Atonement Payment" by the Jews, November 12, 1938 (RGBI I, 1579)
Marking of documents and personal papers identifying possessor or bearer as a Jew (Zosa Szajkowski, "Jewish Participation in the Sale of National Property during the French Revolution," <i>Jewish Social Studies</i> , 1952, p. 29ln)	Decree providing for identification cards, July 23, 1938 (RGBI I, 922)
Around 1800, the Jewish poet Ludwig Borne had to have his passport marked "Jud von Frankfurt" (Heinrich Graetz, <i>Volkstümliche Geschichte der Juden</i> [Berlin-Vienna, 1923], vol. 3, pp. 373-74)	Decree providing for marking of passports, October 5, 1938 (RGBI I, 1342)
Marking of houses, special shopping hours, and restrictions of movement, 17th century, Frankfurt (<i>Ibid.</i> , pp. 387-88)	Marking of Jewish apartments. (<i>Jüdisches Nachrichtenblatt</i> [Berlin], April 17, 1942) Decree providing for movement restrictions, September 1, 1941 (RGBI I, 547)
Compulsory Jewish names in 19th-century bureaucratic practice (Leo M. Friedman, "American Jewish Names," <i>Historia Judaica</i> , October 1944, p. 154)	Decree of January 5, 1937 (RGBI I, 9) Decree of August 17, 1938 (RGBI I, 1044)

trators became improvisers and innovators; that is also why the German bureaucracy under Hitler did infinitely more damage in twelve years than the Catholic Church was capable of in twelve centuries.

The administrative precedents, however, are not the only historical determinants with which we are concerned. In a Western society, destructive activity is not just a technocratic phenomenon. The problems arising in a destruction process are not only administrative but also psychological. A Christian is commanded to choose good and to reject evil. The greater his destructive task, therefore, the more potent are the moral obstacles in his way. These obstacles must be removed; the internal conflict must somehow be resolved. One of the principal means through which the perpetrator attempts to clear his conscience is by clothing his victim in a mantle of evil, by portraying the victim as an object that must be destroyed.

In recorded history we find many such portraits. Invariably they are floating effusively like clouds through the centuries and over the continents. Whatever their origins or destinations, the function of these stereotypes is always the same. They are used as justification for destructive thinking; they are employed as excuses for destructive action.

The Nazis needed such a stereotype. They required just such an image of the Jew. It is therefore of no little significance that when Hitler came to power, the image was already there. The model was already fixed. When Hitler spoke about the Jew, he could speak to the Germans in familiar language. When he reviled his victim, he resurrected a medieval conception. When he shouted his fierce anti-Jewish attacks, he awakened his Germans as if from slumber to a long-forgotten challenge. How old, precisely, are these charges? Why did they have such an authoritative ring?

The picture of the Jew we encounter in Nazi propaganda and Nazi correspondence had been drawn several hundred years before. Martin Luther had already sketched the main outlines of that portrait, and the Nazis, in their time, had little to add to it. We shall look here at a few excerpts from Luther's book *About the Jews and Their Lies*. In doing so, let it be stressed that Luther's ideas were shared by others in his century, and that the mode of his expression was the style of his times. His work is cited here only because he was a towering figure in the development of German thought, and the writing of such a man is not to be forgotten in the unearthing of so crucial a conceptualization as this. Luther's treatise about the Jews was addressed to the public directly, and, in that pouring recital, sentences descended upon the audience in a veritable cascade. Thus the passage:

Herewith you can readily see how they understand and obey the fifth commandment of God, namely, that they are thirsty bloodhounds and

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murderers of all Christendom, with full intent, now for more than fourteen hundred years, and indeed they were often burned to death upon the accusation that they had poisoned water and wells, stolen children, and tom and hacked them apart, in order to cool their temper secretly with Christian blood.¹⁴

Now see what a fine, thick, fat lie that is when they complain that they are held captive by us. It is more than fourteen hundred years since Jerusalem was destroyed, and at this time it is almost three hundred years since we Christians have been tortured and persecuted by the Jews all over the world (as pointed out above), so that we might well complain that they had now captured us and killed us—which is the open truth. Moreover, we do not know to this day which devil has brought them here into our country; we did not look for them in Jerusalem.¹⁵

Even now no one held them here, Luther continued. They might go whenever they wanted to. For they were a heavy burden, “like a plague, pestilence, pure misfortune in our country.” They had been driven from France, “an especially fine nest,” and the “dear Emperor Charles” drove them from Spain, “the best nest of all.” And this year they were expelled from the entire Bohemian crown, including Prague, “also a very fine nest”—likewise from Regensburg, Magdeburg, and other towns.^{14 15 16 17}

Is this called captivity, if one is not welcome in land or house? Yes, they hold us Christians captive in our country. They let us work in the sweat of our noses, to earn money and property for them, while they sit behind the oven, lazy, let off gas, bake pears, eat, drink, live softly and well from our wealth. They have captured us and our goods through their accursed usury; mock us and spit on us, because we work and permit them to be lazy squires who own us and our realm; they are therefore our lords, we their servants with our own wealth, sweat, and work. Then they curse our Lord, to reward us and to thank us. Should not the devil laugh and dance, if he can have such paradise among us Christians, that he may devour through the Jews—his holy ones—that which is ours, and stuff our mouths and noses as reward, mocking and cursing God and man for good measure.

They could not have had in Jerusalem under David and Solomon such fine days on their own estate as they have now on ours—which they rob and steal daily. But still they complain that we hold them captive. Yes, we have and hold them in captivity, just as I have captured my calculus, my blood heaviness, and all other maladies.¹⁷

14. Luther, *Von den Jueden*, p. diiii.

15. *Ibid.*

16. *Ibid.*, pp. diiii, e.

17. *Ibid.*, p. e.

What have the Christians done, asks Luther, to deserve such a fate? "We do not call their women whores, do not curse them, do not steal and dismember their children, do not poison their water. We do not thirst after their blood." It was not otherwise than Moses had said. God had struck them with frenzy, blindness, and raging heart.¹¹

This is Luther's picture of the Jews. First, they want to rule the world.^{18 19 20 21 22} Second, they are archcriminals, killers of Christ and ail Christendom." Third, he refers to them as a "plague, pestilence, and pure misfortune. This Lutheran portrait of Jewish world rule, Jewish criminality, and the Jewish plague has often been repudiated. But, in spite of denial and exposure, the charges have survived. In four hundred years the picture has not changed.

In 1895 the Reichstag was discussing a measure, proposed by the anti-Semitic faction, for the exclusion of foreign Jews. The speaker, Ahlwardt, belonged to that faction. We reproduce here a few excerpts from his speech:³

It is quite dear that there is many a Jew among us of whom one cannot say anything bad. If one designates the whole of Jewry as harmful, one does so in the knowledge that the racial qualities of this people are such that in the long run they cannot harmonize with the racial qualities of the

18. *Ibid.*, p. cii.

19. Emperor Frederick II, excluding Jews from public office, stated in 1237: "Faithful to the duties of a Catholic prince, we exclude Jews from public office so they will not abuse official power for the oppression of Christians." Kisch, *Jews in Medieval Germany*, p. 149.

20. The following is a passage from a fifteenth-century German lawbook, the municipal code of Salzwedel, par. 83.2: "Should a Jew assault a Christian or kill him, the Jew may not make any reply, he must suffer in silence what the law appoints, for he has no claim on Christendom and is God's persecutor and a murderer of Christendom." Kisch, *Jews in Medieval Germany*, p. 268. Kisch points out that earlier German lawbooks contained no such discrimination.

The poisoned wells legend (fourteenth century) and the ritual murders legend (thirteenth century) were both condemned by the Popes. Scherer, *Die Rechtsverhältnisse der Juden*, pp. 36-38. On the other hand, the thirteenth-century Castilian code "Las siete partidas," *partida séptima*, título XXIV (de los judíos), ley 11, makes reference to the capital crime of crucifying Christian children or wax figures on Holy Friday. Antonio G. Solalinde, ed., *Antología de Alfonso X el Sabio* (Buenos Aires, 1946), p. 181. As for the legal view of usury, see Kisch, *Jews in Medieval Germany*, pp. 191-97.

21. The Fourth Lateran Council expressly called upon the secular powers to "exterminate *fexterminare*) all heretics. Kisch, *Jews in Medieval Germany*, p. 203. This provision was the basis for a wave of stake burnings during the inquisitions.

The story of the tenth plague, the slaying of the first-born, has given rise to the ritual murder legend, in accordance with which Jews kill Christian children at Passover time to use their blood in matzos. See also the provision in the *partida séptima*, in which the tenth plague is combined with the Gospels to produce the crucifixion of children.

22. Reichstag, *Stenographische Berichte*, 53. Sitzung, March 6, 1895, p. 1296ff. lb

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Germanic peoples, and that every Jew who at this moment has not done anything bad may nevertheless under the proper conditions do precisely that, because his racial qualities drive him to do it.

Gentlemen, in India there was a certain sect, the Thugs, who elevated the act of assassination to an act of policy. In this sect, no doubt, there were quite a few people who personally never committed a murder, but the English in my opinion have done the right thing when they exterminated [*ausrotteten*] this whole sect, without regard to the question whether any particular member of the sect already had committed a murder or not, for in the proper moment every member of the sect would do such a thing.

Ahlwardt pointed out that the anti-Semites were fighting the Jews not because of their religion but because of their race. He then continued:

The Jews accomplished what no other enemy has accomplished: they have driven the people from Frankfurt into the suburbs. And that's the way it is wherever Jews congregate in large numbers. Gentlemen, the Jews are indeed beasts of prey. . . .

Mr. Rickert [another deputy who had opposed the exclusion of the Jews] started by saying that we already had too many laws, and that's why we should not concern ourselves with a new anti-Jewish code. That is really the most interesting reason that has ever been advanced against anti-Semitism. We should leave the Jews alone because we have too many laws?! Well, I think, if we would do away with the Jews [*die Juden abschaffen*], we could do away with half the laws that we have now on the books.

Then, Deputy Rickert said that it is really a shame—whether he actually said that I don't know because I could not take notes—but the sense of it was that it was a shame that a nation of 50 million people should be afraid of a few Jews. [Rickert had cited statistics to prove that the number of Jews in the country was not excessive.] Yes, gentlemen, Deputy Rickert would be right, if it were a matter of fighting with honest weapons against an honest enemy; then it would be a matter of course that the Germans would not fear a handful of such people. But the Jews, who operate like parasites, are a different kind of problem. Mr. Rickert, who is not as tall as I am, is afraid of a single cholera germ—and, gentlemen, the Jews are cholera germs.

(Laughter)

Gentlemen, it is the infectiousness and exploitative power of Jewry that is involved.

Ahlwardt then called upon the deputies to wipe out "these beasts of prey [*Rotten Sie diese Raubtiere at*]", and continued:

If it is now pointed out—and that was undoubtedly the main point of the two previous speakers—that the Jew is human too, then I must reject

Paul Massing belongs the credit for discovering this speech and including it in his book *Rehearsal for Destruction* (New York, 1949).

Chat totally. The Jew is no German. If you say that the Jew is born in Germany, is raised by German nurses, has obeyed the German laws, has had to become a soldier—and what kind of soldier, we don't want to talk about chat—

(Laughter in the right section)

has fulfilled all his duties, has had to pay taxes, too, then all of that is not decisive for nationality, but only the race out of which he was born [aus der er herausgeboren ist] is decisive. Permit me to use a banal analogy, which I have already brought out in previous speeches: a horse that is born in a cowbarn is still no cow, *(Stormy laughter)* A Jew who is born in Germany, is still no German; he is still a Jew.

Ahlwardt then remarked that this was no laughing matter but deadly serious business.

It is necessary to look at the matter from this angle. We do not even think of going so far as, for instance, the Austrian anti-Semites in the Reichsrath, that we demand an appropriation to reward everybody who shoots a Jew [*dass wir ein Schussgeld für die Juden beantragen wollten*], or that we should decide that whoever kills a Jew, inherits his property. *(Laughter, uneasiness)* That kind of thing we do not intend here; that far we do not want to go. But we do want a quiet and common-sense separation of the Jews from the Germans. And to do that, it is first of all necessary that we close that hatch, so that more of them cannot come in.

It is remarkable that two men, separated by a span of 350 years, can still speak the same language. Ahlwardt's picture of the Jews is in its basic features a replica of the Lutheran portrait. The Jew is still

- (1) an enemy who has accomplished what no external enemy has accomplished: he has driven the people of Frankfurt into the suburbs;
- (2) a criminal, a thug, a beast of prey, who commits so many crimes that his elimination would enable the Reichstag to cut the criminal code in half; and
- (3) a plague or, more precisely, a cholera germ. Under the Nazi regime, these conceptions of the Jew were expounded and repeated in an almost endless flow of speeches, posters, letters, and memoranda. Hitler himself preferred to look upon the Jew as an enemy, a menace, a dangerous cunning foe. This is what he said in a speech delivered in 1940, as he reviewed his "struggle for power":

It was a battle against a satanical power, which had taken possession of our entire people, which had grasped in its hands all key positions of scientific, intellectual, as well as political and economic life, and which kept watch over the entire nation from the vantage of these key positions. It was a battle against a power which, at the same time, had (he influence to combat with the law every man who attempted to take up battle against them and every man who was ready to offer resistance to the spread of this power. At that time, all-powerful Jewry declared war on us."²³

23. Speech by Hitler, German press, November 10-11, 1940.

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Gaulleiter Julius Streicher emphasized the contention that the Jews were criminal. The following is an excerpt from a typical Streicher speech to the Hitler Youth. It was made in 1935.

Boys and girls, look back to a little more than ten years ago. A war—the World War—had whirled over the peoples of the earth and had left in the end a heap of ruins. Only one people remained victorious in this dreadful war, a people of whom Christ said its father is the devil, That people had ruined the German nation in body and soul.

But then Hitler arose and the world took courage in the thought that now

the human race might be free again from this people which has wandered about the world for centuries and millennia, marked with the sign of Cain.

Boys and girls, even if they say that the Jews were once the chosen people, do not believe it, but believe us when we say that the Jews are not a chosen people. Because it cannot be that a chosen people should act among the peoples as the Jews do today.

A chosen people does not go into the world to make others work for them, to suck blood. It does not go among the peoples to chase the peasants from the land. It does not go among the peoples to make your fathers poor and drive them to despair. A chosen people does not slay and torture animals to death. A chosen people does not live by the sweat of others. A chosen people joins the ranks of those who live because they work. Don't you ever forget that.

Boys and girls, for you we went to prison. For you we have always suffered. For you we had to accept mockery and insult, and became fighters against the Jewish people, against that organized body of world criminals, against whom already Christ had fought, the greatest anti-Semite of all times."

A number of Nazis, including the chief of the German SS and Police Himmler, the jurist and Generalgouverneur of Poland Hans Frank, and Justice Minister Thierack, inclined to the view that the Jews were a lower species of life, a kind of vermin, which upon contact infected the German people with deadly diseases. Himmler once cautioned his SS generals not to tolerate the stealing of property that had belonged to dead Jews. "Just because we exterminated a bacterium," he said, "we do not want, in the end, to be infected by that bacterium and die of it."⁵³ Frank frequently referred to the Jews as "lice." When the Jews in his Polish domain were killed, he announced that now a sick Europe would become healthy again.⁵⁶ Justice Minister Thierack once wrote the following letter to a worried Hitler:

24. Speech by Streicher, June 22, 1935, M-1.

25. Speech by Himmler, October 4, 1943, PS-1919.

26. Generalgouvernement Health Conference, July 9, 1943, Frank Diary, PS-2233. Remarks by Frank recorded verbatim.

A full Jewess, after the birth of her child, sold her mother's milk to a woman doctor, and concealed the fact that she was a Jewess. With this milk, infants of German blood were fed in a children's clinic. The accused is charged with fraud. The purchasers of the milk have suffered damage, because the mother's milk of a Jewess cannot be considered food for German children. The impudent conduct of the accused is also an insult. However, there has been no formal indictment in order to spare the parents—who do not know the facts—unnecessary worry. I will discuss the race-hygienic aspects of the case with the Reich Health Chief.¹⁷

The twentieth-century Nazis, like the nineteenth-century anti-Semites and the sixteenth-century clerics, regarded the Jews as hostile, criminal, and parasitic. Ultimately the very word *Jew* (*Jude*) was infused with all these meanings.³ But there is also a difference between the recent writings and the older scripts that requires explanation. In the Nazi and anti-Semitic speeches we discover references to race. This formulation does not appear in the sixteenth-century books. Conversely, in Luther's work there is repeated mention of God's scorn, thunder and lightning worse than Sodom and Gomorrah, frenzy, blindness, and raging heart. Such language disappeared in the nineteenth century.

There is, however, a close functional relationship between Luther's references to divine blows and Ahlwardt's reliance upon race characteristics, for both Luther and Ahlwardt tried to show that the Jew could not be changed, that a Jew remained a Jew. "What God does not improve with such terrible blows, that we shall not change with words and deeds."²³ There was some evil in the Jew that even the fires of God, burning high and hot, could not extinguish. In Ahlwardt's time these evil qualities, fixed and unchangeable, are traced to a definite cause. The Jew "cannot help himself" because his racial qualities drive him to commit antisocial acts. We can see, therefore, that even the race idea fits into a trend of thought.

Anti-Jewish racism had its beginning in the second half of the seventeenth century, when the "Jewish caricature" first appeared in cartoons.²⁴ These caricatures were the first attempt to discover racial characteristics in the Jew. However, racism acquired a "theoretical"^{27 28 29 30}

27. Thierack to Hitler, April 1943, NG-1656. The expert in charge of the case was Ministerialrat Dr. Malzan.

28. See entry under *Jude* in Deutsche Akademie, *Trübners Deutsches Wörterbuch*. Alfred Götze, ed. (Berlin, 1943), Voi. 4, pp. 55-57. Stereotypes are often unoriginal and they are easily attributed to a variety of nations. Note, for example, the rumor during the First World War that the Germans crucified a Canadian soldier. Paul Fussell, *The Great War and Modern Memory* (New York, 1975), p. 117.

29. Luther, *Von den Jueden*. p. Aiii.

30. Eduard Fuchs, *Die Juden in der Karikatur* (Munich, 1921), pp. 160-61.

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basis only in the 1800s. The racists of the nineteenth century stated explicitly that cultural characteristics, good or bad, were the product of physical characteristics. Physical attributes did not change; hence social behavior patterns also had to be immutable. In the eyes of the anti-Semite, the Jews therefore became a "race."³¹

The destruction of European Jewry was fundamentally the work of German perpetrators, and hence it is to them that we must devote our primary attention. What happened to the Jews cannot be understood without insight into decisions made by German officials in Berlin and in the field. Yet, every day German exertions and costs were being affected by the behavior of the victims. To the extent that an agency could marshal only limited resources for a particular task, the very progress of the operation and its ultimate success depended on the mode of the Jewish response.

The Jewish posture in the face of destruction was not shaped on the spur of the moment. The Jews of Europe had been confronted by force many times in their history, and during these encounters they had evolved a set of reactions that were to remain remarkably constant over the centuries. This pattern may be portrayed by the following diagram:

Resistance Alleviation Evasion Paralysis Compliance

■ 1 ii ii iii 31 32 33 *

Preventive attack, armed resistance, and revenge were almost completely absent in Jewish exilic history. The last, and only, major revolt took place in the Roman Empire at the beginning of the second century, when the Jews were still living in compact settlements in the eastern Mediterranean region and when they were still envisaging an independent Judea.³² During the Middle Ages the Jewish communities no longer contemplated battle. The medieval Hebrew poets did not celebrate the martial arts.³³ The Jews of Europe were placing themselves under the protection of constituted authority. This reliance was legal, physical, and psychological.

31. For a Nazi discussion of race, including such formulations as "racial substance" (*Rassekern*), "superior race" (*Hochrasse*), and "racial decline" (*Rasseverfall*), see Konrad Dürre, "Werden und Bedeutung der Rassen," *Die Neue Propyläen-Weitgeschichte* (Berlin, 1940), pp. 89-118.

32. The rebellion, in A.D. 115-17 under Tb^jan (following the Roman destruction of the Temple in A.D. 70 and preceding the rising of Bar Kochba in A.D. 132-135), had broken out in Cyrenaica, Egypt, and Cyprus, and its ferment was spreading to Mesopotamia and Judea itself. The direction and convergence of Jewish forces indicate that the goal was Jerusalem. See Shimon Applebaum, *Jews and Greeks in Ancient Cyrene* (Leiden, 1979), pp. 201-334 and particularly pp. 336-37.

33. See David Segal, "Observations on Three War Poems of Shmuel Ha-Nagid," *AJSReview* 4 (1979): 165-203. Ha-Nagid was the only medieval Hebrew war poet.

The psychological dependence of European Jews is illustrated by the following incident. In 1096, when the Jewish communities of Germany were warned by letters and emissaries from France that the crusaders were coming to kill them, the Jewish leadership of Mainz replied: "We are greatly concerned with your well-being. As for ourselves, there is no great cause for fear. We have not heard a word of such matters, nor has it been hinted that our lives are threatened by the sword." Soon the crusaders came, "battalion after battalion," and struck at the Jews of Speyer, Worms, Mainz, and other German cities.³⁴ More than eight hundred years later, a president of the Jewish council in Holland was to say: "The fact that the Germans had perpetrated atrocities against Polish Jews was no reason for thinking that they behave [sic] in the same way toward Dutch Jews, firstly because the Germans had always held Polish Jews in disrepute, and secondly because in the Netherlands, unlike Poland, they had to sit up and take notice of public opinion."³⁵ In the Netherlands, as in Poland to the east, Jewry was subjected to annihilation.

For the Diaspora Jews, acts of armed opposition had become isolated and episodic. Force was not to be a Jewish strategy again until Jewish life was reconstituted in a Jewish state. During the catastrophe of 1933-45 the instances of opposition were small and few. Above all, they were, whenever and wherever they occurred, actions of last (never first) resort.³⁴

On the other hand, alleviation attempts were typical and instantaneous responses by the Jewish community. Under the heading of alleviation are included petitions, protection payments, ransom arrangements, anticipatory compliance, relief, rescue, salvage, reconstruction—in short, all those activities designed to avert danger or, in the event that force has already been used, to diminish its effects. Let us give a few illustrations.

34. Mainz Anonymous Hebrew Chronicle (text of a contemporary account), in Shlomo Eidelberg, ed. and trans., *The Jews and the Crusaders* (Madison, Wis. 1977), pp. 99-100.

35. Testimony of D. Cohen, November 12, 1947, cited by Louis de Jong, "The Netherlands and Auschwitz," *Yad Vashem Studies* 7 (1968): 44.

36. From 1789 Jews had gained military experience in the armies of continental Europe. In 1794 and 1831 they had fought in their own detachments on the side of Polish forces in Warsaw. During 1903-4 Jewish self-defense units, armed with clubs, confronted drunken mobs invading the Jewish quarters of several Russian cities. Yet these experiences, often cited in literature, were limited precedents. The Jewish soldiers of the German or Austrian armies did not wear a Jewish uniform. The Jewish detachments in Warsaw fought as residents of Poland for a Polish cause. The self-defense units in Russia did not challenge the Russian state. Even so, it is noteworthy that the death camp revolts in Ibeblinka and Sobibor were planned by Jewish inmates who had been officers, that the principal ghetto rising took place in Warsaw, and that Jewish partisan activity was concentrated in parts of the occupied USSR.

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The ancient city of Alexandria, Egypt, was divided into five districts: o, p, y, 8, and e. The Jews were heavily concentrated in the Delta (waterfront section), but they had residences also in other parts of town. In A.D. 38, Emperor Caligula wanted to be worshipped as a half-god. The Jews refused to pay him the desired respect. Thereupon, riots broke out in Alexandria. The Jews were driven into the Delta, and the mob took over abandoned apartments. Equality of rights was temporarily abolished, the food supply to the Delta was cut off, and all exits were sealed. From time to time, a centurion of Roman cavalry would enter Jewish homes on the pretext of searching for arms. Under these conditions, which have a peculiarly modern flavor, the Jews sent a delegation to Rome to petition Emperor Caligula for relief. The delegation included the famous philosopher Philo, who disputed about the matter in Rome with the anti-Jewish public figure Apion." This is one of the earliest examples of Jewish petition diplomacy. More than nineteen hundred years later, in 1942, a delegation of Bulgarian Jews petitioned for a similar purpose: the Jews were attempting to ward off ejection from their homes."

Sometimes the Jews attempted to buy protection with money. In 1384, when much Jewish blood was flowing in Franken, the Jews sought to ransom themselves. Arrangements for payment were made with speed. The city of Nuremberg collected the enormous sum of 80,000 guilders. King Wenzel got his share of 15,000 guilders from that amount. The representatives of the king, who participated in negotiations with other cities, received 4,000 guilders. Net profit to the city: over 60,000 guilders, or 190,000 thaler.* The Jews in Nazi-occupied Europe, from the Netherlands to the Caucasus, made identical attempts to buy safety from death with money and valuables.

One of the most sagacious alleviation reactions in the Jewish arsenal was anticipatory compliance. The victim, sensing danger, combated it by initiating a conciliatory response *before* being confronted by open threats. He therefore gave in to a demand on his own terms. An example of such a maneuver was the effort of European Jewish communities before 1933 to bring about a significant shift in the Jewish occupational structure from commerce and law to engineering, skilled ^{37 38 39}

37. Heinrich Graetz, *Volkstümliche Geschichte der Juden*, (Berlin and Vienna, 1923), vol. 3. pp. 600-69. Victor Tcherikover, *Hellenistic Civilization and the Jew* (JPS and Hebrew University, 1959), pp. 313-16. Excerpts from Philo's description from a letter of Emperor Claudius (A.D. 41) in Naphtali Lewis, *The Roman Principate—27 B.C.—285 A.D.* (Toronto, 1974), pp. 111-13. Claudius refers to the separate Jewish mission as "something never done before."

38. Frederick Chary, *The Bulgarian Jews and the Final Solution, 1940-1944* (Pittsburgh, 1972) pp. 73-74, 92-96, 144-52.

39. Stobbe, *Die Juden in Deutschland*, pp. 57-58.

labor, and agricultural work. This movement, which in Germany was known as *Berufsumschichtung* (occupational redistribution), was prompted by a hope that in their new economic role the Jews were going to be less conspicuous, less vulnerable, and less subject to the criticism of unproductiveness.^{40 41 42 43 44} Another illustration of anticipation is the self-restraint by Jewish firms of pre-1933 Germany in the hiring of Jewish personnel. Jewish enterprises had already become the employers of most Jewish wage earners, but now some companies instituted quotas to avoid an even greater manifestation of such Jewishness.* Several years later, in Nazi-dominated Europe, Jewish councils spent many hours trying to anticipate German requirements and orders. The Germans, they reasoned, would not be concerned about the impact of a particular economic measure on those Jews who were least capable of shouldering another burden, whereas the councils might at least try to protect the weakest and neediest Jews from harmful effects. In this vein, the Jewish Council of Warsaw considered confiscating Jewish belongings wanted by the Germans,*² and for the same reason the council devised a system for drafting Jewish labor, with provisions exempting well-to-do Jews for a fee in order that the money might be used to make payments to families of poorer Jews who were working without wages for German agencies.⁵

The alleviations that followed disaster were developed to a very high degree in the Jewish community. Relief, rescue, and salvage were old Jewish institutions. The relief committees and subcommittees formed by "prominent" Jews (the *Prominente*), which are so typical of the United Jewish Appeal machinery today, were commonplace in the nineteenth century. Already during the 1860s, collections for Russian Jews were conducted in Germany on a fairly large scale.** Reconstruction—that is to say, the rebuilding of Jewish life, whether in new sur-

40. In two letters addressed to Adolf Hitler on April 4 and May 6, 1933, a conservative organization of Jewish war veterans (*Reichsbund jüdischer Frontsoldaten*) pointed out that it had long espoused a *Berufsumschichtung* from "intellectual" pursuits to agriculture and the artisan trades. Texts in Klaus Herrmann, *Das Dritte Reich und die deutsch-jüdischen Organisationen, 1933-1934* (Cologne, 1969), pp. 66-67, 94-98.

41. Esra Bennathan. "Die demographische und wirtschaftliche Struktur der Juden," in Werner Mosse, ed., *Entscheidungsjahr 1932* (Tübingen, 1966), pp. 88-131, at pp. 110, 114.

42. Raul Hilberg, Stanislaw Staron, and Josef Kermisz, eds., *The Warsaw Diary of Adam Czerniakow* (New York, 1979), p. 99.

43. See Czerniakow's diary, entries for October 13-24, 1939; November 2 and 13, 1939; December 9, 1939; and January 21 and 23, 1940, *ibid.*, pp. 81-110, *passim*; Czerniakow to Plenipotentiary of the District Chief for the City of Warsaw, May 21, 1940, *ibid.*, pp. 386-87.

44. See, for example, list of contributions in *Allgemeine Zeitung des Judentums* (Leipzig), November 2, 1869, p. 897 ff.

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roundings or, after abatement of persecution, in the old home—has been a matter of automatic adjustment for hundreds of years. Reconstruction is identical with the continuity of Jewish life. The bulk of any general Jewish-history book is devoted to the story of the constant shifts, the recurring readjustments, the endless rebuilding of the Jewish community. The years after 1945 were marked by one of the largest of these reconstructive efforts.

Next in our scale is the reaction of evasion, of flight. In the diagram the evasive reaction is not marked as strongly as the alleviation attempts. By this we do not mean the absence of flight, concealment, and hiding in the Jewish response pattern. We mean, rather, that the Jews have placed less hope, less expectation, and less reliance on these devices. It is true that the Jews have always wandered from country to country, but they have rarely done so because the restrictions of a regime became too burdensome. Jews have migrated chiefly for two reasons: expulsion and economic depression. Jews have rarely run from a pogrom. They have lived through it. The Jewish tendency has been not to run from but to survive with anti-Jewish regimes. It is a fact, now confirmed by many documents, that the Jews made an attempt to live with Hitler. In many cases they failed to escape while there was still time and more often still, they failed to step out of the way when the killers were already upon them.

There are moments of impending disaster when almost any conceivable action will only make suffering worse or bring final agonies closer. In such situations the victims may lapse into paralysis. The reaction is barely overt, but in 1941 a German observer noted the symptomatic fidgeting of the Jewish community in Galicia as it awaited death, between shocks of killing operations, in "nervous despair" (*verzweifelte Nervosität*).⁴³ Among Jews outside the destruction arena, a passive stance manifested itself as well. In 1941 and 1942, just when mass killings began, Jews all over the world looked on helplessly as Jewish populations of cities and entire countries vanished.

The last reaction on the scale is compliance. To the Jews compliance with anti-Jewish laws or orders has always been equivalent to survival. The restrictions were petitioned against and sometimes evaded, but when these attempts were unsuccessful, automatic compliance was the normal course of action. Compliance was carried to the greatest lengths and to the most drastic situations. In Frankfurt, on September 1, 1614, a mob under the leadership of a certain Vincenz Fettmilch attacked the Jewish quarter in order to kill and plunder.^{43*}

43. Oberfeldkommandantir 365 to Militärbefehlshaber im Generalgouvernement, December 18, 1941, T 501, roll 214.

Many Jews fled to the cemetery. There they huddled together and prayed, dressed in the ritual shrouds of the dead and waiting for the killers.* This example is particularly pertinent, because the voluntary assembly at graves was repeated many times during the Nazi killing operations of 1941.

The Jewish reactions to force have always been alleviation and compliance. We shall note the reemergence of this pattern time and again. However, before we pass on, it should be emphasized again that the term "Jewish reactions" refers only to ghetto Jews. This reaction pattern was born in the ghetto and it will die there. It is part and parcel of ghetto life. It applies to *all* ghetto Jews—assimilationists and Zionists, the capitalists and the socialists, the unorthodox and the religious.

One other point has to be understood. The alleviation-compliance response dates, as we have seen, to pre-Christian times. It has its beginnings with the Jewish philosophers and historians Philo and Josephus, who bargained on behalf of Jewry with the Romans and who cautioned the Jews not to attack, in word or deed, any other people. The Jewish reaction pattern assured the survival of Jewry during the Church's massive conversion drive. The Jewish policy once more assured to the embattled community a foothold and a chance for survival during the periods of expulsion and exclusion.

If, therefore, the Jews have always played along with an attacker, they have done so with deliberation and calculation, in the knowledge that their policy would result in least damage and least injury. The Jews knew that measures of destruction were self-financing or even profitable up to a certain point but that beyond that limit they could be costly. As one historian put it: "One does not kill the cow one wants to milk."⁴⁶ In the Middle Ages the Jews carried out vital economic functions. Precisely in the usury so much complained of by Luther and his contemporaries, there was an important catalyst for the development of a more complex economic system. In modern times, too, Jews have pioneered in trade, in the professions, and in the arts. Among some Jews the conviction grew that Jewry was "indispensable."^{46 47}

46. Graetz, *Volkstümliche Geschichte der Juden*, vol. 3, pp. 388-89. The mob permitted them to flee. The Jews returned to their homes two months later, under imperial protection. Fettmilch was torn to pieces by four horses upon orders of the authorities—the Emperor did not like pogroms. In Erfurt, during the fourteenth century, a mob was permitted by the city council to kill one hundred Jews. When the crowds began to threaten the remaining three thousand Jews, the victims fled to their apartments, blocked the entrances, and then set fire to their own homes, burning themselves to death in the holocaust. Ludwig Count Ütterodt, *Gunther Graf von Schwarzenburg—Erwählter Deutscher König* (Leipzig, 1862), p. 33n.

47. Stowasser, "Zur Geschichte der Wiener Geseerah," *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* 16 (1922): 106.

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In the early 1920s Hugo Bettauer wrote a fantasy novel entitled *Die Stadt ohne Juden* (*The City without Jews*).⁴⁸ This highly significant novel, published only eleven years before Hitler came to power, depicts an expulsion of the Jews from Vienna. The author shows how Vienna cannot get along without its Jews. Ultimately, the Jews are recalled. That was the mentality of Jewry, and of Jewish leadership, on the eve of the destruction process. When the Nazis took over in 1933, the old Jewish reaction pattern set in again, but this time the results were catastrophic. The German bureaucracy was not slowed by Jewish pleading; it was not stopped by Jewish indispensability. Without regard to cost, the bureaucratic machine, operating with accelerating speed and ever-widening destructive effect, proceeded to annihilate the European Jews. The Jewish community, unable to switch to resistance, increased its cooperation with the tempo of the German measures, thus hastening its own destruction.

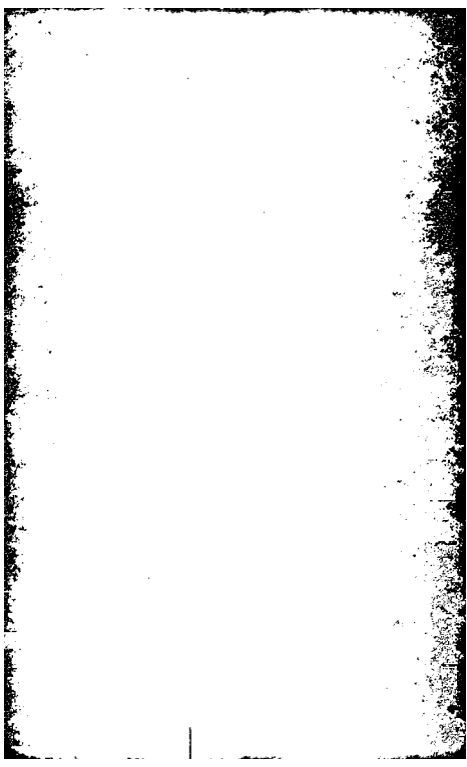
We see, therefore, that both perpetrators and victims drew upon their age-old experience in dealing with each other. The Germans did it with success. The Jews did it with disaster.

48. Hugo Bettauer, *Die Stadt ohne Juden—Ein Roman von übermorgen* (Vienna, 1922).

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The first chapter has dealt with historical parallels, with events and patterns of pre-Nazi times which were repeated in the years 1933-45. These events were the precedents of the destruction process. Now we turn to a description of the climate in which the destruction process began. The activities that were designed to create this climate we shall call the antecedents.

The specific question to which we shall address ourselves in this chapter is this: What was the state of readiness for anti-Jewish action in 1933? We know that the antagonistic conception of Jewry, the portrait in which the Jew was painted as an enemy, a criminal, and a parasite, was already quite old. We also know that administrative action against European Jewry had been taken even earlier; Jewry law was a product of medieval times. We know, third, that an administrative apparatus capable of efficient operation on a complicated level had been developed in Germany for centuries. Hitler thus did not have to originate any propaganda. He did not have to invent any laws. He did not have to create a machine. He *did* have to rise to power.

Adolf Hitler's ascendancy to the chancellorship was a signal to the bureaucracy that it could begin to take action against the Jews. Whatever the Nazi movement stood for would now be the aim of all Germany. Such was the general atmosphere and the overall expectation. The Nazi party, the full name of which was the *Nationalsozialistische Deutsche Arbeiter Partei* (National Socialist German Workers Party), (NSDAP), assigned to itself the task of activating the bureaucracy and the whole of society. What it did not provide was a set of specifics. In fifteen years of activity it had not developed a detailed draft for implementation.

The party was organized soon after World War 1. Some of its founders drew up a twenty-five-point program, dated February 24, 1920, which contained four paragraphs that dealt, directly or indirectly, with Jews. These articles, which were the sum total of guidance supplied by the party to the bureaucracy, were as follows:

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4. Only a member of the community [*Volksgenosse*] can be a citizen. Only a person with German blood, regardless of his religious adherence, can be a member of the community. No Jew may therefore be a member of the community.

5. Whoever is not a citizen should live only as a guest in Germany, under the law applicable to foreigners.

6. The right to determine the leadership and laws of the state may be exercised only by citizens. Hence we demand that every public office, regardless of its nature, in Reich, province, or locality, be held only by citizens.

8. Every immigration of non-Germans is to be prevented. We demand that all non-Germans who have migrated to Germany since August 2, 1914, be forced to leave the Reich immediately.¹

Paragraph 17 provided for the expropriation of real property for community purposes. This provision, which troubled the propertied supporters of the Nazi party, was authoritatively interpreted by Hitler to mean that only Jewish property was involved.^{2 3 4} As Goring, the second-ranking Nazi, informed us after the war, the program had been drawn up by very "simple people." Neither Hitler nor Goring had participated in the drafting.²

Not until the early 1930s did the party build up its machinery to include legal and political divisions. The Innerpolitical Division, formed at the end of 1931, was headed by civil servants—first Dr. Helmut Nicolai, then his deputy Ernst von Heydebrand und der Lasa.⁵ The two men struggled with such topics as citizenship, exclusions, and registration. Texts of the drafts are no longer extant, but Heydebrand summarized his preliminary thoughts in a journal published in 1931. Significantly, he cautioned against attaching to initial regulations the kind of consequences that might be all too "gruesome" (*allzu grausige Folgen*).³

On March 6, 1933, seven weeks after Hitler had become Chancel-

1. Text in Ludwig Münz, *Führer durch die Behörden und Organisationen* (Berlin, 1939), pp. 3-4. As of February, the party was still the Deutsche Arbeiter Partei. It was renamed the NSDAP in March, its First Chairman (*1. Vorsitzender*) was Anton Drexler, but Hitler read the program in an open meeting on February 24. Reginald Phelps, "Hitler als Parteiredner im Jahre 1920," *Vierteljahrshefte für Zeitgeschichte* II (1963): 274 ff.

2. Münz, *Führer*, p. 4.

3. Testimony by Göring, *Trial of the Major War Criminals*, vol. 9, p. 273.

4. Regierungsrat Nicolai had been dismissed from his civil service position because of political activities. Uwe Adam, *Judenpolitik im Dritten Reich* (Düsseldorf, 1972), p. 28. Regierungsrat Heydebrand obtained early retirement from his post because of heart trouble. Eike von Repkow (Robert M. W. Kempner), *Justiz-Dämmerung* (Berlin, 1932), p. III (reissued by the author in 1963). The Innerpolitical Division was incorporated into the Legal Division (headed by Hans Frank) in December 1932. Adam, *Judenpolitik*, p. 28n.

5. Kempner, *Justiz-Dämmerung*, p. 110.

lor, Staatssekretär Bang of the Economy Ministry (a party man) wrote unofficially to Lammers, Chief of the Reich Chancellery, to suggest some anti-Jewish action (a ban on immigration of Eastern Jews and the revocation of name changes).⁶ During the same month, a private committee (*Arbeitsgemeinschaft*)—possibly called together by the Interior Ministry, worked on an elaborate draft of anti-Jewish legislation. The group, which contained only one or two known anti-Semites, managed to anticipate several measures that were to be taken in later years, including dismissals, prohibition of mixed marriages, revocation of name changes, and the institution of Jewish community machinery. Reviewing its handiwork, the committee was struck by the fact that its proposals would deal the victims “a heavy, partially undeserved fate that would therefore have to be mitigated as much as possible [*ein schweres, zum Teil unverdientes und daher nach Möglichkeit zu milderndes Schicksal*].”⁷

There is little evidence, however, that the ministerial bureaucracy was much affected by these initiatives or even that it was constantly aware of them. Rather, these forays may be taken as indications of a convergence of thinking, inside and outside of the party, about directions to be followed and obstacles to be faced in Jewish affairs. Government officials did not really have to be shown the way. They did not have to be supplied with formulations and ideas. Thus on October 3, 1932, almost four months before Hitler’s rise to power, the Reich Interior Minister von Gayl was considering a twenty-year residence requirement for the attainment of German citizenship in the case of aliens “belonging to a lower culture” (*Angehörigen niederer Kultur*).⁸ He meant, in the main, Polish Jews. On December 23, 1932, even as party men interested in exposing and isolating the Jews were demanding that Jews have only Jewish names, an official of the Prussian Interior Ministry, Hans Globke, wrote a directive, for internal use only, to prohibit approval of name changes that were sought by Jews who might have wished to “disguise their Jewish descent [*ihre Abkunft ... zu verschleiern*].”⁹ By March and April 1933, the ministerial work to bar Jews from civil service positions was already leading to the first anti-Jewish laws.

6. Lammers sent Bang’s suggestions to Interior Minister Frick, March 9, 1933, adding an idea of his own (deportation of Eastern Jews of foreign nationality). Frick replied to Lammers, March 13, 1933, that the proposals had been passed on to subordinates in the Interior Ministry. For the entire correspondence, see document NG-902.

7. Adam, *Judenpolitik*, pp. 33-38.

8. *Ibid.*, p. 43.

9. Regierungsrat Globke to Regierungspräsidenten (Polizeipräsident in Berlin), Landräte, regional police administrations (*staatliche Polizeiverwalter*), and local police offices (*Ortspolizeibehörden*). December 23, 1932. Central Archives (*Zentralarchiv*) of the German Democratic Republic, through the courtesy of Ambassador Stefan Heymann.

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Still, the party felt that it should employ its offices and formations to create a climate conducive to anti-Jewish activities by government, business, and the general public. To this end the party engaged in exhortations, demonstrations, and boycotts. In these matters, at least, the party men could claim an exclusive expertise. They did not, however, enjoy freedom from criticism.

In particular, Germany's intellectual elite had always expressed distaste for "propaganda" and "disturbances." Crudity of language or argument was associated with ordinary, uneducated, common people. At times the very word *anti-Semite* had a negative connotation.¹⁰ ¹¹ Even though the advent of Nazism produced some attempts to speak in anti-Jewish tones (in Oslo, an aristocratic German envoy, moved by the new spirit, made an old anti-Semitic novel his family's reading matter), the habit was difficult to acquire and easy to discard. That is why most ranking functionaries would proclaim routinely after the war that they had never hated Jews in the first place.

Street activities were even less palatable to the German establishment. For the Jewish New Year on September 12, 1931, the brown-shirted party formation (SA) in Berlin had planned molestations of Jews leaving the synagogues. Miscalculating the hour when services were to end, the SA timed its operation an hour too late and accosted a number of non-Jews. Court proceedings were instituted against the organizers of the disturbance. Although the judges were very mild in their condemnation of the Nazi formation, the episode did not enhance the party's prestige.¹²

AH the same, in 1933 the party men seized the opportunity to launch a campaign of violence against individual Jews and to proclaim an anti-Jewish boycott. This time there were serious repercussions in foreign countries. A boycott movement was started against German exports and was supported by Jews and non-Jews alike. By March 27, 1933, Vice-Chancellor Papen was forced to write a letter to the Board

10. See, for example, Friedrich Nietzsche's letter to Georg Brandes. October 20, 1888. Friedrich Nietzsche. *Werkt*, ed. Karl Schlechte, 3 vols. (Munich, 1936), vol. 3, pp. 1325-26. When the young Heinrich Himmler, of middle-class background, first encountered anti-Jewish books, his reaction to this literature was notably reserved. See Bradley Smith, *Heinrich Himmler—A Nazi in the Making* (Stanford, 1971), pp. 74, 92.

11. Diary of Ernst von Weizsäcker, entry of April 22, 1933, in Leonidas E. Hill, ed., *Die Weizsäcker Papiere 1933-1945* (Vienna and Frankfurt am Main, 1974), p. 31. The novel was Wilhelm Hauff's *Jud Suss*.

12. Arnold Paucker, "Der jüdische Abwehrkampf," in Werner Mosse, ed., *Em-Scheidungs-jahr* (Tübingen, 1966), pp. 478-79. P. B. Wiener, "Die Parteien der Mitte," *ibid.*, pp. 303-4. On the trial, see Kempner. *Justiz-Dämmerung*, pp. 32-33, 54-57.

of Trade for German-American Commerce, in which he pointed out that the number of "excesses" against Americans was "less than a dozen," that hundreds of thousands of Jews remained unmolested, that the big Jewish publishing houses were still in business, that there was no St. Bartholomew Night, and so on.^{13 14 15}

In June 1933 the German Foreign Minister, von Neurath, visited London. In his report to Reich President von Hindenburg, the Foreign Minister noted that he could hardly recognize London. The Jewish question had come up again and again, and no counterarguments were of any avail. The Englishmen had declared that in judging this matter they were guided only by sentiment (*gefühlsmässig*). This point was made to von Neurath by the English King himself in a "very earnest conversation." In international conferences von Neurath had noted that many governments were represented by people who were well-known Jews, as a kind of protest.¹⁴

Another difficulty was created by the undisciplined behavior of party members. Many Jews were mistreated and a few were killed. In Bavaria the police arrested several members of a uniformed party formation, the *Schutzstaffeln* (Protective Formations) (SS), for the mistreatment of Jews. The SS office in the city of Aschaffenburg thereupon claimed that no member of the SS could be arrested by a policeman. This assertion was so novel that the Bavarian Minister of Justice, Dr. Hans Frank, himself a top Nazi, questioned the claim and asked the Bavarian Minister President (Siebert) to discuss the matter with SS Chief Himmler and with Himmler's superior, SA Chief Rohm.¹⁵

Shortly after this incident, a few killings took place in the Bavarian concentration camp of Dachau. The victims were two Germans and a Jew (Dr. Delwin Katz). Himmler and Rohm requested that proceedings against the responsible SS men be quashed for "state-political" reasons. Bavarian Staatsminister of the Interior Wagner (another party man) agreed but expressed the hope that in the future such requests would not be put to him again. Writing to Frank, Wagner asked the Justice Minister to quash the proceedings in the concentration camp,

13. VonPapento Board of Trade of German-American Commerce, March 27, 1933, D-635. *New York Times*, March 29, 1933. For molestation of Americans, see report by U. S. Consul General Messersmith to the Secretary of State, March 14, 1933, L-198. Similar to the von Papen letter is the telegram of the Cologne branch of the American Chamber of Commerce in Germany to the U.S. Chamber of Commerce, March 25, 1933, RC-49.

14. Von Neurath to von Hindenburg, June 19, 1933, Neurath-11.

15. Frank to Bavarian Staatsminister of the Interior Adolf Wagner, September 6, 1933, D-923. The SS was then part of the larger party formation, the SA.

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"which houses, as is known, almost exclusively criminal characters [*as bekanntlich fast ausschliesslich Verbrechernaturen beherbergt*]."¹⁶

Still another consequence of the party's activities made itself felt in the economic sector. The party's agitation, particularly the party-directed boycott, had unforeseeably disturbed the delicate balance of the German business world. On August 20, 1935, an interministerial conference on the economic effects of party action was held in the office of Reichsbankpräsident Schacht. The conference was attended by Interior Minister Frick, Finance Minister von Krosigk, Justice Minister Dr. Gürtner, Education Minister Rust, several Staatssekretäre, and Staatsminister Adolf Wagner in his capacity as the party's representative.^{16 17}

Schacht opened the discussion by pointing out that the "unlawful" activity against Jewry would soon have to end (*dass das gesetzlose Treiben gegen das Judentum bald ein Ende nehmen müsse*), or else he would not be able to cope with his task of economic rearmament. To give a few examples, the boycott chief, Streicher, was trying to force German firms to dismiss their Jewish representatives in foreign countries. Now, it could not be forgotten, Schacht continued, that these Jewish representatives were "especially skilful." When the Jewish agent of Alliance Insurance in Egypt was subjected to party chicanery, he simply quit and took the business with him. The English had captured the market. Another example: In many cities, including Leipzig, Jews were not allowed in public baths. How was this going to work out during the Leipzig exhibition? Furthermore, this "unlawful activity" (*gesetzlose Treiben*) had provoked counteraction abroad. A French importer had annulled a large order he had placed with Salamander Shoes. The Bosch firm had lost its entire South American market. It was often said that one could do without the Jewish business, but whoever maintained that view, said Schacht, simply did not know the world. The Jews were needed even for importations, for the trade with rare products, needed by the armed forces, was in Jewish hands.

This did not mean, Schacht said, that all "single actions" (*Einzelaktionen*) against Jews were to be condemned. For example, he could see no objections to the display of signs reading "Jews not wanted." Such signs could often be found in the United States, too. The case of barring Jews from the resort town of Bad Tölz was more doubtful. The

16. Wagner to Frank, November 29, 1933, D-926.

17. Summary of Schacht conference on Jewish matters, held August 20, 1935, dated August 22, 1935, NG-4067. The Reichsbank, a government institution, was the central bank.

party's ejection of Jews from Langenschwalbach was an "extremely doubtful" case. But utterly impossible was the case that had occurred in Amswalde. There the director of the local Reichsbank office, one of Schacht's own men, had bought something from a Jew who had served as a sergeant in the war and who had received the Iron Cross. Thereupon, Streicher had displayed the picture of the Reichsbankrat on three public bulletin boards," and under the picture had appeared the words: "Whoever buys from a Jew is a traitor to the people" (*Volksverräter*). Schacht had immediately protested to the local party official and had demanded an apology to be displayed on the same bulletin boards. Then Schacht had sent a copy of his protest to the highest regional party authority, Gauleiter Kube. Schacht's wishes had not been satisfied. Consequently he had ordered that the local Reichsbank office be closed. But Schacht was especially disappointed that Gauleiter Kube had not found it necessary to send a reply.

Interior Minister Frick was the next speaker. He too was of the opinion that "wild single actions" (*wilde Einzelaktionen*) against Jews would have to stop. His ministry was already working on a number of decrees. The Jewish question was going to be solved in a perfectly legal manner.

Staatsminister Wagner, the party's representative, spoke next. He too was against these "wild" actions. But the people would stop spontaneously, he said, as soon as they noticed that the Reich government was taking measures against the Jews.

A representative of the Propaganda Ministry then put in that from his standpoint, nothing was wrong with Streicher's condemnation of the Reichsbankrat who had made a purchase from a Jew. Schacht replied with indignation that he simply had never heard of such an idea. As a non-party member he had a right to buy where he pleased. He knew of no laws to the contrary. The Propaganda Ministry's representative evidently did not know that even government offices were placing orders with Jews. The Amswalde incident was "a case of the highest perfidy and meanness [*ein Fall höchster Perfidie und Gemeinheit*]."

At the conclusion of the meeting, the conferees made the following decisions: Some law was to be enacted to prevent the establishment of new Jewish enterprises; the government was to make an effort to place its orders only with German enterprises; Wagner was to submit some party suggestions for more laws. Needless to say, these resolutions were not very important. The decision on new Jewish enterprises was ¹⁸

18. *Stürmerkasten*—used by Streicher to publicize the more defamatory materials in his paper.

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deadwood, the placement of business orders with German firms was decreed later, and the additional party suggestions did not materialize.

It is important to stress at this point what Schacht was protesting against and what he was trying to do. Schacht did *not* oppose anti-Jewish action. He opposed "wild" party measures. He preferred the "legal" way, that is, certainty instead of uncertainty. It was uncertainty that hurt business. Schacht never opposed anti-Jewish decrees;^{19 20 21} to the contrary, he welcomed them and was impatient when they were not issued quickly enough," for, basically, he wanted "clarity" in order that he might cope with the business mechanism.

On October 4, 1935, even Streicher declared that the Jewish question was being solved, "piece by piece," in a legal manner. Whoever, said Streicher, recognized the tremendous importance of these decrees would not allow himself to be dragged into ridiculous chicanery. "We don't smash any windows and we don't smash any Jews. We don't have to do that. Whoever engages in single actions [*Einzelaktionen*] of that kind is an enemy of the state, a provocateur, or even a Jew [*oder gar ein Jude*]."¹⁹ But in November 1938, something happened that completely upset the applecart.

Certain sections of the party became restless and suddenly started a riot that had far more serious consequences than the "wild" actions of 1933. It must be remembered that this outburst occurred in the sixth year of the Nazi regime. There was no longer any need to remind the bureaucracy of the "people's wishes." The destruction process was well under way. Anti-Jewish decrees by the dozen had already been published or were in preparation. Today we know the real reason for these riots. The party, apart from the SS formation, no longer had important functions in Jewish affairs. This was true especially of the uniformed brownshirts (the SA) and the propaganda apparatus. The 1938 riots were a bid for power. The party men wanted to play a role in the actual implementation of the anti-Jewish destruction process, but they failed miserably.

On November 9, 1938, a minor German Foreign Office official, Legationsrat vom Rath, was assassinated by a Jew, Herschel Grynzpan, in the German Embassy in Paris. This was not the first assassination of its kind. About three years before, a Jewish rabbinical student had fatally shot the leader of the Swiss branch of the Nazi party.³ The

19. Interrogation of Hjalmar Schacht, October 17, 1945, PS-3729. In this testimony, Schacht pointed out that the anti-Jewish decrees were "not important enough to risk a break" with Hitler.

20. Schacht to Frick, October 30, 1935, protesting against delays in the issuance of certain anti-Jewish implementing regulations, NG-4067.

21. Speech by Streicher before German Labor Front mass meeting, October 4, 1935, M-35. The German Labor Front was a party organization.

Swiss assassination did not have any repercussions, but the Paris incident was seized upon as an opportunity for party action. On the evening of November 9, 1938, the Propaganda Minister, Dr. Josef Goebbels, told a group of party leaders in Munich that riots had started against Jews in the districts of Kurhessen and Magdeburg-Anhalt. Upon his suggestion, said Goebbels, the Führer (Hitler) had decided that in the event that the riots spread spontaneously throughout the Reich, they were not to be discouraged. The party leaders listened attentively. To them Goebbels's statement had only one meaning: the party was not to appear outwardly as the architect of the demonstrations, but was to organize and execute them."

The riots spread with lightning speed. The SA formation sent out its brigades to bum down systematically all Jewish synagogues in the country." The black-uniformed SS and the regular police had not been notified. But late during the same evening, Gruppenführer Wolff, Chief of Himmler's Personal Staff, was still in his office, attending a conference. A call came at 11:15 P.M. to the effect that Goebbels had ordered a pogrom. Wolff immediately contacted Himmler. The chief of the SS and Police arrived at 1 A.M. on November 10 and ordered his forces into action to prevent large-scale looting and, incidentally, to fill his concentration camps with 20,000 Jews." Having attended to the needs of the hour, Himmler dictated a file memorandum in which he expressed his personal reactions to the Goebbels pogrom. The memorandum read somewhat as follows: "The order was given by the Propaganda Directorate, and I suspect that Goebbels, in his craving for power, which I noticed long ago, and also in his empty-headedness [*Hohlköpfigkeit*] started this action just at a time when the foreign political situation is very grave.... When I asked the Führer about it, I had the impression that he did not know anything about these events."²²

Himmler's reaction appears to have been relatively mild. After all, he too had something to gain from the action, although he generally ^{22 23 24 25 26}

22. David Frankfurter, "I Kill a Nazi Gauleiter," *Commentary*, February 1950, pp. 133-41. The assassinated Nazi, Wilhelm Gustloff, actually was not a Gauleiter but a Landesgruppenleiter. A Gauleiter was a party regional chief within the Reich: a Landesgruppenleiter was the party leader of German citizens in a foreign country.

23. Report by chief of the forty Court Walter Buch to Hermann Goring, February 13, 1939, PS-3063.

24. See six reports by SA-Brigaden, dated November 10 and November 11, 1938, on destruction of synagogues, PS-1721.

25. Affidavit by Hauptsturmführer Luitpold Schallenneier, July 5, 1946, SS(A)-5. For SS ranks, see chart in Appendix A. Schallenneier was Wolff's personal assistant.

A reference to 20,000 arrests is made in the report by Security Police Chief Heydrich to Goring, November 11, 1938, PS-3058.

26. Affidavit by Schallermeier, July 5, 1946, SS(A)-5.

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preferred to make his own decisions. But the reaction of the other top Nazis was not so indifferent. When Economy Minister Funk (Schacht's successor) heard about the riots, he called up the Propaganda Minister on the telephone and spoke to him in the following vein:

Are you crazy, Goebbels? To make such a mess of things [*Schweinereien*!] One has to be ashamed to be a German. We are losing our whole prestige abroad. I am trying, day and night, to conserve the national wealth, and you throw it willy-nilly out of the window. If this thing does not stop immediately, you can have the whole filthy mess [*werfe ich den ganzen Dreck hin*].²⁷

Goring was completely unaware of what was going on because, at the time of the instigation of the riot, he was on board a train. The news was communicated to him upon his arrival at the Berlin railway station. Goring lost no time complaining to Hitler that Goebbels was very irresponsible, that the effects on the economy, especially the "spirit of conservation," would be disastrous and so forth. Hitler "made some apologies for Goebbels" but agreed that such events were not to be repeated. Later the same day (November 10), Goring and Hitler had a second conference. This time Goebbels was also present. The propaganda chief began "his usual talk." This was not the first murder committed by a Jew; such things could not be tolerated, and so forth. Then Goebbels suggested something that stunned Goring. The Jews were to pay a fine. "Indeed, he wished that each Gau (party district) should collect such a fine, and he named an almost incredibly high sum." Goring countered that such a procedure was utterly impossible. Since Herr Goebbels was also the *Gauleiter* (regional party chief) of Berlin, and since he had a large number of Jews right in his own Gau, he was obviously "the most interested party." If such measures were to be taken, the state would have to collect the money. Hitler agreed, and after some discussion "this way and that," the sum of one billion reichsmark was agreed upon.^{27 28}

27. Affidavit by Louise Funk, November 5, 1945, Funk-3. Affiant, the wife of the Economy Minister, claims to have overheard the conversation. Whether Funk, a former Staatssekretär in the Propaganda Ministry, expressed such strong sentiments to his former boss may be open to some question. Mrs. Funk was, however, the only witness.

28. Testimony by Göring, *Trial of the Major War Criminals* IX, 276-78. At the official rate of exchange, one billion reichsmark equaled \$400,000,000.

In neighboring Italy, Foreign Minister Ciano noted in his diary an interesting private comment on the "fine" by Benito Mussolini: "The Duce is critical of the German decision to impose a line of a thousand million marks. He agrees with reprisals of a personal nature but considers the valuation of vom Rath's life at seven thousand million lire to be excessive. Or rather absurd." Galeazzo Ciano, *Ciano's Hidden Diary 1937-1936* (New York, 1953), entry for November 13, 1938, p. 194. More will be said about the "fine" in the chapter on expropriation.

Goebbels was defeated. His hopes were dashed to the ground, and his cravings for power were left unsatisfied. The morsel had been taken right out of his mouth. From now on we shall have little to say about Goebbels. While he made a few attempts at a comeback, his role in the destruction of the Jews was never again of paramount importance. As Gauleiter of Berlin, he was to have some say in the deportation of Jews from the capital; as Propaganda Minister and chief of the party's Propaganda Office, he remained the principal dispenser of words, but even this function he had to share with others. In the meantime, the Propaganda Minister was a very unpopular personality in the German bureaucracy, for he had saddled the bureaucrats with a host of undesirable problems.

First on the list of unfavorable repercussions was the foreign reaction. Comments in the foreign press were critical, international negotiations were jarred, and the creeping boycott of German goods was intensified.

Ambassador Dieckhoff, in Washington, wrote to the Foreign Office that he hoped that "the storm at present sweeping across the United States will subside again in the foreseeable future and that we shall be able to work again." Until November 10 a large proportion of the American people had still remained aloof from the anti-German campaign. Now this was no longer the case. The outcry came not only from the Jews but from all camps and classes, including even the German-American camp. "What particularly strikes me," continued the German ambassador, "is the fact that, with few exceptions, the respectable patriotic circles, which are thoroughly anti-Communist, and, for the greater part, anti-Semitic in their outlook, also begin to turn away from us. The fact that the Jewish newspapers write still more excitedly than before and that the Catholic bishops' campaign against Germany is waged more bitterly than before is not surprising; but that men like Dewey, Hoover, Hearst, and many others who have hitherto maintained a comparative reserve and have even, to some extent, expressed sympathy toward Germany, are now publicly adopting so violent and bitter an attitude against her is a serious matter. ... In the general atmosphere of hate, the idea of boycotting German goods has received new fuel, and trade negotiations cannot be considered at the moment." Such reports poured into the Foreign Office from all over the world.^{29 30}

29. Dieckhoff to Foreign Office, November 14, 1938, *Akten zur Deutschen Auswärtigen Politik, 1918-1945*, Ser. D. vol. IV, No. 501. In English translation, also in *Documents on German Foreign Policy, 1918-1945*, same series, same volume, same document number.

30. See, for example, the report by the German legation in Uruguay (signed Langmann) to the Foreign Office, November II, 1938, NG-3235.

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But if the diplomats received a few jolts, the sharpest disappointments were reserved for the exporters, the armament experts, and all those interested in the supply of foreign currency. German trade had, for some time, suffered from organized boycotts in foreign countries. Still, the boycott movement had been confined largely to the consumer level; it was not directed against Jewish firms, and it did not have many non-Jewish followers. The riots changed all that. For the first time the boycott movement gained many adherents among retailers, distributors, and importers.

This meant, in practice, large-scale cancellations of contracts, particularly in France, England, the United States, Canada, and Yugoslavia. The Armament-Economy Staff of the Armed Forces reported that many companies had lost 20 to 30 percent of their export business. Among the hardest hit were leather goods and toy manufacturers. One toy enterprise lost all its business in England; another lost all its outlets in the United States. Because of the elimination of Jewish firms in Germany, much of the foreign exchange that these firms had earned was also sacrificed. Thus one company, whose Jewish owner had been arrested, was unable under new "Aryan" management to procure a contract in the amount of 600,000 reichsmark, which had already been negotiated before the pogrom. Most painful, however, was the severance of old connections between "Aryan" firms in Germany and "Aryan" firms in foreign countries. The Germans simply could not understand why non-Jewish enterprises should have felt compelled to join in the boycott. Yet this is what happened. In Holland one of the largest Dutch trading companies, *Stockies en Zoonen*, Amsterdam, which had represented such German firms as Krupp, Ford (German branch), DKW, and BMW, terminated all its German contracts and took over the representation of English firms.³¹

Clearly the first consequence of the pogrom was the loss of much good will abroad. The second result was the damage to property at home."

On November 12, 1938, two days after the riots. Goring called a conference to survey the damage and to discuss measures to deal with it. The conference was attended by Economy Minister Funk, Propa-^{31 32}

31. Report by Armament-Economy Staff lib *IWehrwirtschaftssiabHb*), December 21.1938, WV]. 149a. The Armament-Economy Staff was a forerunner of the *Wirtschafts-Rüstungsamt* (Wi Rii).

32. Incomplete reports indicated the following damage: 81S shops destroyed; 171 houses set on fire; 191 synagogues burned out; 14 cemetery chapels, community halls, and similar buildings demolished. TWenty thousand Jews were arrested, thirty-six were killed, another thirty-six were seriously injured. Heydrich to Gating, November 11, 1938, PS-3038.

ganda Minister Goebbels, Finance Minister von Krosigk, representative of the German insurance companies Hilgard, Chief of the Security Police Heydrich, Chief of the Order Police Daluege, representative of the Foreign Office Wormann, and many other interested parties." In his opening remarks Goring emphasized that he had had "enough of these demonstrations. They don't harm the Jew," he said, "but me, because I am the authority ultimately responsible for the coordination of the German economy. If today a Jewish shop is destroyed, if goods are thrown into the street, the insurance company will pay for the damages, which the Jew does not even have. ... It is insane to clear out and burn a Jewish warehouse, then have a German insurance company make good for the loss. And the goods which I need desperately, whole bales of clothing and what-not are being burned, and I miss them everywhere. I may as well bum the raw materials before they arrive."

After the opening remarks, Hilgard, the insurance expert, was called in. His recital is vaguely reminiscent of the medieval *Klosterneuburger Chronik*, which had grudgingly admitted that the damages caused by a mob in the Jewish quarter of Vienna had hurt Christians more than Jews, for the damage had been done to Christian property in the Jewish pawnshops. Now, in 1938, Hilgard unfolded a similar story. Windows that were insured for about \$6,000,000 had been smashed. At least half this amount would have to be produced in foreign exchange, for the expensive window panes were manufactured in Belgium. What was more, the windows of Jewish shops belonged not to the Jewish storekeepers but to the German house owners. The problem was similar in the case of consumer goods looted in stores. Damage in the Margraf jewelry store alone was reported at \$1,700,000.

Goring interrupted at this point: "Daluege and Heydrich, you'll have to get me this jewelry through raids, staged on a tremendous scale!" Heydrich replied that recovery might not be so easy. Things had been thrown into the street. "The crowd was naturally rushing to pick up minks, skunks, etc. It will be very difficult to recover that. Even children have filled their pockets, just for fun." Then Heydrich added sarcastically, for the benefit of Goebbels: "It is suggested that the Hitler Youth is not to be employed and to participate in such actions without the Party's consent."

Hilgard, continuing his account, said that the total damage in property would be about 25,000,000 reichsmark. Heydrich suggested that, if the loss in consumer goods, lost taxes, and other indirect losses were added, the damage would be measured in the hundreds of millions. He ³³

33. Minutes of Goring conference, November 12, 1938, PS-1816. The minutes are divided into seven parts. Three parts (II, IV, and VI) are missing.

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added that 7,500 stores had been ransacked. Daluege elaborated that in many cases the goods in stores were not the property of the store owners but were still owned by the German wholesalers.

HILGARD: We will have to pay for them too.

GÖRING (*to Heydrich*): I wish you had killed two hundred Jews, and not destroyed such values.

HEYDRICH: Thirty-five were killed.

In the end the conferees decided upon the following regulation of damage claims—that is, they apportioned the damage in the following way: (1) The uninsured losses of Jewish property remained Jewish losses. Jewelry, furs, or any other loot was not returned to the Jewish owners. To the extent that anything was recovered, the items were confiscated by the state.” (2) Insured property of the Germans (mainly window glass and shipments of consumer goods) had to be made good by the insurance companies. (3) Insured losses of Jewish property were dealt with as follows: the Jewish insurance claims were confiscated by the Reich: the companies were directed to make payments to the government; the Jewish property owners, in turn, were ordered to repair the damage “for the restoration of the street appearance.”” However, a subsequent decree allowed the Jews to deduct the cost of repairs from payments toward the billion-mark fine.^{34 35 36} The net effect of these regulations, therefore, was to place the burden of the insured damage upon the insurance companies.

Hilgard admitted that the companies would have to make payments, lest public confidence in German insurance would be destroyed. But he had hoped for a government refund in secret. Goring, however, would not “dream” of it; that would be a “present.” Still, in the course of the conference Hilgard received a promise that something would be done for the “small” companies—of course, only in cases where it was “absolutely necessary.” At this point there is a gap in the conference record, but in part V of the proceedings Goring pointed out that “after all is said and done, there will remain some profit for the insurance companies, since they wouldn’t have to make good for all the damage. Mr. Hilgard, you may enjoy yourself.”

HILGARD: I have no reason for that—the fact that we won’t have to pay for all the damage is called profit!

GÖRING: Just a moment! If you are compelled under the law to pay five million, and all of a sudden there appears an angel in my somewhat corpu-

34. See directive by Darmstadt State Police (Gestapo), December 7, 1938, D-183.

35. Decree, signed by Göring, November 12, 1938, RGB1 1,1581.

36. Decree signed by von Krosigk, November 21, 1938, RGB1 1, 1638.

lent form before you, and tells you that you can keep one million, why cannot that be called a profit? I should actually split with you, or whatever you'd call it; I can see it looking at you, your whole body grins. You made a big profit.

(*Remark:* Let's initiate a tax for damages resulting from public disturbances, to be paid by the insurance companies.)

Hilgard rejoined that, in his view, "the honorable German merchant" was still footing the bill. The insurance companies were still the losers. "That is so, and that will remain so, and nobody can tell me differently."

GORING: Then why don't you take care that a few windows less are smashed! You belong to the people, too!

A third problem that arose from the Goebbels pogrom was the destruction of synagogues. Compared with the foreign repercussions and the insurance claims, this was a relatively minor problem. Since Goring had no use for synagogues, he did not regard them as German property. But the ruins were in the way. After much correspondence on this problem, the Church Ministry hit upon the solution of invoking the building code in order to saddle the Jewish communities with the rubble clearance."

The fourth matter to be dealt with was the possibility of Jewish actions in the courts. The Justice Ministry took care of this problem by issuing a decree that Jews of German nationality would have no legal claims in any case arising from the "occurrences" of November 8—10.⁵⁸ The foreign Jews who had suffered injury or damage naturally had recourse to diplomatic intervention and claims against the state. Goring could find no way out of this dilemma, although he was annoyed that "the minute the Itzig has left Poland, he should be treated like a Pole!" When the Foreign Office representative put in that one had to deal with countries like the United States, which was in a position to retaliate, Goring replied that the United States was a "gangster state" and that German investments there should have been liquidated long ago. "But you are right, Mr. Wormann, the matter has to be considered."⁵⁹

The fifth problem was, in some respects, the most difficult of all. In the course of the riots many acts had been committed that were crimes under the penal code. Personal belongings had been stolen (without ^{37 38 39}

37. Circular by Church Ministry, probably March 1939, NG-26. See also correspondence in documents NG-2088, NG-2089 and NG-2090.

38. Decree, signed by Stuckart, Hess, Schlegelberger, and Reinhardt, March 18, 1939, RGBI 1,614.

39. Minutes of Gdring conference, November 12, 1938, PS-1816.

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subsequent delivery to the state), women had been assaulted, men had been killed. On January 23-26, 1939, Justice Minister Gürtner called the prosecutors of the highest courts into conference to discuss the problem. Staatssekretär Freisler (second highest man in the Justice Ministry) explained that the problem was twofold: prosecution of party members and prosecution of non-party members. As for the non-party men, the judicial machinery could act at once, without "shouting about its work all over the place." Gürtner remarked that only the "big crumbs" should be prosecuted. Rape, for instance, would have to be dealt with. Minor matters, such as the appropriation of a few cans of food, would, on the other hand, have to be quashed. Oberstaatsanwalt Joel (a prosecutor) agreed that it was not necessary to prosecute anyone for taking a pair of underdrawers. Furthermore, one would have to take into account that the temptation was great, the need was present, and the instigation was clear. With regard to party members, action could be taken only after their expulsion from the party, since there was a presumption that they had acted upon orders."

In February 1939 the Supreme Party Court met in order to decide the cases of thirty men who had committed "excesses." In his report to Goring, Chief Party Judge Buch pointed to the extenuating circumstance that the pogrom had been not spontaneous but organized. Twenty-six of the defendants had killed Jews. Not one of these party men was expelled. On behalf of all twenty-six, the Justice Minister was urged to quash proceedings in the criminal courts. In all these cases the court had found no "ignoble" motives. Even if the men had acted without orders, they understood that the purpose of the pogrom was vengeance. Either they had been ordered to kill or they had been carried away by their feelings of hatred. Consequently, expulsion and prosecution were not justified. Four men who had assaulted women were expelled from the party and handed over to the courts. Moral crimes could not be justified by the pogrom. In these cases the men had used the riot only as a pretext for their actions."

The entire German bureaucracy, including most party leaders, reacted to the Goebbels pogrom with a feeling of annoyance and vexation. The impact of these events abroad, the damage to property, the synagogue ruins in every major German city, the claims by foreign Jews, and, finally, the problem of "excesses" were more than anybody had bargained for. At the conclusion of the conference held on November 12, Goring declared: "Once and for all, I want to eliminate indi-^{40 41}

40. Summary of Judicial Conference, January 23-26, 1939 (signed Leimer), NG-1566. See also summary of Judges Conference, February 1, 1939, NG-629.

41. Buch (o Goring, February 13, 1939, PS-3063. In later chapters, we shall meet again this basic distinction between "idealistic" and "selfish" motives.

vidual acts [*Einzelaktionen*]." Shortly afterward, at a conference of Gauleiter, Goring reiterated his opposition to pogroms. The riots, he said, gave way to "baser instincts" and had undesirable foreign repercussions besides."

The November pogrom was the last occasion for violence against Jews in German streets. In September 1941, when, at the behest of the Propaganda Ministry, a decree was issued for the marking of Jews with a yellow star, the chief of the Party Chancellery, Bormann, issued instructions to make sure that there would be no repetition of the November "demonstrations." It would be beneath the dignity of the "movement," said Bormann, if its members were to molest individual Jews (*wenn ihre Angehörigen sich an einzelnen Juden vergreifen würden*). Such actions, he concluded, "are and remain strictly prohibited."⁴²

The one reason for the revulsion and even horror that the entire leadership, save Goebbels, felt for pogroms and street violence was the realization that these "actions" could not be controlled. When the mob was turned loose, things inevitably got out of hand. The pogroms were too expensive and, in the last analysis, accomplished nothing. The party's activities during the 1930s consequently had only one effect on the German bureaucracy. Every bureaucrat, in and out of the party, was henceforth convinced that measures against Jews had to be taken *systematically*, and that the amateurish handling of the situation by Goebbels and other agitators was to be avoided under all circumstances. From now on, the Jews were going to be dealt with in a "legal" fashion—that is to say, in an orderly way that would allow for proper and thorough planning of each measure by means of memoranda, correspondence, and conferences. Henceforth the pros and cons of each measure were weighed carefully; hasty action was precluded. The bureaucracy had taken over. It is the bureaucratic destruction process that in its step-by-step manner finally led to the annihilation of five million victims."^{42 43 44}

42. Affidavit by Dr. Siegfried Uiberreither (Gauleiter, Styria), February 27, 1946, Göring-38.

43. Instructions by Amtsleiter Ruberg of the *Auslands-Organisation* (the party's Foreign Organization), September 20, 1941, enclosing Bormann order, NG-1672.

44. Ironically, it is Hitler himself who, in his first anti-Semitic tract, distinguished between an emotional (*gefühlsmässigen*) anti-Semitism—the ultimate expression of which was a pogrom—and an anti-Semitism of reason (*Vernunft*), which in the hands of a powerful government could lead to planned measures against the Jews and, in the end, could bring about their complete elimination (*Entfernung*). Hitler (as private first class, serving in an intelligence and propaganda unit of Reichswehrgruppenkommando 4 in Munich) to his commanding officer, Captain Karl Mayr, September 16, 1919. The memorandum was requested by Mayr to answer a letter by a propaganda course student,

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How did the Jews react to all this violence? Curiously enough, the Jewish reaction to the party's excesses paralleled, in crucial respects, the responses by the German bureaucracy. Throughout the years before Hitler's rise to power, the Jews had abstained from using invectives⁴¹ and had refrained from marching in the streets, either with the Communists or with Social Democratic formations.* In 1933, the Jewish organizations, like Vice-Chancellor von Papen, hurried to protest against demonstrations and "atrocious propaganda" in foreign countries. The Organization of Jewish War Veterans attacked the emigrants as people who had "deserted" their fellow Jews and who were now "shooting arrows from secure hiding places" to the detriment of Germany and the German Jews.⁴⁷

The Central-Verein deutscher Staatsbürger jüdischen Glaubens, the principal agency of assimilationist Jews, declared with indignation: "Nobody can rob us of our German fatherland.... In that we fight this battle, we carry out a German, not a selfish-Jewish, fight* The Jews were convinced that they were going to have hard times but that their position would not become untenable. "One may condemn us to hunger, but one cannot condemn us to starve. [*Man kann uns zum Hungern verurteilen, aber nicht zum Verhungern.*]" Like Schacht, the Jews were waiting for the implementation of decrees that would put an end to uncertainty and define their status. "One can live under any law. [*Man kann unter jedem Gesetz leben.*]"⁴⁸

In the beginning of April 1933—at the time of the first wave of

Adolf Gemlich. Mayr, agreeing with most of Hitler's sentiments, passed them on to Gemlich. See correspondence in Ernst Deuerlein, ed., *Der Aufstieg der NSDAP in Augenzeugenberichten* (Munich, 1974), pp. 89-95.

45. In the main, they stressed their accomplishments in the arts and sciences and defended their record in the First World War. See, for example, Verein zur Abwehr des Anti-Semitismus, *Abwehr-Blätter* 42 (October, 1932): insert. Also Arnold Paucker, "Abwehrkampf," in *Entscheidungsjahr*, pp. 405-499.

46. On Communists, see Hans-Helmuth Knflter, "Die Linksparteien," in *Entscheidungsjahr*, pp. 323-45, particularly pp. 335-36; on Social Democrats, see Werner Mosse, "Der Niedergang der Republik," *ibid.*, pp. 36-37; on both, see Paucker, "Abwehrkampf," *ibid.*, p. 459n.

47. Press release by Reichsbund jüdischer Frontsoldaten, containing telegram sent to U.S. Embassy, in *Kölnische Volkszeitung*, March 27, 1933, RC-49.

48. *Central-Verein Zeitung*, March 23, 1933, in Hans Lamm, "Über die Innere und Äussere Entwicklung des Deutschen Judentums im Dritten Reich," (Erlangen, 1951; mimeographed), pp. 143, 176n. Also, Zionist declaration in *Jüdische Rundschau*, March 17, 1933, in Lamm, "Deutsches Judentum," pp. 143, 176n.

49. Ismar Elbogen in *Central-Verein Zeitung*, April 6, 1933, quoted by Lamm, "Deutsches Judentum," pp. 144, 176n.

50. From a Statement by Georg Kareski, an "extreme Jewish nationalist," quoted by Lamm, "Deutsches Judentum," pp. 147-48.

party propaganda, boycott, and violence, and at the moment when the first anti-Jewish decree was published—a controversy developed between two wings of the Jewish community. This polemic is characteristic of all that is to be said. The *Central-Verein Zeitung*, organ of the assimilationists, had published an editorial, born out of despair, which contained Goethe's famous line of frustrated love: "If I love you, what business is it of yours?" The Zionist paper *Jüdische Rundschau* thereupon published a reply that stated with defiance: "If I love you, then it is your business. The German people should know: a historical alliance, hundreds of years old, cannot be severed so simply."^{51 52 53} But it was severed. The bureaucracy cut, link by link, the ties between the German and Jewish communities. Already in June the Zionist paper, all hope gone, made a final plea:

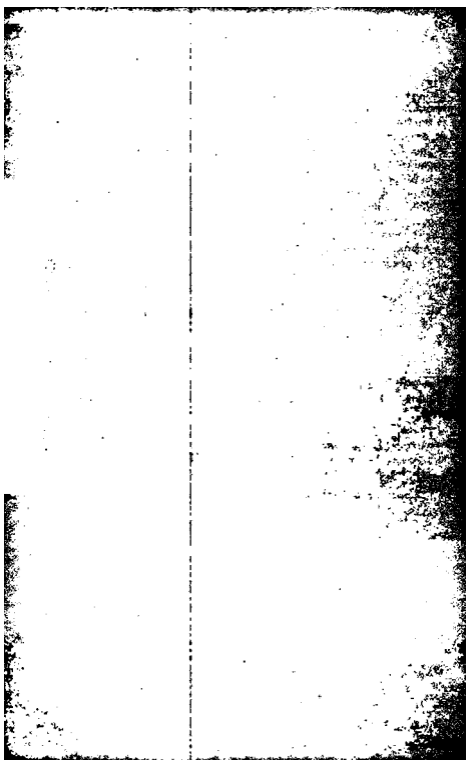
The National Socialists, in their demonstrations, designate the Jews as "enemies of the state." That designation is incorrect. The Jews are not enemies of the state. The German Jews desire and wish for the rise of Germany, for which they have always invested, to the best of their knowledge, all their resources, and that is what they wish to continue to do."

By 1939 even the reproachful appeal had vanished. The Jewish community leadership in its officially approved publication had only one word of advice for its readers: the fulfilment with the greatest exactitude of all official orders and directives.⁵⁵ The Jews had their laws.

51. *Jüdische Rundschau*, with quotation of *Central-Verein Zeitung* editorial, April 13, 1933. in Lamm, "Deutsches Judentum," pp. 152-53, 177n.

52. *Jüdische Rundschau*. June 27. 1933, in Lamm, "Deutsches Judentum," pp. 157. 177n.

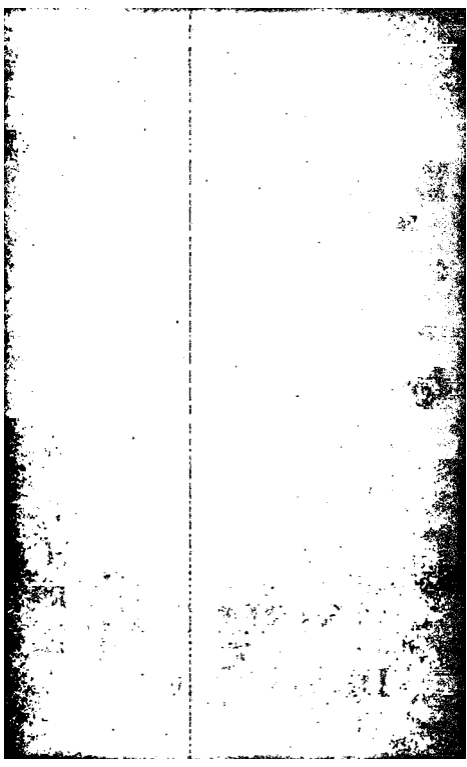
53. *Jüdisches Nachrichtenblatt* (Berlin), September 5, 1939.



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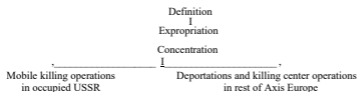
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At first sight the destruction of the Jews may have the appearance of an indivisible, monolithic, and impenetrable event. Upon closer observation it is revealed to be a process of sequential steps that were taken at the initiative of countless decision makers in a far-flung bureaucratic machine. An underlying characteristic of this upheaval is therefore its structure: a logic of development, a mechanism for arriving at decisions, and an organization involved in daily administrative action.

The process of destruction unfolded in a definite pattern.¹ It did not, however, proceed from a basic plan. No bureaucrat in 1933 could have predicted what kind of measures would be taken in 1938, nor was it possible in 1938 to foretell the configuration of the undertaking in 1942. The destruction process was a step-by-step operation, and the administrator could seldom see more than one step ahead.

The steps of the destruction process were introduced in the following order: At first the concept of *Jew* was defined; then the expropriatory operations were inaugurated; third, the Jews were concentrated in ghettos; finally, the decision was made to annihilate European Jewry. Mobile killing units were sent to Russia, while in the rest of Europe the victims were deported to killing centers. The chronological development may therefore be summarized as follows:



The concept *destruction process* excludes the party actions discussed in the previous chapter. Schacht and Frick called these party activities *Einzelaktionen* (isolated actions). The *Einzelaktionen* were without administrative significance. They fell into no administrative pattern. They accomplished no administrative objective. They did not constitute a step in an administrative process. That is why after 1938

1. The pattern was first suggested in an affidavit by Dr. Rudolf Kastner, September 13, 1945, PS-2605.

THE STRUCTURE OF DESTRUCTION

they vanished completely in Germany and occurred only rarely in occupied territory.

The definition of the Jews appears to be a relatively harmless measure in comparison with the bloody riots of 1938. Yet its significance is much greater, for the definition of the victim was an essential requisite for further action. The measure itself did not harm anyone. But it had administrative continuity. This is the chief difference between a pogrom and a destruction process. A pogrom results in some damage to property and injuries to people, and that is all. It does not call for further action. On the other hand, a measure in a destruction process never stands alone. It may not always do damage, but it always has consequences. Each step of a destruction process contains the seed of the next step.

The destruction process straddled two policies: emigration (1933—40) and annihilation (1941-45). In spite of this change of policies, the administrative continuity of the destruction process was unbroken. The reason for that phenomenon is to be found in the fact that the three steps introduced before 1940 (definition, expropriation, and concentration) served not only as inducements to emigrations, but also as stepping-stones to a killing operation:



The path to annihilation leads directly through these age-old steps.

We are dealing with an administrative development that was to become more and more drastic. In the course of this process, many a bureaucrat perceived a barrier in old procedural principles and requirements. What he wanted was unrestrained action. Therefore he created an atmosphere in which the formal, written word could gradually be abandoned as a *modus operandi*. This transformation of emphasis, from public law making to concealed operations, may be portrayed in the following continuum:²

2. A definitive exploration of this evolution is Uwe Adam's *Judenpolitik im Dritten Reich* (Düsseldorf, 1972).

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Implementation decrees

Ministerial or territorial ordinances or regulations

Announcements to the public in pursuance of laws and decrees

Announcements by local officials acting only in accordance
with presumed necessities

Written directives not published

Broad authorizations to subordinates not published

Oral directives and authorizations

Basic understandings of officials resulting in decisions not
requiring orders or explanations

In the final analysis, the destruction of the Jews was not so much a product of laws and commands as it was a matter of spirit, of shared comprehension, of consonance and synchronization.

Who shared in this undertaking? What kind of machinery was used for these tasks? The machine of destruction was an aggregate—no one agency was charged with the whole operation. Even though a particular office might have exercised a supervisory (*"federführende"*) function in the implementation of a particular measure, no single organization directed or coordinated the entire process. The engine of destruction was a sprawling, diverse, and—above all—decentralized apparatus.

Let us consider for a moment how large that apparatus had to be. In 1933 the Jews were almost completely emancipated and almost completely integrated into the German community. The severance of Jew from German was consequently a very complex operation. There was hardly an agency, an office, or an organization that did not at one time or another have an interest in anti-Jewish measures. If we were to enumerate the public and private agencies that may be called the "German government" and those agencies that may be called the "machinery of destruction," we would discover that we are dealing with identical offices.

However, the designations *German government* and *machinery of destruction* do refer to different roles, since *government* is the more inclusive term. It implies the totality of administrative functions in a society. Destruction is only one very specialized administrative activity. What may be a powerful agency in the government may not be a vital part of the machinery of destruction, and, conversely, what may be a key agency in the destruction apparatus may not be an important link in the governmental structure. In short, when we speak of the

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machinery of destruction, we refer to German government in one of its special roles.

The German administrative apparatus consisted of a Führer (Adolf Hitler) and four distinct hierarchical groups:⁵ the ministerial bureaucracy, the armed forces, industry, and the party. Their detailed organization is shown in Tables 3-1 to 3-5.

For centuries the civil service and the military were considered the two pillars of the German state. The modern civil service and the modern German army have their origins in the mid-seventeenth century. The growth of these two bureaucracies, not merely as administrative machines but also as hierarchies with their own traditions, values, and policies, is in a sense synonymous and identical with the rise of the modern German state. The business sector became a political factor, on a par with the older organizations, only in the nineteenth century. The party was the youngest hierarchy in the Nazi government; it was barely ten years old in 1933. But the party already had a vast bureaucracy, competing with the other hierarchies and, in some areas, threatening their prerogatives. In spite of the different historical origins of these four bureaucracies and in spite of their different interests, all four could agree on the destruction of the Jews. The cooperation of these hierarchies was so complete that we may truly speak of their fusion into a machinery of destruction.

The specific contribution of each hierarchy can be assessed roughly along jurisdictional lines. The ministerial bureaucracy, staffed with civil servants, was the chief implementer of anti-Jewish decrees during the early stages of the destruction process. The ministerial civil service wrote the decrees and regulations which defined the concept of "Jew," which provided for the expropriation of Jewish property, and which inaugurated the ghettoization of the Jewish community in Germany. Thus the civil servant set the course and the direction of the entire process. This was his most important function in the destruction of the Jews. But the civil service also had a surprisingly large role in the later, more drastic anti-Jewish operations. The Foreign Office negotiated with Axis states for the deportation of Jews to killing centers; the German railways took care of the transport; the police, completely

3. Franz Neumann, *Behemoth* (2d ed.; New York, 1944), pp. 365-99, 468-70. The charts of the ministerial bureaucracy, the business sector, and the regional machinery are based in part on the organization chart certified by Frick, PS-2905. The organization of the armed forces prior to 1938 is described by Hans Bernd Gisevius in *Trial of the Major War Criminals*, XII, 197. The armed forces after their reorganization are described by Walther von Brauchitsch in his affidavit of November 7, 1945, PS-3703. The party chart is based on an affidavit by Franz Xaver Schwarz (Party Treasurer), November 16, 1945, PS-2903.

TABLE 3-1
 MINISTERIAL BUREAUCRACY

			Chu				
(Frick) Himmler	(Conner) (Schlegelberger)	Rust					Schwerin von Krosigk
Pfundtner Stuckert Conti	(Schlegelberger) (Freister) Rothenberger	Zschin		(Landfried)			Reinhardt
Propaganda	«Sira	Tern ¹					
		Re	Dorpmuller	Ohnesorge	(Todt) Speer		
Gutterer	(Mackensen) (Weiasacker)	Me					Lange Puhl

NOTE: Predecessors of last incumbents are in parentheses. Ministers and Staatssekretäre (Undersecretaries) separated by line space. The Reich Chancellery (not shown) was placed between Hitler and the ministries for liaison purposes.

TABLE 3-2
THE ARMED FORCES

To January 1918
(Navy, Air Force OmU(td))

War Minis Feldmarschall von	Armed Forces Office in War Ministry Generaloberst Keitel
Commander in Chief of the Army Generaloberst von Fritsch	Beck

After Reorganization

Commander in Chief of the Armed Forces	Chief, High Command of the Armed Forces <i>(Oberkommando der Wehrmacht or OKW)</i>
---	--

Commander in Chief of the Army von Brauchitsch — (succeeded by Hitler)	Chief, High Command of the Army Haider (succeeded by Zeitler and <u>Guderian</u>)	Commander In Chief of the Navy Rider — (succeeded by)	Chief, Directorate of Naval Warfare Schniewindt (succeeded by)	Commander in Chief of the Air Force Gdring	Chief, General Staff of the Air Force Jeschonck (succeeded by Korten and Krelpe)
--	---	---	--	---	--

T A B L E 3-3
BUSINESS

	<i>Planning</i>		<i>War Production: Allocations, Priorities, etc.</i>		<i>"Rationalization" and Efficiency Problems</i>	<i>Business Practices and Miscellaneous Matters</i>	
	Office of the Four-Year Plan	Planning Office	Armament Ministry			Reich Economic Chamber (Reichswirtschaftskammer)	
	Deputy: Kfimer						
				----- 1 |----- 1 |----- 1			
Hermann Göring Works	Main Trusteeship Office East	Business Groups (<i>Businessgruppen</i>)	General Plenipotentiaries (<i>Generalbevollmächtigte</i>)	Main Committee (<i>Hauptausschüsse</i>)	Industrial Rings (<i>Industrieringe</i>)	Trade Associations (<i>Reichsvereinigungen</i>)	Reich Groups (<i>Reichsgruppen</i>)
Pleiger	Winkler	Forests: Alpers Prices: Fischbock Etc.	Labor: Sauckel Chemical Industry: Krauch Etc.	Weapons: Zanger Etc.	Each member of a ring produced components of the final product, ba.1 bearings	Iron: Röchling Coal: Pleiger Etc.	Industry: Zangen Trade: Hayler Etc. (The regional machinery of the Reich Chamber consisted of the Chambers of Commerce and Industry)

T A B L E 3-4
PARTY

Führer Chanc		Party Chanc	
			1
			ef of Staff: (Luire]
Propaganda Goebbels	Finar Schw	Foreign Policy	Health (Wagne
	Reichsleii'	lin Office	Offices

NOTE: Broken lines indicate position of Party Chancellery as clearing l : for reports to Hitler and as channel of directives from Hitler. All party agencies were responsible to Hitler- Not all of them are listed.

TABLE 3-5
REGIONAL MACHINERY

Party

State

1

14	13	11	31
Reichsstatthalter (Regents)	Oberpräsidenten	Reichsstatthalter and Gauleiter	Gauleiter
non-Prussian <i>Länder</i>	Prussian Provinces	Reichsgaue (These areas were incorporated into the Reich under the Nazi regime; the Reichsstatthalter and Gauleiter in each Reichs- gau was <i>one</i> person)	non-Prussian <i>Länder</i> and Prussian provinces (The territory of a Gau was not necessarily identical with the area of a <i>Land</i> or province)
	Regierungspräsidenten		Kreisleiter
	Landrate (rural)	Bürgermeister (cities)	Ortsgruppenleiter

THE STRUCTURE OF DESTRUCTION

merged with the party's SS, was engaged extensively in killing operations.

The army was drawn into the destruction process after the outbreak of war by virtue of its control over vast territories in Eastern and Western Europe. Military units and offices had to participate in all measures, including the killing of Jews by special mobile units and the transport of Jews to the death camps.

Industry and finance had an important role in the expropriations, in the forced labor system, and even in the gassing of the victims.

The party concerned itself with all questions that involved delicate problems of German-Jewish relations (half-Jews, Jews in mixed marriages, etc.) and generally pushed for drastic action. It was not an accident that the military arm of the party, the SS (which was amalgamated with the Interior Ministry's police), carried out the most drastic operations of all, the killing operations.

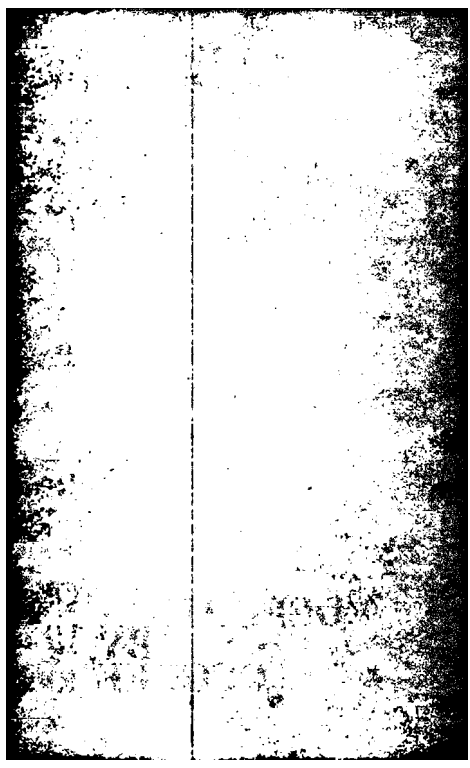
Each hierarchy contributed to the destruction process not only administrative measures, but also administrative characteristics. The civil service infused the other hierarchies with its sure-footed planning and bureaucratic thoroughness. From the army the machinery of destruction acquired its military precision, discipline, and callousness. Industry's influence was felt in the great emphasis on accounting, penny saving, and salvage, as well as in the factory like efficiency of the killing centers. Finally, the party contributed to the entire apparatus an "idealism," a sense of "mission," and a notion of "history making." Thus the four bureaucracies were merged not only in action but also in their thinking.

The destruction of the Jews was thus the work of a far-flung administrative machine. This apparatus took each step in turn. The initiation as well as the implementation of decisions was largely in its hands. No special agency was created and no special budget was devised to destroy the Jews of Europe. Each organization was to play a specific role in the process, and each was to find the means to carry out its task.

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A destruction process is a series of administrative measures that must be aimed at a definite group. The German bureaucracy knew with whom it had to deal: the target of its measures was Jewry. But what, precisely, was Jewry? Who was a member of that group? The answer to this question had to be worked out by an agency that dealt with general problems of administration—the Interior Ministry. In the course of the definition making, several other offices from the civil service and the party became interested in the problem. For purposes of orientation, therefore. Tables 4-1 to 4-3 show the structure of the Interior Ministry and the two agencies that throughout the years were most closely concerned with the general aspects of anti-Jewish action, the judicial machinery and the Reich Chancellery.

The problem of defining the Jews was by no means simple; in fact, it was a stumbling block for an earlier generation of anti-Semites. Hellmut von Gerlach, one of the anti-Semitic deputies in the Reichstag during the 1890s, explained in his memoirs why the sixteen anti-Semitic members of the legislature had never proposed an anti-Jewish law: they could not find a workable definition of the concept *Jew*. All had agreed upon the jingle:

Never mind to whom he prays,
The rotten mess is in the race.
[*Was er glaubt ist einerlei*
In der Rasse liegt die Schweinerei.]

But how to define race in a law? The anti-Semites had never been able to come to an agreement about that question. That is why “everybody continued to curse the Jews, but nobody introduced a law against them.”¹ The “simple” people who wrote the Nazi Party program in 1920 did not supply a definition either. They simply pointed out that a member of the community could only be a person of “German blood, without regard to confession.”

1. Hellmut von Gerlach, *Von Rechts nach Links* (Zurich, 1937), pp. 111-13. The author, an anti-Semitic deputy, quit the faction in disgust.

DEFINITION BY DECREE

T A B L E 4-1
THE INTERIOR MINISTRY

Minister.....	.... Dr. Wilhelm Frick
Staatssekretär in Charge.....	
Constitution and Law	Staatssekretär Dr. Wilhelm Stuckart ^f
Deputy.....	.... Ministerialdirigent Hering
Constitution.....	.... Ministerialrat Medicus
Administrative Law.....	.... Ministerialrat Dr. Hoche
Citizenship Law.....	.... Ministerialrat Dr. Hubrich
Naturalization.....	.... Oberregierungsrat Dr. Duckart
International Law.....	.... Ministerialrat Olbki*
Race.....	.... Ministerialrat Lösener
Name Changes.....	.... Ministerialrat Globke
Health.....	.... Staatssekretär Dr. Leonardo Conti ^l
Public Health.....	
Eugenics and Race.....	.... Ministerialdirigent Dr. Linden

NOTE: For more elaborate charts and descriptions of the Ministry, see Hans Pfundtner, ed., *Dr. Wilhelm Frick und sein Ministerium* (Munich, 1937); affidavit by Hans Globke, November 14, 1947, NG-3540; organization chart of the Interior Ministry, 1938, NG-3462; organization chart of the Interior Ministry, 1943, in *Taschenbuch für Verwaltungsbeamte*, 1943, PS-3475.

^fFrick was succeeded in 1943 by Himmler.

^tPfundtner resigned in 1943; his position was left vacant.

^lStuckart was appointed in 1935; his predecessor was Staatssekretär Grauen.

^lConti was also appointed in 1935; his predecessor was Ministerialdirektor Dr. Giitt.

When the Interior Ministry drafted its first anti-Jewish decree for the dismissal of Jewish civil servants, it was confronted by the same problem that had troubled the anti-Semites and the early Nazis. But the bureaucrats of the Interior Ministry attacked the problem systematically, and soon they found the answer.

The decree of April 7, 1933,¹ provided that officials of "non-Aryan descent" were to be retired. The term *non-Aryan descent* was defined in the regulation of April 11, 1933,² as a designation for any person who had a Jewish parent or grandparent; the parent or grandparent was presumed to be Jewish if he (or she) belonged to the Jewish religion.

The phraseology of this definition is such that it could not be said to have run counter to the stipulations of the party program. The ministry had divided the population into two categories: "Aryans," who were people with no Jewish ancestors (i.e., pure "German blood"), and "non-Aryans," who were all persons, Jewish or Christian, who had at least one Jewish parent or grandparent. It should be noted that this

2. RGBI I, 175.

3. RGBI I, 195.

T A B L E 4 - 2
THE JUDICIAL MACHINERY

		<i>Justice Ministry</i>		
		1933-41	1941-42	1942-45
Minister:		Gürtner	Schlegelberger	(acting)
Staatssekretär:		Schlegelberger	Rothenberger	Klemm
	I	Personnel and Organization		Letz
	II	Training		Segelken
Criminal	iii	Penal Code		Schafer
	iv	Criminal Law (Procedure)		Engert
	iv	Prisons		
Civil	[vi	Civil Law		Altstötter
		Deputy		Hesse
		Race Experts		Rexroth, Meinhof
	VII	Trade and International Law		Quassowski
	l viii	Pensions		Schneller

Courts

Ordinary Courts
(Each court divided into
criminal and civil sections)

Reichsgericht

I

Oberlandesgerichte

Landgerichte

Amtsgerichte

Extraordinary Courts
(Prosecution of
political crimes)

Volksgerichtshof
(People's Court)

Sondergerichte
(Special Courts)

NOTE: Organization chart of Reich government (certified by Frick), PS-2905; organization chart of Division VI, February, 1944, NG-917; affidavit by Rothenberger, February 12, 1947. NO-776- For titles of judges and prosecutors, see document NG-2252.

definition is in no sense based on racial criteria, such as blood type, curvature of the nose, or other physical characteristics. Nazi commentators, for propagandistic reasons, called the decrees "racial laws" (*Rassengesetze*.)⁴ and non-German writers, adopting this language,⁴

4. For example, the commentary by Wilhelm Stuckart and Rolf Schiedermaier, *Rassens- und Erbpflege in der Gesetzgebung des Reiches*, 5th ed. (Leipzig, 1944).

DEFINITION BY DECREE

T A B L E 4-3
THE REICH CHANCELLERY

Chief of the Chancellery.....	Hans Heinrich Lammers
Staatssekretär.....	Kritzinger
A. Administration, Propaganda, Education, Public Health.....	Meerwald
B. Four-Year Plan, Reichsbank, Transport, Agriculture.....	Willuhn
C. Finance, Budget, Labor, Audit, Civil Service Matters.....	Killy
D. Foreign Affairs, Occupied Areas in Eastern Europe..	Stutterheim
E. Interior, Police, Justice, Armed Forces, Party.....	Ficker

NOTE: Organization chart of the Reich Chancellery, NG-3811; affidavit by Dr. Otto Meissner (Chief, Prdsialkanzlei) on role and power of Lammers, May 15, 1947, NG-1541; affidavit by Hans Heinrich Lammers on his career, April 26, 1947, NG-1364; affidavit by Friedrich Wilhelm Kritzinger on his career, April 25, 1947, NG-1363.

have also referred to these definitions as "racial."⁵ But it is important to understand that the sole criterion for categorization into the "Aryan" or "non-Aryan" group was religion, not the religion of the person involved but the religion of his ancestors. After all, the Nazis were not interested in the "Jewish nose." They were concerned with the "Jewish influence."

The 1933 definition (known as the *Arierparagraph*) did give rise to difficulties. One problem arose from the use of the terms *Aryan* and *non-Aryan*, which had been chosen in order to lend to the decrees a racial flavor.* Foreign nations, notably Japan, were offended by the general implication that non-Aryans were inferior to Aryans. On November 15, 1934, representatives of the Interior Ministry and the Foreign Office, together with the chief of the party's Race-Political Office, Dr. Gross, discussed the adverse effect of the *Arierparagraph* on Far Eastern policy. The conferees had no solution. The Foreign Office reported that its missions abroad had explained the German policy of distinguishing between the *types* of races, rather than the *qualities* of the races (*Verschiedenartigkeit der Rassen*, rather than *Verschiedenwertigkeit der Rassen*). According to this view, each race produced its own social characteristics, but the characteristics of one race were not necessarily inferior to those of other races. In short,

5. One Jewish historian went so far as to call the medieval practice of identifying new Christians as former Jews "racial." See Cecil Roth, "Marranos and racial Antisemitism—A Study in Parallels," *Jewish Social Studies*, 2(1940): 239-48.

6. Actually, the term Aryan, like *Semitic*, is not even a race designation. At best it is a term for a linguistic-ethnic group.

racial "type" comprised physical and spiritual qualities, and German policy attempted no more than the promotion of conditions that would permit each race to develop in its own way. However, this explanation did not quite satisfy the Far Eastern states, who still felt that the catchall term *non-Aryan* placed them in the same category as Jews.⁷

There was another difficulty that reached into the substance of the measure. The term *non-Aryan* had been defined in such a way as to include not only full Jews—that is to say, persons with four Jewish grandparents—but also three-quarter Jews, half-Jews, and one-quarter Jews. Such a definition was considered necessary in order to eliminate from official positions all persons who might have been carriers of the "Jewish influence" even in the slightest degree. Nevertheless, it was recognized that the term *non-Aryan*, aside from embracing the full Jews, included also a number of persons whose inclusion in subsequent, more drastic measures would result in difficulties. In order to narrow the application of subsequent decrees to exclude such persons, a definition of what was actually meant by the term *Jew* became necessary.

At the beginning of 1935 the problem received some attention in party circles. One of the meetings was attended by Dr. Wagner, then *Reichsärztführer* (chief medical officer of the party). Dr. Gross (head of the Race-Political Office), and Dr. Blome (at that time secretary of the medical association, later Deputy *Reichsärztführer*). Dr. Blome spoke out against a special status for part-Jews. He did not want a "third race." Consequently, he proposed that all quarter-Jews be considered Germans and that all half-Jews be considered Jews. Reason: "Among half-Jews, the Jewish genes are notoriously dominant."⁷ ⁸ This view later became party policy, but the party never succeeded in imposing that policy on the Interior Ministry, where the decisive decrees were written.

On the occasion of the Nuremberg party rally. Hitler ordered, on September 13, 1935, that a decree be written—in two days—under the title "Law for the Protection of German Blood and Honor." Two experts of the Interior Ministry, Ministerialrat Medicus and Ministerialrat Lösener, were thereupon summoned to Nuremberg by plane. When they arrived they found Staatssekretäre Pfundtner and Stuckart, Ministerialrat Seel (civil service expert of the Interior Ministry), Ministerialrat Sommer (a representative of the Führer's Deputy Hess), and several other gentlemen in the police headquarters, drafting a law.

7. Circular letter by Pfundtner, February 9, 1935, NG-2292. Billow-Schwante (Foreign Office) to missions and consulates abroad. May 17, 1935, enclosing circular letter by the Interior Ministry, April 18, 1935, NG-3942.

8. Affidavit by Dr. Kurt Blome, January 17, 1946. NO-1710.

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Interior Minister Frick and Reichsärztführer Wagner shuttled between Hitler's quarters and the police station with drafts. In the midst of the commotion, to the accompaniment of music and marching feet and in a setting of flags, the new decree was hammered out. The law no longer dealt with "non-Aryans" but with "Jews." It prohibited marriages and extramarital intercourse between Jews and citizens of "German or related blood," the employment in Jewish households of female citizens of "German or related blood" under the age of forty-five, and the raising by Jews of the Reich flag.⁹ None of the terms used were defined in the decree.

On the evening of September 14, Frick returned to his villa from a visit to Hitler and told the exhausted experts to get busy with a draft of a Reich citizenship law. The Staatssekretäre and Ministerialräte now went to work in the music room of Frick's villa to write a citizenship law. Soon they ran out of paper and requisitioned old menu cards. By 2:30 A.M. the citizenship law was finished. It provided that only persons of "German or related blood" could be citizens. Since "citizenship" in Nazi Germany implied nothing, no interest attaches to the drafting of this decree, except for a provision to the effect that "full Jews" could not be citizens. This implied a new categorization differentiating between Germans and part-Jews, on the one hand, and such persons regardless of religion who had four Jewish grandparents, on the other. Hitler saw this implication immediately and crossed out the provision.^{9 10 11}

The attitudes of the party and of the civil service toward part-Jews had not emerged quite clearly. The party "combated" the part-Jew as a carrier of the "Jewish influence," whereas the civil service wanted to protect in the part-Jew "that part which is German."¹² The final definition was written in the Interior Ministry, and so it is not surprising that the party view did not prevail.

The authors of the definition were Staatssekretär Dr. Stuckart and his expert in Jewish affairs, Dr. Lösener. Stuckart was then a young man of thirty-three. He was a Nazi, a believer in Hitler and Germany's destiny. He was also regarded as a party man. There is a difference between these two concepts. Everyone was presumed to be, and was accepted as, a Nazi unless by his own conduct he insisted otherwise. But not everyone was regarded as a party man. Only those people were

9. Law for the Protection of German Blood and Honor, September 15, 1935, RGBl I, 1146.

10. The history of the two laws is taken from the affidavit by Dr. Bernhard Lösener, February 24, 1948, NG-1944-A. Final version of the Reich Citizenship Law, dated September 15, 1935, in RGBl I, 1146.

11. See letter by Stuckart, March 16, 1942, NG-2586-1.

party men who held positions in the party, who owed their positions to the party, or who represented the party's interests in disagreements between the party and other hierarchies. Stuckart was in the party (he had even joined the SS in an honorary capacity), he had risen to power more quickly than other people, and he knew what the party wanted. But Stuckart refused to go along with the party in the definition business.

Stuckart's expert on Jewish affairs, Dr. Bernhard Losener, had been transferred to the Interior Ministry after long service in the customs administration. Definitions and Jewish affairs were an entirely new experience to him. Yet he became an efficient "expert" in his new assignment. Ultimately he drafted, or helped draft, twenty-seven Jewish decrees.¹² He is the prototype of other "experts" in Jewish matters, whom we shall meet in the Finance Ministry, in the Labor Ministry, in the Foreign Office, and in many other agencies.

The two men had an urgent task to perform. The terms *Jew* and *German* had already been used in a decree that contained criminal sanctions. There was no time to be lost. The final text of the definition corresponds in substance to a memorandum written by Losener and dated November 1, 1935.¹³ Losener dealt in his memorandum with the critical problem of the half-Jews. He rejected the party's proposal to equate half-Jews with full Jews. In the first place, Losener argued, such a categorization would strengthen the Jewish side. "In principle, the half-Jew should be regarded as a more serious enemy than the full Jew because, in addition to Jewish characteristics, he possesses so many Germanic ones which the full Jew lacks." Second, the equation would result in an injustice. Half-Jews could not emigrate and could not compete with full Jews for jobs with Jewish employers. Third, there was the need of the armed forces, which would be deprived of a potential 45,000 men. Fourth, a boycott against half-Jews was impractical (the German people would not go along). Fifth, half-Jews had performed meritorious services (recital of names). Sixth, there were many marriages between Germans and half-Jews. Suppose, for example, that Mr. Schmidt finds out, after ten years of marriage, that his wife is half-Jewish—a fact that, presumably, all half-Jewish wives kept secret.

In view of all these difficulties, Losener proposed that the half-Jews be sorted into two groups." There was no practical way of sorting half-Jews individually, according to their political convictions. But ^{12 13 14}

12. See list compiled by Losener in his affidavit of February 28, 1948, NG-1944-A.

13. Stuckart to Foreign Minister von Neurath, November 1, 1935, enclosing LOSener memorandum, NG-3941.

14. The nature of these arguments is quite interesting, since they could have been used equally well against all anti-Jewish measures.

DEFINITION BY DECREE

there was an automatic way of dealing with that problem. Losener proposed that only those half-Jews be counted as Jews who belonged to the Jewish religion or who were married to a Jewish person.

The Losener proposal was incorporated into the First Regulation to the Reich Citizenship Law, dated November 14, 1935.^{13 * 15} In its final form the automatic sorting method separated the "non-Aryans" into the following categories: Everyone was defined as a Jew who (1) descended from at least three Jewish grandparents (full Jews and three-quarter Jews) or (2) descended from two Jewish grandparents (half-Jews) and (a) belonged to the Jewish religious community on September 15, 1935, or joined the community on a subsequent date, or (b) was married to a Jewish person on September 15, 1935, or married one on a subsequent date, or (c) was the offspring of a marriage contracted with a three-quarter or full Jew after the Law for the Protection of German Blood and Honor had come into force (September 15, 1935), or (d) was the offspring of an extramarital relationship with a three-quarter or full Jew and was born out of wedlock after July 31, 1936. For the determination of the status of the grandparents, the presumption remained that the grandparent was Jewish if he or she belonged to the Jewish religious community.^{16 17}

Defined *not* as a Jew but as an individual of "mixed Jewish blood" was (1) any person who descended from two Jewish grandparents (half-Jewish), but who (a) did not adhere (or adhered no longer) to the Jewish religion on September 15, 1935, and who did not join it at any subsequent time, and (b) was not married (or was married no longer) to a Jewish person on September 15, 1935, and who did not marry such a person at any subsequent time (such half-Jews were called *Mischlinge* of the first degree), and (2) any person descended from one Jewish grandparent (*Mischling* of the second degree). The designations "Mischling of the first degree" and "Mischling of the second degree" were not contained in the decree of November 14, 1935, but were added in a later ruling by the Interior Ministry.¹⁷

In practice, therefore, Losener had split the non-Aryans into two groups: *Mischlinge* and Jews. The *Mischlinge* were no longer subjected

13. RGBI I. 1333.

16. The paragraph in these categorizations defining half-Jews as Jewish begins with the words "*Als Jude giUauch...*" (literally, "As Jew is considered also. ."). The phrase gave rise to the use *Geltungsjuden* for these half-Jews. Occasionally, victims or their relatives made the unsuccessful semantic argument that to be "considered" Jewish was not the same as "being" Jewish. Nevertheless, *Geltungsjuden* living with their non-Jewish parent were protected from deportation. For a discussion of this subject, see H. G. Adler, *Der venvallete Mensch* (Tobingen, 1974), pp. 187, 199, 223, 280, 294, 339, 699.

17. Stuckart and Schiedermaier, *Rassen- und Erbpflege*, p. 17.

to the destruction process. They remained non-Aryans under the earlier decrees and continued to be affected by them, but subsequent measures were, on the whole, taken only against "Jews." Henceforth the Mischlinge were left out.

The administration of the Lösener decree, and of the Arierparagraph that preceded it, was a complicated procedure, which is interesting because it affords a great deal of insight into the Nazi mentality. In the first place, both decrees were based on the descent: the religious status of the grandparents. For that reason, it was necessary to *prove* descent. In this respect the decrees affected not only "non-Aryans"; any applicant for a position in the government or the party could be requested to search for the records of his ancestors. For such proof of ancestry seven documents were required: a birth or baptismal certificate, the certificates of the parents, and the certificates of the grandparents.*

Prior to 1875-76, births were registered only by churches." Thus the churches were drawn into an administrative role in the implementation of the first measure of the destruction process, a task they performed as a matter of course. Not so simple was the attempt to obtain the cooperation of officeholders. Although civil servants had to fill out a form only if it could be presumed that the information disclosed therein would result in their dismissal, the disquiet, not to speak of the paper work, was still considerable. At one point the Interior Ministry proposed that proof of descent be supplied by all civil servants and their wives,¹⁸ and the Justice Ministry demanded this evidence of notaries.^{18 19 20 21} At least some universities (counting their non-Aryan students) contented themselves with the honor system,²² but the party insisted on procedures, even if not always with complete success. As late as 1940 the chief of the party's foreign organization had to remind his personnel to submit the documents. Most employees in the office

18. For detailed specifications see, for example, the "Merkblatt für den Abstammungsnachweis" of the Reichsfilmkammer. October, 1916. G-55.

19. *Pfarrämter*. After 1875-76, registrations were performed by the state's Standesämter. Reichsfilmkammer "Merkblatt," October 1936, C-55. The churches also registered baptisms of converts. In 1936 the Evangelical-Lutheran Church in Berlin prepared an alphabetical card index from January 1, 1800, to September 30, 1874, complete with changes of names. See Götz Aly and Karl Heinz Roth, *Die restlose Erfassung* (Berlin, 1984), pp. 70-71.

20. Uwe Adam, *Judenpolitik im Dritten Reich* (Düsseldorf, 1971), p. 147. On the struggle over universalizing the requirement, see Hans Mommsen, *Beamtenum im Dritten Reich* (Stuttgart, 1966), pp. 52-53.

21. Adam, *Judenpolitik*, p. 147.

22. Albrecht Götz von Olenhusen, "Die 'nichtarischen' Studenten in den deutschen Hochschulen," *Vierteljahrshefte für Zeitgeschichte* 14(1966): 181.

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had simply ignored an earlier directive for submission of records, without even giving an excuse or explanation for failure to comply."

Even in the early 1930s a whole new profession of licensed "family researchers" (<*Sippenforscher* or *Familienforscher*) had appeared on the scene to assist applicants and officeholders in finding documents. The *Sippenforscher* compiled *Ahnentafeln* (ancestor charts), which listed parents and grandparents. Sometimes it was necessary to do research on great-grandparents also. Such procedures, however, were limited to two types of cases: (1) applications for service in such party formations as the SS, which, in the case of officers, required proof of non-Jewish descent from 1750, and (2) attempts to show that a Jewish grandparent was actually the offspring of Christian parents. The latter procedure was possible because a grandparent was only *presumed* to be Jewish if he (or she) belonged to the Jewish religion. In the same way, inquiry into the status of the great-grandparents could be used to the detriment of an applicant. For if it was shown that a Christian grandparent had actually been the child of Jews, the grandparent would be considered a Jew, and a "downward" classification would result.^{23 24}

The final decision about the correctness of the facts was made by the agency that had to pass on the applicant, but in doubtful cases a party office on family research (the *Sippenamt*) rendered expert opinions for the guidance of agency heads. There was a very interesting category of doubtful cases: the offspring of extramarital relationships. The status of these individuals raised a peculiar problem. How was one to classify someone whose descent could not be determined? This problem was divided into two parts: individuals with Jewish mothers and individuals with German mothers.

In cases of offspring of unmarried Jewish mothers, the *Reichssippenamt* (Family Research Office) presumed that any child born *before* 1918 had a Jewish father and that any child born *after* 1918 had a Christian father. The reason for this presumption was a Nazi hypothesis known as the "emancipation theory," according to which Jews did not mix with Germans before 1918. However, after 1918 the Jews had the opportunity to pursue the systematic disintegration (*Zersetzung*) of the German people (*Volkskörper*). This activity included the fostering of extramarital relationships.

In commenting on this theory, *Amtsgerichtsrat* (Judge) Klemm of the party's Legal Office pointed out that it was quite true that Jews were guilty of this practice but that, after all, the practice was intended

23. Order by Gauleiter Bohle, May 31, 1940, NG-1672. The lack of prompt compliance was at least partly due to the difficulty of procuring the necessary papers. See file of Dr. Gerd Wunder, under RKO Ia J. Folder was located at Federal Records Center, Alexandria, Virginia, before its dissolution.

24. Stuckart and Schiedermaier, *Rassen- und Erbpflege*, p. 16.

only to violate German *women*. It could hardly be assumed that a Jewish woman undertook pregnancy in order to harm the German *man*. According to the criteria used by the Reichssippenamt, complained Klemm, a Jewish mother could simply refuse to tell the office who the father was, and her child would automatically become a Mischling of the first degree." Klemm's comments were probably quite correct. This was perhaps the only Nazi theory that worked to the complete advantage of a number of full Jews.

The "emancipation theory" does not seem to have been applied to the offspring of unwed German mothers. The reason was simple: the party's Reichssippenamt rarely, if ever, got such cases. If it had gotten them, just about all of Germany's illegitimate children born after 1918 would have been classified as Mischlinge of the first degree. But since the party did not get the cases, the illegitimate offspring of a German mother remained a German, with all the rights and obligations of a German in Nazi Germany. However, there were a few instances when a Jew or Mischling had acknowledged paternity of a German mother's child. In some of the cases, persons who had been classified as Mischlinge went to court, pointing out that the legal father was not the actual father and that, therefore, there was ground for reclassification. For such cases the Justice Ministry laid down the rule that the courts were not to inquire into the motives of the person who had acknowledged fatherhood and that they were to reject any testimony by the mother, "who is only interested in protecting her child from the disadvantages of Jewish descent."²⁵

The cumbersome task of proving descent was not the only problem that complicated the administration of the decrees. Although the definition appeared to be airtight, in the sense that, given the facts, it should have been possible at once to determine whether an individual was a German, a Mischling, or a Jew, there were in fact several problems of interpretation. Consequently, we find a whole number of administrative and judicial decisions that were designed to make the definition more precise.

The principal problem of interpretation hinged on the provision in the Losener decree according to which half-Jews were classified as Mischlinge of the first degree if they did not belong to the Jewish religion and were not married to a Jewish person on or after September 15, 1935. There was no legal difficulty in determining whether a person was married; marriage is a clearly defined legal concept. But the deter-^{25 26}

25. Amlsgerichtsrat Klemm, "Spricht eine Vermutung für die Deutschblütigkeit des in sich feststellbaren Erzeugers eines von einer Jüdin ausserhehlich geborenen Kindes?" *Deutsches Recht*, 1942, p. 850, and *Die Judenfrage (Vertrauliche Beilage)*, July 1, 1942, pp. 50-51.

26. Directive of Justice Ministry, May 24, 1941. *Deutsche Justiz*, 1941, p. 629.

DEFINITION BY DECREE

mination of criteria for adherence to the Jewish religion was not so simple. Whether a half-Jew was to be classified as a Jew or a Mischling of the first degree ultimately depended on the answer to the question: Did the man regard himself as a Jew?

In 1941 the *Reichsverwaltungsgericht* (Reich Administrative Court) received a petition from a half-Jew who had not been raised as a Jew and who had never been affiliated with any synagogue. Nevertheless, the court classified the petitioner as a Jew because there was evidence that on various occasions since 1914 he had designated himself 3§ a Jew in filling out forms and official documents, and he had failed to correct the impression of the authorities that he was a Jew. Toleration of a presumption was sufficient conduct for the purpose of classification as a Jewish person.²⁷

In a later decision the *Reichsgericht* (highest court in Germany) ruled that conduct was not enough; the attitude disclosed by the conduct was decisive. The particular case concerned a young woman, half-Jewish, who had married a half-Jew (Mischling of the first degree). The marriage consequently did not place her into the Jewish category. Now, however, there was the matter of her religion.²⁸ The evidence showed that in 1923 and 1924 she had had Jewish religious instruction upon the insistence of her Jewish father. In subsequent years she accompanied her father to the synagogue, once a year, on Jewish high holy days. After her father died in 1934, she discontinued visits to the synagogue, but, in asking for a job in a Jewish community organization, she listed her religion as Jewish. Until 1938, moreover, she was entered as a member of a synagogue. The court decided that she was *not* Jewish. The evidence showed that she had resisted her father's attempt to have her formally accepted with prayer and blessing into the Jewish religion. She had visited the synagogue not for religious reasons but only in order to please her father. In asking for a position with the Jewish community organization, she was motivated not by a feeling of Jewishness but solely by economic considerations. As soon as she discovered her entry in the Jewish community list, she requested that her name be struck out.²⁹

27. Decision of the Reichsverwaltungsgericht, June 5, 1941, in *Deutsches Recht*, p. 2413; also in *Die Judenfrage (Vertrauliche Beilage)*, February 1, 1942, pp. 11-12.

28. In Jewish practice the *mother's* religion is decisive in determining the religion of the half-Jewish child.

29. Decision of the Reichsgericht/3. Strafsenat, August 13, 1942, also in *Deutsches Recht*, 1943, p. 80; *Die Judenfrage (Vertrauliche Beilage)*, February 1, 1943, pp. 11-12. See also directive by Reich Security Main Office 1V-B-4 (signed Gunther), February 20 1943, exempting Mischlinge who could prove an intent to leave the Jewish religion prior to September 15, 1935, but who did not do so for unavoidable reasons until a later time. Israel Police 1284.

The attitude and intention of the individual was decisive in another case, which is very interesting from a psychological point of view. A half-Jew who had married a German woman in 1928 had thereupon ceased to be a member of his synagogue. In 1941 the Jewish community organization in Berlin, which was then performing important functions in the destruction process, suddenly demanded information about the man's personal finances, and when this information was refused, the Jewish community went to court, claiming that the defendant had quit his synagogue but not his religion. The court rejected the Jewish organization's argument, pointing out that the Jewish religious community had no legal personality and no public law status. Consequently, any man who had quit his synagogue had quit his religion at the same time, unless there was evidence that he still regarded himself as a Jew. There was no such evidence in this case. To the contrary, the defendant had provided proof of his membership in party organizations, and in every other respect the court was satisfied that this man had intended to sever his connections with Jewry when he left the synagogue.

This decision was one of the few that were assailed by the party's Race-Political Office. A lawyer of that office, Dr. Schmidt-Klevenow, referring to the fact that the Jewish community itself had claimed the defendant to be a member, asked whether the court had to be "more pontifical than the pontiff (*päpstlicher als der Papst*)."³⁰

From all these decisions the judiciary's concern with half-Jews is quite evident. This concern was the product of a desire to balance the protection of the German community against the destruction of the Jews. When a person was both German and Jewish by parental descent, the judges had to determine which element was dominant. To do this, they only had to be a little more precise than Lösener had been in asking the question of how the individual had classified himself.

The court interpretations of the Lösener decree illustrate once more that there is nothing "racial" in the basic design of the definition. In fact, there are a few very curious cases in which a person with four German grandparents was classified as a Jew because he belonged to the Jewish religion. In its decision one court pointed out that Aryan treatment was to be accorded to persons who had the "racial" requisites, "but that in cases when the individual involved feels bound to Jewry in spite of his Aryan blood, and shows this fact externally, his attitude is decisive."^{30 31} In another decision, by the Reich Finance Court,

30. Decision of an Amtsgericht, affirmed on appeal, reported in *Deutsches Recht*, 1941, pp. 1552-53. Summary of case with comment by Schmidt-Klevenow in *Die Judenfrage* (*Vertrauliche Beilage*), September 1, 1941, pp. 61-63.

31. Decision by Oberlandesgericht Königsberg, 4. Zivilsenat, June 26, 1942, in *Die Judenfrage* (*Vertrauliche Beilage*). November 1, 1942, pp. 82-83.

DEFINITION BY DECREE

it was held that an Aryan who adhered to the Jewish religion was to be treated as a Jew for the duration of his adherence to the Jewish faith. According to the court, an individual "who is racially a non-Jew but who openly claims membership in the Jewish community, belongs to the community and therefore has placed himself in the ranks of the Jews."³²

While the judiciary closed the loopholes of the Losener definition by making it more precise, it became necessary in an increasing number of cases to make exceptions on behalf of individuals whose categorization into a particular group was considered unjust. In creating the Mischlinge, Losener had constructed a so-called third race, that is, a group of people who for administrative purposes were neither Jews nor Germans. Mischlinge of the first degree, in particular, were to suffer from a series of increasingly burdensome discriminations, including dismissals from the civil service, the requirement of special consent for marriages with Germans, exclusion from active service in the armed forces, nonadmission to secondary schools and colleges, and (by the fall of 1944) forced labor to build fortifications.

Because of these discriminations, pressure for exceptional treatment was applied by colleagues, superiors, friends, and relatives. Consequently, in 1935 a procedure was instituted for the reclassification of a Mischling into a higher category, i.e., Mischling of the first degree to Mischling of the second degree, or Mischling of the second degree to German, or Mischling of the first degree to German. This procedure was known as *Befreiung* (liberation). There were two kinds: "pseudoliberations" and "genuine liberations" (*unechte Befreiungen* and *echte Befreiungen*). The pseudoliberation was a reclassification based on a clarification of the facts or of the law. It was achieved by showing, for example, that an allegedly Jewish grandfather was not really Jewish or that a presumed adherence to the Jewish religion had not existed. The "real liberation," however, was granted on showing the applicant's "merit."³³ Applications for real liberations were routed through the Interior Ministry and the Reich Chancellery to Hitler if the^{32 33}

32. Decision by the Reichsfinanzhof, February II, 1943. *Reichssteuerblatt*, 1943, p. 251, and *Die Judenfrage (Vertrauliche Beilage)*, April 15, 1943, pp. 30-31. This case, as well as the one cited above, concerned individuals who had accepted the Jewish religion upon marriage to a Jewish woman.

See also the story of Baron Ernst von Manstein, a relative of the German field marshal, who lived out his life as a converted Jew. Herbert Schultheis, *Juden in Mainfranken, 1933-1945* (Bad Neustadt an der Saale, 1980), pp. 507-509, and Adler, *Der verwaltete Mensch*, pp. 293, 606, 753. Conversely, a German in Romania, once converted to Judaism but subsequently baptized again, was not barred in principle from returning to Germany as an Aryan. Correspondence in T175, roll 69.

33. Stuckart and Schiedermaier, *Rassen- und Erbpflege*, pp. 18-19.

petitioner was a civilian, and through the Army High Command and the Führer Chancellery if the petitioner was a soldier.*

The recipients of this favor sometimes were high officials. Ministerialrat Killy of the Reich Chancellery, a man who performed significant functions in the destruction of the Jews, was a Mischling of the second degree. His wife was a Mischling of the first degree. He had joined the party and had entered the Reich Chancellery without telling anyone about his origin. When the decree of April 7, 1933 (*Arierparagraph*), was issued, Killy informed Lammers about the state of affairs and offered to resign. Lammers thought the situation quite grave because of Killy's wife but advised Killy not to resign. Thereupon Lammers spoke to Hitler, who agreed to Killy's continuing service. Then, on Christmas Eve in 1936, while the Killy family was sitting around the tree and opening gifts, a courier brought a special present: a *Befreiung* for Killy and his children."

The "liberations" increased in volume to such an extent that on July 20, 1942, Lammers informed the Highest Reich Authorities of Hitler's desire to cut down on their number. The applications had been handled too "softly" (*weichherzig*). Hitler did not think that the blameless conduct of a Mischling was sufficient ground for his "liberation." The Mischling had to show "positive merit," which might be proved if, for example, without awareness of his ancestry, he had fought for the party uninterruptedly and for many years prior to 1933."

Lest we leave the impression that the tendency to equate Mischling with Germans was unopposed, we should point out that there was another tendency to eliminate the "third race" by reclassifying Mischlinge of the second degree as Germans and transforming all Mischlinge of the first degree into Jews. This pressure, which came from party circles and the police, reached its zenith in 1942. However, it never succeeded.

Thus we find that the Losener definition remained the basis of categorization throughout the destruction process. Even though different definitions were later adopted in some occupied countries and Axis states, the basic concept of these early decrees remained unchanged.

In summary, here is a recapitulation of the terms and their meanings: ³⁴ * ³⁶

34. Affidavit by Blome, January 17, 1946, NO-1719.

33. For Killy's adventures, see his testimony in Case No. 11. transcript pp. 23,235-23,267.

36. Lammers to Highest Reich Authorities, July 20, 1942, NG-4819. The Lammers letter was based on remarks by Hitler at the dinner table. See Henry Picker, ed., *Hiller's Tischgespräche im Führerhauptquartier 1940-1942* (Berlin, 1951), entries for May 10 and July 1, 1942, pp. 303, 313.

DEFINITION BY DECREE

Non-Aryans 4,

Mischlinge of the second degree:
Persons descended from one
Jewish grandparent

Mischlinge of the first degree:
Persons descended from two
Jewish grandparents but not be-
longing to the Jewish religion
and not married to a Jewish per-
son on September 15, 1935

Jews:

Persons descended from two
Jewish grandparents belonging
to the Jewish religion or mar-
ried to a Jewish person on Sep-
tember 15, 1935, and persons
descended from three or four
Jewish grandparents

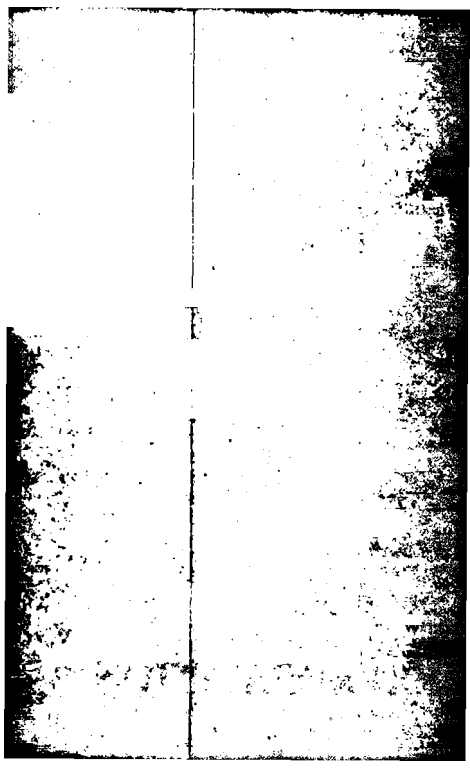
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EXPROPRIATION



The first step in the destruction process consisted only of a set of definitions. However, that step was very important. It amounted to creating a target that could be bombarded at will. The Jews were trapped at this range. Initially they could still emigrate, but later they could only brace themselves for what was to come.

In the course of the next few years, the machinery of destruction was turned on Jewish "wealth." In increasing numbers, one Jewish family after another discovered that it was impoverished. More and more was taken from the Jews; less and less was given in return. The Jews were deprived of their professions, their enterprises, their financial reserves, their wages, their claims upon food and shelter, and, finally, their last personal belongings, down to underwear, gold teeth, and women's hair. We shall refer to this process as "expropriation."

The expropriation machinery cut across all four major hierarchical groups. The organizations in the forefront of the expropriatory operations were in the civil service and in the business sector. Some of these agencies are described in Tables 5-1 to 5-5.

DISMISSALS

The first expropriation measures were designed to break that "satanical power" that, in Hitler's words, had "grasped in its hands all key positions of scientific and intellectual as well as political and economic life, and that kept watch over the entire nation from the vantage of these key positions."¹ In short, the initial economic measures were directed against Jews who held positions of any kind in the four governing hierarchies of Nazi Germany.

The non-Aryan population (Jews and Mischlinge) in 1933 was about 600,000, or 1 percent of Germany's total population. The number of non-Aryans in government service was in the neighborhood of

1. Speech by Hitler, German press, November 10-11, 1940.

T A B L E 5 - 1
OFFICE OF THE FOUR-YEAR PLAN

Goring	
Personal adviser.....	Ministerialdirektor Gritzbach
Staatssekretär.....	Körner
Deputy of the Staatssekretär.....	Ministerialdirigent Marotzke
	Ministerialdirektor Wohlthat
	Ministerialdirektor Gramsch
	Gerichtsassessor Dr. Hahn
Generaldirektor in charge of	
Hermann Göring Works.....	Staatssekretär Pleiger

NOTE: Organization chart of the Reich government, 1945, certified by Frick, PS-2905, and information gathered from documents to be cited in the text.

T A B L E 5 - 2
FINANCE MINISTRY

Minister.....	Schwerin von Krosigk
Staatssekretär.....	Fritz Reinhardt
Customs Inspector.....	Hossfeld (transferred to SS and Police)
General Finance Bureau.....	Ministerialdirigent Bayrhammer
Administration of Securities.....	Patzer
Liaison to Main Trusteeship Office East.....	Dr. Casdorf
I. Reich Budget.....	Ministerialdirektor von Manteuffel
Armed-SS Budget.....	Ministerialrat Rademacher
II. Customs and Sales Taxes.....	Ministerialdirektor Dr. Wucher
III. Property and Income Taxes.....	Ministerialdirektor Dr. Hedding
Anti-Jewish Fine.....	Dr. Uhlich
IV. Salaries and Pensions of Civil Servants.....	Ministerialdirektor Wever
V. International Finance.....	Ministerialdirektor Dr. Berger
Economic Warfare.....	Dr. Schwandt
Enemy Property.....	Baenfer
VI. Administration.....	Ministerialdirektor Maass
Organization.....	Ministerialdirektor Groth
Enemy Property Administration ..	Ministerialrat Dr. Maedel
Reich Main Treasury ..	
Thx Court.....	Regierungsrat Mirre

NOTE: Ludwig Münz, *Führer durch Behörden und Organisationen* (Berlin, 1939), p. 112; organization chart of Finance Ministry, July 10, 1943, NG-4397; organization chart of Reich government, 1945, certified by Frick, PS-2905.

TABLE 5 - 3
ECONOMY MINISTRY

Minister.....	(Schacht) Funk
Staatssekretär.....	[Bang, Brinkmann, Landfried] Hayler
Staatssekretär for Special Purposes.....	Posse
I. Personnel and Administration.....	Illgner
II. Economic Organization and Industry	[Hannecken, Kehrt] Ohlendorf
III. Foreign Trade.....	[Jagwitz] Kirchfeld
IV. Credits and Banks.....	[Klucki] Riehle
V. Mines.....	Gabel

TABLE 5 - 4
LABOR MINISTRY

Minister.....	Setde
Staatssekretär.....	Syrup
Staatssekretär.....	Engel
I. General.....	Börger
II. Labor Insurance.....	Zschimmer
III. Wages.....	vacant
IV. City Planning and Construction Police.....	Durst
V. Unemployment Assistance.....	Beisiegel
VI. European Office for Labor Allocation.....	Timm

NOTE: See note to Table 5-3.

TABLE 5 - 5
FOOD AND AGRICULTURE MINISTRY

Minister.....	[Hugenberg, Darre] Backe (acting)
Staatssekretär.....	Wilkens
Staatssekretär.....	
General.....	Schulenburg
Markets and Agricultural Production	Moritz
Farm Labor and Credit.....	Lorenz
Thule Policy.....	Walter
Peasantry.....	Manteuffel
State Agricultural Property.....	Kummer
Settlement of New Areas.....	Hiege
The Village.....	Rheinthalier

NOTE: See note to Table 5-3.

EXPROPRIATION

5,000, or 0.5 percent of the total government personnel.¹ These non-Aryans were deprived of their positions in consequence of the Law for the Reestablishment of the Professional Civil Service. The law was dated April 7, 1933, and was signed by Hitler, Frick (Interior Ministry), and von Krosigk (Finance Ministry). The sequence of signatures tells us that the decree was drafted by the appropriate experts in the Interior Ministry and that the competent experts in the Finance Ministry were consulted before publication.

The complete history of the law reveals the involvement of a somewhat larger number of actors, including ministries of provincial (*Länder*) governments. Thus in early March there was a good deal of party agitation against Jewish judges, particularly those who were presiding in criminal trials. By the middle of the month, several provincial justice ministries were shifting such jurists to civil cases or were "persuading" them to apply for indefinite leaves.* On March 20 the Prussian State Ministry (*Staatsministerium*) informed the Prussian Justice Ministry of an intent to restrict office holding in the judiciary by "nonadherents of a Christian faith" (*Nicktangehörige christlicher Bekenntnisse*). That very day the Prussian Justice Ministry sent a draft of a law to the State Ministry for the dismissal of non-Christian judges and prosecutors who had either not been in office prior to November 9, 1918, or who were not war veterans. During the following week Prussian Finance Minister Popitz and Oberregierungsrat Seel of the Reich Interior Ministry were working on a much broader provision foreseeing the removal of any civil servant for a "simplification" of the administrative structure, that of the Reich as well as that of the *Länder*. While all

2. For detailed statistics, see Statistisches Reichsamt, *Statistik des Deutschen Reichs*, CDLI, Pt. 5, "Die Glaubensjuden im Deutschen Reich," pp. 29, 61, 66. See also Erich Rosenthal, "Trends of the Jewish Population in Germany, 1910-1939," *Jewish Social Studies*, 6 (1944): 255-57; and Institute of Jewish Affairs, *Hitler's Ten-Year War on the Jews* (New York, 1943), p. 7.

The number of government employees who were Jews by religion was about 4,000. In public education (all three levels) there were 1,832; in the judiciary, 286; in the railway and postal administrations, 282; in all other agencies, including the armed forces, 1,545.

3. RGBl I, 175.

4. The actions were taken in Prussia, Bavaria, Baden, Hessen, Württemberg, and Saxony. See Uwe Adam, *Judenpolitik im Dritten Reich* (Düsseldorf, 1971), pp. 46-51. See also detailed report by Frederick T. Birchall, "German Business Protests Boycott," *The New York Times*, March 31, 1933, pp. 1, 8, and earlier news stories in the same paper.

5. On "simplification," see text of proposals by Pfundtner in the spring of 1932, in Hans Mommsen, *Beamtenum im Dritten Reich* (Stuttgart, 1966), pp. 127-35. Pfundtner, later Staatssekretär of the Reich Interior Ministry, addressed himself to mergers of ministries, both Reich and Prussian, and elimination of "leftist" civil servants. His proposals did not mention Jews.

these drafts were being discussed, Hitler himself intervened to demand a nationwide dismissal of all Jewish civil servants.⁶⁷

On April 4, 1933, the aged President, Field Marshal von Hindenburg, addressed a letter to Hitler. In the last few days, he wrote, he had heard of a whole series of cases in which war-invalided judges, lawyers, and judicial officials with exemplary administrative records had been forced to take leave, with a view to later dismissal, only because they were of Jewish descent. For him personally such treatment of war-invalidated civil servants was completely intolerable. In his view civil servants, judges, teachers, and lawyers who were invalidated or who were veterans of front-line service or who were sons or fathers of men killed in action had to be retained in office. If they had been good enough to fight and bleed for Germany, they were worthy of serving it now.

Hitler's reply is dated April 5. The letter is the longest that Hitler, as Chancellor and Führer, was to write about Jewish affairs. Its tone is strident. Without preliminaries, Hitler gave two reasons for his attitude: First, the long-lasting exclusions of *Germans* (including war veterans) from office because of the heavy participation of Jews in the legal and health professions, and second, the weakening of the whole German state by a foreign body whose competence was concentrated in business activity. The officer corps, Hitler reminded Hindenburg, had always rejected Jews. Still, honoring the field marshal's humanity, he had already discussed with Reich Interior Minister Frick a law that was to remove the dismissal process from arbitrary individual initiatives and that was to make allowance for Jews who either had served in the war themselves or who had been harmed by it, or who had other merits or who had never given rise to complaint in the course of a long tenure.⁷

When the law appeared a few days later, it provided for the compulsory retirement of non-Aryan officials, including those of the Reich, the *Länder*, the local governments (*Gemeinden*), and public corporations, with the exceptions anticipated in the early Prussian draft and demanded by Hindenburg in his letter. The non-Aryan clause did *not* apply to officials who had served in the government since August 1, 1914, or who had fought at the front for Germany or one of Germany's allies in World War I, or whose fathers or sons had been killed on the

6. Adam believes that Hitler made the move on March 31 or April 1. See Adam, *Judenpolitik*, pp. 58-61.

7. Texts of the two letters in Walter Hubatsch, *Hindenburg und der Staat* (Göttingen, 1966), pp. 375-78.

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German side during that war. The nature of these exceptions appears to reflect a feeling that loyalty ought to be rewarded with loyalty. Moreover, those who were subject to retirement were entitled to a pension if they had completed ten years of service.¹

After the blow was struck, there was a feeling that the outer limits of political latitude had already been reached. On April 25, 1933, at a conference chaired by Frick and attended by the minister presidents and interior ministers of the *Länder*, a particularly cautious note was sounded by Goring in his capacity as Minister President of Prussia. Hitler had specifically told him that in the implementation of the law care had to be taken not to ignore the wishes of President von Hindenburg or the reactions of foreign countries. Germany could not say: we will do whatever we want. Already Germany was isolated, and the Jews were seeing to it that the situation was becoming more severe. The Jews had to be hit hard, but outsiders who could misunderstand what was being done were not to be given the opportunity to brand the Germans as barbarians. A Jew who had contributed something really significant to mankind was not to be removed—the world would not understand that. Furthermore, Hindenburg was going to preoccupy himself with the possibility of equating “such eminent scientists (*derartige wissenschaftliche Kapazitäten*)” with veterans of the front.’

This was the mood when the first law designed to inflict actual harm on the Jews was being promulgated. It was a relatively mild measure, but the destruction process was a development that was begun with caution and ended without restraint. The victims never remained in one position for long. There were always changes, and the changes were always for the worse. Such was the subsequent history also of the civil service law.

There were to be no more exemptions, and those incumbents who were initially protected soon lost their positions. The lever by which further ejections were accomplished was a paragraph in the decree stating that anyone could be retired from the civil service if such separation would further the “simplification of administration.” According to Ministerialdirigent Hubrich of the Interior Ministry, this paragraph was used extensively to eliminate non-Aryans who were old officials, veterans, or relatives of deceased veterans. There were no restrictions upon the payment of pensions to officials retired in this fashion.^{8 9 10} Fi-

8. Affidavit by Dr. Georg Hubrich (Ministerialdirigent, Interior Ministry), November 21, 1947, NG-3567.

9. Summary by Reich Interior Ministry and detailed memorandum by Staatsrat Dr. Schultz (Hamburg), both dated April 27, 1933, about conference of April 25. Texts in Mommsen, *Beamtentum*, pp. 159-63.

10. Affidavit by Hubrich, November 21, 1947, NG-3567.

T A B L E 5-6
REGULATION OF THE PENSION SYSTEM

	1933	"Simplification"	1935
Veterans		Pension	Pension
Surviving relatives		Pension	No pension
Service before 1914		Pension	No pension
Ten-year service	Pension		
Less than ten years' service	No pension		

nally, the decree of November 14, 1935, which defined the concept of "Jew," stipulated that all remaining Jewish civil servants (excepting only teachers in Jewish schools) were to be removed by December 31, 1935. Officials retired under this decree were granted pensions only if they had served as front-line soldiers in World War I."

The Jews had now been ousted from the civil service, but the regulation of the pension system was far from perfect (see Table 5-6). To the bureaucrats this meant that some pensions would have to be cut out. For a long time nothing was done about the matter. Then, in November 1939, Staatssekretär Pfundtner proposed to Chief of the Reich Chancellery Lammers a complex regulation for the reduction of pension payments to Jews." *Reichspostminister* (Minister for Postal Affairs) Ohnesorge commented that the draft was too complicated. "I consider it undesirable," he wrote, "that the administrative apparatus should be burdened with additional difficulties on account of the Jews, of all people." Moreover, it was "quite likely" (*durchaus denkbar*) that the Jews who were still in the country, most of whom were "doing nothing" anyhow (*untätig herumlungern*), would be incarcerated in protective custody, security arrest, "or the like" for the duration of the war. Consequently, one could prepare for this eventuality in the pension field right now, by withdrawing all pension provisions for Jews and by granting payments only on a revocable basis or on a basis of need.¹⁵

These comments indicate how quickly the German bureaucracy, even in the Postal Ministry, could develop some drastic thoughts in connection with such a minor matter as pensions. Incarcerations "and ^{11 12 13}

11. RGBI I, 1333. The Mischlinge were not affected by the decree of November 14, 1933. Insofar as they had survived under the excepting clauses of the law of April 7, 1933, the Mischlinge could therefore continue in office.

12. Pfundtner to Lammers, November 17, 1939, NG-358.

13. Reichspostminister to Interior Minister, November 30, 1939, NG-358.

the like" soon became a reality. The pensions, however, remained untouched. The problem did not reemerge until the Jews were killed.

The provisions of the civil service law were to be applied to professionals who were *not* civil servants. Thus Jewish doctors, admitted to the roster of physicians in the state-sponsored health insurance program (*Krankenkassen*), were deprived of their affiliation by a decree to "implement" the civil service law. Exempted were doctors who had served at the front or in epidemic wards, or who had been active before August 1, 1914.¹⁴ Two thousand non-Aryan physicians were immediately affected by the ordinance, which was soon supplemented by another enactment directed at dentists and dental technicians.¹⁵ Clearly the civil service law was being *widened* rather than "carried out" by denials of fees to *Krankenkassen* doctors and dentists. In a similar vein, the law served as an inspiration for orders disallowing stipends to non-Aryan university students.¹⁶ On the other hand, the independent Jewish lawyers, whose disbarment was first considered in conjunction with removals of Jewish judges and prosecutors, were not ejected until 1938.¹⁷

Unlike the civil service ousters, the dismissals from the armed forces were a relatively simple matter. In the first place, the army in 1933 was a comparatively small organization, whose size was limited by treaty to 100,000 men. Second, as Hitler had intimated in his letter to Hindenburg, the military had always discriminated against Jews. As late as 1910 no Jew could become a career officer in the Prussian army

14. Decree of Reich Labor Ministry, April 22, 1933, RGBI I, 222.

15. Decree of June 2, 1933. RGBI 1,350. For a complete description of the history and impact of these ordinances, see Florian Tennstedt, "Sozialpolitik und Berufsverbote im Jahre 1933," *Zeitschrift für Sozialreform* 25 (1979): 129-53, 211-38. Most private health insurance companies promptly followed suit by barring payments to physicians who had been struck from the lists of the *Krankenkassen*. The additional withdrawal of these private patients was usually tantamount to a loss of the physician's livelihood. *Ibid.*, pp. 222-23. There were about 9,000 Jewish doctors in all, and by 1938 about 5,000 had emigrated. *Ibid.*, p. 224.

16. Announcement by the rector of Freiburg University (Martin Heidegger), in *Freiburger Studentenzeitung*, November 3, 1933, as reprinted in Guido Schneeberger, ed., *Nachlese zu Heidegger* (Bern, 1962), p. 137. Specific reference was made by the rector to the definition of "non-Aryan" in the civil service law. Exemptions, however, were provided only for students who were front-line veterans or whose fathers were lured on the German side. A parallel edict had been issued by the Prussian Education Ministry for universities in its jurisdiction. See Albrecht Götz von Olenhusen, "Die 'nichtarischen' Studenten in den Deutschen Hochschulen," *Vierteljahrshefte für Zeitgeschichte* 14 (1966): 183-84.

17. Note the postwar explanation by Staatssekretär Schlegelberger of the Reich Justice Ministry in *Trials of War Criminals* (Washington: U.S. Government Printing Office, 1952), vol. 3, pp. 718-19.

unless he changed his religion or unless he was a doctor. ■* Consequently the status of non-Aryans in the armed forces could be regulated by a single decree, issued on May 21, 1935, and signed by Hitler, War Minister von Blomberg, and Interior Minister Frick.¹⁵ The law provided that "Aryan" descent was a prerequisite for active service in the armed forces. However, there was a provision for "exceptions," to be agreed upon by the Interior Ministry and the War Ministry, and another clause providing that service of non-Aryans in wartime could be regulated by special directives. It must be remembered that this law was published several months *before* the Interior Ministry defined the term *Jew* and that one of the reasons for splitting non-Aryans into Jews and Mischlinge was the utilization of the latter on the battlefield. Ironically, this employment was to give rise to ideological difficulties. The half-Jewish Mischling could, as soldier and subsequent veteran, claim privileges and benefits that were not tolerable to Hitler and the party stalwarts. Accordingly, on April 8, 1940, Field Marshal Keitel, Chief of the Armed Forces High Command, issued a regulation dismissing Mischlinge of the first degree from active service.®

In the party there were no dismissals because the party had no Jews. However, the party—or, to be more precise, the propaganda apparatus in the party—was keenly interested in the elimination of Jews who held positions that could serve a propagandists purpose. When Goebbels, the party's propaganda chief, formed his Propaganda Ministry, he began to issue decrees. One of the first measures was the decree of October 4, 1933, which directed the newspapers to remove all non-Aryan editors.^{18 19 20 21} Other regulations assured the ouster of Jewish musicians, artists, writers, and so on, by excluding them from the guilds ("chambers"). No artist could practice unless he was a member of one of the Goebbels-controlled guilds.

The most interesting, and also most complicated, dismissal process occurred in the business sector. Business was no single hierarchy but a conglomeration of organizations. Since there was no office that could direct all enterprises to remove their Jewish employees, each company had to make its own decision about its own Jews. In the business sector

18. "Die Juden im deutschen Heere," *Allgemeine Zeitung des Judentums* (Berlin), November 25, 1910, pp. 556-59.

19. RGBl I, 609.

20. Text and discussion of the regulation in H. G. Adler, *Der verwaltete Mensch* (Tübingen, 1974), pp. 294-95. Germans married to Jewish women were also subject to removal. Exempted were officers accepted by the peacetime army. Mischlinge of the second degree were to be retained only for "ample reason" (*Ibei ausreichender Begründung*) and promoted only in exceptional circumstances.

21. RGBl I.713.

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the Jews therefore felt themselves safe. They did not think that purely private organizations would join in the destruction process without compulsion. The following is an illustration from I. G. Farben.

In July 1933 a DuPont delegation visited I. G. Farben in Germany. The DuPont representatives held many conferences with I. G. Farben officials, and in the course of these talks one of the DuPont men had a conversation with Dr. Karl von Weinberg, who was one of the founders of I. G. Farben and who served as deputy chairman of its *Verwaltungsrat*, an assembly of "elder statesmen" who had no actual power in the company but whose advice was considered weighty.²¹ This is the impression that one of the Americans had of Weinberg:²²

Following luncheon, we visited Dr. Carl von Weinberg, who is now 73 years old and who comes to the office daily for consultation with the active members of the I.G. Dr. von Weinberg also discussed the situation in Germany, and although he is a Jew, has given the movement his full stamp of approval. He stated further that all his money is invested in Germany and he does not have one pfennig outside the country. We spoke of the proposed increase in collaboration with I.G., to which he was in hearty agreement. In touching upon I.G.'s interest in the U.S.A., Dr. von Weinberg indicated that I.G. was very well pleased with the investment, and by suggestion gave us to understand that they had no intention of retiring from that market.

Weinberg was a privileged man. A street had been named after him in Frankfurt and, even though it was the policy to remove such reminders of a Jewish presence in Germany, the city's Street-Naming Committee (*Strassenbenennungsausschuss*) was hesitant to do so in his case. Still, there was no future for him. He died in exile, albeit in Fascist Rome.^{22 23 24 25} As for the other Jewish executives of I. G. Farben, almost all of them were dropped by 1937.²⁶

The dismissals in the business sector were all the more remarkable because of two obstacles that German enterprises had to overcome:

22. For list of Verwaltungsrat members, see affidavit by Hermann fiaessler, July 1947, NI-7957.

23. Homer H. Ewing, E. I. DuPont de Nemours and Co., Wilmington, Delaware, to Wendell R. Swim, director. Foreign Relations Department of DuPont, July 17, 1933, NI-9784.

24. (Commission zur Erforschung der Geschichte der Frankfurter Juden, *Dokumente zur Geschichte der Frankfurter Juden 1933-1945* (Frankfurt am Main, 1963), pp. 171, 173, 174, 552. Karl's older brother, Dr. Arthur von Weinberg, a chemist at the time of the formation of I. G. Farben and a World War I major with the Iron Cross First Class, was arrested in the home of his adopted non-Jewish daughter (wife of Graf Rudolf Spreiti) in 1942 and transported at the age of eighty-one to the "Old People's Ghetto" of Theresienstadt, where he died- Adler, *Der verwaltete Mensch*, pp. 337-39.

25. Affidavit by Baessler, July 17, 1947. NI-7957.

employment contracts and efficiency problems. The long-term employment contracts with Jews posed a legal difficulty. Since there was no decree directing business firms to dismiss their Jewish personnel or freeing the companies from the obligation of employment assumed in the contracts, many cases actually came to court. In the courts the German enterprises usually attempted to justify the dismissals on the ground that there was party pressure or that some clause in the employment contract, however remote, was applicable to the case."

Just how far these attempts were pursued is illustrated by a case decided by the highest court in the country, the Reichsgericht. A defendant movie company (German) claimed that it was entitled to fire a Jewish stage manager with whom it had concluded a long-term contract because of a clause in that contract that provided for termination of employment in the case of "sickness, death, or similar causes rendering the stage manager's work impossible." The Reichsgericht held that the clause was "unqualifiedly applicable" (*unbedenklich anwendbar*) on the ground that the "racial characteristics" of the plaintiff amounted to sickness and death." In the thinking of Germany's highest judges, the Jews had already ceased to be living organisms. They were dead matter that could no longer contribute to the growth of a German business.

The second obstacle to the removal of the Jews from German enterprises was the matter of efficiency. There was a strong conviction that in certain posts (such as sales positions in the export trade) Jews were ideal," or even irreplaceable. This notion led I. G. Farben and several other enterprises that had branches abroad to transfer Jewish personnel to foreign countries. In that way the Jews were out of Germany, and all the problems seemed to be solved. However, even this solution was only temporary, for invariably the major enterprises decided on the "gradual reduction" of their Jewish representatives abroad."

As the dismissals gained momentum, the conditions under which the Jews were fired became worse. The later a Jew was removed, the less his severance pay, settlement, or pension." The process was well under way before the ministerial bureaucracy stepped in. Early in 1938^{26 27 28 29 30}

26. See Ernst Ftaenkel, *The Dual State* (New York, 1941), pp. 92, 95; for arguments in dissolution of partnerships, see pp. 90-91.

27. Decision by Reichsgericht, June 17, 1936, cited by Fraenkel, *ibid.*, pp. 95-96.

28. See summary of the Schacht conference, August 22, 1935, NG-4067.

29. See summary of meeting of I. G. Farben Commercial Committee, von Schnitzler presiding, October 17, 1937, NI-4862.

30. Statement by Hugo Zinsser, member of the Vorstand of the Dresdner Bank. November 17, 1945, NI-11864.

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the Interior Ministry prepared a decree that defined the term *Jewish enterprise*. The decree, dated June 14, 1938,³¹ was to form the basis for the compulsory transfer of Jewish firms into German hands. The definition, however, was very broad. A business was considered Jewish not only if it was owned by Jews, but also if a legal representative or board member was a Jew. A branch of a German business was considered Jewish if a manager of the branch was a Jew. Such a definition was ample incentive for the firing of Jewish directors, *Prokuristen* (managers with powers to represent the firm), or branch managers, insofar as such executives were still in office. In November 1938 the ministries stepped in again. The decree of November 12, 1938," signed by Gdring, directed German firms to dismiss *all* their Jewish managers by the end of the year. Dismissal could be effected after six weeks' notice. After expiration of such notice, the Jewish manager had no further financial claim upon his employer.

Thus the expropriations began with the slow but thorough purge of Jews from the machinery of destruction. This, in Nazi eyes, was the logical beginning. Before one could dominate the Jews, it was obviously necessary to eliminate their "domination." However, the dismissals constituted only a grazing attack on the Jewish community. In the course of this attack, only a few thousand individuals became casualties. The major centers of Jewish "power," the citadels of Jewish "domination," the symbols of Jewish "exploitation," were the independent Jewish enterprises, from the myriads of small stores to the few major companies that might have qualified for the title "big business."

ARYANIZATIONS * 3

Overall, Jewish participation in the German business world before 1933 reveals the following proportions, configurations, and trends: (1) A large percentage of the Jewish population was self-employed. The figures were 46 percent for Jews, 16 percent for Germans. (2) Jews were heavily represented in such visible activities as retailing, real estate, the legal and health professions, as well as in the role of middlemen in commercial banking or the wholesale trade in foods and metals. (3) In several branches of industry and commerce, notably banking and the metals trade, the Jewish share was declining prior to Hitler's sei-

31. RGB11,627.

32. RGB1 1, 1580.

zure of power.¹ In fact, a Nazi researcher concluded that Jewish economic influence had reached its peak by 1913.² This pattern spelled out considerable vulnerability to the coming assault on Jewish Arms.

The fate of a Jewish enterprise could be either liquidation or "Aryanization." A liquidated business ceased to exist; one that was Aryanized was purchased by a German company. The Aryanizations were divided into two phases: (1) the so-called voluntary Aryanizations (January 1933, to November 1938), which were transfers in pursuance of "voluntary" agreements between Jewish sellers and German buyers, and (2) the "compulsory Aryanizations" (after November 1938), which were transfers in pursuance of state orders compelling the Jewish owners to sell their property.

The word "voluntary" belongs in quotation marks because no sale of Jewish property under the Nazi regime was voluntary in the sense of a freely negotiated contract in a free society. The Jews were under pressure to sell. The longer they chose to wait, the greater the pressure and the smaller the compensation. This does not mean that the Jews were entirely powerless. Aryanization was perhaps the only phase of the destruction process in which the Jews had some maneuverability, some opportunity for playing German against German, and some occasion for delaying tactics. But it was a dangerous game. Time was against the Jews.

The tendency to hold out or to give in was not a measure of size. The large Jewish enterprises presented more formidable obstacles to German buyers, but they were also "tempting morsels." The more weapons a Jewish enterprise had at its disposal, the greater the forces arrayed against it. The speed with which a Jewish business was sold was therefore no indication of the owner's resources; it was only a clue to his expectations and fears. Sometimes an owner would sell part of his holdings, only to cling desperately to the remainder. Sometimes he would sell everything at once. We have a few interesting examples of quick sales in territories occupied by the Germans in 1938 and 1939. The Germans marched into Austria in March 1938, into the Sudetenland of Czechoslovakia in October 1938, into Bohemia-Moravia (the Protektorat) in March 1939. There are instances when sellouts in these

1. See the detailed discussion of the Jewish distribution in the economy by Esra Bennathan, "Die demographische und wirtschaftliche Struktur der Juden" in Werner Mosse, ed., *Entscheidungsjahr 1932* (Tübingen, 1966). pp. 87-131, particularly 106-108, 115, and 119.

2. Wolfgang Hölter, *Untersuchungen über die Machtstellung der Juden In der Weltwirtschaft*, vol. I, *England und das vernationalsozialistische Deutschland* (Vienna, 1944), pp. 216-17, 235-37.

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areas preceded the entry of German troops. Jewish fear, in short, was operative before the pressure could be applied.

In Austria the most important pre-Anschluss negotiations were carried out between the Rothschild-controlled Österreichische Kreditanstalt and the German I. G. Farben company. The subject of the negotiations was a Kreditanstalt subsidiary, the Pulverfabrik Skodawerke-Wetzler A. G. The talks were begun originally with a view to the joint construction of a new plant in Austria. However, in the course of the discussions the I. G. Farben plenipotentiary, Ilgner, demanded sale by the Kreditanstalt of 51 percent of its Pulverfabrik holdings to the I. G.³ The Kreditanstalt could not accede to this demand because Austria, a small country, offered few investment possibilities. In other words, the Kreditanstalt could not use the Schilling that I. G. Farben offered in payment to acquire as good a holding as the prosperous Pulverfabrik.*

Nevertheless, negotiations continued. In February 1938, a month before the Anschluss, the Kreditanstalt agreed to a merger of the Pulverfabrik with another Austrian chemical concern (the Carbidwerk Deutsch-Matrei A. G.). The merger was to be carried out under the "patronage" of I. G. Farben, so that the new company could be controlled by the German firm.^{3 4 5} This understanding is psychologically significant, for it means that the Kreditanstalt had agreed, however reluctantly, to permit I. G. Farben to control its industrial base. Although the proposed merger did not provide for the complete elimination of the Rothschild interests, such an aim was clearly envisaged by the German negotiators. According to the I. G. Farben officials who reported on the matter in April 1938, the discussions were in fact continued after the initial accord had been reached, and the talks were broken off only when the German army marched into Austria.^{6 7}

What happened after the Anschluss? Vorstand member Rothenberg of the Kreditanstalt was taken for a ride by uniformed brownshirts (SA) and thrown out of a moving automobile.⁷ Engineer Isidor Pollack, who had built the Pulverfabrik into a major concern and who was its Generaldirektor, met with a violent end. One day in April 1938, the SA

3. Affidavit by Dr. Franz Rothenberg, September 13, 1947, NI-10997. Rothenberg, a Jew, was a Vorstand member of the Kreditanstalt. The Vorstand corresponds roughly to the management (president and vice-presidents) of an American company.

4. Affidavit by Dr. Josef Joham, September 13, 1947, NI-10998. Affiant was another Vorstand member of the Kreditanstalt.

J. I. G. Farbenindustrie A. G. (signed Halliger and Kroger) to Staatssekretär Keppler, April 9, 1938, NI-4024.

6. *Ibid.*

7. Affidavit by Rothenberg, September 13, 1947, NI-10997.

paid him a visit in his home in order to "search" his house. During the "search" he was trampled to death.' In the meantime, the German businessmen went about their business. The Kreditanstalt was gobbled up by the giant Deutsche Bank, and its subsidiary, the Pulverfabrik, fell to I. G. Farben.'

As in the case of Austria, Jewish interests in Prague were selling out before the Czechoslovak state was crushed. In February 1939, a month before the German march into Prague, the Jewish-controlled Böhmisches Escompte Bank passed into the hands of the German Dresdner Bank. Like the Kreditanstalt officials, the leading Jewish directors of the Böhmisches Escompte Bank did not profit much from the sale. Directors Dr. Feilchenfeld and Dr. Lob died in a killing center; Director Dr. Kantor was hanged.¹⁷

The Kreditanstalt and Böhmisches Escompte Bank are both cases in which the threat was felt across the border and reaction came before the Germans were in a position to use force. The Jews anticipated the force and complied with it in advance.

Jewish enterprises that chose to wait for further developments were subjected to a broad pressure, which was designed to increase their readiness to sell at the lowest possible price. This pressure was applied not against any particular Jewish firm but against Jewish business as a whole. Mainly, an attempt was made to cut off the Jewish companies from their customers and their suppliers. The alienation of the customer was to be carried out by means of an anti-Jewish boycott; the severance of supplies was to be accomplished through a series of allocation measures. These efforts, it must be emphasized, were not compulsory Aryanization procedures. They were designed only to facilitate voluntary transfers.

The boycott was initially organized by the party, which established a boycott committee on March 29, 1933. Its membership was as follows:"

Julius Streicher, Chairman

Robert Ley, German Labor Front

Adolf Hühnlein, SA ^{8 9 10 11}

8. *Ibid.* See also affidavit by Joham, September 13, 1947, NI-10998.

9. Affidavit by Georg von Schnitzler, March 10, 1947, NI-5194. Von Schnitzler, a Vorstand member of the I. G., was chairman of the I. G. Commercial Committee. To gain complete control of the Pulverfabrik, the I. G. had to buy out the interest of the Deutsche Bank.

10. Interrogation of Engineer Jan Dvoracek (Zivno Bank), November 22, 1946, NI-11870. See also affidavit by Dvoracek, February 2, 1948, NI-14348.

11. Announcement by the Central Committee for Defense against Jewish Horror and Boycott, March 29, 1933, PS-21S6.

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Heinrich Himmier, SS
Reinhold Muchow, Nazi Party Factory Cells
Hans Oberlindober, Nazi Party Organization for Care of War Victims
Jakob Spenger, Nazi League for Public Officials
Walter Darre, Party Chief for Agricultural Matters
Dr. von Renteln, Party Leader for the Middle Class
Dr. Theodor Adrian von Renteln, Party Leader for the Middle Class
Dr. Hans Frank, Party Legal Chief
Dr. Gerhard Wagner, Party Health Chief
Willy Körber, Hitler Youth
Dr. Achim Gercke, Party Information Department

The committee carried out its work by calling mass meetings, which were addressed by such personalities as Streicher and Goebbels, and by placing in front of Jewish stores "defensive guards" assigned by the brown-shirted SA and the black-uniformed SS. The guards were ordered only to "inform" the public that the proprietor of the establishment was a Jew.^{12 13 14} Sometimes the information was conveyed by smearing the show windows with the word *Jude*.

It should be pointed out that the party's boycott committee launched its campaign not so much in order to facilitate the purchase of Jewish firms by German concerns as to remind the ministries of the "popular" hostility against Jewry and thus to influence the civil service in taking action against the Jews. However, the boycott had distinct economic effects which were intensified and widened.

We have already seen that at the conclusion of the Schacht conference on August 20, 1935, it was decided to withhold all public contracts from Jewish firms. This decision was implemented by amending the Directive of the Reich Cabinet Concerning Awards of Public Contracts.¹⁵ At the same time, the boycott was made compulsory not only for Reich agencies but also for Reich employees. Upon the initiative of the Interior Ministry, it was ruled that civil servants could no longer receive subsidies for services obtained from Jewish physicians, lawyers, dentists, hospitals, drugstores, and—by suggestion of the Justice Ministry—also from maternity homes and funeral parlors.¹⁵ The compulsory boycott applied also to party members. In one particular case a party member, Dr. Kurt Prelie, was hauled before a party court be-

12. Order signed by Streicher, March 31, 1933, PS-2154.

13. When Austria was occupied. German stores in Vienna sometimes found it necessary to mark their establishments *Arisches Geschäft* ("Aryan store"). Gauleiter BQRcke (Vienna) to Hess. March 26, 1938, PS-3577.

14. Instructions by Reich Propaganda Ministry, enclosing the amended directive, March 26, 1938, G-61.

15. Pfundtner to Highest Reich Authorities, May 19, 1936, NG-2612. Stuckart to Highest Reich Authorities, September 9, 1936, NG-2612.

cause his wife had, without his knowledge, bought 10 pfennig worth of picture postcards in a store owned by a Jew named Cohn. Prella was expelled by the party court and, upon request of the deputy of the Führer (Hess), was also to be forbidden to practice his profession as a notary, because there was doubt whether he was ready to support and defend the National Socialist state at all times.*

That efforts should have been made to enforce the boycott among party members, civil servants, and Reich agencies is not surprising, for the "movement" and the Reich were supposed to be in the vanguard of political action. They were to set the example, and the people were to follow. In its very nature, however, a total boycott was unwieldy enough to generate unwanted effects. In particular, the rapid collapse of a Jewish firm without the corresponding expansion of a German enterprise could result in the joblessness of non-Jewish employees, the erosion of economic activity, and a loss of tax revenues as well. For cities with a significant volume of Jewish business, such prospects could be sobering.^{16 17 18}

All the same, the pressure was intensified. From the middle of the 1930s, attempts were made to isolate Jewish producers not only from customers but also from suppliers. Shipments of raw materials could be reduced in three ways; (1) voluntary refusal by German suppliers to sell to Jews; (2) action by cartels, in which raw material quotas of Jewish members could be cut or eliminated; (3) the downward adjustment of foreign currency allocations by the state with a view to depriving Jewish producers of imported materials. These controls were cumbersome and by no means fully effective, but they were invoked as part of the general scheme to depress the price of Jewish firms."

16. Decree ordering investigation of Prella, signed by Staatssekretär Dr. Schlegelberger of the Justice Ministry, December 6, 1938, NG-901. See also investigation order signed by Schlegelberger concerning another notary. Dr. Wolfgang Rotmann, who bought cigars in a Jewish store, June 3, 1939, NG-901.

17. File memorandum of Economic Office (*Wirtschaftsamt*) in the city of Frankfurt, February 17, 1934, *Kommission zur Erforschung der Geschichte der Frankfurter Juden, Dokumente zur Geschichte der Frankfurter Juden 1933-1945*. (Frankfurt am Main, 1963) pp. 178-85.

18. See letter by Rohde to Steinbrink (internal correspondence. Flick steel concern). November 22, 1937, NI-1880. Rohde reported that the Jewish steel enterprise Rawack and Grünfeld was no longer authorized to purchase ores, "which should certainly influence the market value of [Rawack and Grünfeld] shares."

See also the circular letter by *Wirtschaftsgruppe Eisenschaffende Industrie* (Economy Group Iron-Producing Industry) to Fach- and Fachuntergruppen and member firms, January 13, 1938, NI-8058. Also, *Wirtschaftsgruppe Gross- Ein- und Ausfuhrhandel/ Fachgruppe Eisen- und Stahlhandel* (Economy Group Large Import and Export Trade/Branch Group Iron and Steel Trade) to member firms and the *Wirtschaftsgruppe Eisenschaffende Industrie*, March 28, 1938, NI-8059. Germany was an importer of iron

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As a result of allocation control, boycott, and the Jewish apprehension that more was still to come, many Jewish businessmen were ready to sell their holdings. There was now a "market." German enterprises by the thousands were surveying the country in search of suitable Jewish firms. In German business parlance, the Jewish enterprises had now become *Objekte* (objects). Since it was not always easy to find an Objekt, the process of searching became a specialized business in itself. The institutions that specialized in this business were the banks. It was a lucrative activity. The banks collected threefold profits from the Aryanization transactions: (1) commissions (ca. 2 percent of the sales price) for work done in bringing together buyers and sellers, (2) interest on loans extended to buyers, and (3) profits from subsequent business contracted between the bank and the Aryanized firm. (Such business usually derived from a provision in the contract between prospective buyer and bank pursuant to which the buyer was to designate the bank as "principal banking connection" for his newly acquired firm.)¹⁹ ²⁰ Moreover, the banks were not only agents—steering Objekte to interested buyers—they were buyers themselves, and they missed no opportunity to buy out a Jewish bank or some choice industrial shares. Every type of German business was in the scramble, but the banks were in the very midst of it.

Jewish casualties in the Aryanization boom were heavy, but by the beginning of 1938 there were signs of a general weakening in the German business sector. Jewish holdouts survived their own fears and German pressure. In May 1938 an official of the Dresdner Bank complained that there were more Jewish enterprises than German buyers. It was especially difficult to find buyers for the large Jewish holdouts. In analyzing this reversal of the trend, the Dresdner Bank expert drew only one major conclusion: the price had to come down."

To decrease the price of Jewish "objects," direct pressure was needed. In order to apply direct pressure on Jewish enterprises, competition among buyers had to cease. In the words of an economic journal: "The temptation to swallow a formerly strong [Jewish] competitor, or even to snap such a delicious morsel from under the nose of another [German] competitor, must surely have led to overvaluation in many cases."²¹ With the elimination of buyers' competition, the Jewish owner would face either one German negotiator or a united front.

19. See report on Aryanizations by Böhmsche Escompte Bank (Dresdner Bank subsidiary), signed by Kanzler and Stitz, August 6, 1941, NI-13463. For a "principal banking connection" clause, see contract between Böhmsche and Oswald Pohl, October 5, 1940, NI-12319. The Böhmsche, originally under Jewish control, had been Aryanized itself.

20. Memorandum by Dr. P. Binder, May 7, 1938, NI-Ö906.

21. *Der Volkswirt* 12 (September 9, 1938): 2409.

The means by which such concerted action was brought about was the buyers' agreement, of which there were two types: one covered the purchase of one Jewish enterprise by several buyers acting together; the other provided for the allocation of several Jewish enterprises to specific buyers. The first type of agreement is exemplified by a contract concluded on November 30, 1937, by Mitteldeutsche Stahlwerke (Flick) and L. Possehl and Company for the purchase of shares of the Jewish firm Rawack & Grünfeld on a fifty-fifty basis. The agreement provided that after the purchase and before January 1, 1943, neither party could dispose of its shares without the consent of the other. After January 1, 1943, neither party could dispose of its shares unless it offered half its package to the other party." A single Jewish enterprise could also be taken over by a consortium of companies varying in their financial strengths, provided that credit-worthy firms in the group were willing to back weaker participants seeking necessary loans in banks."

When several parties were interested in several Objekte, it was customary to assign one Objekt to each purchaser. For example, on March 23, 1939, the Dresdner Bank, Deutsche Bank, and Kreditanstalt der Deutschen agreed to parcel out three Jewish-controlled banks. The Dresdner Bank was to acquire the Böhmisches Escompte Bank, the Deutsche Bank was to purchase the Böhmisches Union Bank, and the Kreditanstalt der Deutschen was to take over the Länderbank.²² Both types of agreements were designed to deprive the Jewish owners of a chance to bargain. As a general rule, Jews affected by such agreements could sell at the buyer's price or not sell at all.

On April 26, 1938, the ministerial bureaucracy took another decisive step for the depression of price levels. Henceforth a contract for the transfer of a business from a Jew to a German would require official approval." A month after this decree was issued, Regierungsrat Dr. Gotthardt of the Economy Ministry explained to a Dresdner Bank ²² ²³ ²⁴ ²⁵

22. Agreement between Mittelstahl and Possehl, November 30, 1937, NI-1944.

23. Allusion to such an Aryanization is found in a draft memorandum by Karl Kimmich, Vorstand member of the Deutsche Bank, undated (probably November or early December 1938), as excerpted in Dietrich Eichholtz and Wolfgang Schumann, eds., *Anatomie des Krieges* (East Berlin, 1969), pp. 197-98.

24. Summary of bank discussion held on March 21, 1939, in the building of the Czech Ministry of Commerce (signed by Kiesewetter), March 23, 1939. NI-13394. The list of participants was as follows:

Dr. Köster, German Economy Ministry; Dr. Schicketanz, Office of the Reichskommissar in the Sudetenland; Dr. Rasche, Dresdner Bank; Freiherr von Lüdinghausen, Dresdner Bank; Dr. Rösler, Deutsche Bank; Pohle, Deutsche Bank; Osterwind, Deutsche Bank; Dr. Werner, Vereinigte Finanzkontore, Berlin; Kiesewetter, Kreditanstalt der Deutschen; Dr. Baumann, Kreditanstalt der Deutschen; Pulz, Kreditanstalt der Deutschen. The conference was held in Prague barely a week after German troops had marched into the city. The Dresdner Bank had already swallowed its morsel.

25. Decree of April 26, 1938, RGBl I, 415.

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official the purpose and effect of the measure. According to Gotthardt, purchasers had in the past paid not only for the plant value of an enterprise but also for such intangibles as "good will" (trademarks, reputation, sales contracts, and other factors enhancing the value). From now on, buyers were no longer to pay for "good will," because nowadays non-Aryan concerns *had no good will*. Furthermore, the German purchaser was to deduct from the purchase price such sums as he might have to pay *after* transfer for the unilateral breach of contracts, including employment contracts, contracts with Jewish wholesalers, and so on. In general, therefore, the Economy Ministry would give its approval only to such contracts that provided for the payment of 66% to 75 percent of the original value.*

The choice presented to the Jewish owners was now clear: they could sell at prescribed terms, or they could wait for further developments. No Jew thought that further developments would ease the situation, but a few, owners of some of the most powerful firms, were ready to face the future.

In the central German coal belt, which stretches into Czechoslovakia, three Jewish families, in control of vast properties, were determined to hold out, come what might. These three families, who were unwilling to give up their holdings for any price in German currency, were the Rothschilds, the Weinmanns, and the Petscheks. The battle that they put up was not a Jewish battle. Rather, there were three separate struggles waged for three separate interests in a vain attempt to live through, if not with, Nazism. The determination to resist the pressure of buyers was born of the conviction that the losses resulting from the clash would be smaller than the sacrifice that was inherent in the sale of the shares, for these Jews measured their resources not in the current market value of the stocks but in production statistics, plant capacity, ore and coal reserves. The Rothschilds, Weinmanns, and Petscheks were prepared to fight with weapons not available to poor Jews, weapons such as foreign holding corporations and the argument of "indispensability." The German side, on its part, was aware of the difficulties. The Germans knew that the Aryanization of these enterprises would require concentrated pressure and ruthless tactics unprecedented in the history of German business. This pressure and ruthlessness were supplied, in part, by a unique industrial institution: the Hermann Goring Works.

The Gdring Works were formed in the early days of the Nazi regime by Hermann Gdring and a few of his ace troubleshooters as a Reich-owned enterprise. Goring acquired mines and land by a very ²⁶

26. Memorandum by Dr. P. Binder (Dresdner Bank) May 23, 1938, NI-6906.

simple method. He presented to practically every major steel producer an ultimatum to transfer some of his property to Goring.²⁷ He had a simple argument to justify this method: the Goring Works were operated not for profit but in the "state-political interest" for the benefit of the Reich. Such persuasive arguments, when offered by the number-two man in Germany, proved to be irresistible. When Germany began to expand in 1938, the Göring Works naturally wanted to expand too. Its great opportunities were in the acquisition of major non-German enterprises in the new territories. Therefore, it is hardly surprising that Göring should have cast a longing eye on the properties of Rothschild, Weinmann, and Petschek. He elected himself as chief Aryanizer of major Jewish concerns; "The Aryanization of all the larger establishments naturally is to be my lot."²⁸ Goring thus became the driving force behind the coalition of businessmen and ministerial officials who were sent, like infantry men, into the conference rooms to do battle with the Jews.

One of these battles had to be fought with the Rothschilds. The family was spread out in several countries. There was a Baron Rothschild in Vienna (Louis), another baron in Prague (Eugene), a third in Paris (Dr. Alphons). The Rothschild investments were similarly dispersed, for the family had been careful not to place all its eggs in one basket. In addition, the holdings were intertwined. Thus the Vienna Rothschild had interests in Czechoslovakia, the Prague Rothschild held properties in France, and so on. This setup gave the Rothschild family a certain resilience. One could not strike at the whole empire at once, and one could not attack any part of it without incurring the danger of countermeasures from other strongholds of the structure.

In Czechoslovakia, near Moravská Ostrava, the Rothschilds owned a major steel enterprise in which the Germans were interested: the Witkowitz Bergbau- und Eisenhütten Gewerkschaft. In February 1937, more than two years *before* the fall of Czechoslovakia, the Rothschilds transferred ownership of the Witkowitz shares to the Alliance Assurance Company of London. Alliance Assurance in turn issued bearer certificates, expressed in units, which represented the actual participation in the capital of Witkowitz.²⁹ These units were owned by the Rothschilds and by a friendly group, the Gutmanns. This was the first move that was to make life difficult for the Nazis, for Alliance Assurance was a British firm, and the Rothschilds now looked upon Witkowitz as British property. In March 1938 the Germans^{27 28 29}

27. Memorandum by Flick (steel industrialist), December 5, 1939, NI-3338.

28. Goring in conference of November 12, 1938, PS-1816.

29. Affidavit by Leonard Keesing (Rothschild interests), March 19, 1948, NI-15625.

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marched into Austria. Two days after the Anschluss, the Vienna Rothschild (Baron Louis) was arrested.³⁰ This was the first move that was to make life difficult for the Rothschilds. Baron Louis was not released, and soon it became evident that he was being held as a hostage. His arrest was probably the first employment of the exit-visa method of Aryanization.

On December 29, 1938, the Länderbank Wien A. G. sent to the Reichswerke A. G. für Erzbergbau und Eisenhütten "Hermann Göring" an expert valuation report on Witkowitz. The valuation had been made on December 31, 1935, and the Länderbank pointed out that in view of subsequent Czech currency devaluation as well as plant improvement, the present value was higher.³¹ In February 1939, a month before the invasion of Czechoslovakia, the Prague Rothschild (Eugene), who had in the meantime become a French citizen, went to London "to obtain support from the British government for the sale of Witkowitz to the Czechoslovak government."³² A Czech negotiator, Dr. Preiss, who was president of the largest Czech financial institution, the Zivnostenska Banka (Zivno Bank), was also present. The negotiators discussed a tentative price of £10,000,000 in British currency.³³ ³⁴ (We might note in passing that this sum was identical to the amount promised by the British to the Czechoslovak government in compensation for the Munich agreement.) In March the Germans occupied the rest of Czechoslovakia, including Witkowitz, and the negotiations fell through.

The next move was made by the Germans. Preparations were made to buy Witkowitz. On March 23, 1939, a week after the occupation of Czechoslovakia, the chief of the industrial division of the Economy Ministry, Kehrl, empowered Dr. Karl Rasche, a Vorstand member of the Dresdner Bank, and Dr. Jaroslav Preiss, president of the Zivno Bank and the very same man who had one month previously negotiated on behalf of the Czechoslovak government, to enter into negotiations with the Rothschilds for the purchase of the property on behalf of the Reich. In his authorization Kehrl mentioned that foreign exchange could be made available.^{3*}

On March 27, 1939, a German delegation arrived in Paris and met

30. *Ibid.*

31. Länderbank Wien to Hermann Göring Works, attention Attorney Spick, December 29, 1938, NI-5697.

32. Affidavit by Keesing, March 19, 1948, NI-15625.

33. *Ibid.*

34. Kehrl to Rasche, March 23, 1939, NI-13407.

with the Rothschild group. The participating negotiators included the following representatives.”

German: Dr. Rasche (Dresdner Bank)
 Präsident Preiss (Zivno Bank)
 Direktor Wolzt (Vorstand member, Länderbank Wien)

Jewish: Baron Eugene Rothschild (Prague-Paris)
 Baron Alphons Rothschild (Paris)
 Baron Willi Gutmann
 Direktor Keesing
 Direktor Schnabel
 Generaldirektor Federer (chairman of the Aufsichtsrat, or
 Board of Directors, Witkowitz)

At the outset of the conference the German group made an offer. For the transfer of the Witkowitz interests, including the subsidiary Bergwerks Aktiebolaget Freja in Stockholm (iron mines, capitalization SKr 2,600,000),“ the Germans offered 1,341,000,000 Czech crowns. This sum was to be paid in Czech currency, except for a small part payable in foreign exchange.”

Before the collapse of Czechoslovakia, 1,341,000,000 Czech crowns had been worth approximately £10,000,000. But now Czech currency, like Czechoslovakia itself, was imprisoned. Czech crowns were useless to the Rothschilds. Such a large amount of money could not be reinvested, nor could it be sold to anyone in England, the United States, Switzerland, and so on, without great loss. The Rothschild group consequently rejected the offer, demanding instead the payment of £10,000,000 in sterling. The Rothschild-Gutmann representatives pointed out that the seller of the shares was a British corporation, namely the Alliance Assurance Company. This British corporation, the Rothschilds explained, did not discriminate between the nationalities of the various owners. It paid dividends to all owners (holders of bearer certificates) in one currency: pounds sterling.”

The meeting was adjourned, and on the next day the negotiators

35. The attendance list and the account of the meeting is taken from the German conference summary enclosed in a letter by Wolzt to Rasche, April 1, 1939, NI-14473.

36. Memorandum in files of Hermann Göring Works. March 31, 1944, NG-2887. SKr 2,600,000 equaled \$628,000, or £113,000, at the March 1939 cable rates of exchange.

37. The Germans offered foreign currency to those owners who were considered foreigners under the Reich currency laws. The currency law of December 12, 1938, RGBl 1, 1734, defined a foreigner as a nonresident alien *or* emigrant who had assets in the Reich.

38. The availability of this currency derived from the sale by Witkowitz of virtually all its output—steel plates—to the British navy. Memorandum by Regierungsbaurat Teuber, June 22, 1939, NI-9043.

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met again. The second get-together was a little more explosive. The Germans learned for the first time that the far-flung Rothschild apparatus had gone into action. Various Witkowitz accounts deposited in Swiss, Dutch, and American banks had been attached; that is, court orders had been obtained to prevent the payment of money from such accounts pending a clarification of legal rights. A credit of £200,000 to Freja had been blocked.

The Germans were indignant. Under the Reich currency laws, all *Inländer* (resident nationals) had to offer their foreign holdings to the Reich in exchange for marks. The Rothschild move was a violation of the law, and it would bring penalties. Baron Eugene Rothschild (the Prague Rothschild) thereupon asked for a counteroffer. The Germans offered £2,750,000 in sterling. This was an offer that the Rothschilds could discuss, and after some haggling, the price was upped to £3,600,000 in sterling. In other words, the Germans were to get Witkowitz and its Swedish subsidiary, Freja, while the Rothschilds were to get a little over a third of the sterling they had asked for, and Baron Louis.

In order to ransom Baron Louis, part of the transfers had to be made *before* his release. Accordingly the Rothschild machinery was set into motion with a flood of letters and telegrams to Kuhn, Loeb and Company, the Bank of Manhattan, Coxa-Bank, Nederlandschen Handels Mij, Amstelbank, Blankart et Cie, and other financial institutions, to lift attachments and hold at the disposal of the Germans moneys and securities on condition "that Louis Rothschild shall have freely left Germany over the Swiss or French frontier on or before May 4." On the German side, Kehrl (Economy Ministry) sent letters to Rasche, authorizing him to negotiate with Baron Louis, and to the Gestapo office in Vienna, requesting permission for a meeting between Rasche and Rothschild."

After the release of Louis Rothschild, the Germans moved to complete arrangements for transfer. On June 15, 1939, a group of armament experts met to discuss the inclusion of Witkowitz in the Panzer program. Some of the participants expressed some doubts about entrusting armament secrets to Witkowitz. The Aryanization would have to be completed and the necessary personnel changes made from top to ³⁹ ⁴⁰

39. See Dr. Kail von Lewinski (German attorney retained by the Rothschilds) to Regierungsrat Dr. Britsch ("trustee" in charge of Rothschild matters in the Economy Ministry), April 25, 1939, NI-15550. Also, Keesing (in Paris) to Bankhaus S. M. von Rothschild in Vienna (under German control), April 28, 1939, NI-15550.

40. Kehrl to Rasche, April 14, 1939, NI-13792. Kehrl to Staatspolizeileitstelle in Vienna, April 14, 1939, NI-13790.

bottom before Witkowitz could be considered German." A week later it turned out that Witkowitz expected to fulfill orders from the British navy until the end of the year."

In the meantime, however, Direktor Rasche of the Dresdner Bank was shuttling between Paris and Berlin to conclude the agreement,⁴⁷ even while a board member of the competing Deutsche Bank was complaining to Staatssekretär Pleiger of the Hermann Göring Works that *his* banking house was being excluded from such "large engagements" (*grossen Engagements*).⁴⁸ In Prague the Czech financial authorities (Finance Minister Kalfus of the "autonomous" Czech administration) were protesting that the Germans planned to cover the purchase price with foreign currency belonging to the "Protektorat."⁴⁹ That is to say, Minister Kalfus had discovered that the Czechs were to pay for the enterprise.

In July the final agreement was drawn up. The parties agreed to the transfer of 80 of the 100 bearer certificates for a price of £3,200,000. The vendor was entitled to offer, and the purchaser was obliged to accept, the remaining twenty shares at a price of £400,000. The profits of the business year 1938 were to be collected by the buyer.^{41 42 43 44 45 46} These were the terms that, in substance, had been agreed upon in March. The contract was to enter into operation by the end of September.⁴⁷ This, too, had been agreed upon in March.^{48 49} The Germans were happy. On July 13 the agreement was signed in Basel." On August 2 Rasche sent a letter to Gruppenführer Wolff, chief of the Personal Staff of SS and Police Chief Himmler, in which the Dresdner Bank expressed its appreciation for the assistance rendered by the police (arrest of Baron Louis) in bringing down the price.⁵⁰ Then, suddenly, there was a snag.

On September 1, 1939, the war broke out, and the agreement could not enter into operation. According to the postwar account by Direktor

41. Memorandum by Regierungsbaurat Teuber on conference of military armament officials under the chairmanship of Oberstleutnant Nagel, June 15, 1939, NI-9043.

42. Memorandum by Teuber, June 22, 1939, NI-9043.

43. Summary of Dresdner Bank Vorstand meeting, Götz presiding, June 29, 1939, NI-1395. Also, Vorstand meeting of July 7, 1939, NM5368.

44. Memorandum by Kimmich, June 28, 1939, in Eichholtz and Schumann, eds., *Anatomie des Krieges*, pp. 219-20.

45. Memorandum by Herbeck (Vorstand member, Dresdner Bank), June 23, 1939, NM4474.

46. Text of contract (undated), in NI-15551.

47. Summary of Vorstand meeting, Dresdner Bank, July 7, 1939, NI-15368.

48. See memorandum on Baris conference, April 1, 1939, NI-14473.

49. Herbeck to Rasche, July 13, 1939, NI-15547.

50. Rasche to Wolff, August 2, 1939, NI-13669.

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Keesing, the Rothschilds' financial expert, the contract had purposely been drafted by the Rothschilds in such a way that transfer of title was not to take place until certain payments and conditions were satisfied. The object of these provisions, according to Keesing, was the frustration of the transfer upon the outbreak of the war.⁵¹

We do not know what was in the minds of the Rothschilds. We do not know whether this financial empire was endowed with prophetic insights that enabled it to predict accurately the time when war was to start. We do know that the transaction was a painful one for the Rothschilds, and it is therefore likely that, in their choice between relinquishment of title for 36 percent of just compensation and retention of title in the hope that after the destruction of the Hitler regime, possession would be regained, the Rothschilds oscillated from one alternative to the other until war made the decision for them. Thus, in September 1939 the owners of the Witkowitz Works leaned back to find out who would last longer, the Nazi regime or the Rothschilds. But the waiting was not a very tranquil and peaceful proposition.

In November 1939 the Germans attempted to secure the shares of the Freja Works by an action in a Swedish court. They failed.⁵² In January 1940 the Witkowitz Works, now no longer producing for the British navy, were placed under the "supervision" of a board consisting of the following members.⁵³

Dr. Delius, Hermann Goring Works

Karl Hermann Frank, Staatssekretär, Protektorat Administration

Generaldirektor Pleiger, Hermann Goring Works

Generaldirektor Raabe, Hermann Goring Works

Dr. Rasche, Dresdner Bank

Dr. Rheinländer, *Reichsstelle für Wirtschaftsausbau* (Construction Planning Office, Four-Year Plan)

Generalmajor Weigand, Armament Inspectorate, Prague

Goring was now in the saddle. However, the Germans still wanted to make an agreement. The Witkowitz Works were English, and the Germans, though at war, still expected to come to terms with England. In short, physical possession did not solve the problem for them. Accordingly, in March 1940 Dr. Rasche wrote to the president of the Swedish subsidiary Freja, Mr. Sune Wetter, suggesting new negotiations.⁵⁴ In ⁵¹ ⁵² ⁵³ ⁵⁴

51. Affidavit by Leonard Keesing, March 19, 1948, NI-15625.

52. Affidavit by Leo F. Spitzer (General Counsel, Witkowitz Bergbau), October 15, 1948, NI-15678.

53. Order by the Reichsprotektor in Prague (von Neurath), January 15, 1940, NI-15347.

54. Rasche to Sune Wetter, March 11, 1940, NI-13654.

April, Rasche went to Stockholm to threaten drastic measures. If the Rothschilds were not prepared to negotiate on neutral soil, the Witkowitz Works would be "leased" to a German concern (Hermann Goring Works), to be run for the latter's account. Thus the owners would be deprived of all war profits, and, in addition, claims against Freja would be instituted, this time "in a different direction."⁵⁵ But the Rothschilds were not prepared to negotiate. Then, in June 1940, France fell.

On the day of the armistice, the Dresdner Bank asked the High Command of the Army for a special pass to enable Rasche to travel to France. Reason: there was a rumor that the Freja stocks were located somewhere in Paris and could be seized.^{55 56 57 58} The shares were in fact located in the Paris Rothschild bank.⁵⁷ The Rothschilds began to weaken. England was fighting a single-handed battle against Germany and Italy. The Nazi regime seemed more secure than it had been at any time, since it had, so far, met the test of war and emerged victorious everywhere.

In December 1940 the foreign division of the Reichsbank called the chairman of the Vorstand of the Dresdner Bank, Gotz, to report that an American bank had inquired on behalf of the Rothschilds whether the Germans were interested in a resumption of negotiations about Witkowitz.⁵⁹ Rasche was a bit surprised that the Rothschilds took this step. He was no longer so eager for negotiations, but he suggested that talks be held in Spain.^{59 60} These discussions apparently did not take place either, but, for the moment, neither side made an aggressive move. As late as June 1941, the Freja Works made regular shipments of iron ore to Witkowitz, as though there were no expropriations and no war.⁶¹

Early in 1941 a grotesque incident occurred. We may recall that there were 100 bearer certificates signifying ownership of the British corporation, which in turn owned the Witkowitz shares. These Witkowitz shares numbered 223,312.⁶¹ Fourteen thousand had been handed over to the Germans as part of the ransom arrangement for Louis Rothschild's release; 43,300 (a considerable parcel) had been left behind in Paris when Baron Eugene fled from the Germans. These shares were lying in a depot at Nevers, guarded by a French official

55. Sune Wetter (Stockholm) to Oskar Federer (London), April 6, 1940, NM3637.

56. G. Stiller (Secretariat, Dr. Rasche) to *Generalquartiermeister/Passierschein-hauptstelle* (General Quartermaster/Main Pass Section), June 24, 1940, NI-1853.

57. File note, Dresdner Bank, July 2, 1940, NM832.

58. Götzto Rasche, December 21, 1940, NI-13292.

59. Rasche to Götz. December 28, 1940, NI-13292.

60. G. Stiller (Secretariat, Dr. Rasche) to Assessor Zöppke (Legal Division. Foreign Office), June 21, 1941, NI-1557.

61. Note by Stiller, February 3, 1932, NI-2643.

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(Jannicot, director, Administration of Property and General Revenue Office, Department Seine) and a Rothschild representative. On January 8, 1941, a group of Germans (the *Devisenschutzkommando*, or "Currency Squad") arrived at the depot, shoved the Frenchmen aside physically, and removed the shares. The Vichy government, considerably annoyed, countered this move by sequestering (blocking with a view to confiscation) all Rothschild properties in France." The Germans retreated, offering to purchase the shares for a suitable sum." (This was part of a plan to get hold of a majority or all of the 223,000 shares. However, the scheme was not very practical, because only the 43,300 shares discovered in Paris were actually "within reach [*greifbar*]"^{y*}

As a result, the Goring Works continued to be in possession of the enterprise without owning it. In a memorandum dated March 31, 1944, the Witkowitz Works are listed as part of the Goring complex, with the notation: "no capital participation—operational connection only."^m Notwithstanding the fact that the connection was "operational" only, the Goring Works pocketed the profits, which amounted to 2,400,000 reichsmark during the business year 1941." And that is the history of the Witkowitz "Aryanization."

We can see now the advance of techniques that marks the pre-Rothschild and Rothschild phases of "voluntary" Aryanizations. The pre-Rothschild arsenal contained the following principal weapons: (1) boycott, (2) allocation control, (3) buyers' agreements, and (4) elimination of "good will" by decree. The Witkowitz Aryanization reveals, in addition, the following methods: (5) negotiation by plenipotentiary (DresdnerBank), (6) exit-visa restriction, (7) attempted stealing of shares, (8) operation of the enterprise and collection of the profits.

The Rothschild case, however, is not the best example of the effectiveness of German operative techniques. For practical purposes Goring had accomplished his aim, but he did fail to complete the transaction. There was no final transfer, and Witkowitz was not entered in the books as a German plant. Undoubtedly, this reluctance is ⁶² ⁶³ ⁶⁴ ⁶⁵ ⁶⁶

62. Affidavit by Yvonne Delree Kandelafté, March 19, 1948, NI-15552. Affiant was private secretary to Baron Eugene Jannicot to Director General for Registration, Administration of Property, and Revenue (Vichy), January II, 1941, NI-15537.

63. Marotzke (Office of the Four-Year Plan) to *MititUrbefehlshaber Frankreich Verwaltungslab* (Military Commander France/Administration), copy to Dr. Rasche, November 6, 1941, NI-2647.

64. Note by Stiller, February 3, 1943, NI-2643.

65. Reichswerke Hermann Gdring/Montanblock to Economy Ministry/Main Division UI/Division 5—Foreign Currency, March 31, 1944, NG-2887.

66. PleigertoGbring, Decembers, 1941, NI-15575.

traceable only to the fact that the Rothschilds had succeeded in making Witkowitz an English enterprise. The British flag stopped the Germans from installing themselves as the new owners of the Arm.

In the cases of Weinmann and Petschek, the transfer was completed. Extraordinary pressure had to be applied against both of these families. The Reich itself finally stepped in, confiscated the enterprises and sold them at a profit to the interested buyers. Yet it must be emphasized that these "confiscations" were not part of any general confiscatory process. They were entirely individual measures which were taken only after the German negotiators, using all their tools and all their tricks, had gotten nowhere. In short, these "confiscations" were imposed as a sort of penalty for the obstinacy and the uncooperative attitude of the Jewish owners. The "provocations" in each case were not identical—the Weinmanns petitioned, the Petscheks defied. But their fate in the end was the same. Survival in Nazi Germany could not be assured by insisting on one's rights.

The party most interested in the Weinmann and Petschek properties was the same that had acquired Witkowitz: the Hermann Goring Works. The Goring Works were originally and primarily a coal and steel concern. (These two branches could often be found in the same German enterprise. Steel corporations were always on the lookout for a "coal base"; that is, they were interested in the acquisition of sufficient coal mines to assure a dependable supply for the manufacture of steel.) Since the Goring Works were operated in the "state-political interest," it was not difficult for Goring to obtain Economy Minister Funk's agreement that all soft coal mines in the Sudeten area (annexed from Czechoslovakia in October 1938) should belong to his concern.⁴⁷

To integrate the Sudeten coal mines into the Göring enterprise, a new corporation, the Sudetenländische Bergbau A. G., Brüx (Subag), was formed on June 10, 1939. Significantly, the first meeting of this Göring subsidiary was held not in the Sudetenland, in Brüx, but in Berlin, in the offices of the Dresdner Bank.⁴⁸ The reason for this location was obvious. The properties of the Subag had not yet been acquired. The Aryanization still had to be carried out by the Dresdner Bank. The mines in question were still owned by the Weinmann and Petschek families.

The smaller, but older, of the two concerns were the Weinmann ⁶⁷ ⁶⁸

67. Funk to Staatssekretär Körner, April 13, 1939, NI-12512.

68. Minutes of first Aufsichtsrat meeting, June 10, 1939, NI-13910. Generaldirektor Pleiger was elected chairman. Other members were Unterstaatssekretär von Hannecken (Economy Ministry), Ing. Wolfgang Richter, Kehrl (Economy Ministry—Industry), Gabel (Economy Ministry—Mines), Ministerialrat Mundt, Dr. Rasche, Delius (Goring Works), and Ing. Nathow. For articles of incorporation, dated June 12, 1939, see NI-

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enterprises, with headquarters in Aussig, Sudetenland. The value of these enterprises was a subject of dispute from the beginning. Table 5-7 shows the discrepancy in the estimates. It will be noted that the Germans offered only about half the amount wanted by the Weinmanns. The reason for that rather low valuation was to be found in the fact that the principal Weinmann enterprise, the Brucher Kohlenwerke, had for ten years been operated at a loss." There are various ways of figuring out the value of a corporation. One method is to estimate plant value and "good will" (marketability of the product). That is evidently what the Weinmanns did. Another method is to project past earnings (or losses) into the future, measuring the value in terms of such past performance. That is what the Germans did.

There was another difficulty that was even more important: the problem of foreign exchange. If the Germans had at least made their offer in pounds or dollars, the Weinmanns might have been happy. But the offer was made in a captive currency; Czech crowns. The Weinmanns had neglected to do what the Rothschild family had done. They had not established a British, Swiss, or American corporation to hold their property. In fact, during the summer of 1938, *before* the German invasion of Czechoslovakia, the Weinmann financial expert, Geiringer, had given assurances to Sudeten German interests that the enterprises would not be sold to the Czechs for foreign exchange or anything else.⁶⁹ The Weinmanns had taken only one precautionary measure. In 1936, they had made a loan to the Czech government that was repayable in foreign currency.⁷⁰ However, in March 1939 there was no longer a Czech government and, so far as the Germans were concerned, there was no longer a Czech state. The loan served only to excite German interest about the question of where the foreign currency that the Czech government had promised might come from. For that reason (and also because no agreement had been reached on the Aryanization of the Weinmann holdings), one of the Weinmanns (Hans), caught by the invasion in Prague, was not allowed to leave. Unlike Louis Rothschild, he was free, but to "guarantee readiness to negotiate [*Kautionsfür Verhandlungsbereitschaft*]" he was not given a passport.⁷¹

To get Hans Weinmann out of Prague, Fritz Weinmann (in Paris) paid 20,000 Swiss francs for "a real passport." Then Hans Weinmann suddenly took off surreptitiously, without any passport. When Rasche ^{69 70 71 72}

69. Memorandum by Ansmann, April 19, 1939, NI-15607.

70. Reinhold Freiherr von LÜdinghausen (industrialist of the Sudeten area) to Rasche, enclosing summary of a conference attended by Sudeten German bankers and industrialists, July 28, 1938, NI-13399.

71. Affidavit by Geiringer, October 13, 1948, NI-15679.

72. Memorandum by Ansmann, April 18, 1939, NI-15607.

T A B L E 5-7

THE WEINMANN ENTERPRISES (VALUES IN THOUSANDS)

<i>Enterprise</i>	<i>Par Value of Stocks Held by Weinmanns</i>		<i>Weinmann Estimate of Market Value</i>		<i>German Estimate of Market Value</i>	
	<i>Crowns</i>	<i>1939 Dollars</i>	<i>Crowns</i>	<i>1939 Dollars</i>	<i>Crowns</i>	<i>1939 Dollars</i>
B rucher Kohlenwerke A. G. (100 percent Weinmann)	100,000	3,500	100,000 to 119,000	3,500 to 4,165	40,000 to 50,000	1,400 to 1,750
Westböhmischer Bergbau Aktienverein (40 percent Weinmann)	50,000	1,750	60,000 to 70,000	2,100 to 2,450	42,500	1,477.5
Total	150,000	5,250	160,000 to 189,000	5,600 to 6,615	83,000 to 92,500	2,900 to 3,877.5

NOTE: Dresdner Bank to Ministerialdirigent Nasse (Finance Ministry), listing par value of the stocks, February 10, 1939, NI-13719. Finance Ministry memorandum, listing percentage interests, February 17, 1939, NI-IS635 Memorandum by Ansmann (Aryanization expert, Dresdner Bank), discussing differences of estimates, April 18, 1939, NI-15607.

According to the financial expert of the Weinmann group, Geiringcr, the value of the Weinmann holdings in 1938 was between 200 and 250 million crowns, or \$7,000,000 to \$8,750,000 at the March 1938 rate of exchange. Affidavit by Ernest Geiringcr, October 15, 1948, NI-15679. Geiringcr was a director of the österreichische Kreditanstalt, Vienna.

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and Ansmann, the two Dresdner Bank Aryanization experts, arrived in Paris on May 25, 1939, to discuss with Fritz Weinmann and his finance expert (Dr. Geiringer) the purchase of the enterprises, Fritz started the discussion by demanding his 20,000 francs back." Apparently encouraged by Hans's escape, Fritz Weinmann then demanded payment for his mines in foreign currency. To back his claim, he recited the following reasons: First, he was entitled to foreign exchange because he had rendered important services to the German people (*das Deutschtum*). With what seemed to the Germans "unheard-of impudence," he then "began to discuss National Socialism, whose principles he had espoused even before Hitler [*« ungewöhnlich frecher Weise zog er dann über den Nationalsozialismus her, dessen Grundsätze er schon vor Hitler vertreten habe*]." The mining headquarters of "Aussig would simply be inconceivable without him, then or now [*A«s.sjg sei weder früher noch jetzt ohne ihn denkbar*]." Finally, Weinmann reminded the Germans that in 1938 he had not sold his property to the Czechs because the local Sudeten German interests had not wanted him to. This could be proved by such leading Sudeten personalities as Richter, Schicketanz, Henlein, and last, but not least, Goring himself.

The Fritz Weinmann speech did not have the intended effect upon the Germans. The Dresdner Bank officials were annoyed. Rasche and Ansmann pointed out that their understanding of Weinmann's services was quite different, and they reiterated that his solution to the payment problem (foreign exchange) was "utterly out of the question." The German negotiators then declared that the illegal emigration of Hans had created a new situation. The entire Weinmann property might now be confiscated.

Fritz Weinmann thereupon played his last card. There were some exports by a company in which he had a financial interest. The foreign exchange received from the sale of these exports, he promised, would never find its way back to Germany. This was a weak defense, and the conference broke up. Weinmann had lost.

In September 1939 the Economy Ministry ordered the sale of the Weinmann enterprises for the benefit of the Reich.^{73 74 75} In October the Dresdner Bank was busy collecting the shares deposited in various banks.⁷⁷ Gradually, the Hermann Goring Works—through its subsidiary, the Subag—moved in. The Finance Ministry was not altogether

73. Summary of Weinmann conference, prepared by the German negotiators. May 26, 1939, NI-15629.

74. Memorandum dated September 21, 1939, in files of Westböhmisches Bergbau Aktien-Verein, NI-15623.

75. Dresdner Bank to Economy Ministry/Division II, attention Assessor Scheidemann, October 16, 1939, NI-15624.

happy with the sale of the Weinmann holdings to the Goring Works, because the Subag paid only about 60 percent of the value as determined by the Economy Ministry's experts.⁷⁶ It is true that the Goring Works were "Reich owned." Nevertheless, they were financially autonomous. What Goring retained for his enterprises, the Reich could not use in its budget. In other words, Goring had cheated the Reich out of 40 percent.

What had brought about this rapid development in which the Weinmanns lost not only the physical possession of their enterprises but their claim to ownership as well? The Weinmanns were completely subservient. Fritz Weinmann claimed that he was indispensable. He did not hesitate to call himself a Nazi. Of course, we would be very much mistaken to take these petitions literally. Fritz Weinmann was no more a Nazi than he was indispensable. He was merely acting out an ancient Jewish reaction pattern, and he was doing it more fervently than his Jewish colleagues.

In 1941 the Weinmann family came to the United States. Fritz Weinmann became Frederick Wyman. Hans remained Hans, but his son Charles "soon became a part of the American industrial pattern." In an account printed by *The New York Times* on January 4, 1953, there is no mention of the fact that the Weinmanns were Jews whose property had been Aryanized. Instead, the impression is created that they lost their mines because they lent financial support to the Czech government. In fact, the article does not mention the word *Jew*. It does mention that Charles Wyman, the son of Hans, was already a member of various firms and that he was "also a leader in the Unitarian Church." The article goes on: "How well the Wymans have fitted into the American pattern is probably best illustrated by the names Charles and his wife, Olga, gave their three children. They are John Howard, Thomas Michael and Virginia Ann."⁷⁷ This indeed is adaptability.

The Dresdner Bank and the Economy Ministry responded to the Weinmann approach quickly and decisively. The petitioning by Fritz Weinmann merely smoothed the way to complete confiscation, for in the German mind the Weinmann appeal was construed not as subservience (which it was) but as mockery (which it was not intended to be). The idea that a Jew should be indispensable or that he might even hold National Socialist ideas could only be treated as an insult, for if it were otherwise, the entire rationale of the destruction process would collapse.

The last of the Aryanization histories to be discussed is that of the

76. Memorandum by Finance Ministry, March 1941, NX-15638.

77. Robert H. Fetridge, "Along the Highways and Byways of Finance," *The New York Times*, January 4, 1953, p. F3.

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T A B L E 5-8
THE PETSCHKEK ENTERPRISES

	Germany:		
	Anhaltische		
	Kohlenwerke A. G., Halle	RM	24,012,000
	Werschen-Weissenfelser	\$	9,604,800
Julius Petschek	Braunkohlen A. G., Halle		
(headquarters			
in Prague)	Czechoslovakia (Sudeten):		
	Nordbohmische		
	Kohlenwerke A. G., Br \ddot{u} x	Cr.	200-243 million
	Br \ddot{u} xer Kohlen-Bergbau	\$	7-8,5 million
	Gesellschaft		
	Germany:		
	Öhriger Bergbau A. G.		
	Preussengrube A. G.		
	Niederlausitzer Kohlenwerke A. G.,	RM	200,000,000
	Hubertus Braunkohle A. G.	\$	80,000,000
	"Ilse" Bergbau A. G.		
	"Eintracht" A. G.		
Ignaz Petschek	Other holdings		
(headquarters			
in Aussig)	Czechoslovakia (Sudeten):		
	Britannia A. G., Falkenau		
	Vereinigte Britannia A. G.,	Cr.	36,700,000
	Seestadt	\$	1,286,500
	(Majority of) Duxer		
	Kohlengesellschaft A. G.,		
	Teplitz-Schönau * 78		

Petschek enterprises. The Petschek properties were owned by two families: the sons of Julius Petschek and the sons of Ignaz Petschek. Both families operated coal mines in Germany and Czechoslovakia. (A list of these holdings may be found in Table 5-8.)

The Aryianization of the Petschek "complex" was entrusted to two negotiators: Friedrich Flick's Central Steel Works (Mittelstahl) and the Dresdner Bank. The division of work was territorial. Friedrich Flick was empowered to negotiate for the transfer of the Julius and Ignaz Petschek properties in Germany; the Dresdner Bank was the plenipotentiary for mines in Czechoslovakia.⁷⁸ This division reflects a certain preference for "territorial solutions." The central German mines had to be Aryianized first.

78. Goring to Flick, February 1, 1938, NI-899. Dresdner Bank to Ministerialdirigirg Nasse, February 10, 1939, NI-13719. Gerichtsassessor Dr. Hahn (Office of the Four-Year Plan) to OberfinanzprSsident in Berlin, attention Regierungsrat Dr. Miiller and Ministerialrat Gebhardt (Finance Ministry). February 10, 1939, NI-10086.

The two Petschek groups, for their part, were not united. They competed with "and even opposed" each other.⁷⁵ When the threat of Aryanzation confronted the two families, they reacted in contrasting patterns.

The Julius Petscheks were in an excellent bargaining position. They had created a British dummy corporation which, in turn, was controlled by an American dummy. The entire setup was "obscure" to the Germans. It seemed to the Flick negotiators that the Julius Petscheks had actually *sold* the mines to foreign interests but that the Petschek group had retained an option to repurchase. At any rate, nothing could be proved.⁸⁰ Suddenly, without giving the Germans time to become organized, the Julius Petschek group offered to sell out. The Petscheks explained that they wanted to dissolve their interests in Germany; hence they would accept only foreign exchange. To back up their claim, they pointed to immunity from Aryanzation by reason of their foreign arrangements.⁸¹

Flick speculated that the Petscheks feared war or a similar catastrophe,⁸² but he acted quickly. "By order of Generalfeldmarschall Göring," a syndicate formed by Winterschall A. G., I. G. Farben, and Flick's own Mitteldeutsche Stahlwerke took over the Julius Petschek German mines. The syndicate was represented by Flick. Petschek was represented by the United Continental Corporation, New York. Under the terms of the contract, the purchasers acquired 24,000,000 reichsmark worth of stock for 11,718,250 reichsmark. However, payment was made in foreign exchange, which was made available by the Economy Ministry "at the express wish of Generalfeldmarschall Göring." The dollar price was \$4,750,000. The contract was signed on May 21, 1938.⁸³

After this fast work, the Dresdner Bank had no trouble with the Julius Petschek enterprises in the Sudetenland. Less than a year later the Dresdner Bank, acting on behalf of the Reich, had acquired the mines, which were worth 200-243 million crowns, for 70 million crowns (Czech currency) plus coal deliveries. Only the money had to be paid immediately; the deliveries were to be spaced over a period of five years. Präsident Kehrl of the Economy Ministry was overjoyed with the transaction ("extraordinarily satisfactory and advantageous"). He thought that the Reich could always get rid of the property for ⁷⁹ ⁸⁰ ⁸¹ ⁸² ⁸³

79. Memorandum by Finance Ministry, September 26, 1938, NG-4034.

80. Memorandum by Steinbrinck (Flick representative), January 10, 1938, NI-3254.

81. Memorandum by Steinbrinck, January 10, 1938, NI-3254.

82. Memorandum by Flick, January 19, 1938, NI-784.

83. Memorandum by Finance Ministry, September 26, 1938, NG-4034. Report by Oberregierungsrat Dr. Müller and Tax Inspector Krause to Oberfinanzpräsident in Berlin, October 26, 1938, NG-4033.

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double the purchase price." But when the Dresdner Bank presented its bill for its troubles, the faces of the Reich officials fell. The commission was 4 percent instead of the usual 2 percent. Since the Dresdner Bank had advanced its own funds to make the purchase, the Reich also had to pay interest at 6.5 percent. After a dispute with the Finance Ministry, it was agreed that in future deals the commission would be 2 percent and the interest 5.5 percent." Moreover, there was no 100-percent profit in the sale of the mines, because the purchaser of the Julius Petschek Sudeten properties was, of course, the Subag, Hermann Goring subsidiary."

Although the Julius Petscheks had rid themselves of their mines only at great loss, they had moved quickly and adroitly. Behind their demands they had employed just the right amount of pressure. That is why they were remarkably successful in comparison with other Jewish negotiators. The Germans realized this fact and regretted it as soon as the Ignaz Petschek Aryanizations had run their course.

Unlike their cousins, the sons of Ignaz Petschek decided to hold on to their property. For the Germans this decision was a very serious matter, because the Petschek mines were a major part of the central German coal industry. In the beginning of January 1938, Goring set up a commission for "the solution of the Petschek problem." The commission had the following members:⁷

Staatssekretär Posse, Economy Ministry
Staatssekretär Keppler, Office of the Four-Year Plan
Staatssekretär Pleiger, Hermann Goring Works
Flick, in his capacity as industrial expert
Sauckel, as the local Gauleiter

Flick was to be the principal negotiator. This choice is of interest for two reasons. In the first place, Flick was not a disinterested expert. He was the biggest industrialist in the area, and he had a personal stake in the outcome of the discussions. (As we have seen, Flick was to profit from the Aryanization of the Julius Petschek parcel.) Flick is interesting also because he was no stranger to the Petscheks and the Petscheks were not strangers to him.^{84 85 86 87}

84. Finance Ministry memorandum, February 17, 1939, NI-15635.

85. Finance Ministry memorandum, March 13, 1939, NI-15637. In 1940 the Dresdner Bank offered to accept a lump sum for services rendered in the Weinmann and Petschek Aryanizations in the amount of 300,000 reichsmark. Dresdner Bank (signed André and Rasche) to the Vorstand of the Subag, July 16, 1940, NI-15665.

86. Dresdner Bank to Ministerialrat Gebhardt (Finance Ministry), March 30, 1940, NI-147J6.

87. Memorandum by Steinbrinck, January 5, 1938, NI-3252.

Like Hick, old Ignaz Petschek was a self-made man. Starting as a *Prokurist* (assistant to a director with power to represent the firm) in the Weinmann enterprises, Ignaz had become independent and had acquired one mine after another. Friedrich Flick had served in an Aufsichtsrat of a Petschek company. Later he was to head his own industrial empire, the Mitteldeutsche Stahlwerke. Flick and Petschek remained in touch with each other, and just before Ignaz Petschek's death in 1934, Flick sent him birthday greetings on the occasion of his seventy-fifth birthday. "I was on most friendly terms with old Ignaz Petschek at all times," said Flick after the war."

How could a man function properly on behalf of the Reich if he had such interest in the Petschek property and such relations with the Petschek family? So far as Flick's desire for personal acquisition was concerned. Goring was confident that he could deal with any competitor by invoking the Reich interest. As we shall see, this calculation proved correct. The personal relations between Flick and the Petschek family were to prove no obstacle to the Aryanization. Even in its early days, the destruction process was a powerful transformer of relationships and attitudes.

On January 10, 1938, Flick's deputy, Steinbrinck, wrote a memorandum in which he noted that the Ignaz Petschek group was not willing to sell its property or to exchange the mines for other holdings. In view of that situation, "one would have to consider the possible employment of force or Reich intervention (*muss man gegebenenfalls Gewaltmassnahmen oder staatliche Eingriffe ins Auge fassen*)."

This remark is significant. One rarely finds such a naked expression of Nazi philosophy, even in secret documents. In this case, the remark is doubly significant, for in the same memorandum there is a clear implication that even if the Petscheks were willing to sell out for reichsmark, there would not be enough capital to pay for the property. Four interested parties—namely, I. G. Farben, the Vereinigte Stahlwerke, the Hermann Goring Works, and the Dresdner Bank—were ready to invest less than half the funds necessary to pay for the Petschek stocks at par value."

In the meantime, the Ignaz Petscheks were beginning to set up dummy corporations in Switzerland and Holland.^{88 89 90 91} No time could be lost, for with the passage of the months the Ignaz Petscheks would scatter their holdings among foreign corporations, a process that the Germans called *Einneblung*, or "fogging in." On January 19, 1938, the

88. Testimony by Flick, Case No. 5, tr. p. 3242.

89. Memorandum by Steinbrinck, January 10, 1938, NI-3254.

90. *Ibid.*

91. *Ibid.*

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leader of the Ignaz Petschek group, Karl, was summoned to the Economy Ministry, where he declared to Staatssekretär Posse and the assembled German officials: "You want war, gentlemen; I am prepared.

The Germans looked for a way to open the attack. In June a Flick lawyer submitted a memorandum on possible legal action against the Petscheks. There was no possibility for such action, complained the lawyer, for there was no law compelling a Jew to sell his property. He enclosed a draft of such a law as his only solution." Then, in July, things began to move.

On July 22 an interministerial conference was called to discuss the Petschek problem, the only conference concerned with a single Jewish family of which we have a record." The following officials participated:

Ministerialrat Wohlthat (chairman), Office of the Four-Year Plan

Gerichtsassessor Dr. Hahn, Office of the Four-Year Plan

Oberregierungsrat Dr. Müller, Oberfinanzpräsident, Berlin

Steuerinspektor Krause, Oberfinanzpräsident, Berlin

Legationsrat Altenburg, Foreign Office

Konsul Dr. Kalisch, Foreign Office

Oberregierungsrat Dr. Gotthardt, Economy Ministry

Bergrat Ebert, Economy Ministry

Dr. Lintl, Reichskommissar for Coal

Amtsgerichtsrat Herbig, Justice Ministry

Wohlthat opened the discussion by pointing out that Goring had ordered the Aryanization of the Ignaz Petschek properties in Germany. The value of these properties was 200,000,000 reichsmark. The representative of the Justice Ministry explained that there was no basis for legal action under any anti-Jewish decrees. Then, as the conference went on, the representatives of the ministries all agreed that funds for the purchase of the property were simply not available. The representative of the Coal Commissar stressed the importance of the Petschek coal for the economy. He wanted immediate Aryanization. Everyone agreed, however, that no measures could be taken that would throttle production in the Petschek coal mines. The Finance Ministry offered a partial solution: one could always claim taxes. In fact, research had ⁹² ⁹³ ⁹⁴

92. File note by Steinbrinck, January 19, 1938, NI-3249.

93. Dr. Hugo Dietrich to Direktor Steinbrinck, June 20, 1938, NI-898.

94. Summary of Petschek conference (signed Wohlthat), August 2, 1938, NG-2398. The office of the Oberfinanzpräsident in Berlin was a regional office of the Finance Ministry: that of the Reichskommissar for Coal was an agency of the Office of the Four-Year Plan.

already disclosed that the Petscheks owed 30,000,000 reichsmark to the Reich. The conferees then considered alternate solutions: replacement of Jewish directors in subsidiaries of the Petschek combine on the ground that the Jews were a danger to the community, dissolution of the Petschek-controlled East Elbian Lignite Syndicate (wholesale trade organizations), and so on.

The tax claims proved to be the lever that toppled the Petschek empire. In October 1938 the Germans, marching into the Czechoslovak Sudetenland, took possession of the Ignaz Petschek headquarters in Aussig, with a view of discovering further tax delinquencies. Matters were going so well that in a conference of Finance, Economy, and Mittelstahl officials, Steinbrinck advised the suspension of negotiations on the ground that "the Petscheks were not yet soft enough [*Die Petscheks seien noch nicht weich genug*]." From the government of the short-lived, amputated Czech state (October 1938 to March 1939) help came in response to a German request. Czech Foreign Minister Chvalkowsky declared his readiness to cooperate with the investigation in every respect, "since the Czech state, too, had been defrauded by the Petscheks."⁹⁶

By June 1939 the Finance Ministry had increased its claim from 30,000,000 to 300,000,000 reichsmark. The entire Petschek property in Germany would now be insufficient to pay the taxes claimed by the Reich." The Finance Ministry was jubilant. On June 26 the Finance Ministry's Ministerialrat Gebhardt stated that his ministry's position was now "stronger than ever." Speaking to Steinbrinck, Gebhardt called it "unshakable." In other words, after all the troubles with plenipotentiaries and committees, the Finance Ministry had done the job singlehandedly. Gebhardt's happiness was clouded by only one thought. It was unfortunate, he said, that the Reich had made a deal with the Julius Petschek group so hastily. Undoubtedly, that concern had also engaged in "irregular business activities."⁹⁷

The Ignaz Petschek enterprises were now sold by the Reich for whatever the traffic would bear. The central German mines were taken over by Goring and Flick—but only after a nasty swap of mines be- ^{95 96 97 98}

95. Hahn to Oberregierungsrat Muller and Ministerialrat Gebhardt, February 10, 1939, NI-10086. During the same meeting Dr. Rasche of the Dresdner Bank made an attempt to takeover the functions of the Finance Ministry by offering to negotiate the tax claims with the Petscheks. Gebhardt declined on the ground that such an arrangement would bring the other great banks into "ill humor." *Ibid.*

96. *Ibid.*

97. File note by Steinbrinck, June 12, 1939, NI-3364.

98. File note by Steinbrinck, June 26, 1939, NI-10139.

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tween the Goring Works and Mittelstahl, under the terms of which the Reichsmarschall received the decidedly better bargain in the "state-political interest."⁹⁹

The Czech mines, captured in the meantime by the Dresdner Bank without any difficulty at all, were transferred to an *Auffanggesellschaft* (a company formed for the explicit purpose of taking over Aryanized property). The company in question, the Egerländer Bergbau A. G., was Reich owned because the Czech mines, too, had been confiscated by the Reich in partial satisfaction of the tax claim. However, the Egerländer Bergbau was sold to private interests controlled by the industrial family Seebohm.¹⁰⁰

The fate of the Ignaz Petscheks was the same as the fate of the Weinmanns, and this was true even though the Weinmanns had argued and petitioned, while Karl Petschek had "declared war." The answer to the riddle is that both the Weinmanns and the Petscheks were pursuing strategies that led inevitably to a showdown. In the final encounter, neither family could defend itself. The Weinmanns were playing a very old game, and their performance was not unskillful. But they were maneuvering without a base. The Ignaz Petschek group stood fast, since they were literally too big for bargaining. Their battle, however, was inevitably lost, for they were fighting alone against the total power of the German state.

The "penalty" confiscations of the Weinmann and Ignaz Petschek enterprises mark the close of the "voluntary" Aryanizations. Of course, "voluntary" in this connection means only that the Weinmanns and the Petscheks still had an opportunity to bargain with the Germans. So long as such an opportunity existed—no matter how adverse the conditions and how strong the pressure—the process was considered a voluntary one. The involuntary or forced Aryanization (*Zwangsarisierung* or *Zwangsentjudungsverfahren*) was characterized by the complete absence of a Jewish negotiator. In such a proceeding the Jewish owner was represented by a "trustee"; i.e., both parties in the negotiations were German.

There were two reasons for the introduction of the involuntary scheme of Aryanizations. One was the impatience of the ministries. With compulsory procedures the process could be speeded up, termination dates could be set, and the overall completion of the transfers ⁹⁹ ¹⁰⁰

99. Memorandum by Flick, December 5, 1939, NI-3338. This remarkably candid account of Flick's relations with Goring was read to the Vorstand members of one of Flick's subsidiaries, Harpen.

100. Memorandum by Direktor Andre (Dresdner Bank), November 3, 1940, NI-13944. Memorandum for Vorstand meeting, Dresdner Bank, by Direktor Busch, November?, 1940, NI-6462.

could be envisaged within those time limits. The other reason was more important: the ministerial bureaucracy wanted to have a say in the distribution of the Jewish enterprises.

One of the major effects of the Aryanizations was an increasing concentration within the business sector. We have seen that there was no tendency to break up Jewish enterprises among small buyers. There was no "decartellization." Similarly, it happened only rarely that a major Jewish business was taken over by several German firms acting as a buying syndicate or *Auffanggesellschaft*. Most often the German buyer was bigger than the Jewish seller. In short, the Aryanizations had altered the structure of German business in such a way as to accentuate the power of already powerful firms. This means that the business sector as a whole, represented as it was by powerful industrialists, had become more formidable in its dealings with other hierarchies.

In their attitude toward the distribution problem, however, the party and the ministries did not manage to form a united front. In fact, disagreements cut clearly across the two hierarchies. Most of the party officials and the interior Ministry became defenders of the small businessman, whereas the Economy Ministry, the Finance Ministry, and, ultimately, a very decisive party voice (Goring) lined up with big business in what was called the "liberal" point of view. The issue was fought out in a great debate, one that was to be dwarfed only by another controversy in the 1940s about the status of the Mischlinge. The debate was precipitated in the course of the Interior Ministry's publication of three administrative measures that were obviously preparatory steps in the development of an involuntary Aryanization proc-

On April 26, 1938, the Interior Ministry ordered all Jews to register their property. Characteristically, the work of registration was entrusted to regional offices that were not answerable to competing ministries: the *Regierungspräsidenten* in Prussia and Bavaria; the Police President in Berlin; the *Reichsstatthalter* in Thuringen, Hessen, Schaumburg-Lippe, Hamburg, and Lippe; the *Kreishauptmänner* in Saxon[^]; the Ministries of State in Mecklenburg and Anhalt; the *Reichskommissare* in the Saar and in Austria.

Another decree of the same date provided that contracts involving transfer of a business from a Jew to a German required the approval of the "higher administrative offices" (*Höhere Verwaltungsbehörden*).¹⁰¹ Ordinarily, the term *Höhere Verwaltungsbehörden* comprised only the regional offices of general administration, of the kind that were en-^{101 102}

101. RGB] 1,414.

102. RGBl 1,415.

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trusted with the registrations. In this case, however, the Economy Ministry, the party regional economic advisors (*Gaunrtschaftsberater* and *Kreiswirtschaftsberater*), the local chambers of commerce, and the competent industrial associations all got into the picture.¹⁰ Everyone wanted the veto power in the final transaction.

On June 14, 1938, the Interior Ministry took the third preparatory measure: the definition of a Jewish enterprise.¹¹ This decree provided that a business was Jewish if the proprietor was a Jew, if a partner was a Jew, or if on January 1, 1938, one of the Vorstand or Aufsichtsrat members was a Jew. Also considered Jewish was a business in which Jews had more than one-fourth of the shares or more than one-half of the votes, or that was factually under predominantly Jewish influence. A branch of a Jewish business was declared Jewish, and a branch of a non-Jewish business was considered Jewish, if the manager of the branch was a Jew.

On the very day of the issuance of the business definition decree, Interior Minister Frick opened the debate by proposing the introduction of compulsory Aryanization.¹² Frick suggested that Jewish enterprises be transferred to the Reich in return for bonds and sold by the Reich, on credit basis, to suitable middle-class buyers. The rights of non-Jewish creditors were to be largely cut out. So far as Frick was concerned, Aryan creditors who to that day had kept up business relations with Jews deserved no consideration.

In a reply dated August 23, 1938, Finance Minister von Krosigk, noting the Interior Ministry's preference for the middle class, stated that—on principle—important enterprises should be taken over by financially strong concerns and that enterprises in overcrowded branches should be liquidated. The Finance Minister expressed his opposition to the Reich's extension of credit to buyers ("the credit of the Reich must not be impaired") and to the cancellation of debts owed to non-Jewish creditors. In his reply he concluded that if compulsory transfers of Jewish property were desired, it would be best to set up ¹⁰³ ¹⁰⁴

103. Memorandum by Dr. P. Binder, May 23, 1938, NI-6906.

104. RGB1 I, 627. Drafts of the decree were circulated, after an interministerial conference and before publication, to Gbring, the Labor, Economy, Finance, and Justice Ministries; the Foreign Office; the Reich Chancellery; and the Deputy of the Fihrer (Hess). See circular letter by Sluckart, April 30, 1938, NG-3938. The decree was signed by Frick (Interior), Hess, Funk (Economy), and GOrtner (Justice).

105. Frick to Oberregierungsrat Hallwachs (Office of the Four-Year Plan), MinisterialbQrodirektor Reinecke (Economy Ministry), SS-Oberfihrer Klopfer (Party Chancellery), SS-Untersturmfihrer Regierungsrat Dr. Tanzmann (Security Police), June 14, 1938, NG-3937.

time limits in which the Jews would be required to dispose of their business."¹⁰⁶

The final word in this debate was said by Goring in the conference of November 12, 1938:

It is easily understood that strong attempts will be made to get all these [Jewish] stores into the hands of party members. ... I have witnessed terrible things in the past; little chauffeurs of Gauleiters have profited so much by these transactions, they have now about half a million. You gentlemen know it. Is that correct? (*Assent*) Of course, things like that are impossible. ... We shall insist upon it that the Aryan taking over the establishment is experienced in the business and knows his job. Generally speaking, he will have to pay for the store with his own money. "¹⁰⁷

That was the end of the debate.

From July to December 1938 the ministerial bureaucracy wiped out in six consecutive blows the remaining structure of Jewish business and self-employed activity. The decrees (1) set termination dates for the operation of commercial services, doctors' offices, lawyers' offices, and retail establishments; (2) provided for trustee administration (by appointees of the Economy Ministry) of retail establishments, industrial enterprises, real estate, and agricultural properties. It is noteworthy that these measures proceeded from the assumption that small Jewish firms, particularly in "overcrowded" fields, were to be liquidated entirely. Only efficient enterprises or businesses with a high plant value were found worthy of transfer into Aryan hands.¹⁰⁸

106. Von Kxosigk to Frick, Goring, Hess, Ribbentrop, Lammers, Funk, and Heydrich. August 23, 1938, NG-3937. See also Finance Ministry memorandum of July 16, 1938, NG-4031. For Economy Ministry's attitude, see memorandum by Dr. Binder (Dresdner Bank) on his discussion with Regierungsrat Dr. Gotthardt, May 23, 1938, NI-6906. See also Binder to Götz, May 30, 1938, NI-6906. Götz was chairman of the Vorstand (board) and chairman of the Aufsichtsrat (president) of the Dresdner Bank.

107. Minutes of conference, November 12, 1938, PS-1816.

108. In Austria before the Anschluss there were 25,898 Jewish enterprises (not including doctors' and lawyers' offices). By the end of 1939, 21,143 had been liquidated. The percentages of liquidations in individual branches were as follows:

Artisan trades	87
Sales	83
Travel and shipping	82
Banks	81
Industrial	26
Agricultural	2

Krakauer Zeitung, December 2, 1939, page headed *Wirtschafts-Kurier*. For similar Berlin statistic, see Bennathan, "Struktur," *Entscheidungsiahr*, p. 131.

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The first decree, dated July 6, 1938,¹⁰⁹ dealt with commercial services. It provided for the termination, by December 31, 1938, of Jewish business activities in guard services, credit information bureaus, real estate agencies, brokerage agencies, tourist guides, marriage agencies catering to non-Jews, and peddling. No compensation was provided for any financial losses resulting from cessation of business.

The second decree was enacted on July 25, 1938.¹¹⁰ In pursuance of this measure, licenses were withdrawn from Jewish physicians. However, the Interior Ministry was empowered to issue permits restricting the practice of Jewish doctors to the treatment of Jews. This was no more than a reenactment of canonical law, but a modern innovation was the provision that leases for apartments rented by Jewish physicians were terminable at the option of either landlord or tenant. The decree was signed by Hitler, Frick (Interior Ministry), Hess (Führer Deputy), Gürtner (Justice Ministry), and Reinhardt (Staatssekretär, Finance Ministry).¹¹¹

On September 27, 1938, a decree signed by Hitler, Gürtner, Frick, Hess, and Reinhardt provided for the elimination of all Jewish lawyers, effective December 31.¹¹²

These three measures, it must be emphasized, were straight liquidation decrees. Under the terms of these laws, there was no transfer of enterprises from Jews to Germans. Only the customers, patients, and clients were transferred to German patronage.

On the occasion of the November riots, Hitler and Goring had a discussion about fines and similar matters. One of the products of this discussion was Hitler's decision to undertake the "economic solution" of the Jewish problem; in other words, he wanted all remaining Jewish enterprises to be Aryanized. Characteristically for Hitler, his motivation was not at all economic. He wanted a quick Aryanization—particularly of the department stores—because he did not think that Aryan customers, notably officials and government employees who could shop only between 6 and 7 P.M., obtained adequate service."^{109 110 111 112 113}

109. RGBI I, 823.

110. RGBI I, 969.

111. The Jewish doctors, whose practice was restricted to Jews, were deprived not only of their business but also of their title. They were henceforth called *Krankenbehandler*. Jewish dentists were deprived of their licenses by the decree of January 17, 1939, RGBI I, 47.

112. RGBI I, 1403. Lawyers whose practice was restricted to Jews were called *Konsulenten*. Patent agents had already been removed by the decree of April 22, 1933, signed by Hindenburg, Hitler, and Frick, RGBI I, 217. Tax advisors had been eliminated by the decree of May 6, 1933, signed by Hitler and Gürtner, RGBI I, 257.

113. Testimony by Goring, *Trial of the Major War Criminals*, IX, 278.

Whatever the logic of this reasoning, the remedy was applied immediately.

On November 12, 1938, retail establishments were ordered to cease all business activity by December 31.¹¹⁴ In elaboration of this decree, the ordinance of November 23, 1938,¹¹⁵ signed by Staatssekretär Brinkmann (Economy Ministry) and Reichsminister Gürtner (Justice Ministry), ordered that the entire Jewish retail trade, including shops, mail order houses, department stores, and so on, be dissolved and liquidated as a matter of principle. The Jewish owners were forbidden to sell their stock to consumers. All goods were to be offered to the competent branch group or association (*Fachgruppe* or *Zweckvereinigung*). Prices were to be fixed by experts appointed by the presidents of the competent Chambers of Commerce. In other words, the German consumer was to get nothing out of this deal; the German competitor was to get the bargain. To hurry matters along, the Economy Ministry was empowered to appoint liquidators, and it could grant in special cases the right of transfer (Aryanization) to a German buyer. The Jewish owners of handicraft shops, however, were simply to be struck off the register and their licenses confiscated.

On December 3, 1938, the last and most important measure was enacted.¹¹⁶ This decree, which was signed by Funk and Frick, dealt with industrial enterprises, real estate, and securities. With respect to Jewish industrial firms, the measure provided that the owners could be ordered to sell or liquidate within a definite time. A "trustee" could be appointed to effect the sale or liquidation. The trustees were to be appointed by the Economy Ministry, but they were to be "supervised" by the top regional officials of the Reich. To conduct a sale, the trustees had to have the permission also of those agencies that exercised a veto power in these matters (the Gau economic advisors, Chambers of Commerce, and industrial associations). As a negotiator, the authority of a trustee replaced any legally required power of attorney.

The decree also provided that a Jew could be ordered to sell his land, forest, or real estate properties. In these holdings, too, trustees could be appointed to make the sale. However, as we shall see, the real estate Aryanizations lagged for several years because, in many cases, the Jews had mortgaged their houses to the "roof antenna."¹¹⁷ Finally,

114. RGBI I, 1580. Wholesale establishments remained outside of the compulsory Aryanization process.

115. RGBI I, 1642.

116. RGBI I, 1709.

117. The average mortgage was 75 percent. See the *Deutsche Volkswirt*, July 29, 1938, pp. 2(42)—43.

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the decree ordered the Jews to deposit all stocks, bonds, and other securities at the regional offices of the Finance Ministry. Deposits and titles were to be marked as Jewish. Disposal of securities henceforth required the authorization of the Economy Ministry.

That was the "economic solution." We might note that these decrees did *not* solve all problems. To begin with, they were not in effect in the so-called Protektorat of Bohemia and Moravia, where the Dresdner Bank and its cohorts were busy with "voluntary" Aryanizations.¹¹⁸ Second, the laws did not apply to foreign Jewish enterprises in the Reich. The attempt to cover foreigners was made, but it did not succeed. Under the registration decree of April 26, the foreign Jews had been ordered to register their domestic property. The decree also contained a phrase that was in part administrative, in part propagandist.¹¹⁹ The phrase was to the effect that the registered properties would be used in accordance with the necessities of the German economy. In consequence of these provisions, the United States, Great Britain, France, Belgium, Switzerland, Poland, Latvia, Lithuania, and Czechoslovakia protested. All of these countries, except Belgium and Poland, also had treaties with Germany that specifically prohibited the parties to take the properties of each other's nationals without adequate compensation.

As a result of these protests, Staatssekretär Weizsäcker of the Foreign Office pointed out that an indiscriminate application of the principle of "utilization" would have serious political consequences disproportionate to any advantages gained.¹²⁰ This opinion was confirmed by Lammers, the Chief of the Reich Chancellery, after a discussion with Ribbentrop, Frick, and Hitler. The four men had considered the interesting question—pregnant with implications for future policy—whether Jews of foreign nationality should be treated as foreigners or as Jews. It was decided that, as a matter of principle, they should be treated as Jews, but that exceptions might be necessary in individual cases for reasons of foreign policy.¹²¹ The upshot of these discussions was Göring's grudging decision to exempt the foreign Jews from forced Aryanizations. As he put it during the conference of November 12, 1938: "We shall try to induce them through slight, and ¹¹⁸ ¹¹⁹ ¹²⁰

118. The Protektorat decree of June 21, 1939 (signed by Reichsprotektor von Neurath), stipulated that the transfer of a Jewish business was permissible only with special written authorization. In addition, the Reichsprotektor empowered himself to appoint trustees "in cases which seem appropriate to him." *Verordnungsblatt des Reichsprotektors in Böhmen und Mähren*, 1939, p. 45.

119. Weizsäcker to Brinkmann (Staatssekretär, Economy Ministry), June, 1938, NG-3802.

120. Ummers to Hess, July 21, 1938, NG-1526.

then through stronger pressure, and through clever maneuvering to let themselves be pushed out voluntarily."¹¹¹

The party was not quite satisfied with the "solution" to the Aryani- zation problem, because the "the middle class," or the "little chauffeurs of Gauleiter"—whichever way one wished to look at the matter— were left out in the cold. In the Gau Franken, Streicher's district, the party decided on its own economic solution. On the eve of the November decrees, suspecting that no time was to be lost, the offices of Gauleiter Streicher went to work. One Jew after another was called in and made to sign a paper transferring his real estate to the city of Fürth, the Gau, or some other worthy purchaser. From the Jewish community organization the city of Fürth acquired 100,000 reichsmark worth of property for 100 reichsmark. From a private person the city took 20,000 reichsmark worth of real estate for 180 reichsmark, and so on. Jew after Jew filed in, and document after document was signed.

However, there was a difficulty because some court officers re- fused to enter the transactions in the real estate book (*Grundbuch*), a step required to make the deal legal. One of the judges, Amts- gerichtsrat Leiss, was willing to go ahead. He reasoned that "the question of freedom of will was perhaps dubious but that every action in life was governed by some influence or other." But Leiss wanted to put the circumstances of the transaction into writing. Furthermore, some of the judicial officials insisted that Gauleiter Streicher be entered as purchaser for such properties as were transferred to the Gau, be- cause the Gau as such had no "legal personality." The party men de- cided that the name of the Gauleiter had to be "left out of this" and entered the name of Deputy Gauleiter Holz as a "trustee." Staatsse- kretär Schlegelberger of the Justice Ministry had no objection to this procedure, and the party officials explained in their defense that "the Gau Franken had made special contributions in the Jewish question and that therefore it was entitled to special rights."¹¹²

If the party had its grievances, the Reich had more cause for com- plaint. For when all was said and done, the major profit accrued neither to the party nor the Reich but to private business interests: the pur- chasers of Jewish enterprises and the competitors of liquidated firms. This was true under involuntary Aryani- zation no less than under voluntary Aryani- zation. The idea that one special class should have all ¹²¹ ¹²²

121. Minutes of Goring conference, November 12, 1938, PS-1816.

122. The story of the Franken Aryani- zations is taken from the memorandum by Oberstaatsanwalt Joel, February 15, 1939, NG-616. A special commission was appointed by Goring to look into these transactions. For its report, see document PS-1757. An unpublished decree, signed by Goring and dated December 10, 1939, invalidated all irregular Aryani- zations concluded after November 1, 1938, NG-1520.

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the profit from a measure taken for the "good of the people" was a distasteful one, even for Goring. Consequently, it was decided that the new owners would have to part with some of their gains.

First, there was the problem of bridging the gap between purchase price and actual value. It seemed to Goring that the trustees were not supposed to serve the Jews. They were appointed to serve the state. As he saw it, the trustees were to fix the amount to be paid to the Jewish owner for his property. "Naturally," he said, "this amount is to be set as low as possible." But in turning over the property to a German buyer, the trustee was to collect the highest possible price—the actual value. The difference was to be pocketed by the Reich.¹¹⁵ That is why Goring did not want "little chauffeurs" among the purchasers. However, the scheme did not work, since the German buyers were not disposed to pay more under forced Aryanization than they had paid under voluntary Aryanization. As a consequence, the enterprises were actually sold for as "little as possible," and the Reich had to collect the difference from the purchasers instead of the trustees. That was not so easy.

Under the decree of December 3, 1939, the beneficiaries of Jewish property were made liable to the payment of an "equalization" tax in the amount of the supposed difference between purchase price and actual value. The tax affected only those purchasers whose transactions had been subject to official approval under the decrees of April 26 and December 3—in short, no Aryanization concluded *prior* to April 26, 1938. On February 6, 1941, a circular order by the Economy Minister retroactively subjected the pre-1938 transactions to the same levy. However, the Ministry decided not to be "petty" in the enforcement of the tax.¹¹⁶ That the enforcement was not "petty" is shown by the following figures, indicating the meager "equalization" receipts during three fiscal years:¹¹⁷

1942	RM	34,530,483.87
1943	RM	9,156,161.17
1944 (estimate)	RM	5,000,000.00

In addition to this tax, the acquirors of Jewish enterprises had to undergo still another tribulation: the removal of Jewish trademarks and firm names. This measure was demanded first by Goring during the ¹²³ ¹²⁴ ¹²⁵ ¹²⁶

123. Minutes of conference of November 12, 1938, PS-1816.

124. RGB11, 1709.

125. *Der Deutsche Volksml* 15 (February 28, 1941): 820-21. For detailed instructions see Reichsbauernführer. *Dienstnachrichten*, 1941, p. 418, NG-1678.

126. Liquidation Administration of the German Finance Ministry (signed Dr. Siegert) to Control Commission of Germany/Brilish Element/Finance Division. November 14, 1946, NG-4904. There is no indication of any receipts prior to fiscal year 1942.

conference of November 12, 1938. Pointing out that many Aryans had been so "clever" as to keep the Jewish designations, Goring stressed that many of these Aryanized firms had been looted during the November riots by mistake. From now on, the "names of former Jewish firms shall have to disappear completely, and the German shall have to come forward with his or his firm's name.... All that is obvious."¹²⁷

But the matter was not so obvious to the German businessman. A trademark or a firm name that sold goods was an asset, and an asset was worth money. TVue, the Aryan buyers had not paid for this particular type of asset, for that was part of "good will" and Jews were not supposed to have any "good will," but then again, no one likes to lose something valuable just because he did not pay for it. Accordingly, the merchants and industrialists were not satisfied when, under the decree of December 3, 1938, the trustees were empowered to remove Jewish firm names, and they were even less gratified by the decree of March 27, 1941, which required every purchaser of a Jewish enterprise that still carried the name of the Jewish owner to remove such a name within four months. To make himself absolutely clear, the Justice Minister (who was responsible for this measure) pointed out in an explanatory instruction that the names of *all* former Jewish owners had to be removed, whether such names sounded Jewish or not, whether they were whole or abbreviated.¹²⁸ This regulation gave rise to petitions, correspondence, and conferences.

On April 18, 1941, the Rosenthal-Porzellan A. G. sent a letter to Goebbels requesting that the honored Reichsminister persuade the Justice Ministry to make an exception for the name "Rosenthal," since in this case "it was not a question of a name, but a symbol of a product [*Sachbegriff*]" The founder of the firm, Generaldirektor Geheimrat Philipp Rosenthal (a Jew) had retired in 1933, and the Rosenthal family had never controlled more than 20 percent of the shares. The name itself had been for fifty years a recognized trademark all over the world, particularly in foreign countries, where "Rosenthal" had become the symbol of the "epitome in quality" of porcelain. Moreover, the firm name *had* already been changed in 1938 from "Porzellanfabrik Philipp Rosenthal A. G." to "Rosenthal-Porzellan A. G."¹²⁹

The Propaganda Ministry sent the petition with a favorable recommendation to the Justice Ministry.¹³⁰ Encouraged, the porcelain firm ^{127 128 129 130 131}

127. Minutes of conference, November 12, 1938, PS-1816.

128. RGBt 1, 177.

129. *Allgemeine Verfügung des Reichsjustizministers*, March 27, 1941, *Deutsche Justiz*, Heft 15/16, p. 459.

130. Rosenthal-Porzellan A. G. to Goebbels, April 18, 1941, G-64.

131. Ministerialdirigent Dr. Schmidt-Leonhardt to Ministry of Justice, April 26, 1941, G-64.

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deluged the Justice Ministry with additional memoranda pointing out, among other things, that the Vorstand of the company had been fully Aryanized by 1933, that the Aufsichtsrat had been cleared of Jews by 1934, that the Generaldirektor had died, to be replaced by his fully Aryan widow during that same year; and that the Rosenthal family had transferred its shares to Aryan interests by 1936.¹³² The Justice Ministry gave in. It decided that the order did not apply to the firm because under the decree of June 14, 1938, defining a Jewish business, Rosenthal was not a Jewish enterprise!¹³³

The case of Rosenthal is particularly interesting because the Aryans who had taken over the enterprise and its name were the kind of people who inserted anti-Jewish advertisements in the press. The case is significant also for its postwar implications. The new management was right when it claimed that the name "Rosenthal" was known abroad. After the war the firm shipped its china to many a Jewish department store in New York, which, in turn, sold the merchandise to many a Jewish customer who was under the impression that he was buying a Jewish product.

The Rosenthal method of obtaining individual exemption did not satisfy the business sector. The businessmen wanted to do away with the ordinance altogether. On May 29, 1941, representatives of the ministries and of business met to discuss the problem. In his opening remarks, the chairman, Ministerialrat KÜhnemann of the Justice Ministry explained that the purpose of the decree was to smother the Jewish firm names, so that the German merchant could in the future sell his wares without these "reminders of the supremacy of Jewish business sense in the German economy." The representative of the *Reichsgruppe Industrie* (Reich Industrial Association), Dr. Gerdes, proposed without ado that the decree be postponed until the end of the war. Oberregierungsrat von Coelln of the Economy Ministry supported him, as did Kammergerichtsrat Dr. Heinemann of the Agriculture Ministry and Dr. Grosse of the Reich Chamber of Commerce. Only the Party Chancellery (Staatsanwalt von Kaldenberg) supported the chair-^{132 133 134}

132. Rosenthal-Porzellan A. G./Vorstand (signed Klaas and Zöllner) to Justice Ministry, May 27, 1941, G-64. Rosenthal-Porzellan A. G./Vorstand to Justice Ministry, June?, 1941, G-64.

133. Justice Ministry (signed Quassowski) to Rosenthal-Porzellan A. G./Vorstand, August 25, 1941, G-64. Schmidt-Leonhardt to Goebbels, July 10, 1941, G-64. Under the June 14, 1938, decree a business was Jewish if in 1938 one-fourth of the shares were in Jewish hands or if on January 1, 1938, a Jew was a member of the Vorstand or Aufsichtsrat.

134. Summary of firm names conference (signed Sunner). May 29, 1941, G-59.

In subsequent correspondence, too, the weight of opinion was against the Justice Ministry. The Reichsgruppe Industrie wanted wholesale exceptions for all famous firm names. One business representative, Hunke, writing to the Propaganda Ministry, pointed out that the decree had a fatal defect. The ordinance affected only those firms that had taken over Jewish enterprises. What would prevent some little porcelain factory in Thüringen from registering a world-famous name such as "Rosenthal" as soon as the owners of that name were divested of its use? The "quickest" firms would be rewarded, whereas the primary object of the ordinance—the "extinction" of the names of former Jewish owners—would remain unfulfilled.¹⁵⁵ The whole decree was simply impossible. Nobody wanted it. Only the Party Chancellery continued in its support of the harassed Justice Ministry. The Party Chancellery wanted an extension of the decree to cover *all* Jewish names, the names of freemasons, non-Germanic (*artfremde*) trademarks, and so on.¹⁵⁶ The result of the controversy was the complete defeat of the Justice Ministry. In September it was decided that nothing further would be done about the removal of Jewish names during the war.¹⁵⁷

As we review the Aryanizations, we find that the business sector had swallowed a great many Jewish enterprises and that it had benefited from a large number of forced liquidations. We have no overall figures showing the extent of these gains. We know only that the purchaser of a Jewish business rarely paid more than 75 percent of its value and that often he paid less than 50 percent. We know also that the German beneficiaries of Jewish liquidations invested little or nothing. The profit to the business sector must therefore be reckoned in billions of reichsmark.

What about the Reich? What about Goring's pronouncements that the Reich, and only the Reich, was entitled to profit from the Aryanizations? The Finance Ministry had few receipts indeed. Apart from a few major penalty confiscations (which did not yield so much when the purchaser was Goring) and apart from the Aryanization equalization tax (which did not yield much either), the ministry registered no receipts at all. But, indirectly, the Reich did take a huge bite out of the leftovers of Jewish property values. It collected the vast amounts of cash and other liquid assets that the Jews had acquired in the course of the Aryanizations as payment for their enterprises. This money was ^{135 136 137 * *}

135. Präsident des Werberates der deutschen Wirtschaft (signed Hunke) to Propaganda Ministry, July 11, 1941, G-59.

136. Party Chancellery to Justice Ministry, July 16, 1941, G-59.

137. Regierungsrat Dr. Hilleke (Propaganda Ministry) to Präsident des Werberates der deutschen Wirtschaft, September 22, 1941, G-59. Announcement by the Economy Ministry, *Ministerialblatt des Reichswirtschaftsministeriums*, January 14, 1942, p. 15.

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confiscated by the Finance Ministry in pursuance of two property taxes: the so-called Reich Flight Tax and the so-called Atonement Payment.

PROPERTY TAXES

The flight tax was first decreed on December 8, 1931,¹ more than one year *before* Hitler came to power. Originally, the measure affected all emigrating Reich nationals who on January 31, 1931, had property worth more than 200,000 reichsmark or whose income during the calendar year 1931 was more than 20,000 reichsmark. On May 18, 1934, the effect of the decree was widened by making it applicable to all emigrating Reich nationals who on January 31, 1931 (or any time thereafter), owned property worth more than 50,000 reichsmark or who in 1931 (or any subsequent year) earned more than 20,000 reichsmark.²

"Property" included all values taxable under the regular property tax laws plus such assets (ordinarily not taxable) as shares in personal partnerships and certain Reich loans. The tax consisted of one-fourth of the current value of the property (that is, value at time of emigration). There were no exemptions and no allowable deductions. The eligible emigrant had to pay a full fourth of his current taxable assets. What did this mean? A Jew whose taxable property on January 1, 1931, was worth 60,000 reichsmark and who at the time of his emigration, say in 1938, still owned 16,000 reichsmark paid a tax of 4,000 reichsmark. A Jew whose taxable property never rose above a value of 50,000 reichsmark but whose income during the single year 1932 was 25,000 reichsmark paid a fourth of whatever taxable property assets he had at the time of emigration. If these assets were 5,000 reichsmark, he paid 1,250 reichsmark.²

Obviously, the amendment introduced in 1934, and the administrative rules enacted for the implementation of this decree, reflected not only a change of effect but also a change of purpose. The original measure was designed to *deter* emigration, particularly the emigration of well-to-do people who desired to take their wealth out of the country in the form of commodity shipments or money transfers. The amended measure was designed to *take advantage* of emigration—this time, the

1. RGB11.699, pp. 731-33.

2. RGB 11, 392.

3. For details of administration of this law, see Heinz Cohn, *Auswanderungsvorschriften für Juden in Deutschland* (Berlin, 1938), pp. 61-68.

emigration of Jews who were leaving the country in order to begin a new life abroad.* The effect is shown by the following figures of receipts in five fiscal years, one pre-Nazi and four Nazi years:^{4 5 6}

1932-33	RM	1,000,000
1935-	36 RM	45,000,000
1936-	37 RM	70,000,000
1937-	38 RM	81,000,000
1938-	39 RM	342,000,000

Although we have no data for fiscal years 1933-34, 1934-35, and 1939-40, we can make some estimates for these periods on the basis of emigration statistics. On such a basis, the Finance Ministry should have collected approximately 50,000,000 reichsmark during fiscal years 1933-34 and 1934-35, and roughly 300,000,000 reichsmark during fiscal year 1939-40 (the last significant emigration year).⁵ The total yield of the Reich Flight Tax was consequently in the neighborhood of 900,000,000 reichsmark.

We have already examined some of the circumstances that led to the implementation of the second property tax: the "Atonement Payment" (*Sühneleistung*) imposed on the Jews after the assassination of Gesandtschaftsrat vom Rath in Paris. We have seen that after a struggle between Goring and Goebbels, the Finance Ministry, rather than the party, was designated as the recipient of the fine. During the argument, Hitler, Goring, and Goebbels had also fixed the amount of the tax: the round sum of a billion reichsmark. The collection of that sum posed an interesting problem.

A tax collector can never tell in advance precisely how much revenue a certain tax will yield. A tax is almost always expressed as a fixed percentage of income, property, or property turnover values. If income, property values, or property turnover changes from one fiscal

4. The Economy Office *Wirtschaftsamjt* of Frankfurt am Main reported on February 27, 1934, that of forty-two persons assessed for the tax in the city area, forty-one were non-Aryans. *Dokumente zur Geschichte der Frankfurter Juden 1933-1945* (Frankfurt am Main, 1963), pp. 178-79.

5. *Deutsche Bank* (published by the Deutsche Bank/Volkswirtschaftliche Abteilung), May 30, 1939, pp. 144-45. Fiscal year 1938 (or 1938-39) refers to the year beginning on April 1, 1938. The exchange rate set by the German government for purchases of mark in the Reich was 1 = RM 2.40. The RM 2.40 were worth less than a dollar when sold outside Germany.

6. Emigration statistics for the Old Reich (boundaries of 1937) are given by Hans Lamm, "Über die Innere und Äussere Entwicklung des Deutschen Judentums im Dritten Reich" (Erlangen, 1951; mimeographed), p. 223. Emigration statistics for Austria can be calculated from a report by the Statistical Office, Reichsgau Vienna, December 15, 1939, PS-1949.

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year to the next, so does the tax yield. In order to predict revenue collection, it is therefore necessary to make some complicated calculations. The Finance Ministry had an even more difficult task than that. Instead of starting with a tax and calculating the revenue, it had to start with a precise amount and determine the tax. There was no precedent to be guided by. In no previous fiscal year had taxes been imposed on Jews specifically. (The Reich Flight Tax was paid only by emigrants.)

The Finance Ministry knew that an income tax would not do, since the income of the Jews was declining too fast. The only way in which such a sum could be collected was in the form of a property tax. But this required a knowledge of how much property the Jews still had in their possession. The Finance Ministry *knew* how much Jewish property was available. Only a few months before the November fine was decreed, the Interior Ministry, with the foresight borne out of a conviction that sooner or later all Jewish property would be German, had ordered the Jews to register their property.

The decree of April 26, 1938,^{7 8 9} which we have already mentioned as a preparatory measure in the Aryanizations, required all Jews (other than foreign Jews) to evaluate and report their domestic and foreign property. Foreign Jews had to report only their domestic property. Movable objects used by the individual and home furnishings did not have to be included unless they were luxuries. The property had to be evaluated at current and usual prices. It had to be reported if its value was over 5,000 reichsmark. In pursuance of this decree (which was in effect in the Old Reich and Austria), the following property values were registered:^{*} 135,750 Jews of German nationality reported

7,050,000,000 reichsmark; 9,567 foreign Jews reported 415,000,000 reichsmark; 2,269 stateless Jews reported 73,500,000 reichsmark. The total reported was thus 7,538,500,000 reichsmark. With such figures at its disposal, the Finance Ministry could arrive at a tax rate without much difficulty.

On November 12, 1938, Goring proclaimed the "fine." Nine days later, the Finance Ministry was ready with its implementation decree,^{10 11} which made liable all Jews (except foreign Jews) who had reported their property under the decree of April 26, 1938. Valuations were to be adjusted to November 12. It was estimated that between April 26 and November 12 about two billion reichsmark of the registered assets had passed into German possession." The finance officials had to assume

7. RGBI I, 414.

8. Wichl (Foreign Office/Political Trade Division) to German missions and consulates abroad, January 25, 1939, NG-1793.

9. RGBI I, 1579.

10. RGBI I, 1638.

11. Speech by Economy Minister Funk, November 15, 1938, PS-3545.

that a large number—if not all—of the sellers had already left the country. After deducting these two billion and after making another adjustment for the property of the foreign Jews (four hundred million), property worth at least five billion reichsmark was left to be taxed. The "fine" to be paid by each liable Jew was consequently fixed at 20 percent of his registered property, due in four installments: on December 15, 1938, February 15, 1939, May 15, 1939, and August 15, 1939. The finance offices were empowered to require payment of a security by Jews wishing to emigrate.

On December 10, 1938, the Finance Ministry issued unpublished supplementary instructions to its regional machinery.¹² These instructions reveal more clearly how the fine was designed to confiscate Jewish liquid assets. The finance offices were requested to take note of payment offices set up by the Economy Ministry for the purchase of valuables and art objects. Since payments would also be made from accounts in foreign countries, notification of such money transfers could be expected from the Foreign Exchange Office of the Economy Ministry. Securities were to be accepted, if quoted in official exchange lists, at the rate of exchange stated there. Preference was to be given to shares first, bonds next, and Reich loans last. Acceptance of such securities was to be considered as a privilege extended to the Jew. He was therefore obliged to pay the stock exchange turnover tax. Actually, of course, the provision for acceptance of securities was not a "privilege" at all. It was a necessity because of the depletion of Jewish cash reserves and because the Finance Ministry could not afford to allow the Jews to "throw" their securities into the market, "thus spoiling the market for the Reich loan."¹³*

As the cash, art objects, foreign exchange, and securities began to roll in, the Finance Ministry became worried that the rate of 20 percent had been fixed too low. Accordingly, another installment of 5 percent was added, payable on November 15, 1939.¹⁴ With this installment the Ministry overshot the mark, as revealed by the following totals:¹⁵

Fiscal year	1938	RM	498,514,808
Fiscal year	1939	RM	533,126,504
Fiscal year	1940	RM	94,971,184
Total		RM	1,126,612,496

12. Finance Ministry instructions. December 10, 1938. NG-4902.

13. Testimony by Finance Minister Schwerin von Krosigk, Case No. 11, tr. p. 23292. Schacht pointed out after the war that about one-third of the Jim installment had to be accepted "in kind." Interrogation of Hjalmar Schacht. July 11, 1945, PS-3724.

14. Decree of October 19, 1939, RGB1 I, 2059.

15. Liquidation Administration of former German Finance Ministry (signed Siebert) to Control Commission of Germany/British Element/Finance Division, November 14, 1946, NG-4904.

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The Reich Flight Tax and the Jewish Atonement Payment are summarized in Table 5-9. The two taxes yielded a total of two billion reichsmark. The combined yield during the fiscal year 1938 (RM 841,000,000) represented nearly 5 percent of the total revenues (RM 17,690,000,000) of that year.¹⁴ Fiscal 1938 (April 1, 1938, to March 31, 1939) was a year of mobilization. The shortage of funds was "critical." As the Finance Ministry collected the Jewish money, it was poured immediately into the funnels of armament spending.¹⁷

Although the two billion reichsmark constituted the greatest profit registered by the Reich in the entire European destruction process, the amount was less than a third of the assets reported by the Jews in 1938. From the 7.5 billion reichsmark registered in that year, the Reich received only the leftovers. This fact became clear when the Finance Ministry discovered that in some cases the "ridiculous countervalue" received by the Jews for their Aryanized property was insufficient to pay the property taxes."

T A B L E 5 - 9
REICH FLIGHT TAX AND JEWISH ATONEMENT PAYMENT

	<i>Flight Tax</i>	<i>Atonement Payment</i>
Liability	All emigrating Reich nationals who had property of more than RM 50,000 on January 1, 1931 (or any time thereafter), or an income of more than RM 20,000 in 1931 (or any year thereafter)	All Jews (other than foreign Jews) who had registered property of more than RM 5,000
Amount of tax	25 percent of taxable prop-	25 percent of registered property
Yield	RM 900,000,000	RM 1,100,000,000

16. Fiscal 1938 revenue total from *Deutsche Bank*, May 30, 1939, pp. 144-45.

17. Summary by Wörmann (Foreign Office/Political Division) of a speech by Göring to ministers, Staatssekretäre, and generals, dated November 19, 1938, PS-3375. Interrogation of Schacht, July 11, 1945, PS-3724.

18. Affidavit by Ministerialrat Walter Donandt, May 20, 1948, Krosigk-24. Donandt was personal advisor to Finance Minister von Krosigk.

B L O C K E D M O N E Y

Suppose a Jew sold his property and paid his taxes and, after these ruinous procedures, still had some money left? Could he take it to the bank, exchange it for dollars, and travel to America? The answer is no.

In the first place, there was a view that all Jewish capital in Germany really belonged to the German people, because the Jews could not have acquired it honestly.¹ In other words, the Jews could not be permitted to transfer any money abroad, for, if they still had any money, the Reich wanted to confiscate it eventually. A second and more formidable reason was that if emigrating Jews were to be permitted to salvage any of their resources, the Reich would be forced to expend foreign currency for mere reichsmark, and that was out of the question. Since 1931, strict exchange controls had regulated all transactions in foreign currency. Under the law, every German was obliged to offer to the Reichsbank any foreign currency at his disposal, even including claims expressed in foreign currency. Thus if an exporter sold some goods abroad, he was paid in reichsmark, and the Reich collected the dollars, pounds, francs, or whatever.

The purpose of this mobilization of foreign exchange was to ensure that whatever foreign funds were available would be spent only for essential imports. Any diversion of such reserves to enable Jewish emigrants to establish a new life abroad was the last thing anybody thought of doing. Yet something of the sort *had* to be done if the emigration of the Jews was to be furthered. Foreign countries were loath to accept any Jews, let alone poor Jews.² The exchange controls were therefore one of the principal stumbling blocks to rapid emigration. The problem could be solved in two ways only: through financial support by fellow Jews abroad, and through exceptional, roundabout and forbidden currency transfers. To the extent that foreign Jewish assistance failed, the salvaging of money became an absolute prerequisite for any emigration program.

Following is a list of twelve methods used by the Jews to transfer money abroad. That there were at least twelve of these avenues is in itself a telling indication of the German dilemma.

1. Foreign Office notes (signed by Staatssekretar Weizsäcker) to German embassies in London, Paris, Rome, Washington, and Warsaw, and to German legations in Belgrade, Bucharest, Budapest, Prague, and Sofia, July 8, 1938, NG-3702.

2. See report by Albrecht (Foreign Office/Legal Division) to Himmler on immigration restrictions affecting Jews in the United States, Canada, Guatemala, El Salvador, Brazil, Ecuador, Bolivia, the South African Union, and Palestine, November 10, 1937, NG-3236.

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1. The so-called *Freigrenze* (free currency zone). Each emigrant, including a Jew, was permitted to take out of the country the sum of 10 reichsmark in foreign currency (at the official exchange rate), and twice that amount if the point of destination was a country with which Germany had no border. In other words, a family of three traveling to the United States could take along \$24.⁷

2. The *Warenfreigrenze* (free goods zone). An emigrant was also permitted to remove goods in the amount of 1,000 reichsmark. For the calculation of the price, the sales value at the point of destination rather than the market value in the Reich was decisive.^{3,4}

3. Each emigrant could also take out of the country his *personal belongings*, including furniture. However, emigrants were required to submit to the authorities lists of all items intended for removal.⁵ The purpose of the lists was to screen the shipments, with a view to preventing the export of jewelry and valuables. There was, of course, a tendency to smuggle such items out of the country, but the bureaucracy did its best to frustrate transfers of that sort. On February 21, 1939, the Jews were directed to surrender their gold, platinum, silver, precious stones, and art objects to purchasing offices of the Economy Ministry, "compensation to be fixed by the ministry."⁶

4. Another way of disposing of money before emigration was the purchase of *railway and ship accommodations* in reichsmark. This method was altogether permissible, but foreign steamship lines were not always willing to accept German currency. For example, the Italian line Lloyd THestino required payment of half the fare in foreign exchange.^{7,8}

5. The *Altreu*, or *Allgemeine Treuhandstelle für die Jüdische Auswanderung* (General Trusteeship Office for Jewish Emigration) was an exchange office set up in order to convert reichsmark into foreign currency (other than Palestine currency) at a 50 percent loss to the Jew. Complicated schedules governed the administration of this procedure. Up to October 1937, the upper limit was 8,000 reichsmark. The maximum was then pushed up in some cases to 50,000 reichsmark. In 1938, however, new applications were no longer accepted.*

6. Jews emigrating to Palestine were given a special opportunity to remove their capital by the so-called *Haavara* agreement. This agreement was concluded in August 1933 by the German Reich and the

3. Implementation decree to the Currency Law, December 22, 1938, RGBI I, 1851. The 10-mark limit resulted from successive reductions. It was in effect from 1934.

4. Cohn, *Auswanderungsvorschriften*, p. 35.

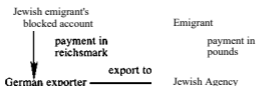
5. Currency Law, December 12, 1938. RGBI I, 1734, par. 58.

6. RGBI I.279.

7. *The New York Times*. July 6, 1939. p. 14.

8. Cohn, *Auswanderungsvorschriften*, pp. 37-39.

Jewish Agency for Palestine. In form it was a modified clearing arrangement. Under its terms a Jewish "capitalist" who wanted to emigrate to Palestine was permitted to make a contract with a German exporter for the transfer of goods from Germany to Palestine. The German exporter was paid with funds drawn from the blocked account of the emigrating Jew. The emigrant received his Palestine currency from the Jewish Agency upon arrival in Palestine. In short, the channels were as follows:⁷



The Jewish Agency and the exporters were just as satisfied with this arrangement as the emigrants themselves. German goods poured into Palestine and, after a while, the Haavara clearing agreement was supplemented by a barter agreement providing for the exchange of Palestine oranges for German timber, wrapping paper, motor cars, pumps, agricultural machinery, and so on.^{9 10 11} It seemed as though the economic relations between Nazi Germany and the Jewish community in Palestine were excellent. Naturally, there was some dissatisfaction in the Nazi party, the Foreign Office's Germany *Referat* (which was to deal with Jewish matters), and the Palestine Germans, who complained that their interests had been neglected utterly in favor of the Jews." Nevertheless, this interesting arrangement survived until the outbreak of war.

7. *Aryanization payments* in foreign currency. Only rich Jews who had foreign nationality or who controlled foreign enterprises could benefit from this method.

8. The *sale of blocked reichsmark*. An emigrant who did not take his money along automatically lost that money to a blocked account (*Sperrguthaben*) over which he could exercise no control. The blocked

9. Foreign Office memorandum, March 10, 1938, NG-1889. The complex history of the agreement is described by Werner Feitchenfeld, Dolf Michaelis, and Ludwig Pinner, *Haavara-Transfer nach Palästina* (Tübingen, 1972). Haavara-transfers, including goods purchased with reichsmark in Germany by emigrants themselves, totaled over 100 million reichsmark and facilitated the emigration of about 36 percent of the 50,000 Jews who entered Palestine from the Old Reich.

10. Summary of interministerial conference in the offices of the Economy Ministry, September 22, 1937, NG-4075.

11. Correspondence and conferences. 1937 to 1938, in documents NG-1889, NG-4075, and NG-3580.

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accounts were under the supervision of the *Devisenstellen*, which were administratively part of the offices of the *Obeifinanzpräsidenten* (regional offices of the Finance Ministry) but which received directives from the Economy Ministry.¹² The *Devisenstellen* were empowered to permit the exploitation of blocked accounts for only three major purposes: (1) to grant credit to a German, (2) to make insurance payments, and (3) to acquire real estate. These provisions were intended not for the benefit of the emigrating Jews but for non-Jewish foreigners interested in making such investments. However, the fact that blocked marks, or *Sperrmark*, were released for some purpose gave them at least some value. In fact, some Jews were able to sell their blocked holdings at an exchange rate of 20 cents per *Sperrmark* or even a little better—that is, at a loss of not more than 50 percent.” Those Jews who did not sell their *Sperrmark* accounts lost the accounts when, in the course of later confiscations, they were gobbled up by the Finance Ministry.

9. The *smuggling out of currency* in contravention of the law was practiced by some poor Jews who had only a little money and who wanted to exchange it quickly, without middlemen. Since money smuggled out in cash had to be smuggled back to be of use to anyone except a souvenir hunter, the exchange rate of such transactions was only 10 to 13 cents per mark.¹³ The Czech crown, which was worth 3.43 cents before the Germans marched into Prague, was sold in New York banks a week later for less than 1 cent.”

10. Another illicit but common transaction was a *private arrangement* for which three Jewish parties were needed: an emigrating Jew with German currency, a destitute Jewish family that remained behind, and a foreign relative of the destitute family willing to extend help. Under the agreement, the emigrant gave his reichsmark to the poor family and later collected the intended gift dollars (or pounds or francs) from the helping relatives abroad.

11. Since, under the currency law, foreign holdings belonging to

12. Currency Law, December 12, 1938, RGBI I, 1734. Implementation decree by the Economy Minister, December 22, 1938, RGBI I, 1851. The Currency Law and the implementation ordinance are codifications of earlier regulations. For complete compilation—with expert comment—of currency regulations to 1939, see Regierungsrat Hans Gurski and Regierungsrat Friedrich Schulz, eds., *Devisengesetz* (Berlin, 1941).

13. Edward J. Condon, "Shoppers for Foreign Exchange Benefit As Stocks Here Increase," *The New York Times*, March 19, 1939, pp. 1, 5. Release of *Sperrmark* for furthering the emigration of indigent Jews was apparently approved as well. The accounts were purchased from their owners by foreign Jewish relief organizations. S. Adler-Rudel, *Jüdische Selbsthilfe unter dem Naziregime, 1933-1939* (Tübingen, 1974), pp. 179-81.

14. *The New York Times*, March 19, 1939, pp. 1, 5.

15. *Ibid.*

German nationals had to be reported to the Reich, the *retention of foreign holdings* was equivalent to a currency transfer. There were only two ways of keeping foreign investments: by not reporting them or by obtaining permission to keep them. Both methods were rare.

12. Since many Jews were so poor that they could not afford to pay for their fare, Security Police Chief Heydrich decided upon some unconventional forms of relief by means of a typical *Heydrich method*. During the conference of November 12, 1938, Heydrich explained it this way: "Through the Jewish Kultusgemeinde [Jewish community organization in Vienna] we extracted a certain amount of money from the rich Jews who wanted to emigrate. By paying this amount, and an additional sum in foreign exchange [drawn from Jewish accounts in foreign countries], they made it possible for a number of poor Jews to leave. The problem was not to make the rich Jews leave but to get rid of the Jewish mob." Goring was not enthusiastic about this procedure: "But, children, did you ever think this through? It doesn't help us to extract hundreds of thousands from the Jewish mob. Have you ever thought of it that this procedure may cost us so much foreign currency that in the end we won't be able to hold on?" Heydrich, in his defense, said, "Only what the Jew has had in foreign currency."¹⁶

The problem of the poor Jews was so great that it received attention from many quarters. Toward the end of 1938, Reichsbank Präsident Schacht, then no longer Economy Minister but still a powerful figure, went to London with a plan for the emigration of some 150,000 Jews. The Jews were to leave their assets behind, and their resettlement was to be financed by a foreign syndicate. This foreign group was to advance 1.5 billion reichsmark, to be repaid (with interest) by the Reich in the form of "additional exports" over a long period of time.¹⁷ Schacht's motivation, and that of his backers, seems to have run along the following lines: First, the scheme was a way of combatting the foreign propaganda that accused Germany of robbing the Jews of all property, turning them out destitute. (At that very time, the Germans

16. Minutes of Gering conference, November 12, 1938, PS-1816. See also summary of Heydrich's remarks at a meeting of the committee of the Reichszentrale für die jüdische Auswanderung, held on February 11, 1939, in *Akten zur Deutschen Auswärtigen Politik 1918-1945*. Ser. D, Vol. V, Doc. 665.

17. Unterstaatssekretär Wörmann (Foreign Office/Political Division) to Foreign Minister Ribbentrop, Staatssekretär Weizsäcker, Deputy Chief of Political Division, Chiefs of Legal Division, Culture Division, Economy Division, and *Referat Deutschland* (all in Foreign Office), November 14, 1938, NG-1522. Ambassador Dirksen (London) to Foreign Office, December 16, 1938, *Akten zur Deutschen Auswärtigen Politik 1933-1945*, Ser. D, Vol. V, Doc. 661. The Schacht plan was *not* intended to help the "capitalists" in the Haavara manner. The intent was to finance the emigration of the poor Jews with the funds of the rich, in the process getting rid of both.

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were making identical charges with respect to the treatment of Sudeten Germans in Czechoslovakia.)^{18 19 20 21}

A more important reason was Schacht's conviction that Germany would ultimately profit more from "additional exports" than from the unindemnified taking of Jewish property. The additional exports, after all, were going to create many new consumers of German goods. Once a customer, always a customer; once a market, always a market. The exports would in the long run pay for themselves. Schacht was convinced of that. On the other hand, if war should interrupt the exports, all problems would be solved immediately. The Jews would be out, the Jewish assets would be in. Either way, Germany could not lose.

The Schacht scheme did not materialize, in part at least because of the opposition of the German Foreign Office. Ribbentrop saw no reason why the Jews should be permitted to transfer, in one form or another, what he regarded as stolen German property.¹⁷ Behind this reasoning there was a grievance that had nothing to do with the Jews. The negotiations were being conducted in London by Schacht himself, and the Foreign Office was shut out. Its jurisdiction was ignored. Rinkled by this procedure, the Foreign Minister expressed his disapproval of the whole idea.¹⁸ Property and Jews remained behind.¹¹

FORCED LABOR AND WAGE REGULATIONS

In 1939 the remaining Jewish community, shrunken to half its original size, was already impoverished. The professionals had lost their pro-

18. Prof. Freiherr von Freytag-Loringhoven to Vortragender Legationsrat Geheimrat Dr. Albrecht (Foreign Office), July 26, 1938, NG-3443. Von Freytag-Loringhoven had written an article about the Czechs and was embarrassed by countercharges against Germany. He asked the Foreign Office for an explanation. Albrecht replied, on August 9, 1938, NG-3443: "Any representation of the actual facts must refrain from confessing that the position of German foreign exchange does not permit that emigrating Jews transfer their property at home for the corresponding value abroad."

19. Staatssekretär von Weizsäcker (Foreign Office) to German missions abroad, July 8, 1938, NG-3702.

20. Weizsäcker to Ribbentrop, Wörmann (Chief, Political Division), Deputy Chief of Political Division, Chief of TFade-Political Division, Chief of *Referat Deutschland*, December 20, 1938, NG-1321. Weizsäcker to Ribbentrop, etc., January 4, 1939, NG-1318. A few days later Ribbentrop agreed to the "quiet" organization of the emigration, provided that the Foreign Office could participate. Weizsäcker memorandum, January 13, 1939, NG-t532. Nothing came of the matter.

21. About half the 800,000 Jews in the Reich-Protectorat area emigrated. Report by SS statistician Korherr, March 23, 1943, NO-3194.

fessions, the capitalists had lost their capital, and ordinary workers were losing their jobs.^{1 2 3 4} Many Jewish employees of Jewish enterprises could not survive the dissolution or Aryanization of the companies that had employed them. As Jewish firms were taken over by Germans, the personnel force, too, was "Aryanized."⁵

The remaining Jews were less able to sustain themselves with hard labor than were those who had emigrated. The Jews who were left behind had less capacity for survival, since the emigration had drawn off the younger elements and had left a large surplus of women. In the Old Reich (1933 boundaries), the percentage of Jews over forty had changed from 47.7 in 1933 to 73.7 in 1939.⁶ The percentage of women had risen from 52.2 in 1933 to 57.7 in 1939.⁷ In short, the Jewish community had acquired the characteristics of a large family of dependents. But a relief campaign was the last solution in the minds of the bureaucrats.

Under the decree of March 29, 1938, Jewish relief institutions were deprived of their tax exemptions.¹ On November 19, 1938, a decree signed by Frick, von Krosigk, and Labor Minister Seldte stipulated that Jews were to be excluded from public relief.^{6 7} During the following year, the destitute Jews were pushed into hard menial labor.

In a decree published on March 4, 1939, the president of the Reich Labor Exchange (*Reichsanstalt für Arbeitsvermittlung*), Staatssekretär Syrup, in agreement with the Economy Ministry and the Food and Agriculture Ministry, established the principle that unemployed Jews be put to work in construction and reclamation projects, segregated from non-Jewish laborers.⁷ At the beginning of 1941 about

1. The impact on these groups is described in some statistical detail by S. Adler-Rudel, *Jüdische Selbsthilfe unter dem Naziregime 1933-1939* (Tübingen, 1974) pp. 121-49.

2. See, for example, the letter by the I. G. Farben trustees in the I. Petschek mines at Falkenau (signed Kersten and Prentzel) to Regierungsrat Dr. Hoffmann of the Economy Ministry on *Säuberungsaktion* ("cleansing action"), resulting in dismissal of 209 employees, January 18, 1939, NI-11264. Note also text of contract for the Aryanization of the Frankfurt firm J. & C. A. Schneider, December 17, 1938, by Lothar and Fritz Adler, Jewish owners, and Bruno Seletzky, purchaser, with detailed provisions for the separation of Jewish employees, including the stipulation that payments in settlement were to be the responsibility of the Adlers. T 83, roll 97.

3. From figures in *Jüdisches Nachrichtenblatt* (Berlin), November 10, 1939.

4. From figures in "Die Juden und jüdischen Mischlinge im Dritten Reich," *Wirtschaft und Statistik*, vol. 20, p. 84.

5. RGBl I, 360.

6. RGBl I, 1694. For Jewish community relief activities, see Adler-Rudel, *Jüdische Selbsthilfe*, pp. 158-82.

7. Text in Jewish Black Book Committee, *The Black Book* (New York, 1946), p. 506.

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30,000 Jews were working in groups on hard labor projects.¹ The remaining employable Jews were laboring in factories and in the growing network of Jewish community organizations. A few professionals were eking out a living as *Krankenbehandler* and *Konsulenten*, catering to the community's health and legal needs.

Since the Jews had already lost their positions, their property, and their money, they lost themselves in the hope that henceforth they would be left alone if only they worked hard and minded their own business. After all, the Jewish "citadels of power" had been smashed and the looting was over. Nevertheless, the bureaucracy could not stop in the middle. The destruction process had to continue. Whereas pre-1939 anti-Jewish measures were aimed at investments, the wartime decrees dealt with income. From now on, the bureaucracy took from the Jews their earnings. The income expropriations yielded much less than the property confiscations, but to the Jews the new measures were more serious. Poor people spend a larger proportion of their income on necessities than rich people do, and very poor people spend all their income on necessities. In the step-by-step manner of the bureaucratic destruction process, the Jews were deprived of an ever-increasing slice of their bare necessities. Survival became more and more difficult.

It is characteristic that just as in the case of Jewish property, so also in the matter of Jewish income, the business sector had the first pick. First, Jewish wages were reduced. What was left was taxed.

The formulation of a wage policy for Jews was begun in the Labor Ministry at the end of 1939, on the principle that German labor laws should be modified so as to exclude certain payments to Jews.⁸ While the ministerial bureaucrats discussed the details of the proposed measure, industry began to take measures of its own. A number of firms refused to pay wages for legal holidays, and Jewish employees countered by going to court. The Labor Court in Kassel naturally held for the companies, reasoning that Jews had "no inner tie" to the performance of labor, that to a Jew labor was only a commodity, and that a Jew had no loyalty to his employer. Hence a Jew was not entitled to receive pay for holidays.⁹

At the beginning of 1940, the draft of a law regulating wage payments to Jews was drawn up in the Labor Ministry. The draft provided^{8 9 10}

8. Report by Kaiser (Reich Chancellor) to Reichskabinettsrat Dr. Killy (also in the Reich Chancellor). January 9, 1941, NG-1143.

9. Labor Minister Seldte to Chief of the Reich Chancellery Lammers, April 16, 1940, NG-1143.

10. Dietrich Wilde. "Der Jude als Arbeitnehmer," *Die Judenfrage*. July 13, 1940, p. 93. The identical conclusion was reached by Staatssekretär Stuckart of the Interior Ministry in his proposal to Lammers, April 30, 1940, NG-1143.

that Jews be deprived of pay for holidays, family and children's allowances, birth or marriage subsidies, death benefits, bonuses, anniversary gifts, compensatory payments in the event of accidents, and—in cases of workers far from their homes—all but one yearly allowance for travel pay to visit family members." The proposed decree met with a number of objections, chiefly because it contained an enumeration of exceptions rather than a positive principle (such as the rule that Jews be paid only for work actually performed).¹² These objections hurt the jurisdictional pride of the Labor Minister, and therefore he decided to implement his ideas by issuing the appropriate instructions to his regional offices without waiting for the concurrence of other ministries."

At the end of the year, the Labor Ministry was invited by the Interior Ministry to attend a conference on the labor status of the Jews. Accepting the invitation, Staatssekretär Syrup, writing in behalf of the Labor Ministry, added the following words: "I consider it self-evident that I am in charge of formulating all questions concerning labor laws, also with regard to Jews so long as Jews continue to be employed privately."¹⁴

The conference was held under the chairmanship of the Interior Ministry's Jewish expert, Ministerialrat Lösener. One of those present (Göring's representative) declared that he wanted only a ruling to the effect that the Jews had a separate labor status. The proposed decree did not interest him at all. The conferees thereupon compromised on two decrees, one to establish the principle, the other to contain the details. ■

The principle of separate labor status was finally promulgated in the decree of October 3, 1941, signed by Staatssekretär Körner of the Office of the Four-Year Plan.¹⁶ The Labor Ministry's implementation decree, dated October 31, 1941, and signed by Staatssekretär Engel,¹⁷ provided that Jews had only the right to be paid for work actually done. Then it listed the payments to which Jews were not entitled—and which they had not been receiving for quite some time anyhow. But the decree contained also several new provisions that were important. Jews had to accept every job assigned to them by the labor offices.

It. Seldte to Ummers, April 16, 1940, NG-1143.

12. Stuckart to Ummers, April 30, 1940, NG-1143.

13. Staatssekretär Syrup to interior Ministry. January 3, 1941, NG-1143. For detailed regional rulings, see Oberregierungsrat Hans Küppers, "Die vorläufige arbeitsrechtliche Behandlung der Juden," *Reichsarbeitsblatt*, Part V, pp. 106-10.

14. Syrup to Interior Ministry, January 3, 1941, NG-1143.

15. Kaiser to Killy, January 9, 1941, NG-1143.

16. RGBI 1,675.

17. RGBI 1,681.

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Jews had to be employed in groups. Jewish youths between fourteen and eighteen years of age could be employed at all hours. Jewish invalids (except war invalids) had to accept all assignments. In summary, industry had been given the right of almost unlimited exploitation: to pay minimum wages for maximum work.

SPECIAL INCOME TAXES

The Finance Ministry now had the job of taxing Jewish wages (or what was left of them). The idea of a special Jewish income tax actually originated at the end of 1936, when the first drafts were drawn up in the Interior Ministry. Hitler himself wanted this tax for punitive reasons, for 1936 was the year of the first assassination of a Nazi leader by a Jew (the Landesgruppenleiter Wilhelm Gustloff in Switzerland). The income tax was desired as a kind of penalty.¹ A subsequent draft, prepared by Division III of the Finance Ministry, actually provided for a fluctuating tax increase correlated with the conduct of Jews as public enemies,² but the punitive idea was dropped when the Justice Ministry objected to the measure as legally unsound and politically dangerous, particularly because of the possibility of retaliations against German minorities abroad (a typical Nazi fear).³ Goring, too, did not like the decree, although he used the penalty idea for his so-called fine after the assassination of the second Nazi, vom Rath.⁴

Notwithstanding all the objections, the early tax correspondence did come up with some results. One of these was the abolition, in 1938, of income tax exemptions for Jewish children.⁵ In the words of the tax decree of 1939, which reenacted the provision, "children" were per-

1. Staatssekretär Reinhardt (Finance Ministry) to Foreign Office, attention Amtsrat Hofrat Schimke; Economy Ministry, att. MinisterialbQrodirektor Reinecke; Propaganda Ministry, att. Regieningsrat Braekow; Deputy of the Führer (Hess), att. Hauptdienstleiter Reinhardt; Plenipotentiary of the Four-Year Plan (Göring); and Staatssekretär Lammer (Reich Chancellery), February 9, 1937, enclosing letter by Stuckart dated December 18, 1936, NG-3939.

2. Memorandum by Zülow and Kühne (Finance Ministry/Div. III), April 25, 1938, NG-4030.

3. Reinhardt letter, enclosing Stuckart correspondence, February 9, 1937, NG-3939.

4. Memorandum by Zülow and Kühne, April 25, 1938. NG-4030.

5. Reinhardt letter, February 9, 1937, enclosing letter by Prof. Dr. Hedding (Finance Ministry) to Staatssekretär Stuckart, dated January 17, 1937, NG-3939. Reinhardt to Foreign Office, November 27, 1937, NG-3939. Thx Law of 1938, RGBl I, 129, p. 135.

sons who were not Jews.⁶ The reason for specifying the status of the child rather than the status of the wage earner was to ensure that a Christian father of a Jewish child would not get a rebate and that a Jewish father of a Mischling child would retain the exemption. In short, this measure was aimed at parents whose children were classified as Jews.⁷

The early correspondence also contained a proposed tax justification which was different from the punitive idea. This justification, first mentioned by Stuckart, lingered in the minds of the bureaucrats long after the measure itself had been shelved. Stuckart had reasoned that Jews did not make contributions to Nazi charitable and relief organizations. In lieu of such contributions, he argued, the Jews should pay a special income tax.⁸ This brilliant idea could not be wasted. On August 5, 1940, the proposal was translated into action, not against the Jews but against the Poles, who were then being imported in increasing numbers into the Reich. The tax was called *Sozialausgleichs-abgabe* (Social Equalization Tax). It was a 15-percent special income tax with an exemption of 39 reichsmark per month. The contribution was levied on top of the regular income tax.⁹ After the measure had been decreed against the Poles, it was extended to the people for whom it was originally intended—the Jews. This was accomplished by the decree of December 24, 1940, signed by Staatssekretär Reinhardt of the Finance Ministry.¹⁰

STARVATION MEASURES

The economic strangulation of the Jewish community did not stop with wage cutting and tax increases. After all the deductions, the Jews still had a little income, which the bureaucrats regarded as a bundle of Jewish claims upon German goods and services. This was bad enough. But since the Jews had only a few marks, they had to claim with these marks what they needed most—food. And food was not just a com-

6. Decree of February 17, 1939, RGBI I, 284.

7. In 1938, the bureaucrats in the Finance Ministry were very enthusiastic about the idea of abolishing tax exemptions. Among the proposals was a suggestion to deprive blinded Jewish war veterans of the dog-tax exemption generally enjoyed by the war blind. Memorandum by Zitlow and Kithne, April 23, 1938, NG-4030.

8. Reinhardt letter, February 9, 1937, enclosing Stuckart proposal, NG-3939.

9. RGBI I, 1077.

10. RGBI I, 1666. For details of implementation, see Ministerialrat Josef Oermann (Finance Ministry), *Die Sozialausgleichs-abgabe* (2d ed.; Berlin, 1944).

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modity. In German, food is called "means of life" (*Lebensmittel*). In World War I the German army had gone hungry. In World War II food was looted from all areas of occupied Europe to be distributed in Germany under a careful rationing system. It is therefore hardly surprising that the German bureaucracy began to impose restrictions on the distribution of food articles to Jewish purchasers. The Jews were not to get their share.

Rationing was the responsibility of the Food and Agriculture Ministry. Every three or four weeks the ministry sent rationing instructions to the regional food offices (*Provinzialernährungsämter* in Prussia and *Landesernährungsämter* in other provinces). At the regional level, the food offices sometimes supplemented these instructions in accordance with local supplies.

The food supply was divided into four categories: (1) unrationed foods; (2) basic rations for normal consumers; (3) supplementary rations for heavy workers and night workers, children, pregnant women and nursing mothers, and sick persons and invalids; (4) special allotments of rationed foods when in plentiful supply, or of unrationed but generally unavailable foods when available. (These varied from time to time and from place to place.) The Agriculture Ministry proceeded in its restrictions upon Jewish food purchasers in the characteristic step-by-step manner. Starting with special allotments, the ministry worked itself up to supplementary rations, finally cutting basic rations and unrationed foods.

On December 1, 1939, Acting Minister of Food Backe instructed the regional food offices to deprive Jews of the special food allocations for the ration period December 18, 1939, to January 14, 1940. As a result, Jews were to receive less meat, less butter, no cocoa, and no rice. Coupons were to be invalidated before the issuance of the ration cards. In case of doubt as to whether the ration holder was a Jew, the police or party offices could be consulted. The instructions were not to be published in the press.¹ The instructions for the next ration period (January 15 to February 4, 1940) again provided for the cutting of special rations, this time in meat and legumes.^{1,2}

The regional food offices did not apply these instructions uniformly. Either confused or overeager, they cut into the supplementary rations of children, heavy workers, and the incapacitated, and even into the basic rations of normal consumers. On March 11, 1940, the regional food offices were reminded that basic rations and differentials

1. Backe to regional food offices. December 1, 1939, NI-13359.

2. Food Ministry (signed Narten) to regional food offices. January 3, 1940, NG-

for children, and so on, were not to be touched. The specially allotted rations, however, were to be cut. Similarly, unrationed foods, which were generally unavailable and which were distributed only from time to time by means of customers' lists, were to be taken from the Jews. For the current period, the unrationed items included poultry, game fish, and smoked foods.

The clarification order then enumerated for the guidance of the food offices the following procedural rules and recommendations. All ration cards held by Jews were to be stamped with a *J*. Special ration coupons could be invalidated by the *J*. Household ration cards were to be exchanged for travel and restaurant coupons only in cases of absolute necessity; Jews could make their short trips without food. Finally, the food offices were empowered to set aside special shopping hours for Jews in order to make sure that Aryan purchasers were not "inconvenienced." In effect, this provision ensured that items sold on a first-come-first-served basis never reached Jewish customers.³ Shopping hours for Jews were fixed in Vienna between 11 A.M. and 1 P.M. and between 4 and 5 P.M., in Berlin between 4 and 5 P.M. only, and in Prague between 3 and 5 P.M.⁴

In spite of the clarification order of March 11, 1940, mistakes at the regional level continued. One such mistake resulted in a somewhat bizarre incident. Berlin received a shipment of real coffee (i.e., *Bohnenkaffee* rather than *Ersatzkaffee*). The population had to register for the coffee and, in the absence of any prohibitions, five hundred Jews were among the registrants. When the food office discovered the registrations, it struck the Jews off the lists and imposed fines on them for disturbing the public order. One Jew brought the case into a local court (Amtsgericht). The food office argued that the Jews should have known that they were not entitled to coffee, but the court overruled the Food Office on the ground that a fine could not be based on an "artificial interpretation of the law [*gekünstelten Auslegung des Gesetzes*]." When a new Justice Minister, Thierack, took over in 1942, he discussed the case in the first of his famous "instructions to the judges [*Richterbriefe*]." This is what Thierack said:

The decision of the Amtsgericht borders in form and content on deliberate embarrassment [*Blosstellung*] of a German administrative body vis-à-vis Jewry. The judge should have asked himself with what satisfaction the Jew received the decision of this court, which certified to him and his five hundred racial comrades in a twenty-page argument his right and his

3. Narten to regional food offices, March 11, 1940, NI-14581.

4. Boris Shub (Institute of Jewish Affairs), *Starvation over Europe* (New York, 1943), p. 61.

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victory over a German office, not to speak of the reaction of the people's sound instinct [*gesundes Volksempfinden*] to that impertinent and presumptuous behavior of the Jews.⁷

The Jews who "won" the case were, incidentally, deported to a killing center immediately.⁴ No more coffee for these Jews.

In 1941, determined to close every loophole, the Agriculture Ministry took measures against the shipment of parcels from foreign countries. These parcels supplemented the diet of Jews who were fortunate enough to have helping friends and relatives in neutral states. But the ministry could not bear the thought that Jews should receive food twice, from their relatives and from the German people. Accordingly, the Food Ministry requested the customs administration of the Finance Ministry to send weekly reports to the food offices of parcels known or suspected to be intended for Jews. The contents were then subtracted from the food rations.^{7 8 9}

Gradually the ministry became more stringent in its instructions to the food offices. Item after item was reduced or taken off entirely. On June 26, 1942, the Food and Agriculture Ministry invited representatives of the Party Chancellery, the Reich Chancellery, the Office of the Four-Year Plan, and the Propaganda Ministry to meet in conference for a final review of the question of food supplies for Jews.¹

Judging from the official summary,^{5 6} the conference was remarkably smooth. All proposals were adopted unanimously. The conferees were informed that, in accordance with instructions by the Food Ministry, Jews were no longer receiving cakes. Moreover, a number of food offices had already prohibited the distribution of white bread and rolls. All those present agreed that it would be "appropriate" to direct all food offices to withhold white bread and rolls from Jews. Next, the conferees learned that the ministry had already instructed the food offices not to distribute any egg cards to Jews. The representatives at the conference thought that it would be justifiable" (*vertretbar*) to exclude Jews from the purchase of all meats.

Third, the bureaucrats were unanimous in the belief that it would

5. Richterbrief No. 1 (signed Thierack), October 1, 1942, NG-295.

6. Dr. Hugo Nothmann (Jewish survivor), in Hans Lamm. "Ober die Entwicklung des Deutschen Judentums im Dritten Reich" (Erlangen, 1951; Mimeographed), p. 312.

7. Finance Ministry (signed Seidel) to Obertanzpräsidenten, April 20, 1941, NG-1292.

8. Food and Agriculture Ministry (signed Moritz) to Ministerialdirektor Klopfer (Party Chancellery), Reichskabinettsrat Willuhn (Reich Chancellery), Ministerialdirektor Gramsch (Office of the Four-Year Plan), and Ministerialdirektor Bemdt (Propaganda Ministry), June 26, 1942, NG-1890.

9. Conference summary, dated July 1, 1942, NG-1890.

be "correct" (*richtig*) to lift the equality of treatment still enjoyed by Jewish children. (Until now, Jewish children had received the same supplementary quantities of bread, meat, and butter given to German children.) Accordingly, it was decided to cut these supplementary rations. That would have given to Jewish children the rations of adult German consumers. However, since this was still too much, the bureaucrats agreed to decrease the rations of Jewish children to the level of rations given to Jewish adults. Consequently, if Jewish adults lost their meat cards, so would Jewish children. Since Jewish children had enjoyed equality also in milk distribution, it was thought proper to change the milk ration too. Henceforth Jewish children were to receive not whole milk but skimmed milk. Aryan children up to the age of three were entitled to a daily ration of $\frac{3}{4}$ liter, those from three to six, $\frac{1}{2}$ liter, and those aged six to fourteen, $\frac{1}{4}$ liter of whole milk. Jewish children were to receive milk only to their sixth birthday, and the maximum quantity even for the smallest children was not to exceed $\frac{1}{2}$ liter of skimmed milk.

Next the bureaucrats scrutinized the rations of pregnant women, nursing mothers, and sick persons. The representative of the Agriculture Ministry pointed out that Jewish mothers had already been taken care of by a directive in April 1942 and that the Staatssekretär for Health in the Interior Ministry (Dr. Conti) had directed doctors not to prescribe for Jewish patients and invalids any supplementary rations whatever. It was agreed that the Conti order be reinforced by a directive to the food offices.

Finally, the conferees considered that it would be "correct" to strike supplementary rations for long-hour workers, night workers, and heavy workers. Until now, these supplementary rations had been granted to Jews for reasons of efficiency, but, only lately, experience had shown again that work done by Jews was in no sense as valuable as work performed by Germans. The distribution of supplementary rations to Jewish laborers had provoked ill humor among large sections of German labor. Nevertheless, it might be necessary to give to Jews exposed to poisons $\frac{1}{4}$ liter of skimmed milk a day. This exception would affect particularly the Jewish workers in powerhouses (in Berlin alone, approximately 6,000). In this connection, the conferees were reminded that Berlin had already stricken supplementary rations for Jewish workers some time ago.

At the conclusion of the conference, it was noted that Staatssekretär for Health Dr. Conti was not represented and that, as a result, no one present could judge "expertly" whether the proposed ration cuts did not go "too far" in weakening the Jews physically, thus promoting epidemics and threatening the Aryan population as well. Consequently,

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it was decided to seek the agreement of Staatssekretär Conti before putting the ration cuts into effect. Second it was noted that Plenipotentiary for Labor Sauckel was not represented either, and therefore it was decided to seek his advice too, this time from the viewpoint of work efficiency.

It appears that neither Staatssekretär Dr. Conti nor Labor Plenipotentiary Sauckel had any special objections, for the instructions to the regional food offices, dated September 18, 1942,¹⁰ did not alleviate the drastic decisions of the June 29 conference. In one respect the regulations of September 18 reached even further. There was a new restriction in the matter of food parcels, something that must have bothered the ministry very much. Heretofore, food parcels addressed to Jews had been opened in order to charge the contents against the rations of the recipient. Now there were so many prohibited items that any package found to contain contraband, such as coffee or perhaps a salami, was to be transferred by the customs administration to the food offices for distribution to German hospitals or other big consumers."

Since 1942 was the year of mass deportations, ever smaller numbers of Jews remained within the frontiers of the Reich. By 1943 the rationing problem was so simplified that in Vienna the Jewish Council handed out a single meal a day at its headquarters at Kleine Pfarrgasse 8. The food was available until 1 P.M. Jews working in forced labor could get their meal until 7 P.M.¹¹ And thus, with a few strokes of the pen, the bureaucracy had reduced a once prosperous community, with accumulated know-how and far-flung investments, to a band of starving forced laborers asking for their meager meal at the end of the day.^{10 11 12}

10. Instructions by Staatssekretär Riecke, September 18, 1942, NG-452.

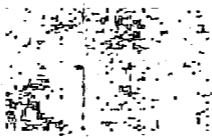
11. In the Protektorat of Bohemia and Moravia, the Czech Ministry of Land and Forestry of the "autonomous" Czech administration quickly followed suit. In two consecutive orders Jews were barred from the purchase of all meats, eggs, white bread and rolls, milk (except for 1/2 liter for children under six), all fruits and vegetables (whether fresh, dried, or canned), nuts, wines, fruit juices, syrups, marmalades, jams, cheeses, candies, Osh, and poultry in any state of preparation. Circular order by Protektorat Land Ministry (signed Oberembt), December 1, 1942, *Die Judenfrage* <Vertrauliche Beilage>, February 15, 1943, pp. 14-15. Announcement by Protektorat Land Ministry (signed Hruby), December 2, 1942, *Die Judenfrage* (Vertrauliche Beilage), February 1, 1943, p. 10.

12. *Jüdisches Nachrichtenblatt* (Vienna), May 17, 1943.

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CONCENTRATION X



THE REICH — PROTEKTORAT AREA

The third step of the destruction process was the concentration of the Jewish community. In Germany concentration comprised two developments: the crowding of the Jews into large cities and the separation of the Jews from the German population. The urbanization process was a consequence of the anti-Jewish economic measures discussed in the previous chapter. The ghettoization process was deliberately planned, measure for measure.

Even before the Nazis came to power, the Jewish community in Germany had already been highly urbanized, but after 1933 a further crowding into the cities became noticeable. Isolated Jewish families departed from villages to towns. From there the stream continued to Berlin, Vienna, Frankfurt, and other large population centers.¹ Taking the area of the Old Reich and Austria as a whole, the percentage of Jews living in cities with populations of more than 100,000 rose from 74.2 in 1933 to 82.3 in 1939.² The census of May 17, 1939, revealed a Jewish population of 330,892. More than two-thirds of this number lived in ten cities, as follows:³

1. Georg Flatow, "Zur Lage der Juden in den Kleinstädten," *Jüdische Wohlfahrtspflege und Sozialpolitik*, 1934, pp. 237-45.
2. "Die Juden und jüdischen Mischlinge," *Wirtschaft und Statistik*, vol. 20. p. 86.
3. *Ibid.* ¹⁷

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Vienna.....	91,480
Berlin.....	82,788
Frankfurt.....	14,461
Breslau.....	11,172
Hamburg.....	10,131
Cologne.....	8,539
Munich.....	5,050
Leipzig.....	4,477
Mannheim.....	3,024
Nuremberg.....	<u>2,688</u>
	233,810

More than half the Jews lived in Vienna and Berlin.

To repeat: the Germans did not plan this movement. The migration was caused mainly by the gradual impoverishment of the Jewish community, which gave rise to increasing intra-Jewish dependence, particularly the dependence of poor Jews on Jewish relief organizations. At least one mayor, the Oberbürgermeister of Frankfurt, made inquiries of his police chief whether the influx of country Jews into his city could not somehow be stopped. The police chief replied that "unfortunately" he had no legal means of doing so.⁴

Unlike the uncontrolled movement of the Jews into the cities, the ghettoization of the Jewish community (i.e., its isolation from the surrounding German population) was directed, step by step, by the bureaucracy. Ghettoization does not mean that Jewish districts, complete with walls, were set up in the cities of the Reich and the Bohemian-Moravian Protektorat. Such districts were later established in Poland and Russia to the east, but the Jewish community in Germany was subjected to conditions that had many characteristics of the ghetto. These characteristics are reflected in five steps of the ghettoization process: (1) the severance of social contacts between Jews and Germans, (2) housing restrictions, (3) movement regulations, (4) identification measures, and (5) the institution of Jewish administrative machinery.

The severance of social contacts was the first step toward Jewish isolation. In a country where members of a minority group enjoy close personal relations with the dominant group, drastic segregation measures cannot be successful until these relations are dissolved and until a certain distance is established between the two groups. The dissolution of social relations began with the dismissals of Jews from the civil service and industry, and with the Aryanization or liquidation of Jewish⁴

4. Polizeipräsident, Frankfurt am Main, to Oberbürgermeister Staatsrat Dr. Krebs, June 8, 1936,0-113.

business establishments. These measures, however, were primarily economic. Their social consequences were incidental.

There were also calculated measures against Jewish-German mingling. These decrees fell into two categories, one based on the assumption that the Germans were too friendly with the Jews and that therefore such expressions of friendship had to be prohibited in the interest of German purity and National Socialist ideals, the other founded on the opposite premise, that the Germans were so hostile to the Jews that segregation was required for the maintenance of public order. The apparent contradiction in this reasoning has a simple explanation. In the first case, measures were involved that, for their administrative effectiveness, had to be enforced against Germans, whereas in the second type of ordinance the aim of separation could be achieved with restrictions applied only to the Jews.

The earliest decree against mixing was the Law for the Protection of German Blood and Honor.⁵ In one of its provisions, the employment in Jewish households of German women under the age of forty-five years was prohibited. The era of domestic servants had not passed by 1935, and the forced departure of German women by the thousands from middle-class Jewish homes brought forth a flood of calls for replacements from the ranks of needy Jewish women.⁶ ⁷ The household stipulation was instituted by analogy in hotels and guest houses at health resorts. Insofar as German female personnel under forty-five were employed there, Jewish guests were to be barred.⁷

More complicated effects of the Blood and Honor Law were to flow from its prohibition of marriages and extramarital relationships between Jews and citizens of German or kindred blood. These ramifications became manifest in the interpretations and enforcement of the law. If an intermarriage was contracted after the decree's entry into force, it was considered null and void, and the parties to such a marriage were automatically guilty of extramarital intercourse as well. Under the penalty provisions, both man and woman could be punished

5. Signed by Hitler. Frick, Gürtner, and Hess, dated September 15, 1935, RGBI I, 1146.

6. During 1936, 3,861 Jewish women were referred to Jewish homes in Berlin alone. S. Adler-Rudel, *Jüdische Selbsthilfe unter dem Naziregime, 1933-1939* (Tübingen, 1974) p. 131. Much of this labor was probably part-time.

7. Pfundtner (Interior Ministry) to regional offices of the ministry, July 24, 1937, T 175, roll 409. In 1938 the Party Chancellery proposed an amendment to the law with a view to extending the prohibition to receptionists, models, etc. The Interior Ministry replied that it was already overwhelmed with work in anti-Jewish legislation and that the proposal was not important enough to warrant the necessary drafting. Pfundtner to Hess, May 25, 1938, NG-347. By November of that year the party proposal was obsolete. Hering to Justice Ministry, December 12, 1938, NG-347.

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by penitentiary sentences for entering into an intermarriage, but only the *man* (whether he was Jew or German) could be sent to jail for extramarital intercourse. It was Hitler's wish that the *woman* (Jewish or German) be immune from prosecution.

We do not know the reason for Hitler's insistence upon this exemption. It may have been a sense of chivalry or, more likely, the belief that women (even German women) were very weak individuals without wills of their own. At any rate, neither the judiciary nor the Security Police were happy with the exemption. During a judicial conference, it was therefore decided to heed Hitler's wish in the literal sense only. No German woman would be punished for intercourse with a Jew (or for *Rassenschande* [race defilement], as that crime became known), but if she was trapped into telling a lie during the proceedings against the man, she could be sent to jail for perjury.⁸ Gruppenführer Heydrich of the Security Police on his part decided that a Jewish woman could not remain free if her German partner went to jail. Such an arrangement went against his grain, Hitler order or no Hitler order. Accordingly, he issued secret instructions to his State Police and Criminal Police offices to follow up the lawful conviction of a German man for *Rassenschande* with the immediate arrest of his Jewish woman partner, who was to be spirited away to a concentration camp.⁹

Other modifications in the direction of more severity were proposed in connection with the Mischlinge. Just what was the status of Mischlinge under the Law for the Protection of German Blood and Honor? The law obviously mentioned only Jews and Germans. To the creators of this "third race" it was evident that the Mischlinge—as persons who were neither Jews nor citizens of "German or related blood"—were actually a bridge between the Jewish and German communities. Without an additional concurrent regulation, a Mischling would have been in a position to marry anyone or to have extramarital relations with anyone. The prospect of such a situation was awkward enough to require some action. So far as marriages were concerned, several prohibitions were therefore put into effect immediately. (The rules are listed in Table 6-1. To understand the regulation of Mischling marriages, it may be useful to recall that a Mischling of the first degree was a person with *two* Jewish grandparents, who did not belong to the Jewish religion, and who was not married to a Jewish person on the target date of September 15, 1935. A Mischling of the second degree had only *one* Jewish grandparent.)

These regulatory impediments tended to isolate the Mischling of^{8,9}

8. Summary of judicial conference, February 1, 1939, NG-629.

9. Heydrich to Gestapo and Kripo offices, June 12, 1937, NG-326.

TABLE 6-1
REGULATION OF MISCHLING MARRIAGES

Permitted Marriages

German-German

- Mischling of the second degree-German
- Mischling of the first degree-Mischling of the first degree
- Mischling of the first degree-Jew
- Jew-Jew

Prohibited Except by Special Consent

- Mischling of the first degree-German
- Mischling of the first degree-Mischling of the second degree

Prohibited

German-Jew

- Mischling of the second degree-Jew
- Mischling of the second degree-Mischling of the second degree

NOTE: 1st Ordinance for Implementation of the Blood and Honor Law (signed Hitler, Frick, Hess, and Gürtner), November 14, 1935, RGBl I, 1333. Wilhelm Stuckart and Rolf Schiedermaier, *Rassen- und Erbpflege in der Gesetzgebung des Reiches*, 5th ed. (Leipzig, 1944), pp. 46—48. *Die Judenfrage /Vertrauliche Beilage*, April 25, 1941, pp. 22-

the first degree. Except by official permission, such an individual was not allowed to marry anyone but another Mischling of the first degree or a Jew. The choice of a Jewish partner resulted in the extinction of Mischling status and an automatic reclassification as a member of the Jewish community. Curiously enough, however, the Mischlinge of the first degree were unhampered in their extramarital relations. They could not commit Rassenschande, whether they chose a Jewish or a German partner.¹⁰ Needless to say, attempts were made to close this loophole. In 1941 Hitler himself requested an amendment to the Blood and Honor Law which would have prohibited the extramarital relations of a Mischling of the first degree with a German.¹¹ But, after a conference and much discussion, the matter was dropped with Hitler's consent. Apparently the bureaucracy was not confident that it could enforce such a prohibition.

This brings us to a consideration of the enforcement of the Ras-

10. *Die Judenfrage /Vertrauliche Beilage*, April 25, 1941, pp. 22-24.

11. Pfundtner to Deputy of the Führer, Justice Ministry, and Security Police. May 7, 1941, NG-1066.

12. Summary of Mischling conference, May 13, 1941, NG-1066. Lammers to Interior Ministry, September 25, 1941, NG-1066.

senschande decree in general. Just how successful was it? If the repetition of an illegal act is a criterion of the enforceability of a law, the bureaucracy had tough going. In 1942 no fewer than sixty-one Jews were convicted of Rassenschande in the Old Reich. (This figure naturally includes only Jewish men, not women.) It compares with fifty-seven convictions for passport fraud and fifty-six convictions for currency violations.¹⁷ Why, then, this continuing need for associations between Jews and Germans? We must understand that the Blood and Honor Law caught a great many mixed couples, who had intended to be married, before they had an opportunity to carry out their plans. Such a couple had three choices. It could separate—that was the aim of the decree. Alternatively, the couple could emigrate. Third, it could “live in sin.”

The alternative of emigration was, incidentally, considered an offense. There is at least one case of a German who became a Jew in 1932 in order to marry a Jewish woman, and who subsequently emigrated to Czechoslovakia, where he married her. He was caught after the occupation of Czechoslovakia and convicted of Rassenschande. The defendant argued that he was a Jew, but the court rejected his argument. He also argued the general legal principle that a law subjects people to its provisions only within the territorial jurisdiction. The law had no language indicating its applicability to German citizens living abroad. But the court held that the defendant had violated the law by leaving the country for the purpose of doing something contrary to its stipulations. His emigration was part of the total offense. He had therefore violated the law when he was still within German frontiers.^{13 14}

One reason, then, for the large number of convictions was the unwillingness of mixed couples to separate in the face of a blanket marriage prohibition. There was, however, still another reason why the statistics were a little high. Rassenschande cases were almost always treated harshly by the courts. There were no mitigating circumstances, and there was no need for elaborate proof. The burden was entirely on the defense. An accused could not claim, for example, that he was unaware of the status of his woman partner; in fact, the Reichsgericht held that any German man wishing to have extramarital intercourse with *any* woman had the legal duty of inspecting her papers (*Ariernachweis*) to make sure that she was not Jewish under the law. He had to be especially careful with half-Jewish women, who might either be Jewish

13. Justice Ministry (signed Grau) to Präsident of Reichsgericht, Präs. Volksgerichtshof, Oberlandesgerichtspräsidenten, Oberreichsanwälte at the Reichsgericht and Volksgerichtshof, and Generalstaatsanwälte, April 4, 1944, NG-787.

14. Decision by the Reichsgericht, December 5, 1940, *Deutsche Justiz*, 1941, p. 223. Also, *Die Judenfrage I (Vertrauliche Beilage)*, March 10, 1941, pp. 15-16.

(prohibited relationship) or Mischlinge of the first degree (permitted relationship), depending on complex legal questions relating to religious adherence.¹⁵ The accused was helpless also against the assertion of unproved allegations. Needless to say, extramarital intercourse is not easily proved, but in the German courts the barest indications of a friendly relationship could suffice for a strong presumption. The most flagrant example of such a case, "which kicked up a lot of dust in the judiciary,"¹⁶ was the accusation against Lehmann Katzenberger, chief of the Jewish Community in Nuremberg.

The facts of this case were as follows: In 1932, Katzenberger owned a wholesale shoe establishment in Nuremberg. He was then a prosperous man, fifty-nine years old, the father of grown-up children. During that year, a young unmarried German woman, twenty-two years of age, arrived in Nuremberg to manage a photography business in Katzenberger's building. Her father asked Katzenberger to look after her. In the course of the years, Katzenberger helped the young woman with her problems, occasionally lending her some money and giving her little presents. This friendship continued after the girl was married and after the war had broken out. One day the woman, Mrs. Irene Seiler, was summoned by the District Party Office (*Kreisleitung*) and warned to discontinue the acquaintance. She promised to do so, but shortly thereafter Katzenberger was arrested, to be tried for *Rassenschande* in the criminal chamber of an ordinary court. Katzenberger was then in his late sixties; Mrs. Seiler was over thirty.

The prosecutor who had charge of the case, Hermann Markl, considered the matter quite routine. He looked forward to a "moderate" sentence. (Under the Blood and Honor Law, a man convicted of *Rassenschande* could be sentenced to any term in prison.) However, the presiding justice of the local special court (*Sondergericht*, with jurisdiction in political cases) heard of the proceeding and immediately became interested in it. According to prosecutor Markl, this justice, *Landgerichtsdirektor* Dr. Rothaug, had a "choleric" disposition. He was an obstinate and tough fanatic who inspired fear even in his prosecutors. When the Katzenberger case came to his attention, he ordered the transfer of the proceedings to his court. In the words of another prosecutor, Dr. Georg Engert, Justice Rothaug "drew" the case into his court, for he was determined not to miss this opportunity to sentence a Jew to death.

The proceedings in Rothaug's special court turned out to be a show^{15 16}

15. Decision by Reichsgericht, November 26, 1942, *Deutsches Rechl.* 1943, p. 404. Discussed also in *Die Judenfrage (Vertrauliche Beilage)*, April 15, 1943, p. 31.

16. Affidavit by Dr. Georg Engert (prosecutor, Nuremberg), January 18, 1947, NG-649.

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trial. He goaded witnesses. When the defense attorney proved testimony to be false, he was dismissed with the ruling that the witness had simply made a mistake. Rothaug frequently broke in with insulting remarks about the Jews. When Katzenberger wanted to speak, the judge cut him off. In his final plea, Katzenberger tried to reiterate his innocence and reproached Rothaug for harping on the Jews and forgetting that he, Katzenberger, was a human being. Then Katzenberger brought up the name of Frederick the Great. Rothaug broke in immediately to object to the "besmirching" of the name of the great Prussian king, especially by a Jew.

On March 13, 1942, Landgerichtsdirektor Dr. Rothaug, joined by Landgerichtsräte Dr. Ferber and Dr. Hoffmann, gave his decision. He summarized the "evidence" as follows:

So it is said that the two had approached each other sexually [*geschlechtliche Annäherungen*] in various ways, including also intercourse. They are alleged to have kissed each other, sometimes in the apartment of Mrs. Seiler, at other times in Katzenberger's business premises. Seiler is alleged to have sat on Katzenberger's lap and Katzenberger, with intent to have sexual satisfaction, is said to have stroked her thigh over [not under] her clothes. On such occasions Katzenberger is alleged to have pressed Seiler close and to have placed his head on her bosom.

Seiler admitted that she had kissed Katzenberger, but playfully. Rothaug dismissed the playful motive by pointing out that she had accepted money from Katzenberger. She was therefore "accessible" (*zugänglich*). Pronouncing sentence, Rothaug condemned Katzenberger to death and sent Mrs. Seiler to prison for perjury."

After pronouncement of judgment, there was one more incident in the case. Though the time was March 1942 and in Russia a great spring offensive was being prepared, the commander of the German armed forces and Führer of the German Reich, Adolf Hitler, had heard of the decision and protested that his injunction against sentencing the woman had not been heeded. No woman, said Hitler, could be sentenced for Rassenschande. He was quickly informed that Mrs. Seiler had been imprisoned not for Rassenschande but for lying on oath. This explanation mollified Hitler." ^{17 18}

17. This account is based on the following materials: affidavit by Oberstaatsanwalt (prosecutor) Dr. Georg Engert, January 18, 1947, NG-649. Affidavit by Staatsanwalt Hermann Mark), January 23, 1947, NG-681. Affidavit by Irene Seiler, March 14, 1947, NG-1012. Paul Ladiges (brother-in-law of Mrs. Seiler) to "Justizministerium Nürnberg" (U.S. Military Tribunal in Nuremberg), November 23, 1946, NG-520. Judgment of the special court at Nürnberg-Fürth in the case against Lehmann Katzenberger and Irene Seiler, signed by Rothaug, Ferber, and Hoffmann, March 13, 1942, NG-154.

18. Lammers to SS-Gruppenführer Schaub (adjutant of the Führer), March 28, 1942, NG-5170.

THE REICH-PROTEKTORAT AREA

In June, Katzenberger was put to death, but a short time thereafter Mrs. Seiler, having served six months of her sentence, was released.¹⁹

The Katzenberger case was symptomatic of an attempt to break friendly relations between Jews and Germans. We must keep in mind that Lehmann Katzenberger was president of the Jewish Community in Nuremberg (tenth largest in the Reich), that before Rothaug had a chance to rule on the case, Katzenberger had been accused before an ordinary court, and that before Katzenberger was accused, Mrs. Seiler had been warned by the party to discontinue her acquaintance with the Jewish leader. The Katzenberger case is thus not without administrative significance; it was part of an attempt to isolate the Jewish community. We find confirmation of this fact in an order issued by the Security Police headquarters (*Reichssicherheitshauptamt*) on October 24, 1941, to all Gestapo offices:

Lately it has repeatedly become known that, now as before, Aryans are maintaining friendly relations with Jews and that they show themselves with them conspicuously in public. In view of the fact that these Aryans still do not seem to understand the elementary basic principles of National Socialism, and because their behavior has to be regarded as disrespect toward measures of the state, I order that in such cases the Aryan party is to be taken into protective custody temporarily for educational purposes, and that in serious cases they be put into a concentration camp, grade I, for a period of up to three months. The Jewish party is in any case to be taken into protective custody until further notice and to be sent to a concentration camp."

Needless to say, Security Police proceedings were entirely extrajudicial. They involved no confrontation in a court, ordinary or extraordinary. The order was designed to deter relationships that could not always be classified as *Rassenschande* (namely friendly relations between Jews and Germans, particularly manifest, open friendliness as shown by conversation in the streets or visits to homes). There was, perhaps, some apprehension that the toleration of such friendliness might encourage some Germans to offer Jews sanctuary in the deportation roundups. But that fear was unfounded, for, when the hour of decision came, few Germans made any move to protect their Jewish friends.

The Blood and Honor Law and the order by Security Police Chief Heydrich were intended to sever close personal relations, whether intimate or platonic, between Jews and Germans. Because these measures had to be directed not only at the Jewish party but also at the ^{19 20}

19. Letter by Ladiges, November 23, 1946, NG-520.

20. Circular by State Police Office in Nüimberg-Fürth (signed Dr. Grafenberger), enclosing order from Berlin, November 3, 1941, L-152.

German, they were reminiscent of medieval strictures against heresy, which they resembled in content and form. The German who left the country in order to marry his Jewish girlfriend was guilty of heresy. He could not claim that he was a Jew. Similarly, the German who stopped in the street to talk to an old Jewish acquaintance was also guilty of a lack of understanding of and respect for Nazi "principles."²¹

Of course, ghettoization went a little further than that. An attempt was made to keep Germans and Jews apart as long as possible and as much as possible. These measures could be taken only by barring Jews at certain times from certain places. The rationalization for these decrees was that the Germans did not like the Jews, that Aryans were "inconvenienced" by the presence of Jews, and that therefore the Jews had to be kept out or kept away.

The most important of these antimixing ordinances was the Law against Overcrowding of German Schools of April 25, 1933, which reduced the admission of non-Aryans to each school or college to the proportion of all non-Aryans in the entire German population.²² ²³ The acceptance quota was accordingly fixed at 1.5 percent, while enrollment ceilings were devised with a view to the progressive reduction of the Jewish student body as a whole. By 1936 more than half of the Jewish children in the age group of six to fourteen years were being accommodated in schools operated by the Jewish community.²⁴ There were, however, no Jewish technical colleges or universities, and the position of Jews enrolled in German institutions of higher learning was becoming more and more tenuous.²⁴ As of November 1938, the remaining Jewish students in the German school system were expelled. From that date, Jews were permitted to attend only Jewish schools.²⁵

21. At certain times during the Middle Ages, mixed couples who had had intercourse were judged guilty of supercharlotry (*ueberhure*) and burned (or buried) alive. The guilty Christian was deemed to have denied his faith (*lungelouben*), in other words, to have committed heresy. Guido Kisch, *The Jews in Medieval Germany* (Chicago, 1949), pp. 205-7, 465-68.

22. Decree of April 25, 1933, signed by Hitler and Frick, RGB1 I, 255. The law excepted from the quota all non-Aryans who had at least one German grandparent or whose fathers had fought for Germany at the front in World War I.

23. Adler-Rudel, *Jiidische Selbsthilfe*, pp. 19-33.

24. Albrecht G6tz von Olenhusen, "Die 'nichtarischen' Studenten an den deutschen Hochschulen," *Vierjahrshefte fur Zeitgeschichte* 14 (1966): 175-206. The enrollment ceiling in universities was 5 percent. *Ibid.*, p. 179. The percentage of Jews in the student bodies of German universities had been declining since the end of the nineteenth century. Michael Stephen Steinberg, *Sabres and Brown Shins* (Chicago, 1977), p. 28, 187 n. 48.

25. German press, November 16, 1938. Mischlinge of the first degree were ejected from the schools in 1942; Mischlinge of the second degree were permitted to continue their schooling, provided their presence did not contribute to overcrowding. *Die Judenfrage (Vertrauliche Beilage)*, March 1, 1943, pp. 17-19.

Although the school segregation measures created a very serious problem for the Jewish community, they provoked less discussion and less controversy in the upper levels of the German bureaucracy than the orders pertaining to Jewish traveling on trains. Propaganda Minister Goebbels came to the conference of November 12, 1938, well prepared with proposals for travel regulations. Here is an excerpt from the discussion:

GOEBBELS: It is still possible today for a Jew to share a compartment in a sleeping car with a German. Therefore, we need a decree by the Reich Ministry for Transport stating that separate compartments shall be available for Jews; in cases where compartments are filled up, Jews cannot claim a seat. They will be given a separate compartment only after all Germans have secured seats. They will not mix with Germans, and if there is no room, they will have to stand in the corridor.

GORING: In that case, I think it would make more sense to give them separate compartments.

GOEBBELS: Not if the train is overcrowded!

GORING: Just a moment. There'll be only one Jewish coach.

GOEBBELS: Suppose, though, there aren't many Jews going on the express train to Munich, suppose there are two Jews on the train and the other compartments are overcrowded. These two Jews would then have a compartment all for themselves. Therefore, I say, Jews may claim a seat only after all Germans have secured a seat.

GORING: I'd give the Jews one coach or one compartment. And should a case like you mention arise and the train be overcrowded, believe me, we won't need a law. We'll kick him out and he'll have to sit all alone in the toilet all the way!

GOEBBELS: I don't agree; I don't believe in this. There ought to be a

More than a year passed before the Transport Minister issued a directive on Jewish travel. "In the interest of the maintenance of order in the passenger trains," Jews of German nationality and stateless Jews were barred from the use of all sleepers and dining cars on all railway lines within "Greater Germany." However, the directive did not introduce separate compartments, an arrangement that the Transport Minister considered impractical." Not until July 1942 were Jews barred from waiting rooms and restaurants in railway stations. This measure, however, was ordered not by the Transport Ministry but by the Security Police." The Transport Ministry did not concern itself with the compartment problem anymore.^{26 27 28}

26. Minutes of conference of November 12, 1938, PS-1816.

27. Transport Minister (Dorpmöller) to Interior Minister, December 30, 1939, NG-3995.

28. *Die Judenfrage (Verirauliche Beilage)*. March 1, 1943, pp. 17-19.

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The school and railway ordinances were accompanied by many other measures designed to alleviate "overcrowding," to promote the "convenience" of the German population, and to maintain the "public order." We have already noted the special shopping hours introduced by the Food and Agriculture Ministry. At the insistence of Propaganda Minister Goebbels and Security Police Chief Heydrich, Jews were barred from resorts and beaches.²⁹ Hospitalized Jews were transferred to Jewish institutions, and the services of Aryan barbershops were no longer extended to Jews.³⁰

The antimixing decrees constituted the first phase of the ghettoization process. Most were drafted in the 1930s, and their aim was limited to social separation of Jews and Germans. In the second phase, the bureaucracy attempted a physical concentration by setting aside special Jewish housing accommodations. This type of ghettoization measure is always a very difficult administrative problem, because people have to change apartments.

Before any serious move was made in the housing field, Goring brought up a very fundamental question in the conference of November 12, 1938: Should Jews be crowded into ghettos or only into houses? Turning to Security Police Chief Heydrich, who was proposing all sorts of movement restrictions and insignia for Jews, Goring said:

But my dear Heydrich, you won't be able to avoid the creation of ghettos on a very large scale, in all cities. They will have to be created.³¹

Heydrich replied very emphatically:

As for the question of ghettos, I would like to make my position clear right away. From the point of view of the police, I don't think a ghetto, in the form of a completely segregated district where only Jews would live, can be put up. We could not control a ghetto where Jews congregate amid the whole Jewish people. It would remain a hideout for criminals and also for epidemics and the like. We don't want to let the Jews live in the same house with the German population: but today the German population, their blocks or houses, force the Jew to behave himself. The control of the Jew through the watchful eye of the whole population is better than having him by the thousands in a district where I cannot properly establish a control over his daily life through uniformed agents.³²

The "police point of view" is most interesting in two respects. Heydrich looked upon the whole German population as a kind of auxiliary police force. They were to make sure that the Jew "behaved"^{29 30 31 32}

29. Minutes of conference of November 12, 1938, PS-1816.

30. *Die Judenfrage (Vertrauliche Beilage)*, March 1, 1943, pp. 17-19.

31. Minutes of conference of November 12, 1938, PS-1816.

32. *Ibid.*

himself. They were to watch all Jewish movements and to report anything that might be suspicious. Interesting also is Heydrich's prediction of epidemics. Of course, epidemics are not necessary concomitants of ghetto walls; but they do occur when housing deteriorates, when medical services are inadequate, and, above all, when the food supply is shut off. In the Polish ghettos Heydrich's predictions came true and epidemics *did* break out. Goring heeded Heydrich's advice and, on December 28, 1939, he issued a directive that Jews be concentrated in houses rather than in districts.¹⁹

Now that the moving was to start, one other question had to be resolved: the problem of mixed marriages. In the Blood and Honor Law the bureaucracy had prohibited the formation of *new* intermarriages, but that law did not affect *existing* intermarriages. Under the marriage law, intermarriages were subject to the same regulations as other marriages: no divorce could be granted unless one of the parties had done something wrong or unless the parties had been separated for at least three years.

Only one provision affecting intermarriages had been written into the marriage law of 1938. Under that provision the Aryan party to a mixed marriage could obtain a divorce if he (or she) could convince the court that after the introduction of the Nuremberg laws he had obtained such enlightenment about the Jewish question that he was now convinced that if he had only had such enlightenment before the intermarriage had occurred, he would never have entered into it. This conviction, of course, had to be proven to the satisfaction of the court. Moreover, the Aryan party was given only until the end of 1939 to institute a divorce proceeding on such a ground.¹⁴ Apparently, only a few Germans took advantage of this cumbersome and potentially embarrassing procedure. In 1939 there were still about 30,000 intermarried couples in the Reich-Protektorat area: that is, almost one out of every ten Jews was married to a non-Jewish partner." The problem now facing the bureaucracy was what to do with these 30,000 couples. Should they too be moved into special Jewish houses?

The Goring directive of December 28, 1938, solved this problem by dividing the intermarried couples into two categories: "privileged" and "not privileged." The classification criteria are indicated in Table 6-2.

It should be noted that the decisive factor for the classification of ^{33 34 35}

33. Enclosed in a letter from Bormann to Rosenberg, January 17, 1939, PS-69.

34. See comment by Dietrich Wilde and Dr. Kreckau in "Auflösung von Mischehen nach Par. 55 EheG.," *Die Judenfrage (Vertrauliche Beilage)*, May 15, 1943, pp. 33-36.

35. Exact figures for the end of 1938 are not available, but on December 31, 1942, the number of Jews in mixed marriages was still 27,744. Report by SS-Statistician Korherr, April 19, 1943, NO-5193.

T A B L E 6-2
CLASSIFICATION OF INTERMARRIAGES

	<i>Children Not Raised as Jews (Mischlinge of the First Degree)</i>	<i>Children</i>	<i>Childless</i>
Jewish wife-German husband	Privileged	Not privileged	Privileged
Jewish husband-German	Privileged	Not privileged	Not privileged

NOTE: Bormann to Rosenberg, January 17, 1939, PS-69.

all intermarried couples with children was the religious status of the child. If the offspring was not raised in the Jewish religion, he was a Mischling of the first degree. As such, he was liable for induction into the armed forces or into the Labor Service. Goring did not want such Mischlinge to be "exposed to Jewish agitation" in houses occupied by Jews; hence he exempted all couples with such children. In the case of childless couples, the Jewish wife of a German husband was considered privileged, possibly because the household belonged to the German spouse. On the other hand, the German wife of a Jewish husband was liable to be moved into a Jewish house. Goring hoped that these German wives would divorce their husbands and "return" to the German community.* Judging from partial statistics,³⁶ the privileged couples outnumbered the unprivileged ones nearly three to one. The reason for this ratio is not hard to find: the large majority of mixed couples did not raise their children in the Jewish religion.

It should be emphasized that the housing exemption granted to couples in privileged mixed marriages was extended with few modifications to wage and food regulations. Moreover, in 1941-44 the Jews in mixed marriages, including those in *unprivileged* mixed marriages, were *not* subjected to deportation. This phenomenon was characteristic of the step-by-step destruction process. Once a group was taken out of the circle of victims for the purpose of one measure, it was immune to subsequent measures as well. To put it another way, if the privilege was upheld in the matter of changing apartments, it was also upheld in the application of more drastic measures. We shall have occasion to deal with this subject once more in a subsequent chapter, for just as the party was dissatisfied with the exemption of Mischlinge^{36 37}

36. Bormann to Rosenberg, January 17, 1939, PS-69.

37. Korherr report, April 19, 1943, NO-5193.

of the first degree, so the party men challenged the privilege of mixed marriage which was in large measure an outgrowth of the Mischling concept.

The actual implementation of the housing restrictions was a very slow process. A great many Jewish families had to be evicted, but eviction was no solution so long as these Jewish families had no place to go. It was practicable only if the homeless family could be quartered in another Jewish household or if there was a vacancy in a house designated for Jewish occupancy. The first eviction regulation against Jews is to be found in the decree of July 25, 1938,³⁸ which allowed German landlords to terminate leases for Jewish doctors' apartments. The year 1938 was a period of very loose court interpretation of tenancy regulations and leases. During that year many Jews emigrated, and consequently there were vacancies. In a decision dated September 16, 1938, a Berlin court went so far as to rule that the tenancy laws did not apply to Jews at all. Inasmuch as Jews were not members of the people's community (*Volksgemeinschaft*), they could not be members of the housing community (*Hausgemeinschaft*).³⁹ This decision anticipated matters a bit, but in effect it was put into a decree dated April 30, 1939, and signed by Hitler, Gürtner, Krohn (deputy of the Labor Minister), Hess, and Frick.^{38 39 40} The decree provided that Jews could be evicted by a German landlord if the landlord furnished a certificate showing that the tenant could live somewhere else. At the same time, the decree stipulated that homeless Jewish families had to be accepted as tenants by other Jews still in possession of their apartments.

Now the crowding of Jews into *Judenhäuser* could begin. Selecting the houses and steering the Jews into them was the job of the local housing authorities (*Wohnungsämter*). In larger cities the Wohnungsämter had special divisions for the movement of Jews (*Judenumsiedlungsabteilungen*). By 1941 the movement had evidently progressed far enough to entrust the remaining apartment allocations to the Jewish community organization, which kept a close watch on vacancies or space in the *Judenhäuser*. The Jewish bureaucrats worked under the close supervision of the State Police (Gestapo).⁴¹

38. RGBI I, 1146.

39. Decision by Amtsgericht Berlin-Schöneberg, September 16, 1938, *Juristische Wochenschrift*, 1938, p. 3405. Reported by Ernst Fraenkel, *The Dual State* (New York, 1941), p. 93.

40. RGBI I, 864.

41. Circular note by *Fachgruppe* (Association) of Riinters, Administrators, and Agents in Real Estate to *Bezirksgruppe* (Local Group) Vienna-Lower Austria, June 14, 1941, Occ E 6a-15. Reichsbaurat Walter Uttermöhle in *Die Judenfrage (Vertrauliche Beilage)*. September 1, 1941, pp. 63-64.

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The housing restrictions were not intended to be the only constraint on the Jews. Almost contemporaneously with the housing regulations, the bureaucracy tightened Jewish movements and communications. Many of these regulations were issued by organs of the police. On December 5, 1938, the newspapers published a provisional ordinance of the Reichsführer-SS Himmler depriving Jews of their drivers' licenses.² Although extremely few people were affected by this announcement, it has considerable significance because of the manner in which it was brought out. Himmler had not previously submitted his order through normal channels to a legal gazette, and he could cite no law or decree that authorized his measure. Yet he was to be upheld by the Reichsgericht itself. From the sheer publication of the ordinance and the subsequent silence of the Highest Reich Authorities, the court assumed their consent. Hence it was valid and effective from the day that it appeared.¹⁵

In September 1939, shortly after the outbreak of war, the local police offices ordered the Jews off the streets after 8 P.M. The Reich press chief instructed the newspapers to justify this restriction with the explanation that "Jews had often taken advantage of the blackout to molest Aryan women."³ On November 28, 1939, Security Police Chief Heydrich signed a decree in which he authorized the Regierungspräsidenten in Prussia, Bavaria, and the Sudeten area, the Mayor of Vienna, the Reichskommissar in the Saar, and the competent authorities in other areas to impose movement restrictions on Jews, whereby Jewish residents could be barred not only from appearing in public at certain times but also from entering specified areas at any time.¹⁵ The police president of Berlin thereupon declared certain areas to be forbidden zones.⁴ The police president of Prague (Charvat) forbade Jews to change their address or to leave the city limits, except for purposes of emigration.¹⁷ On July 17, 1941, Charvat also forbade the Jews to enter the woods at Prague.¹⁸ By a decree of September 1, 1941 (a fundamental measure, to be discussed later in full), Jews were forbidden to leave the boundary of their residential districts without carrying written permission of the local police authority. (Jews in mixed ^{42 43 44 45 46 47 48}

42. *Völkischer Beobachter*, December 5, 1938, PS-2682.

43. Uwe Adam. *Judenpolitik im Dritten Reich* (Düsseldorf, 1972), pp. 213, 244.

44. Instructions by the Reich Press Chief (Brammer Material), September 15, 1939, NG-4697.

45. RGBI I, 1676.

46. Decree of December 3, 1938; text in Institute of Jewish Affairs, *Hitler's Ten-Year War* (New York, 1943), pp. 22-23.

47. *Jüdisches Nachrichtenblatt* (Prague), November 8, 1940.

48. *Ibid.*, July 25, 1941.

marriages were exempted from this restriction.)" The ghetto began to take shape.

Movement *within* the cities was regulated still more by orders concerning the use of city transportation by Jews. In Prague the police president forbade to Jews the use of trolleys and buses in his decree of December 12, 1941.⁴⁹ In the Reich area, including Austria, the Transport Ministry ruled on September 18, 1941, that Jews could no longer use city transportation during rush hours, and that at other times they were to take seats only when no Germans were standing.⁵⁰

On March 24, 1942, Security Police Chief Heydrich, in agreement with the Transport Ministry and the Postal Ministry, issued an order that sharply restricted the right of Jews to use public transportation, including subways, street cars, and buses. Henceforth the Jews required police permits (issued by the local Order Police) for use of any such transportation. Permits were to be granted to workers if they could prove that the distance from home to their place of work was seven kilometers (a little over four miles) or one hour. Sick persons or disabled workers could obtain permits for relatively shorter distances. School children were to be given a permit provided that their distance was at least five kilometers (over three miles) or one hour each way. Lawyers and doctors (*Konsulenten* and *Krankenbehandler*) could obtain a permit for any distance.^{49 50 51 52 53 *}

Communications were cut still more by withdrawal of the right to use telephones. In 1941 private telephones were ripped out of Jewish apartments. This measure was followed by a prohibition to use public telephones except for conversations with Aryans. Finally, this permission was withdrawn, and all telephone booths were marked with signs reading "Use by Jews prohibited."⁵⁵

These elaborate restrictions were reinforced by an elaborate system of identifications. The first element in this system concerned personal documents. Identification papers are an important ingredient of

49. RGBI 1.547.

50. *Jüdisches Nachrichtenblatt* (Prague). December 12, 1941.

51. "Benutzung der Verkehrsmittel durch Juden," *Die Judenfrage* (*Vertrauliche Beilage*), December 10, 1941, pp. 78-79.

52. Regierungspräsident/Führungsstab Wirtschaft in Wiesbaden to Chambers of Commerce in area. May 12, 1942, enclosing Heydrich directive of March 24, 1942, L-167. *Jüdisches Nachrichtenblatt* (Berlin), April 17, 1942.

53. Propaganda Ministry (signed Wächter and Bemdt) to all Gauleiter, Chiefs of Propaganda Offices, and Propaganda Chiefs with Gauleiter, undated, probably end of 1941, G-44, Mimeographed notice of Vorstand of Jüdische Kultusgemeinde (Berlin), November 14, 1941, G-229. *Jüdisches Nachrichtenblatt* (Prague), February 13, 1942. *Die Judenfrage* (*Vertrauliche Beilage*), March 1, 1943, pp. 17-29.

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any police state system. In the case of Jews, the document requirements were especially stringent. Files at the University of Freiburg reveal that as early as 1933, non-Aryan students had to exchange their regular brown identification cards for yellow ones." Five years later, on July 23, 1938, a decree prepared by the Interior and Justice Ministries required all Jews of German nationality to apply (stating that they were Jews) for identification cards." The cards had to be asked for by December 31, 1938. Jews over fifteen years of age had to carry their cards with them at all times. In dealings with party or ministerial offices, Jews were to indicate that they were Jews and were to show their cards without being asked to do so.

Jews who were about to emigrate also had to obtain passports. At first, nothing in a passport indicated whether the bearer was a Jew. Apparently, no one thought of making any changes in passports issued to Jews or held by Jews until action was initiated by officials of a foreign country. That country was Switzerland. After the Austrian Anschluss, many Jews had taken advantage of a German-Swiss agreement for the abolition of the visa requirement to cross into Switzerland. On June 24, 1938, the chief of the Federal Swiss Police, Heinrich Rothmund, protested to the German legation in Bern against what he called the "inundation" (*Überflutung*) of Switzerland by Viennese Jews, for whom, he said, the Swiss had no more use than Germany did."

On August 10 the Swiss Minister in Berlin looked up the chief of the Political Division of the German Foreign Office to tell him that the flow of Jews to Switzerland had reached "extraordinary proportions." In one day forty-seven Jews had arrived in Basel alone. The Swiss government was decidedly against the "Judaification" (*Verjudung*) of the country, which is something the Germans could understand. Under the circumstances, the Swiss were now considering the reimposition of visa controls." On August 31, Bern denounced the visa agreement. Three days later, however, the Swiss police chief (Rothmund) informed the German Minister in Bern that he was ready to compromise. The Swiss government would be willing to restrict its visa requirement to German Jews if the passports would indicate clearly that their holders were Jews. This condition was accepted after some haggling about "reciprocity" (i.e., visa requirements for Swiss Jews, which the Swiss were reluctant to accept).^{5*} On September 26, Rothmund went to Ber-

⁵⁴ Olenhusen, "Die 'nichtarischen' Studenten," *Viennefakrsheft* 14:185.

⁵⁵ RGB! 1.922.

⁵⁶ *Akten zur Deutschen Auswärtigen Politik 1918-1945*, Ser. D, Vol. V, Document 642 (footnote).

⁵⁷ Memorandum by Wormann (Chief, Political Division in Foreign Office), August 10, 1938. *Akten*, Ser. D, Vol. V, Doc. 642.

⁵⁸ *Akten*, Ser. D, Vol. V, Doc. 643 (footnote).

lin. On September 29 a treaty was signed providing that the Reich would undertake to mark *all* passports of its Jews (whether traveling to Switzerland or not) with a sign identifying the bearers as Jews." A few days after this agreement had been negotiated, a passport decree was drafted.

The decree, dated October 5, 1938,⁶⁰ and signed by the head of the administrative office of the Security Police, Ministerialdirigent Best,⁶¹ provided that all German passports held by Jews be stamped with a large, red *J*. In a letter to Vortragender Legationsrat Rödiger of the Legal Division of the Foreign Office, dated October 5, 1938,⁶² Best requested that passports of Jews residing abroad be stamped whenever the documents were presented to consulates or missions for renewal or some other purpose, and that lists be made of Jews abroad who did not respond to invitations to have their passports stamped.

On October 11, Rödiger wrote to the German diplomatic and consular representatives abroad,⁶³ repeating and elaborating on these requests. Specifically, invitations were to be issued to holders of passports valid for over six months, other Jews were to have their passports stamped only when they presented them, no charge was to be made for the entry, and so on. These instructions have significance because they extended the identification system to tens of thousands of emigrated Jews in countries later occupied by the Germans.

The document stamping did not stop with passports. We have seen that on March 11, 1940, the Food and Agriculture Ministry directed that ration cards belonging to Jews be marked with a *J* for identification.⁶⁴ On September 18, 1942, Staatssekretär Riecke of the

59. Ministerialrat Krause (passport official, Security Police) to Foreign Office, attention Vortragender Legationsrat Rödiger, October 3, 1938, enclosing text of German-Swiss agreement. *Akten*, Ser. D, Vol. V, Doc. 643 (with footnotes). The agreement was signed by Dr. Best, Krause, Kröning, and Rödiger for the German side, and by Rothmund and Kappeler for the Swiss. The Swiss Bundesrat approved the agreement on October 4, 1938. Ratifications were exchanged on November 11. Under the agreement the German government reserved the right to impose visa requirements on Swiss Jews.

in the passport matter, see also Alfred A. Häslar. *The Lifeboat Is Full* (New York, 1969), pp. 30-53.

60. RGBl I, 1342.

61. Competence to make regulations concerning passports, police control, registration, and identification was given to the Interior Ministry by the decree of May 11, 1937, signed by Hitler, Frick, Staatssekretär von Mackensen (Foreign Office), Staatssekretär Reinhardt (Finance Ministry), and Staatssekretär Schlegelberger (Justice Ministry) RGBl I, 589.

62. Best to Rödiger, October 5, 1938 NG-3366.

63. Rödiger to missions and consulates abroad, October 11, 1938. NG-3366.

64. Nartentof food offices, March 11, 1940, NI-14581.

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Food and Agriculture Ministry ordered that ration cards issued to Jews be marked obliquely and throughout with the word *Jude*.⁶⁵

The second part of the identification system consisted of the assignment of Jewish names. This process was already begun in 1932, when restrictions were placed on name changes. To be sure, that internal directive was limited in scope, and for the next few years a number of proposals came to the Interior Ministry from party members who were interested in the subject of names. In March 1933, Staatssekretär Bang of the Economy Ministry suggested to Lammers a revocation of name changes granted since November 1918.⁶⁶ In June 1936, Himmler informed Pfundtner that the Führer did not want Jews to carry the names Siegfried and Thusnelda.⁶⁷ On January 5, 1938, one measure was put into effect. The decree of that date⁶⁸ provided that name changes granted before January 30, 1933, could be revoked.

The revocation order was followed by the decree of August 17, 1938,^{65 66 67 68 69 70} drafted by Ministerialrat Globke, name expert of the Interior Ministry, and signed by Staatssekretär Stuckart and Justice Minister Gürtner. This decree stipulated that Jewish men had to add to their regular first name the middle name Israel, and Jewish women the name Sara, unless they already had a first name included in an approved list of the Interior Ministry. The approved list—which, incidentally, had to be used for the naming of newly born children—was also drawn up by the expert Globke.TM

In compiling the list, Globke necessarily had to omit Hebrew names that in the popular mind (*Volksbewusstsein*) were no longer regarded as alien first names, because they had been completely Germanized (*eingedeutscht*). Hence he omitted such names as Adam, Daniel, David, Michael, and Raphael for men, and Anna, Debora, Esther, Eva, and Ruth for women. Instead, he supplied (for boys) Faleg, Feibisch, Feisel, Feitel, Feiwei, and Feleg, plus (for girls) Scharne, Scheindel, Scheine, Schewa, Schlämche, Semche, Simche, Slowe, and Sprinzi, as well as many other distortions and figments of the imagination. The name changes and new names had to be recorded in birth and marriage certificates by the local Order Police. The new

65. Riecke to food offices. September 18, 1942, NG-1292.

66. Bang to Lammers, March 6, 1933, NG-902.

67. Oberstes Gericht der Deutschen Demokratischen Republik, *Urteil gegen Hans Globke* (Berlin, 1963), p. 15.

68. RGBI I, 9.

69. RGBI I, 1044. Authorship of the decree is stated by Lösener in his affidavit of February 24, 1948, NG-1944-A.

70. Affidavit by Lösener, February 24, 1948, NG-1944-A. The complete list is in the decree of August 18, 1938, *Ministerial-Blatt des Reichs- und Preussischen Ministeriums des Innern*, 1938, p. 1346.

designations henceforth appeared not only in personal documents of Jews but also in court records and all official correspondence dealing with individually named Jews.

The third component of the identification system was the outward marking of persons and apartments. Outward marking was designed to set off visually the Jews from the rest of the population. An indirect marking process had already started in the mid-1930s. It was customary in Germany, especially in the big cities, to hoist the red-white-black flag from the windows on holidays (more ardent Nazis put color pictures of Hitler in their windows), to wear Nazi insignia and swastika armbands, and to give the "German salute": the *deutscher Grass* (outstretched arm and "Heil Hitler"). All these manifestations of membership in the German community were successively denied to Jews. The Blood and Honor Law^{71 72 73 74 75} prohibited Jews from displaying the Reich colors and expressly permitted them to display the Zionist blue-white-blue flag. The decree of November 14, 1935,⁶ regulated the use of insignia, medals, titles, and so on. Finally, a ruling of the Justice Ministry, dated November 4, 1937,⁷ deprived those Jews who were prone to give the "German salute" of a chance to hide their identity.

Direct marking was first proposed by Heydrich in the conference of November 12, 1938. As Heydrich outlined his proposal, chairman Goring, who was not only Germany's first industrialist but also its first designer of uniforms, suggested hopefully: "A uniform?" Not to be deterred, Heydrich answered: "An insignia."⁴ However, Hitler opposed the marking of the Jews at that time, and Goring disclosed the decision at the Gauleiter conference of December 6, 1938.⁸

The marking of the Jews was first applied in Poland, where, it was felt, the Hitler prohibition was not in force. It is characteristic of the development of the destruction process that in spite of the veto by the highest authority of the Reich, recurrent suggestions for introducing the measure in Greater Germany were circulated in the ministerial offices of the bureaucracy. On July 30, 1941, Staatssekretär and SS-Gruppenführer Karl Hermann Frank of the Protektorat administration in Prague urgently requested in a letter to Lammers that he be permitted to mark the Jews in Bohemia-Moravia.⁹ Lammers forwarded

71. September 15, 1935, RGB11, 1146.

72. RGB1 1, 1341.

73. *Deutsche Justiz*, 1937, p. 1760.

74. Minutes of conference of November 12, 1938, PS-1816.

75. Stuckart to Lammers. August 14, 1941, NG-III. The reason for Hitler's opposition is something of a mystery. Hitler probably objected to the marking on aesthetic grounds.

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the request to the Interior Ministry." Stuckart replied on August 14, 1941, raising the question whether the decree could be applied to the entire Reich-Protektorat area. However, he wanted first to have the opinion of the Foreign Office and of the Labor Ministry."

On August 20, 1941, the Propaganda Ministry seized the initiative and requested Hitler to change his mind. Hitler agreed." Having scored this success, the Propaganda Ministry circulated the news and invited the interested ministries to a conference," which was held under the chairmanship of Staatssekretär Gutterer of the Propaganda Ministry. The Interior Ministry's expert on Jewish affairs (Ministerialrat Lösener), who attended this meeting, said after the war: "I had assumed that, as usual, it would be a small conference of the participating experts." Instead, there were speeches. "Then there was applause, not like in a conference—but as if it were an election campaign."*¹ However, in the end, the drafting of the decree was entrusted to Lösener."

In its final form the decree, dated September 1, 1941,^{76 77 78 79 80 81 82 83 84 *} provided that Jews six years or over were to appear in public only when wearing the Jewish star. The star had to be as large as the palm of a hand. Its color had to be black, the background yellow, and for the center of the star the decree prescribed the black inscription *Jude*. The victims were to sew the star tightly on the left front of their clothing. Jews in privileged mixed marriages were exempt.

The stars were manufactured by the Berliner Fahnenfabrik Geitel & Co." and distributed immediately. There were no major repercussions. Some Jews attempted to hide the emblem with a briefcase or a book, a practice the Berlin Gestapo considered inadmissible.*⁷ The factory management of Siemens, Kabelwerk Gartenfeld, did not want its Jewish work force to wear the star on the premises, claiming that the Jews were already segregated there. The question of whether a

76. Lammers to Frank, August 10, 1941, NG-III.

77. *ibid.*

78. Stuckan to Lammers, August 14, 1941, NG-1111.

79. Unterstaatssekretär Luther (Foreign Office/Division Germany) to Staatssekretär Weizsäcker of the Foreign Office. September 19, 1941, Document Weizsäcker-488.

80. *ibid.*

81. Testimony by Lösener, Case No. II, tr. pp. 7636-38.

82. Affidavit by Lösener, February 24, 1948, NG-1944-A.

83. RGB11.547.

84. Memoranda of September 17 and 20, 1941, by Paul Eppstein of Jewish Reichsvereinigung on meetings with Hauptsturmführer Gutwasser of Reich Security Main Office/IV-B-4 on September 16 and 20, Leo Baeck Institute, microfilm roll 66 of original documents in Deutsches Zentralarchiv. Potsdam.

85. Memorandum by Eppstein, September 20, 1941, on meeting with representative of Berlin Gestapo (Prüfer). *Ibid.*

plant was a public place within the meaning of the decree consequently had to be pondered by the Reich Security Main Office." The party, apprehensive about the possibility that the display of the star in the streets would result in new disturbances, issued circulars warning party members not to molest Jews." Children especially were to be cautioned. But there is no record of violence. In fact, there is a story of a little girl who went out of her way to greet politely a Jewish community worker. She said, "Heil Hitler, Mr. Jew."⁸⁸

An awkward situation was created for the churches when baptized Jews with stars turned up for services. In Breslau, the elderly Cardinal Bertram, head of the Catholic Church in eastern Germany, issued instructions that "the conduct of special services [*die Abhaltung von Sondergottesdiensten*]" for star wearers was to be "weighed" only in the event of "major difficulties," such as the staying away or ostentatious departure from services by civil servants or party members.^{86 87 88 89} The representatives of the Evangelical-Lutheran church in seven provinces invoked the teachings of Martin Luther to declare that racially Jewish Christians had no place and no rights in a German Evangelical church.⁹⁰

The Security Police, in the meantime, extended the marking to apartments. In 1942 the Jews were ordered to paste the star on their doors, in black print on white paper.⁹¹

The whole identification system, with its personal documents, specially assigned names, and conspicuous tagging in public, was a powerful weapon in the hands of the police. First, the system was an auxiliary device that facilitated the enforcement of residence and movement restrictions. Second, it was an independent control measure in that it enabled the police to pick up any Jew, anywhere, anytime. Third, and perhaps most important, identification had a paralyzing effect on its victims. The system induced the Jews to be even more docile, more responsive to command than before. The wearer of the star was exposed; he thought that all eyes were fixed upon him. It was as though the whole population had become a police force, watching

86. Memorandum by Eppstein, September 26, 1941, on meeting with Gutwasser. *Ibid.*

87. See the previously mentioned Bormann directive in NG-1672.

88. Account by Dr. Hugo Nothmann (Jewish survivor) in Hans Lamm, "Über die Entwicklung des deutschen Judentums," (mimeographed, 1951), p. 313.

89. *Mitteilungen zur Weltanschaulichen Lage*, April 15, 1942, pp. 13-17, EAP 250-c-10/5.

90. Announcement of December 17, 1941, signed by Klotzsche for Saxony, Bishop Schultz for Mecklenburg, Kipper for Nassau-Hessen, Dr. Kinder for Schleswig-Holstein, Wilkendorf for Anhalt, Dr. Volz for Thuringia, and Siewers for Lübeck, reprinted in Helmut Eschwege, *Kennzeichen* (Berlin, 1966).pp. 161-62.

91. *Jüdisches Nachrichtenblatt* (Berlin), April 17, 1942.

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him and guarding his actions. No Jew, under those conditions, could resist, escape, or hide without first ridding himself of the conspicuous tag, the revealing middle name, the telltale ration card, passport, and identification papers. Yet the riddance of these burdens was dangerous, for the victim could be recognized and denounced. Few Jews took the chance. The vast majority wore the star and, wearing it, were lost.

We have now seen how, in consecutive steps, the Jewish community was isolated socially, crowded into special houses, restricted in its movements, and exposed by a system of identification. This process, which we have called ghettoization, was completed with the institution of a Jewish administrative apparatus through which the Germans exercised a stranglehold on the Jewish population. For our understanding of how the Jews were ultimately destroyed, it is essential to know the origins of the Jewish bureaucratic machine. The Jews had created that machine themselves.

Before 1933 the Jewish community organization was still decentralized. Each city with a Jewish population had a *Gemeinde* with a *Vorstand* responsible for the operation of Jewish schools, the synagogues, hospitals, orphanages, and welfare activities. By law, the *Gemeinden* could levy a tax from all those who had been born into the Jewish faith and who were living in the locality, so long as they did not formally resign from membership.⁹² There were also regional organizations (*Landesverbände*), which in the southern German states (Baden, Württemberg, and Bavaria) had statutory powers to control budgets and appointments in the *Gemeinden*, but which were only confederations of local community delegates in Saxony and Prussia. The Prussian *Landesverband* covered 72 percent of Germany's Jews, including the important cities of Berlin, Frankfurt am Main, Breslau, and Cologne. Its chairman, Rabbi Leo Baeck, was working on a "concordat" with Prussia in 1932, on the eve of Hitler's rise to power.⁹³

At that time, the Jewish communities, mirroring the post-1918 political trend in Germany as a whole, were on the verge of centralization. Various drafts of a central Jewish organization had been prepared during the days of the Weimar Republic.⁹⁴ In 1928, pending an establishment of a "*Reichsorganisation*," delegates of the *Landesverbände*, meeting in conference, constituted themselves into a working group^{92 93 94}

92. Nathan Stein, "Oberrat der Israeliten Badens, 1922-1937," *Leo Baeck Year Book* 1 (1956): 177-90, particularly p. 183. On finance see also Adler-Rudel, *Jüdische Selbsthilfe*, pp. 161, 178.

93. Leo Baeck, "In Memory of Two of our Dead," *Leo Baeck Year Book* 1 (1956): 51-56, 52-53.

94. Drafts of 1926, 1931, and 1932 in Leo Baeck Institute, New York, Kreutzberger collection, AR 7183, Box 18, folder 3.

(*Arbeitsgemeinschaft*), deputized the Prussian Landesverband to keep the books of the group, and created a committee that would represent Jewish interests before official agencies in the German Reich.⁹⁵

In the spring of 1933, a rudimentary central Jewish organization was formed. During the following years, it was to evolve in several steps into a Jewish apparatus with increasingly significant functions. The stages of its evolution, two of them in 1933 alone, are indicated in the following changes of title:*

- 1933 *Reichsvertretung der jüdischen Landesverbände*
(Reich Representation of Jewish Land Federations)
Leo Baeck and Kammergerichtsrat Leo Wolff, cochairmen
Reichsvertretung der deutschen Juden
(Reich Representation of German Jews)
Leo Baeck, president
Ministerialrat Otto Hirsch, deputy
- 1935 *Reichsvertretung der Juden in Deutschland*
(Reich Representation of Jews in Germany)
Leo Baeck
Otto Hirsch, deputy
- 1938 *Reichsverband der Juden in Deutschland*
(Reich Federation of Jews in Germany)
Leo Baeck
Otto Hirsch, deputy
- 1939 *Reichsvereinigung der Juden in Deutschland*
(Reich Association of Jews in Germany)
Leo Baeck
Heinrich Stahl, deputy

When the Jewish leadership was confronted by the Nazi take-over in 1933, it sought first of all an "open debate" (*offene Aussprache*), a "dignified controversy" (*Auseinandersetzung . . . mit Waffen der Vornehmheit*) with the Nazis on the subject of anti-Semitism and the Jew-⁹⁵

95. Hans-Erich Fabian, "Zur Entstehung der 'Reichsvereinigung der Juden in Deutschland,'" in Herbert A. Strauss and Kurt R. Grossman, eds., *Gegenwart im Rückblick* (Heidelberg, 1970), pp. 165-79, p. 167.

96. Adler-Rudel, *Jüdische Selbsthilfe*, pp. 9-18; K. Y. Ball-Kaduri, "The National Representation of Jews in Germany," *Yad Vashem Studies* 2 (1958): 159-78, containing texts of recollections by Ernst Herzfeld (chairman of Central-Verein) and Franz Meier (Zionist); Max Gruenewald, "The Beginning of the 'Reichsvertretung,'" *Leo Baeck Year Book* 1 (1956): 57-67; Fabian, "Reichsvereinigung," in *Gegenwart im Rückblick*, pp. 165-79; Hugo Hahn, "Die Gründung der Reichsvertretung," in Hans Ttamer, ed., *In Zwei Welten* (Tel Aviv, 1962), pp. 97-105; Abraham Margalio, "The Dispute over the Leadership of German Jewry (1933-1938)," *Yad Vashem Studies* 10 (1974): 129-48; Leonard Baker, *Days of Sorrow and Pain—Leo Baeck and the Berlin Jews* (New York, 1978). Adler-Rudel, Ball-Kaduri, Gruenewald, Fabian, and Hahn are veterans of the Reichsvertretung.

ish future in Germany." In March 1933, Baeck himself and the Vorstand of the Berlin community at the time, Kleemann, dispatched a letter to Hitler in which they enclosed a public statement (*Aufruf*) expressing consternation about the Nazi boycott, calling attention to the 12,000 Jewish dead of the First World War, and refusing responsibility for the "misdeeds of a few" (*Verfehlung einiger Weniger*).⁹⁷ Again and again the heads of various Jewish interest groups—among them the Central-Verein, war veterans, and Zionists—sought interviews with Hitler and other high-ranking Nazi officials. One delegation was received by Goring on March 25, 1933,⁹⁸ but this meeting was to be the last of its kind. In later years the Jewish leaders, not only in the Reich but also in occupied territory, were forced to deal with German officials of lower and lower rank, until they were appealing to SS captains. In 1933 they did not foresee this future, and they strove to create an overall representation (*Gesamtvertretung*) as a matter of the highest priority. The *Reichsvertretung der jüdischen Landesverbände* was the initial manifestation of this aim, but it was little more than an enlargement of the Berlin community and the Prussian Landesverband. Rabbi Baeck recognized the limitations of this powerless agency and resigned from it after a few months.⁹⁹

During the late summer of 1933, a group of Jewish leaders in Essen led a campaign to revamp the Reichsvertretung. They wanted much heavier representation from communities outside Berlin and the inclusion of national organizations. Their strategy was to "isolate" (*isolieren*) Berlin and to offer the leadership of the new Reichsvertretung to the man who, in their eyes, stood above factional politics: Leo Baeck.¹⁰⁰ On August 28, 1933, a meeting was held in the Essen synagogue to hammer out a plan. The participants formed a working committee under the direction of Dr. Georg Hirschland (Essen) and authorized him to recruit the Zionists—heretofore a small minority but now growing in influence—into their fold. Ministerialrat Dr. Otto Hirsch of Stuttgart was asked to work out the guidelines.¹⁰¹ Hirsch drafted a proclamation addressed "To the German Jews," informing them in the original wording that "with the consent of all Jewish Lan-

97. Lamm, "Über die Entwicklung des deutschen Judentums," pp. 98-99.

98. Baeck and Kleemann to Hitler, March 29, 1932, in Adler-Rudel, *Jüdische Selbsthilfe*, pp. 183-84, and in Klaus Herrmann, *Das Drille Reich und die Deutsch-Jüdischen Organisationen* (Cologne, 1969), pp. 60-61.

99. Baker, *Days of Sorrow*, pp. 153-54.

100. Baeck, "In Memory," *Leo Baeck Year Book* 1 (1956): 54.

101. Hahn, "Reichsvertretung," *In Zwei Welten*, p. 101. Rabbi Hahn belonged to the Essen group.

102. A summary of the meeting can be found in the Leo Baeck Institute, Reichsvertretung collection, AR 221.

desverbände and all major organizations, we have taken over the leadership of the Reichsvertretung of German Jews [*An die deutschen Juden! Wir haben mit Zustimmung aller jüdischen Landesverbände Deutschlands und aller grossen Organisationen der deutschen Juden die Führung der Reichsvertretung der deutschen Juden übernommen*].¹⁰³

On September 3, 1933, Hirschland's working committee met in Berlin. The conferees spoke of a leadership of personalities (*Persönlichkeiten*), which was to supplant the existing establishment. The list from which the future leaders were to be drawn included Martin Buber, the philosopher, and Richard Willstätter, the Nobel laureate in chemistry. The committee then chose Baeck as president and Hirsch as executive chairman (*geschäftsführenden Vorsitzj*).¹⁰⁴

Two weeks after the September 3 meeting, the new Reichsvertretung came into being. It did not include some of the Orthodox Jews (Agudah), who looked askance at the liberal Rabbi Leo Baeck and his scholarly studies of Christian doctrines, nor was it supported by assimilationist Jews espousing German nationalism (*Verband national-deutscher Juden*), who believed that their special sacrifices for Germany entitled them to rights greater than those of other Jews, nor—at the opposite end of the spectrum—by Zionist Revisionists, who believed in the necessity of total emigration.¹⁰⁵ Still, the group had a broad enough base to require care in the allocation of positions to its presidium. Spaces had to be reserved for the newly recruited Zionists, the other major Jewish organizations, and the larger communities, including that of Berlin, which numbered a third of all the Jews in Germany. In the end, there was no room for Buber or Willstätter.¹⁰⁶ All the men at the helm of the Reichsvertretung were experienced in the political arena, and almost immediately they were called on to use their expertise, not merely in dealing with each other but with the German state and Jewry's mounting problems.^{103 104 105 106}

103. Text in Leo Baeck Institute, Reichsvertretung collection, AR 221. In subsequent drafts this sentence was lengthened. "Leadership" (*Führung*) became "direction" (*Leitung*) and the active "we have taken over" (*wir haben . . . übernommen*) became the passive "was transferred to us" (*ist uns übertragen worden*). Final text in Adler-Rudel, *Jüdische Selbsthilfe*, pp. 185-86.

104. Summary of meeting in Leo Baeck Institute, Reichsvertretung collection, AR 221. See also letter by Dr. Heinrich Stern (Berlin) to Hirschland, complaining of Hirschland's conduct of the meeting and the mode in which Hirsch was elected. AR 221. The Berlin group remained unhappy. See letter by Stahl (Chairman of Berlin Gemeinde), Kareski, and Rosenthal to Reichsvertretung, June 1, 1937, and reply by Baeck and Hirsch, June 3, 1937, AR221.

105. Margalio, "Leadership." *Yad Vashem Studies* 10(1974): 133-36.

106. See drafts in Leo Baeck Institute, AR 221. Also Hahn's "Reichsvertretung," *In Zwei Welten*, p. 103.

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The initial policy of the Reichsvertretung was founded on the concept that the Jews had to hold out (*auszuhalten*) in the hope that Nazi Germany would moderate its anti-Jewish course and would grant the Jewish community sufficient "Lebensraum" for continued existence. As yet, emigration was viewed not as the way, but as a way out.¹⁰⁷ By the end of 1935 this principle was no longer tenable. Symbolically, the Reichsvertretung was required to change its name from a representation of *German Jews* to one of *Jews in Germany*. Substantively, its activities were concentrated on such problems as vocational training and emigration, as well as the continuing tasks of welfare. The Reichsvertretung had to increase its budget accordingly.¹⁰⁸ Although still dependent on funds from communities and Landesverbände, it received increasing amounts from foreign Jewish welfare organizations, thus strengthening its central character.¹⁰⁹

Further changes occurred in 1938, when many Jews were losing their foothold in the economy. In some smaller communities, shrunk by emigration, questions arose about the administration of communal real property or the proceeds from its sale. The Reichsvertretung all but abandoned its "representational" function and became a *Reichsverband* (federation) for administrative purposes. On July 27, 1938, the Jewish leadership decided that all those in the Old Reich who were Jews by religion should have to belong to the Reichsverband. By February 1939 this new, all-inclusive organization (*Gesamtorganisation*) was engaged in correspondence under as yet another name: the *Reichsvereinigung*.¹¹⁰ It is at this point that the last, critical change occurred. On July 4, 1939, the Reichsvereinigung was taken over, lock, stock, and barrel, by the Security Police.

The decree of July 4, 1939,¹¹¹ was drafted by Ministerialrat Lösener and a fellow expert, Rolf Schiedermaier.¹¹² It was signed by Interior Minister Frick, Deputy of the Führer Hess, Minister of Education Rust, and Minister of Church Affairs Kerri. Part of the decree affirmed the existing state of affairs. The territorial jurisdiction of the Reichsvereinigung was defined as the Old Reich, including the Sudeten^{107 108 109 110 111 112}

107. Gruenewald, "Reichsvertretung," *Leo Baeck Year Book I* (1956): 61, 67.

108. See Reichsvertretung budget for April 1, 1934 to December 31, 1935, Leo Baeck Institute, AR 221.

109. Ball-Kaduri, "Reichsvertretung," *Yad Vashem Studies 2* (1958): 177.

110. Fabian, "Reichsvereinigung," in *Gegenwart im Rückblick*, pp. 169-70. One of the Reichsvereinigung's first acts was the imposition, with German backing, of a special contribution (*ausserordentlichen Beitrag*) levied on Jewish emigrants as a graduated property tax from 0.5 to 10 percent. See report of the Reichsvereinigung for 1939, Leo Baeck Institute, AR 221.

111. RGBl I, 1097.

112. Affidavit by Lösener, February 24, 1948, NG-1944-A.

T A B L E 6-3

JEWISH COMMUNITY ORGANIZATION, 1939

	Reich Security Main Office	
	Heydrich	
	Gestapo Vienna	Gestapo Prague
	Central Office for Jewish Emigration, Vienna	Central Office for Jewish Emigration, Prague
Reichsvereinigung Rabbi Leo Baeck, <i>Vorsitzender</i>		
Community Organizations (<i>Kultusgemeinden</i>) and Reichsvereinigung Branch Offices (<i>Bezirksstellen</i>)	Kultusgemeinde Vienna	Kultusgemeinde Prague
	Dr. Josef Lowenherz, <i>Amtsdirktor</i>	Dr. Fleischmann, <i>Zentralsekretär</i>

NOTE: *Kultusgemeinden* and *Reichsvereinigung Bezirksstellen* within the Reich area were under local Gestapo supervision. Information on this chart is based on documents at the YIVO Institute, New York City.

CONCENTRATION

T A B L E 6-4
THE REICHSVEREINIGUNG, 1939

Chairman of the Vorstand	Rabbi Dr. Leo Baeck
Deputy Chairman.....	Heinrich Stahl
	Dr. Paul Eppstein
	Moritz Henschel
	Philipp Kozower
	Dr. Arthur Lilienthal
	Dr. Julius Seligsohn
	Dr. Arthur Lilienthal
Finance and Communities	Dr. Arthur Lilienthal
Finance.....	Paul Meyerheim
Communities.....	Dr. Arthur Lilienthal
Migration.....	Dr. Paul Eppstein
Information, Statistics, Emigration of Women.....	Dr. Cora Berliner
Passage, Finance, Administration.....	Victor Löwenstein
Counseling and Flanning.....	Dr. Julius Seligsohn
	(Representatives
Emigration to Palestine in Germany of Jewish . J	f Erich Gerechter
	and
Agency for Palestine) (Dr. Ludwig Jacobi	
Pre-Emigration Preparations	
Vocational Training and Re-training.....	Dr. Conrad Cohn
Agriculture.....	Marlin Gerson
Commerce and the Professions, Apartment Problems .	Philipp Kozower
Schools.....	Paula Fürst
Teachers.....	Use Cohn
Teaching of Languages.....	Use Cohn
Welfare.....	Dr. Conrad Cohn
General Welfare Problems.....	Hannah Kaminski
Health.....	Dr. Walter Lustig

NOTE: *Jüdisches Nachrichtenblatt* (Berlin), July 21, 1939. As listed in the *Jüdisches Nachrichtenblatt*, all Jewish officials carried the middle name Israel or Sara. The *Jüdisches Nachrichtenblatt* was the official publication of the *Reichsvereinigung*. There was also a *Jüdisches Nachrichtenblatt* in Vienna, published by the Jewish community, and another *Jüdisches Nachrichtenblatt* in Prague.

area but excluding Austria and the Protektorat. All the local Gemeinden were placed under the Reichsvereinigung in a straight hierarchical relationship (see Tables 6-3 and 6-4). The Reichsvereinigung was charged with the upkeep of Jewish schools and financial support of indigent Jews.

The decree, however, was also a Nazi measure. It specified that the subjects of the Reichsvereinigung were "Jews," not only those who belonged to the Jewish religion but all persons classified as Jews by the definition decree. The framers of the decree inserted another provi-

sion, one that was to have profound importance in a few short years. The Interior Ministry (by which was meant the Security Police) was empowered to assign additional tasks to the Reichsvereinigung. These assignments were going to turn the Jewish administrative apparatus into a tool for the destruction of the Jewish community. The Reichsvereinigung, with its Gemeinden and territorial branches, would become an arm of the German deportation machinery.

Significantly, this transformation was being accomplished without any change of personnel or designation. The Germans had not created the Reichsvereinigung and they had not appointed its leaders. Rabbi Leo Baeck, Dr. Otto Hirsch, Direktor Heinrich Stahl, and all the others were the Jewish leaders. Because these men were not puppets, they retained their status and identity in the Jewish community throughout their participation in the process of destruction, and because they did not lessen their diligence, they contributed the same ability that they had once marshaled for Jewish well-being to assist their German supervisors in operations that had become lethal. They began the pattern of compliance by reporting deaths, births, and other demographic data to the Reich Security Main Office and by transmitting German regulations in the publication *Jüdisches Nachrichtenblatt* to the Jewish population. They went on to establish special bank accounts accessible to the Gestapo and to concentrate Jews in designated apartment houses. Toward the end, they prepared charts, maps, and lists and provided space, supplies, and personnel in preparations for deportation. The Reichsvereinigung and its counterparts in Vienna and Prague were the prototype of an institution—the Jewish Council—that was to appear in Poland and other occupied territories and that was to be employed in activities resulting in disaster. It was a system that enabled the Germans to save their manpower and funds while increasing their stranglehold on the victims. Once they dominated the Jewish leadership, they were in a position to control the entire community.

The concentration of the Jews marks the close of the preliminary phase of the destruction process in the Reich-Protectorat area. The fatal effects of this preliminary phase were manifested in two phenomena. One was the relationship of perpetrators and victims. When the bureaucracy stood at the threshold of most drastic action, the Jewish community was reduced to utter compliance with orders and directives. The other manifestation of the German strangulation regime was the ever widening gap between births and deaths in the Jewish community. Its birth rate was plunging toward zero; the death rate was climbing steadily to unheard-of heights (see Table 6-5). The Jewish community was a dying organism.

T A B L E 6-5
 BIRTHS AND DEATHS OF JEWS IN OLD REICH
 (NOT INCLUDING AUSTRIA AND PROTEKTORAT)

<i>Year</i>	<i>Births</i>	<i>Deaths</i>	<i>Population at End of Year</i>
1940	396	6,199	ca. 175,000
1941	351	6,249	ca. 140,000
1942	239	7,657	[after deportations] 51,327
1940-42	986	20,105	

NOTE: SS-Statistician Korherr to Himmler, March 27, 1943, NO-5194. Mass deportations started in October 1941.

P O L A N D

When the German army moved into Poland in September 1939, the destruction process was already well within its concentration stage. Polish Jewry was therefore immediately threatened. The concentration was carried out with much more drastic dispatch than had been dared in the Reich-Protektorat region. The newly occupied Polish territory was, in fact, an area of experimentation. Within a short time the machinery of destruction in Poland overtook and outdid the bureaucracy in Berlin.

There were three reasons for this development. One is to be found in the personnel composition of the German administration in Poland. As we shall see, that administration had a large number of party men in its ranks. It was less careful, less thorough, less "bureaucratic" than the administration in the Reich.

Another, more important reason for the unhesitating action in Eastern Europe was the German conception of the Pole and of the Polish Jew. In German eyes a Pole naturally was lower than a German, and a Polish Jew lower (if such a thing was possible) than a German Jew. The Polish Jew was on the bottom of the German scale—the Germans referred to Eastern Jewry as "subhumanity" (*Untermenschum*). In dealing with East Europeans, both Poles and Jews, the bureaucracy could be less considerate and more drastic. In Germany the bureaucracy was concerned with the rights and privileges of Germans. It was careful to deflect destructive measures from the German population. Much thought was given to such problems as couples in mixed marriages, the disruption of German-Jewish business relationships, and so on. In Poland such problems had little importance, for it did not matter

that a Pole was hurt in consequence of a measure aimed at the Jews. Similarly, the bureaucracy in Germany made some concessions to Jews who had fought in World War I, who had served for many years in the civil service, or who had done something else for Germany. In Poland such considerations did not apply.

The third and most important reason for the special treatment of the Polish Jews was the weight of their numbers. Ten percent of the Polish population was Jewish; out of 33,000,000 people, 3,300,000 were Jews. When Germany and the USSR divided Poland in September 1939, two million of these Jews were suddenly placed under German domination. Warsaw alone had about 400,000 Jews, that is to say, almost as many as had lived in Germany in 1933 and more than remained in the entire Reich-Protectorat area at the end of 1939. The uprooting and segregation of so many Jews posed altogether different problems and gave rise to altogether different solutions. Thus the concentration in Poland was not confined to a system of composite restrictions such as those discussed in the first section of this chapter. Instead, the bureaucracy in Poland resurrected the medieval ghetto, shut off entirely from the rest of the world.

It may be recalled that the introduction of the destruction process in Germany was preceded by *Einzelaktionen*—short, violent outbursts against individual Jews. In Austria, too, for a brief period after the Anschluss there were a few *Einzelaktionen*. When the German army moved east, these *Einzelaktionen* occurred also in Poland. As in the case of the Reich and Austria, the violence had the function of convincing both the authorities and the victims of the need for law and order. Just as in Germany, the *Einzelaktionen* were started by party elements and curbed by the authority having responsibility for the administration of the area. The party elements in Poland were the Armed SS (*Waffen-SS*), military party formations that fought as integral units in the armed forces. The initial governing authority was the army.

The first reports of violence arrived a few days after the outbreak of war. In one locality a member of the army's Secret Field Police and an SS man drove fifty Jews, who had been employed in the repair of a bridge all day, into a synagogue and shot them down without any reason whatever (*in einer Synagoge zusammengetrieben und grundlos zusammengeschossen*). After a long correspondence, in which it was pointed out that the SS man had been aroused by Polish atrocities and held acted in "youthful initiative" (*Jugendlichen Draufgängertum*), the punishment of both culprits was fixed at three years.¹

1. Diary of Chief of the General Staff Haider, September 10, 1939, NOKW-3140. Army memorandum. September 13, 1939, D-421. Oberkriegsgerichtsrat 3d Army (signed Lipski) to Oberstkriegsgerichtsrat in Office of Generalquartiermeister, September 14, 1939, D-421.

CONCENTRATION

A few days after this incident, the commander of the Fourteenth Army, Wilhelm List, had to issue an order to prohibit the looting of property, burning of synagogues, raping of women, and shooting of Jews.¹ But even after the end of hostilities, the Einzelaktionen continued. On October 10, 1939, Chief of the General Staff, Haider, made a cryptic remark in his diary: "Jewish massacres—discipline!"^{2 3 4} During the following month the army began to collect systematically the evidence of SS atrocities. It may be pointed out that the army was concerned not so much with the Jews as with the attempt to build up a case against the SS in general. Hence the army memoranda dealing with anti-Jewish Einzelaktionen are filled also with other complaints against the SS, all mixed together.

On November 23, 1939, General der Artillerie Petzel, commander of the newly formed Army District XXI in Poznan, reported an incident that had taken place in the town of TUREK on September 30. A number of SS trucks filled with SS men and under the command of a senior SS officer had driven through the town. The SS men had been armed with horsewhips and had used those weapons freely, whipping passersby on their heads without discrimination. Apparently, a number of ethnic Germans had also been horsewhipped. The party had then driven up to a synagogue, had crowded the Jews into the building, and had forced the victims to crawl, singing, under the benches. The Jews had then been obliged to drop their pants to be whipped. In the course of this whipping, one Jew had in fright moved his bowels. The SS men had thereupon forced the victim to smear the dirt on the faces of other Jews. The report then continued with a complaint against a Goebbels representative who had apparently made a victory speech in which he had managed to laud the SS without even mentioning the army.¹

In February 1940 the army commander in Poland (Blaskowitz) compiled a long list of complaints for presentation to the Commander-in-Chief of the army (von Brauchitsch). The report contained altogether thirty-three items, each one of which was a separate complaint. Item 7, for example, dealt with a search that had been carried out on December 31, 1939, in the bitter cold, at night, on the street. The Jews, particularly the women, had been forced to undress as the police had pretended to look for gold. Another complaint (item 8) mentioned that an SS lieutenant, Untersturmführer Werner, was living under an assumed name with a Jewish actress (Johanna Epstein)

2. Order by List, September 18, 1939, NOKW-M21.

3. Haider diary, October 10, 1939, NOKW-3140.

4. High Command of the Army/Chief of the Replacement Army (Fromm) to High Command of the Armed Forces, November 30, 1939, enclosing report of General der Artillerie Petzel, dated November 23, 1939, D-419.

in a Warsaw apartment—a clear case of *Rassenschande* committed by an SS officer. Item 31 was a description of a whipping orgy in Nasielsk. This orgy had lasted all night and had affected 1,600 Jews. Item 33, which was reserved for the end, discussed the case of two policemen who had dragged two teen-age Jewish girls out of bed. One of the girls had been raped in a Polish cemetery. The other girl, who had become ill, had been told by the policemen that they would get her some other time and that they would pay her 5 zloty. However, the portion of the report most interesting to us is its conclusion. "It is a mistake," noted Generaloberst Blaskowitz, "to massacre some 10,000 Jews and Poles, as is being done at present; for—so far as the mass of the population is concerned—this will not eradicate the idea of a Polish state, nor will the Jews be exterminated."⁵

The complaint by Blaskowitz echoed the words that Schacht had spoken five years earlier. Like Schacht, the general was not outraged by the idea of drastic action but only by the amateurish way in which the SS attempted to deal with such a massive body as two million Jews. Actually, the "professionals" in the SS had already taken the situation in hand.

On September 19, 1939, Security Police Chief Heydrich met with Generalquartiermeister Wagner of the Army High Command to discuss some Polish problems. The two officials agreed upon a "cleanup once and for all," of "Jews, intelligentsia, clergy, nobility."⁶ On the next day word came from the Commander-in-Chief of the Army that "the ghetto idea exists in broad outline; details are not yet clear."⁷ They were developed twenty-four hours later in a meeting of office chiefs from the Reich Security Main Office and commanders recalled from Security Police units (*Einsatzgruppen*) already in Poland. The decision was to clear German-speaking areas of Jews, to remove the Jewish population from the Polish countryside, and to concentrate Jewry in ghettos within major cities.* These conclusions, which were incorporated on the same day in an order directed to the *Einsatzgruppen*,⁸ constituted an ambitious concentration plan.^{5 6 7 8 9}

5. Notes for an oral report prepared by Blaskowitz, February 6, 1940, NO-3011.

6. Haider diary, September 10, 1939, NOKW-3140.

7. Haider diary, September 20, 1939, NOKW-3140.

8. Conference minutes of September 21, 1939, in *Staatsanwaltschaft beim Landgericht Berlin*, 3 P (K) Js 198/61. "Schlussvermerk in der Strafsache gegen Beutel u.a. wegen Mordes," January 29, 1971, pp. 17-19. *Zentrale Stelle der Landesjustizverwaltungen, Ludwigsburg*.

9. Heydrich to *Einsatzgruppen*, copies to Army High Command (OKH), Staatssekretär Neumann in Office of Four-Year Plan, Staatssekretär Stuckart of the interior Ministry, Staatssekretär Landfried of the Economy Ministry, and Chief of Civil Administration in the Occupied Territories, September 21, 1939, PS-3363.

CONCENTRATION

The introduction of the order makes a brief reference to an ultimate goal, an emigration of the Jews that was to be completed later, but that was not spelled out at the moment. Part I provided that the Jews were to be ejected from the territories of Danzig, West Prussia, Poznań, and Eastern Upper Silesia. These areas later became incorporated territory, that is, territory integrated into the administration of the Reich. The Jews from these areas were to be shoved into the interior of Poland, a territory later known as the "General Government" (*General-gouvernement*). The Jews in the General Government were to be concentrated in cities. Only cities that were located at railroad junctions, or at least along a railroad, were to be chosen as concentration points. All Jewish communities of less than five hundred were to be dissolved and transferred to the nearest concentration center.

In part II of the order Heydrich directed that a council of Jewish elders (*Ältestenrat*, also *Judenrat*) composed of influential persons and rabbis was to be set up in each Jewish community. The councils were to be made fully responsible (in the literal sense of the word) for the exact execution of all instructions. They were to take an improvised census of the Jews in their area, and they were to be made personally responsible for the evacuation of the Jews from the countryside to the concentration points, for the maintenance of the Jews during transport, and for housing upon arrival. There was no objection against Jews taking with them their movable possessions. The reason to be given for the concentration was that the Jews had participated decisively in sniper attacks and plundering.

It is interesting to note that the army wanted no part in the execution of this plan. During the Heydrich-Wagner discussion of September 19, 1939, the army quartermaster-general had insisted that the military authorities be notified of all activities by the SS and Police but that the "cleanup" take place after the withdrawal of the army and the transfer of power to the civilian administration, that is, not before early December.¹⁰ In view of the army's early abdication of power in Poland, this demand could easily be fulfilled. This time the army did not have to dirty its hands with such business. In 1941, as we shall see, the military could no longer extricate itself from its assigned role in the destruction of the European Jews, but in Poland the concentration process was placed squarely into the laps of the newly formed civil administration.

The Einsatzgruppen, on their part, were not able to accomplish much. Ghettoization was a procedure far too complex for a handful of battalion-sized units that were to be disbanded and transformed into a regular Security Police administration upon the cessation of military

10. Haider diary, September 19, 1939, NOKW-3140.

rule. They did establish several Jewish councils, simply by calling on an identified Jewish leader to form a "Judenrat."¹¹ In Warsaw on October 4, 1939, a small Security Police detachment raided the Jewish community headquarters, showing an interest in the safe and asking who the chairman was. The janitor told them it was Adam Czerniaków.¹² On the same day, Czerniaków was driven to the building occupied by the staff of the Einsatzgruppe and told to co-opt twenty-four men to serve on the council and to assume its leadership.¹³ For the next few days, Czerniaków made lists and drafted organization charts.¹⁴ The Einsatzgruppe reported back that it had "secured the Jewish community together with president and secretary, just like the museum. [*Die Jüdische Kultusgemeinde mitsamt Präsident und Schriftführer wurde ebenso wie das jüdische Museum sichergestellt.*]"¹⁵

The era of civil administration began at the end of October. There were two kinds of administrative structures, one in territories incorporated into the Reich, the other in the so-called Generalgouvernement. In the incorporated areas, administrative offices were modeled on those of the Reich itself. Two new Reichsgaue had been carved out of the conquered incorporated territory: Danzig-West Prussia and the Wartheland. A *Reichsgau* was a territorial unit that combined the features of a Prussian province (or non-Prussian *Land*) and a party district (*Gau*). The chief of this territorial unit was a regional Reich official (*Reichsstatthalter*), who was at the same time a regional party official (*Gauleiter*).

The Reichsstatthalter and Gauleiter of Danzig-West Prussia was a man called Forster. Inasmuch as Forster had already been the Gauleiter of the "Free City" of Danzig, the appointment resulted in a widening of his functions. The Reichsstatthalter and Gauleiter of the Wartheland, Greiser, had previously been the president of the Danzig senate. In that office he had distinguished himself by introducing the whole gamut of anti-Jewish legislation long before the arrival of German troops. The "Free City" had enacted a Law for Blood and Honor, decrees for the ^{11 12 13 14 15}

11. See Isaiah Trunk, *Judenrai* (New York, 1972), pp. 21-26.

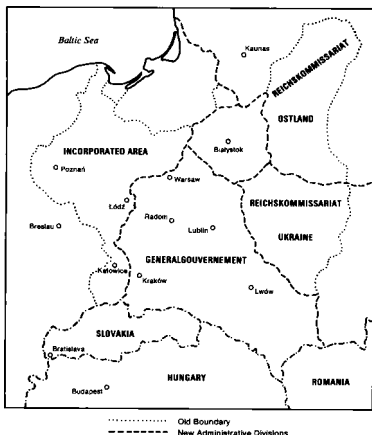
12. Apolinary Hartglas, "How did Czerniakow Become Head of the Warsaw Judenrai?" *Yad Vashem Bulletin* 15 (1964): 4-7.

13. Czerniaków's entry in his diary, October 4, 1939, in Raul Hilberg, Stanislaw Staron, and Josef Kermisz, eds., *The Warsaw Diary of Adam Czerniakow* (New York, 1979), p. 78. All subsequent citations of the diary will refer to this edition. The diary was translated into English by Professor Staron and the staff of Yad Vashem. For an edition in the original Polish language, see Marian Fuks, ed., *Adama Czerniakowa dziennik gella warszawskiego* (Warsaw, 1983).

14. Entries for October 5-14, 1939, Hilberg, Staron, and Kermisz, pp. 78-83.

15. Report by Einsatzgruppe IV, October 6, 1939. in Berlin prosecution, final summation against Beutel, 3 P(K) Js 198/16.

MAP 1
POLAND UNDER GERMAN OCCUPATION¹⁶



removal of Jewish doctors and lawyers, and a systematic Aryanization program. All but a remnant of Danzig's 10,000 Jews had emigrated before the war.¹⁴ After Danzig had been overrun, Senatspräsident

16. F. Redlin, "Danzig lost die Judenfrage," *Die Judenfrage*, January 26, 1939, p. Greiser had worked in close cooperation with the German Foreign Office. Weizsacker via Wdmann to Erdmannsdorff, October 17, 1938, NG-5334. See also Herbert S. Levine,

Greiser, who was out of a job, was shifted south to become the chief executive of the Wartheland. Unlike his colleague Forster, who had only some tens of thousands of Jews, Greiser had several hundred thousand. His role in the concentration, the deportations, and even the killing operations therefore became crucial.

In addition to the two Reichsgaue, the incorporated territory contained also two smaller units that were parceled out to neighboring Reich provinces. The province of East Prussia annexed some territory in this process, and Silesia became Great Silesia. However, Great Silesia was a cumbersome administrative unit. Thus in January 1941 the Grossgau was divided into two Gau: Lower Silesia (seat, Breslau), which contained only old German territory and was governed by Oberpräsident and Gauleiter Karl Hanke, and Upper Silesia (seat, Katowice), which consisted mostly of incorporated territory and which was placed under Oberpräsident and Gauleiter Fritz Brecht."

Counterclockwise, the new administrative units, with their chief executives and the number of Polish Jews under their jurisdiction, were therefore as follows:

Danzig-West Prussia (Forster)	Expulsions (no ghettos)
East Prussia (Koch)	30,000 to 40,000
Wartheland (Greiser)	ca. 400,000
Upper Silesia (Bracht)	100,000

East and south of the incorporated territories, the Germans created a new type of territorial administration, first known as the "General Government in Poland" and later referred to simply as the "General Government" (*Generalgouvernement*). This region held approximately 1,400,000 Jews. The principal difference between the incorporated areas and the Generalgouvernement was the degree of centralization in the bureaucratic machinery. The Reichsstatthalter was primarily a coordinator. Thus the regional offices of the various ministries took all their functional instructions (*fachliche Anweisungen*) from Berlin and were subject only to territorial orders from the Reichsstatthalter or Oberpräsident in accordance with the following formula: "

Hitler's Free City (Chicago, 1973); Erwin Lichtenstein, *Die Juden der Freien Stadt Danzig* (Tübingen, 1973); and Konrad Ciechanowski, "Das Schicksal der Zigeuner und Juden in den Jahren des zweiten Weltkrieges in Pommerellen," paper for Main Commission for Investigation of Nazi Crimes/International Scientific Session on Nazi Genocide. Warsaw, April 14-17, 1983. Of roughly 1,500 Jews remaining on August 31, 1939, at least 560 were still able to emigrate. Deportations took place to the Warsaw ghetto, Theresienstadt, and directly to camps. Survivors numbered about 100.

17. *Krakauer Zeitung*, January 28, 1941, p. 1.

CONCENTRATION

Hitler ► Reichsstauhalter

Ministry-----►■Regional office

The horizontal arrows represent functional authority; the vertical arrows, territorial authority.

In the Generalgouvernement this closed diagram did not apply. Generalgouverneur Hans Frank did not have ministerial offices. He had main divisions (*Hauptabteilungen*) which were responsible only to him:



Frank as Generalgouverneur had more authority than a Reichsstatthalter or an Oberpräsident. He also had more prestige, for he was a Reichsminister without portfolio, a Reichsleiter of the party, the president of the German Academy of Law—in short, a top Nazi in every respect.

When Frank came to Poland, he brought with him a retinue of party dignitaries who occupied some of his main divisions:"

Generalgouverneur: Hans Frank

Deputy (to May 1940): Reichsminister Seyss-Inquart

Staatssekretär: Dr. Böhler

Deputy Staatssekretär: Dr. Boepple

Higher SS and Police Leader (from April 1942), Staatssekretär, Security, SS-Obergruppenführer Krieger (replaced in 1943 by Koppe)

Main divisions

Interior: Ministerialrat Dr. Siebert (Westerkamp, Siebert, Losacker)

Justice: Ministerialrat Wille

Education: Hofrat Watzke

Propaganda: Oberregierungsrat Ohlenbusch

Railways (Ostbahn): Präsident Gerteis

Postal Service: Präsident Lauxmann

Construction: Präsident Bauder

Forests: Oberlandforstmeister Dr. Eissfeldt

Emissionsbank: Reichsbankdirektor (ret.) Dr. Paersch

Economy: Ministerialdirigent Dr. Emmerich¹⁸

18. Dr. Max Freiherr du Prel ed., *Das Generalgouvernement* (Würzburg, 1942), pp. 375-80. See also *Krakauer Zeitung (passim)* and the Frank diary, PS-2233.

TABLE 6-6
REICH AND GENERAL GOVERNMENT REGIONAL MACHINERY

Reichsstauhalter or Oberpräsident		Generalgouverneur	
Regierungspräsident		| Gouverneur	
Obeibürgermeister or Bürgermeister	Landrat (rural)	Stadthauptmann	Kreishauptmann
			Stadtkommissar (town executive)
		Polis mayor	Polish mayor
Food and Agriculture: SS-Brigadeführer Körner (Naumann)			
Labor: Reichshauptamtsleiter Dr. Frauendorfer (Struve)			
Finance: Finanzpräsident Spindler (Senkowsky)			
Health: Obermedizinalrat Dr. Walbaum (Teitge)			

The regional network of the Generalgouvernement administration closely paralleled the regional machinery in the Reich, but the titles varied somewhat, as Table 6-6 shows. The Gouverneur was originally called *Distriktchef*, but the new title was conferred as a boost to morale.⁹ There were four Gouverneure in Poland in 1939. After the outbreak of war with Russia, the German army overran Galicia, and this area became the fifth district of the Generalgouvernement (in August 1941). The names of the Gouverneure and of their administrative deputies are listed in Table 6-7. It may be noted that, as a rule, the Gouverneur was a party man, but his *Amtschef* was a civil servant. The Generalgouvernement administration combined party initiative on the top with bureaucratic thoroughness on the bottom.

Generalgouverneur Hans Frank was a moody autocrat who displayed sentimentality and brutality. He was a jurist who often used the eloquent and precise language of the law, but he was also a party man who could address the mob in the language of the street. In his castle in Kraków, Frank behaved like a cultured ruler who entertained his guests by playing Chopin's piano music. In the conference room, however, he was one of the principal architects of the destruction process in Poland. He was powerful but vain. The party treasurer (*Reichs-*

⁹ Summary of discussion between Frank and Dr. Wächter (Gouverneur, Warsaw). November 10, 1939, Frank diary. PS-2233.

TABLE 6 - 7
THE GOUVERNEURE

Kraków

Gouverneur: SS-Brigadeführer Dr. Wächter (SS-Brigadeführer Dr. Wendler, von Burgsdorff)

Amtschef: Ministerialrat Walsegger (Dr. Eisenlohr, Dr. Stumm)

Lublin

Gouverneur: Schmidt (Oberstarbeitsführer Zömer, Wendler)

Amtschef: Landrat Dr. Schmige (Losacker, Oberregierungsrat Engler, Schlüter)

Radom

Gouverneur: Reichsamtsleiter Dr. Karl Lasch (Unterstaatssekretär Kundt)

Amtschef: Oberregierungsrat Dr. Egen

Warsaw

Gouverneur: Hauptamtsleiter SA-Brigadeführer Dr. Fischer

Amtschef: Reichsamtsleiter Landgerichtsdirektor Barth (Reichshauptstellenleiter Staatsanwalt Dr. Hummel)

Galicia

Gouverneur: Dr. Lasch (SS-Brigadeführer Dr. Wächter)

Amtschef: Regierungsrat Dr. Losacker (Bauer, Dr. Brandt)

NOTE: Compiled from Dr. Max Freiherr du Frei, *Das Deutsche Generalgouvernement in Polen* (Kraków, 1940), pp. 87.100-101, 147. 200; du Prel, *Das Generalgouvernement* (Würzburg, 1942), pp. 375-80, *Krakauer Zeitung*, *passim*.

Schatzmeister), Schwarz, once referred to him as "König Frank," which means "King Frank" or "the royal Frank."²⁰

The Generalgouverneur was an uneasy king. He did not fear the Poles and much less the Jews, but he fought a desperate battle with certain personalities in Berlin who wanted to rob him of his authority and his power. Frank never tired of pointing out that he was an absolute dictator responsible only to Hitler, that the Generalgouvernement was his private preserve, and that no one was permitted to do anything in this preserve unless he took orders from the castle in Kraków. "As you know," he said, "I am a fanatic of the unity of administration."²¹ "Unity of administration" meant that no one holding an office in the Generalgouvernement was supposed to take orders from anyone but Frank. The attempt by Berlin agencies to give instructions to offices in the

20. Berger (chief of SS Main Office) to Himmler, July 2, 1941, NO-29. The Generalgouvernement was sometimes called (in joke) *Frankreich*.

21. Summary of conference of party men in the Generalgouvernement, March 18, 1942, Frank diary, PS-2233.

Generalgouvernement Frank called *hineinregieren* (to “reign into” his domain). He did not tolerate that. But the unity of administration was actually a fiction, at least so far as three agencies were concerned.

The first exception was the army. Frank had no authority over the troops. The authority was held exclusively by a general who was called, successively, *Oberbefehlshaber Ost* (Generaloberst Blaszkowitz), *Militärbefehlshaber im Generalgouvernement* (General der Kavallerie Kurt Freiherr von Gienanth), and, ultimately, *Wehrkreisbefehlshaber im Generalgouvernement* (Gienanth and General der Infanterie Haenicke). The army controlled not only troops but also war production, which was in the hands of the *Rüstungsinspektion*, or Armament Inspectorate (Generalleutnant Schindler). The relation between Gienanth and Schindler is illustrated in the following diagram:

Chief of the Replacement Army

High Command of the Armed Forces/
Economy-Armament Office
Thomas-----

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Gienanth and Schindler had subordinate but not unimportant functions in the destruction process.

The second exception to Frank's unity of administration was the railway system. Although Frank had a Main Division Railway under the direction of Präsident Gerteis, that official was also the Generaldirektor of the *Ostbahn*, which in turn was run by the *Reichsbahn*. The *Ostbahn* operated the confiscated Polish State Railways in the Generalgouvernement,²² and its key personnel consisted of 9,000 Germans.²³ However, the railway had taken over, in addition to the Polish equipment, about 40,000 railway employees.²⁴ By the end of 1943 the *Ostbahn* was still run by 9,000 Germans, but by that time it employed 145,000 Poles plus a few thousand Ukrainians.²⁵ These statistics are not

22. Reichsbahnrat Dr. Peicher, “Die Ostbahn,” in du Prel, *Das Generalgouvernement*, pp. 80-86.

23. *Ibid.*

24. Oberlandgerichtsrat Dr. Weh, “Das Recht des Generalgouvernements,” *Deutsches Recht*, 1940, pp. 1393-1400. In April 1940. German railway personnel included 9,298 in the Generalgouvernement and 47,272 in the incorporated territories, whereas the Polish employees numbered 36,640 in the Generalgouvernement and 33,967 in the incorporated territories. Transport Ministry to OKH/TVtransport, April II, 1940, H 12/101.2, p. 219. The *Ostbahn* was confined to the Generalgouvernement. It did not administer the railways in the incorporated areas.

25. Speech by Frank before air force officers, December 14, 1943, Frank diary, PS-2233.

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without significance, because the railway administration was to play a crucial role in the concentrations, and a decisive one in the deportations.

The third and most important exception to Frank's absolute authority was the SS and police, the apparatus of Heinrich Himmler. What was the Himmler apparatus and how did it assert its authority in the Generalgouvernement?

Himmler, the son of a professor and rector of a *Gymnasium*, had barely missed combat in World War I and had turned briefly to agronomy thereafter. His diary, which he kept as an adolescent and as a young man, reveals a normal bourgeois childhood, an early concern with what was proper, and habits of meticulousness with a hint of pedantry.²⁶ Conservative, conventional, and patriotic, he read fairly widely and kept a list of the books he read. Comparatively little in this literature was anti-Semitic, and from the diary it would seem that Himmler developed any anti-Jewish notions very slowly. Hungry for power, he joined the Nazi movement while still in his early twenties and took over its formation of bodyguards: the *Schutzstaffel*, or SS. The attributes of his youth were still evident in his wartime leadership of the SS and Police. He was forever on the lookout for corruption, especially in the ranks of his rivals. As he expanded his power base in various directions, he became involved in all manner of things.²⁷ His interests encompassed foreign affairs, internal administration, armament production, the resettlement of populations, the conduct of the war, and, of course, the destruction of the Jews. He could talk about these subjects at great length, and he often held his audience for three hours at a stretch. (It may be added that the audience consisted of his own SS generals.) Above all, Himmler's power rested on his independence. This is a fact of utmost importance. Himmler was not part of any hierarchy, but he had his foothold everywhere. In the machinery of destruction he is, perforce, placed between two hierarchies: the ministerial bureaucracy and the party. Himmler received most of his funds from the Finance Ministry and recruited most of his men from the party. Both fiscally and in its personnel structure, the SS and Police was consequently a civil service-party amalgamation.²⁸ 26 27 28

26. See Bradley F. Smith, *Heinrich Himmler: A Nazi in the Making, 1900-1926* (Stanford, 1971). Smith deciphered the diary and used it as one of his principal sources.

27. Note the book about SS politics by Heinz Hühne, *The Order of the Death's Head* (New York, 1970).

28. Originally, the SS was part of the party formation SA. See order by Rohm (SA commander), November 6, 1932, SA-13. The police was a decentralized apparatus, placed under Himmler in 1936. Himmler was henceforth the *Reichsführer-SS und Chef der deutschen Polizei*. Decree of June 17, 1936 RGBI I, 487. The SS (party sector)

The SS and Police operated centrally through main offices, the chiefs of which were directly responsible to Himmler, and regionally through Higher SS and Police Leaders (*Höhere SS- und Polizeiführer*), who also were answerable to him directly.

The central organization consisted of twelve main offices (see Table 6-8). The police components of this machinery are to be found in the *RSHA* and in the *Hauptamt Ordnungspolizei*, the one a relatively small organization in which the Gestapo was the predominant element, the other an old institution on the German scene.

*RSHA**

Sicherheitspolizei (Security Police)

Gestapo	ca. 40,000 to 45,000
Kripo (Criminal Police)	ca. 15,000
<i>Sicherheitsdienst</i> (Security Service, originally the party's intelligence arm)	A few thousand

Ordnungspolizei^M

<i>Einzeldienst</i> (stationary)	ca. 250,000 (including reservists)
Urban: <i>Schutzpolizei</i> Rural: <i>Gendarmerie</i> <i>Truppenverbände</i> (units)	ca. 50,000 (including reservists)

The regional network of the main offices was topped by more than thirty Higher SS and Police Leaders. (The number varied from time to time.) The five with jurisdiction in Poland were; Generalgouvernement, Krieger (Koppe); Danzig-West Prussia, Hildebrandt; Wartheland, Koppe; East Prussia, Rediess (Sporrenberg); Silesia, Schmauser. The ²⁹ ³⁰

consisted of 700,000 men on December 31, 1943. It reached nearly 800,000 on June 30, 1944. Most of these men were organized into field units for combat. SS-Statistician Korherr to Himmler, September 19, 1944, NO-4812. Only 39,415 SS men were in the administrative apparatus: the main offices and their regional machinery. Memorandum, Statistical Office of the SS, June 30, 1944, D-878.

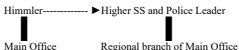
The Armed SS (*Waffen-SS*), most of whom were lighting as combat units, and the police forces were paid for by the Reich. The bill for the *Waffen-SS* alone was RM 657,000,000 during fiscal year 1943. Summary of conference between Finance Ministry and SS officials, NG-5516. To finance some of his "special" projects, Himmler drew funds also from the party (Party Treasurer Schwarz). Berger to Himmler, July 2, 1941, NO-29. In addition, he received contributions from industry. Von Schröder to Himmler, enclosing 1,100,000 reichsmark, September 21, 1943, EC-453.

29. Affidavit by Schellenberg (Security Service), November 21, PS-3033. On Heydrich, see the biography by Günther Deschner, *Reinhard Heydrich* (New York, 1981).

30. Daluge to Wolff, February 28, 1943, NO-2861. Main Office Order Police also included technical services, fire fighters, and other services.

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regional machinery of the main offices was coordinated by the Higher SS and Police Leaders, in accordance with the usual functional-territorial pattern:



We shall be concerned primarily with the regional machinery of two main offices: the Main Office Order Police and the Reich Security Main Office (RSHA). These two main offices had three types of regional machinery: one in the Reich, another in occupied territories, the third in areas undergoing invasion (see Table 6-9).

It should be noted that the mobile units of the Order Police were

T A B L E 6-8
THE MAIN OFFICES

<i>SS-Hauptamt</i> (SSHA) (SS-Main Office)	(Wittje) Berger
<i>Reichssicherheitshauptamt</i> (RSHA) (Reich Security Main Office)	Heydrich (Kaltenbrunner)
<i>Hauptamt Ordnungspolizei</i> (Main Office Order Police)	Daluege (Wünnenberg)
<i>Chef des Persönlichen Stabes RF-SS</i> (Chief of Himmler's Personal Staff)	Wolff
<i>SS Wirtschafts-Verwaltungshauptamt</i> (WVHA) (Economic-Administrative Main Office)	Pohl
<i>SS Personal Hauptamt</i> (Personnel)	Schmitt (von Herff)
<i>Hauptamt SS-Gericht</i> (SS-Court)	Breithaupt
<i>SS-Führungshauptamt</i> (Operational Main Office)	Jüttner
<i>Dienststelle Heissmeyer</i> (Services to families of SS men)	Heissmeyer
<i>Stabshauptamt des Reichskommissars für die Festigung des deutschen Volkstums</i> (Staff Main Office of the Reichskommissar for Strengthening of Germandom)	Greifelt
<i>Hauptamt Volksdeutsche Mittelstelle</i> (VOMI) (Welfare Main Office for Ethnic Germans)	Lorenz
<i>Rasse- und Siedlungshauptamt</i> (RuSHA) (Race and Resettlement Main Office)	Hofmann (Hildebrandt)

NOTE: From *Organisationsbuch der NSDAP*, 1943, pp. 417-29. PS-2640. Names of officials were taken from several documents.

T A B L E 6-9

REGIONAL MACHINERY OF THE ORDER POLICE AND RSHA

	<i>Reich</i>	<i>Occupied Territory</i>	<i>Invaded Areas</i>
Order Police	<i>Inspekteur der Ordnungspolizei</i> (WO) (Inspector of Order Police)	<i>Befehlshaber der Ordnungspolizei</i> (BdO) (Commander of Order Police)	<i>Truppenverbände</i> (troop units) organized in police regiments and police battalions
RSHA	<i>Inspekteur der Sicherheitspolizei und des Sicherheitsdienstes</i> (IdS) (Inspector of Security Police and Security Service)	<i>Befehlshaber der Sicherheitspolizei und des Sicherheitsdienstes</i> (BdS) (Commander of Security Police and Security Service)	Mobile units organized in <i>Einsatzgruppen</i> (battalion size) and <i>Einsatzkommandos</i> (company size)

permanent formations that could be shifted from one country to another. The Generalgouvernement was in fact garrisoned by such units, numbering more than 10,000, under a BdO.⁵¹ As a matter of functional jurisdiction, the Order Police asserted control over regular indigenous police left or reorganized in occupied territories. In the Generalgouvernement, Polish police (and after the attack on the USSR, also Ukrainian police in the Galician area) totaled over 16,000.⁵² The Security Police was stretched thin in occupied Europe. Its mobile units (*Einsatzgruppen*), formed anew for every deployment in an invaded area, were basically improvised and temporary, while its stationary personnel always remained sparse. In the Generalgouvernement, there were barely 2,000 men.⁵³ Any special indigenous police organs under Security Police supervision, such as native Criminal Police offices, were comparatively small.

In the Generalgouvernement, the key police officials (in succession) were:

BdO: Becker, Riege, Winkler, Becker, Grünwald, Höring

BdS: Streckenbach, Schöngarth, Bierkamp

31. Generalgouvernement police conference of January 25, 1943. Frank diary. PS-2233. A higher figure is cited in Daluge to Wolff, February 28, 1943, NO-2861.

32. Daluge to Wolff, February 28, 1943, NO-2861.

33. The figure refers to 1940, before addition of Galicia. Generalgouvernement conference of April 22, 1940 (Frank diary), Werner Präg and Wolfgang Jacobmeyer, eds., *Das Diensttagebuch des deutschen Generalgouverneurs in Polen W9-1945* (Stuttgart, 1975), p. 182.

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The SS and Police organization was centralized not only at the Generalgouverneur level but also under the Gouverneure. The five SS and Police Leaders (in succession) were:

Kraków: Zech, Schedler, Schemer, Thier

Lublin: Globocnik, Sporrenberg

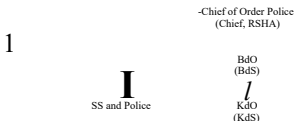
Radom: Katzmann, Oberg, Böttcher

Warsaw; Moder, Wigand, von Sammem, Stroop, Kutschera, Geibel

Galicja: Oberg, Katzmann, Diehm

Each SS and Police Leader disposed over a *Kommandeur der Ordnungspolizei* (KdO) and a *Kommandeur der Sicherheitspolizei und des Sicherheitsdienstes* (KdS). Command relations consequently looked like this:

To Frank, this was an incomplete picture. He imagined himself in front of Krüger as a kind of supreme territorial chief:



To make sure of such a relationship, Frank had in fact appointed Krüger as his Staatssekretär for Security.³⁴ The new title was intended not as an honor but as a device to ensure that Krüger would take orders from Frank. Himmler, of course, regarded such a relationship as an absurdity. Just as Frank was a "fanatic" of territorial centralization, Himmler was a fanatic of functional centralization. From *his* men Himmler demanded 100 percent accountability to himself.

34. Summary of Generalgouvernement police conference, April 21, 1942, Frank diary, PS-2233.

Thus from the very beginning Frank and Himmler were enemies. It is not accidental that this friction should find its first target in the Jews, for the Himmler apparatus claimed primary authority in Jewish matters throughout Poland, and that was a big claim. We can understand the basis for this assertion of jurisdiction if we examine the closing stages of the concentration process in the Reich-Protektorat area. In the enforcement of movement restrictions and identification measures, and particularly in the direction of Jewish administrative machinery, the SS and Police emerged gradually as the most important control mechanism. As the destruction process proceeded to its more drastic phases, it began to take on more and more the characteristics of a police operation. Movement control, roundups, concentration camps—all these are police functions.

In the Reich-Protektorat area the rise of the SS and Police was imperceptible. The increasing importance of the Himmler apparatus in the home area grew out of the natural development of the destruction process. In Poland, however, the destruction process was introduced in its concentration stage. The immediate entry of the SS and Police on a very high level of policy formation was therefore conspicuous, and troublesome. In fact, we have noted that Security Police Chief Heydrich issued his ghettoization order on September 21, 1939, *before* the civil administration had a chance to organize itself. This means that in Jewish matters Himmler was not only independent of but ahead of Frank. The destruction process in Poland was thus to be carried out by these two men. It is characteristic that, as enemies and rivals, Himmler and Frank competed only in ruthlessness. The competition did not benefit the Jews; it helped to destroy them.

THE EXPULSIONS

As we have seen, the Heydrich plan for the concentration of the Polish Jews was divided into two phases. In the course of the first phase, approximately 600,000 Jews were to be shifted from the incorporated territories to the Generalgouvernement. The Jewish population of the Generalgouvernement was therefore to be raised from about 1,400,000 to 2,000,000. The second part of the Heydrich directive stipulated that these 2,000,000 Jews be crowded into closed quarters—the ghettos.

Since the army had insisted that the "cleanup" be postponed until after the transfer of jurisdiction from military to civilian authority, the first phase could not begin immediately.³⁵ Arrangements were conse-

35. Notwithstanding SS assurances, a few movements took place in September. See army correspondence, September 12-24, 1939. NOKW-129.

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quently made to set aside, after November 15, 1939, the entire railway network (the Ostbahn) of the Generalgouvernement for the purpose of resettling the Jews.* Just before the mass settlement was to begin, the Generalgouvernement's Higher SS and Police Leader, Krüger, announced at a meeting of main division chiefs and Gouverneur that, in addition to the Jews, the Poles of the incorporated territory were to be sent into the Generalgouvernement. All together, 1,000,000 Poles and Jews were to be moved in by spring, at the rate of 10,000 a day."

By December 1, a little behind schedule, the trains started to roll into the Generalgouvernement." Hardly had these movements begun when the evacuation program was expanded still more. Not only Jews and Poles from the incorporated territories but also Jews and Gypsies from the Reich were to be dispatched to the Generalgouvernement. The Reich with all its incorporated territories was to be cleared of Jews, Poles, and Gypsies alike. The depopulated regions of the incorporated areas were to be filled with ethnic Germans "returning," by special arrangements with Russia, from the Baltic states and the other territories allocated to the Soviet sphere. A vast movement had started. Train after train moved into the Generalgouvernement without prior notification or planning. The transports were sent farther and farther east, until someone got the idea that the Lublin district was to be turned into a Jewish reserve, or *Judenreservat*.

At first Frank took all these movements in stride. An unsigned memorandum, dated January 1940 and probably written by Frank, speaks of the whole idea in very nonchalant terms. In all, Frank was prepared to receive 1,000,000 Jews (600,000 from the incorporated areas and 400,000 from the Reich). The sojourn of the Jews in his "kingdom" was to be temporary anyway. "After the victory," an evacuation of several million Jews, "possibly to Madagascar," would create plenty of room. Frank was not even worried about the Poles who were being sent into his Generalgouvernement in increasing numbers. "After the victory," the "superfluous Poles" could be sent farther east, perhaps to Siberia, as part of a "reorganization" of the entire eastern European area."

Himmler's grandiose resettlement plans did not long remain in ³⁶ ³⁷ ³⁸ ³⁹

36. Summary of Generalgouvernement police conference under the chairmanship of Frank, October 31, 1939. Frank diary, PS-2233.

37. Summary of conference under chairmanship of Frank, November 8, 1939. Frank diary, PS-2233.

38. Summary of conference of Generalgouvernement Amtsleiter, December 8, 1939. Frank diary, PS-2233.

39. Materials for submission to the Committee of Nationality Law of the Academy of German Law (unsigned), January 1940, PS-661. Frank was president of the academy.

force. Frank took a closer look at the situation and became frightened. The uninterrupted flow of Jews, Poles, and Gypsies into his limited area became a *Lebensfrage*, the central question for his administration, particularly the administration of the Lublin district, which could no longer stand the strain.*⁴⁰

In the first two months of the program, about 200,000 Poles and Jews had been shoved into the Generalgouvernement. Their number included 6,000 Jews from Vienna, Prague, Moravska Ostrava (Protectorat), and Stettin.⁴¹ The Stettin transport had been so brutal that, to everyone's embarrassment, it was widely commented on in the foreign press.⁴² On February 12, 1940, Frank went to Berlin and protested against the manner in which transports were shoved down his throat.*⁴³

In the presence of Reichsführer-SS Himmler, Reichsstatthalter Forster and Greiser, and Oberpräsidenten Koch and Wagner, the chairman of the conference (Goring) declared that henceforth no transports were to be sent to the Generalgouvernement without prior notification of the Generalgouverneur. Koch (East Prussia) pointed out that no Jews had been sent from his districts to the Generalgouvernement. Forster (Danzig-West Prussia) announced that he had virtually no Jews left; only 1,800 remained. Greiser (Wartheland) reported that after the evacuation of 87,000 Jews and Poles, he still had 400,000 Jews and 3,700,000 Poles. Wagner (Silesia) requested that 100,000 to 120,000 Jews plus 100,000 "unreliable" Poles in his area be deported. Himmler thereupon pointed out that room would have to be made in the incorporated territories for 40,000 Reich Germans, 70,000 Baltic Germans, 130,000 Volhynian Germans, and 30,000 Lublin Germans. The last group was to get out of Lublin because that district was to become a Jewish reserve.*⁴⁴

Although Goring had ruled that the Generalgouvernement had only to be notified of arriving transports, Frank went home with the firm conviction that he had been given absolute veto power over all incoming transports.*⁴⁵ This interpretation proved to be correct, for on March 23, 1940, Goring ordered all evacuations stopped. Henceforth ^{40 41 42 43 44 45}

40. Frank speech to Kreishauptmänner and Stadthauptmänner in (he Lublin district, March 4, 1940, Frank diary, PS-2233.

41. Heydrich memorandum, undated, NO-5150.

42. See letter by Lammers to Hitler, March 28, 1940, enclosing a report received by the Reich Chancellery, NG-2490. See also instructions by the Reichspressechef to German press (Brammer material), February 15, 1940, NG-4698.

43. Summary of Goring conference on eastern problems, February 12, 1940, EC-305.

44. Summary of conference attended by Goring, Frank, Koch, Forster, Greiser, Wagner, and Himmler, February 12, 1940, EC-305.

45. Frank speech to Lublin officials, March 4, 1940, Frank diary, PS-2233.

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transports could proceed only with Frank's permission." Reichsstatthalter Greiser of the Wartheland, who had 400,000 Jews in his Gau, protested vehemently. He understood that Goring might have issued such a ruling on account of the Stettin "case," but the Feldmarschall (Goring) could not have meant the Wartheland, for on February 12, 1940, Frank had already promised to Greiser that the 200,000 Jews of the city of Łódź would be taken into the Generalgouvernement. He was dismayed to hear of this turnabout,⁷ but Frank had carried away his victory. On March 11, Himmler thanked the Staatssekretär of the Transport Ministry, Kleinmann, for his cooperation, and with these thanks the evacuation program came to an end."

At this point, however, Frank decided on a little evacuation program of his own. His resettlements were to take place *within* the Generalgouvernement. In particular, Frank wanted to remove the Jewish population from his capital, Kraków. Addressing his main division chiefs on April 12, 1940, the Generalgouverneur described conditions in the city as scandalous. German generals "who commanded divisions" were forced, because of the apartment shortage, to live in houses that also contained Jewish tenants. The same applied to higher officials, and such conditions were "intolerable." By November 1, 1940, the city of Kraków, with its 60,000 Jews, had to become *judenfrei* (free of Jews). Only about 5,000, or at most 10,000, skilled Jewish workers might be permitted to remain. If the Reich could bring hundreds of thousands of Jews into the Generalgouvernement, Frank reasoned, surely there had to be room for 50,000 more from Kraków. The Jews would be permitted to take along all their property, "except of course stolen property." Then the Jewish quarter would be cleansed so that German people would be able to live there and breathe "German air."⁴⁶

The Kraków expulsions were divided into two phases: voluntary and involuntary. Up to August 15, 1940, the Jews of the city were given an opportunity to move with all their possessions to any city of their choice within the Generalgouvernement. Gouverneure were instructed ^{46 47 48 49}

46. Summary of interministerial conference in Berlin. April 1, 1940, in Centralna Żydowska Komisja Historyczna w Polsce, *Dokumenty i materiały do dziejów okupacji niemieckiej w Polsce*, 3 vols. (Warsaw, Łódź, and Kraków, 1946), vol. 3, pp. 167-68.

47. *Ibid.*

48. Himmler to Kleinmann, March 11, 1940, NO-2206.

49. Summary of conference of main division chiefs, April 12, 1940, Frank diary, P. 2233. The Jewish population of Kraków had actually risen to 80,000 since September 1939. Dr. Dietrich Redecker, "Deutsche Ordnung kehrt im Ghetto ein," *Krakauer Zeitung*, March 13, 1940.

to accept these Jews. All those still in Kraków after midnight of August 15 were to be subjected to "organized" expulsion, with limited luggage, to cities of the administration's choice."

By means of an "intensive persuasion campaign against the Jewish Council [*intensive Einwirken auf den Judenrat*]," it was possible to effect the "voluntary" removal of 23,000 Jews.^{50 51 52 53} On the last day of the voluntary phase, Frank made a speech in which he repeated that it was simply intolerable to permit the representatives of the Greater German Reich of Adolf Hitler to be established in a city "crawling" with Jews to such an extent that a "decent person" could not step into the street. The Kraków expulsions, Frank continued, were meant as a signal: the Jews of all Europe had to "disappear" (*verschwinden*). Obviously, Frank was thinking of Madagascar."

The involuntary phase was put into effect immediately. Through notifications sent to affected families via the Jewish Council, another 9,000 Jews were expelled by mid-September. The total number expelled was now 32,000." In spite of these drastic measures, the apartment situation in the city did not improve to the expected extent. For one thing, it was discovered that the Jews had been housed "tightly" (i.e., Jewish apartments had been overcrowded). Furthermore, the Jewish dwellings were so dilapidated as to be unacceptable for German habitation.⁵⁴ Nevertheless, or perhaps because of these results, the expulsions continued. On November 25, 1940, the Gouverneur of the Kraków district ordered another 11,000 Jews to leave. These evacuations were conducted alphabetically. All those whose names began with A to D were to report on December 2, 1940, the E to J group on December 4, etc.⁵⁵ This measure brought the total number of evacuees to 43,000, close to the goal that Frank had envisaged. The remaining Kraków Jews were crowded into a closed ghetto, the *Judenwohnbezirk*, in the Podgórze section of the city.⁵⁶

Frank may have been pleased with the Kraków expulsions, but the local Kreishauptmänner were as unhappy with the influx of these expellees as the Generalgouverneur had been with the arrival of the Jews

50. *Krakauer Zeitung*, August 6, 1940, Generalgouvernement page.

51. *Ibid.*, December 31, 1940/January 1, 1941, GG page.

52. *Ibid.*, August 17, 1940.

53. *Ibid.*, December 31, 1940/January 1, 1941, GG page.

54. *Ibid.*

55. Jacob Apenszlak, ed., *The Black Book of Polish Jewry* (New York, 1943), pp. 80-81.

56. Announcement by the Stadlhauptmann of Kraków (Schmid) in *Krakauer Zeitung*, March 23, 1941, p. 18.

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from the incorporated territories.” In the Krakow outskirts, Polish inhabitants were complaining that the city’s Jews were upsetting the stability of apartment rents by offering inordinately large sums of money and paying a year in advance. It was a mistake, said the Kreishauptmann of Krakau-Land, to permit the Jews a free choice of residence. Naturally, most of them were congregating in his area.”

Urban expulsions were carried out elsewhere with similar repercussions. In December 1940, fifteen hundred Jews from the city of Radom, described as “utterly impoverished and decrepit [*völlig verarmte und verkommene Subjekte*]”, were dumped in the small town of Busko. It will not do, said the Kreishauptmann, that cities rid themselves in this manner of their welfare burdens at the expense of rural zones.” In February, however, he received another thousand Jews, with the result that apartment density in the Jewish quarter had risen to twenty per room, and typhus was breaking out.”

The evacuation program was creating difficulties wherever its impact was felt. Nevertheless, there were people (notably Himmler) who could see no valid objection to the overstuffing of Jewish quarters. On June 25, 1940, Frank wrote a letter to Lammers in which he said that he was plagued by constant rumors from Danzig and the Wartheland capital of Poznan to the effect that new plans were afoot to send many thousands of Jews and Poles into the Generalgouvernement. Such a movement, Frank informed Lammers, was utterly out of the question, especially since the armed forces were expropriating large tracts of land for the purpose of holding maneuvers.⁵⁷

At the beginning of July, Frank was jubilant again. On July 12, 1940, he informed his main division chiefs that the Führer himself had decided that no more transports of Jews would be sent into the Generalgouvernement. Instead, the entire Jewish community in the Reich, the Protektorat, and the Generalgouvernement was to be ^{57 58 59 60 61}

57. Report by Kreishauptmann of Jasio (Dr. Ludwig Losacker), August 29, 1940, Yad Vashem microfilm JM 814. Report by Kreishauptmann of Nowy Sącz, signed by deputy, Regierungsoberinspektor Muegge, December 31, 1940, JM 814. Report by Kreishauptmann in Chelm, December 7, 1940, JM 814.

58. Kreishauptmann of Krakau-Land (signed Holler), monthly report for August, 1940, JM 814. Dr. Egon Holler took over the city of Lwów in February 1942.

59. Report by Kreishauptmann of Busko (signed Schafer), January 11, 1941, JM 814.

60. Report by Schäfer, February 28, 1941, JM 814. In Kielce, the Polish population refused (*weigerte sich*) to receive a transport of evacuees in an orderly manner. It had to be stressed, said the Kreishauptmann, that the arriving people were Jews. Report by Kreishauptmann of Kielce, March 6, 1941, JM 814. On the reception of 2,000 Viennese Jews in Pulawy, see report by Kreishauptmann (signed Brandt), February 27, 1941, JM 814.

61. Frank to Lammers, June 25, 1940, NG-1627.

transported in the "shortest time imaginable," immediately upon the conclusion of a peace treaty, to an African or American colony. The general thinking, he said, centered on Madagascar, which France was to cede to Germany for that very purpose. With an area of 500,000 square kilometers, Frank explained, the island (incidentally, mostly jungle) could easily hold several million Jews. "I have intervened on behalf of the Jews of the Generalgouvernement," he continued, "so that those Jews, too, may profit from the advantages of starting a new life on new soil." That proposal, Frank concluded, had been accepted in Berlin, so that the entire Generalgouvernement administration could look forward to a "colossal unburdening."⁶²

Radiant with pleasure, Frank repeated his speech in the Lublin district, which had been threatened most with overflowing transports of Jewish evacuees. As soon as maritime transport was restored, he said, the Jews would be removed, "piece by piece, man by man, mrs. by mrs., miss by miss [*Stück um Stück, Mann um Mann, Frau um Frau, Fräulein um Fräulein*]." Having produced *Heiterkeit* in his audience (the term used by German protocol experts for amusement registered by an official audience), Frank predicted that Lublin, too, would become a "decent" and "human" city for German men and women.⁶³

But Frank's jubilation was premature. No peace treaty was concluded with France, and no African island was set aside for the Jews. Frank was stuck with his Jews, and once more the pressure of new expulsions was to trouble his administration.

On October 2, 1940, Frank met with other officials in Hitler's apartment. The Reichsstatthalter of Vienna, von Schirach, mentioned that he had 50,000 Jews whom Frank had to take off his hands. The Generalgouverneur replied that this was utterly impossible. Thereupon the Oberpräsident of East Prussia, Erich Koch, put in that until now he had deported neither Jews nor Poles, but now the time had arrived when the Generalgouvernement had better accept these people. Again Frank protested that it was utterly impossible to receive such masses of Poles and Jews; there simply was no room for them. At this point, Hitler remarked that he was quite indifferent to the population density of the Generalgouvernement, that as far as he was concerned the Generalgouvernement was only a "huge Polish labor camp [*ein grosses polnisches Arbeitslager*]."⁶⁴

Once more Frank averted the threatened stream, although he could not prevent some Poles and a trickle of Vienna Jews crossing his bor-

62. Frank to main division chiefs, July 12, 1940, Frank diary, PS-2233.

63. Frank speech to Lublin officials, July 25, 1940. Frank diary, PS-2233.

64. Memorandum by Bormann on conference in Hitler's apartment, October 2, 1940, USSR-172. See also Lammers to von Schirach, December 3, 1940, PS-1950.

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ders. Finally, on March 25, 1941, Krüger announced that no more transports would be sent to the Generalgouvernement." From now on the pressure was no longer on Frank. Instead, it hit the administration of the incorporated territories.

In October 1941, mass deportations began in the Reich. They did not end until the destruction process was over. The object of these movements was not emigration but the annihilation of the Jews. As yet, however, there were no killing centers in which the victims could be gassed to death, and so it was decided that, pending the construction of death camps, the Jews were to be dumped into ghettos of the incorporated territories and the occupied Soviet areas farther east. The target in the incorporated territories was the ghetto of *L6d±*.

On September 18, 1941, Himmler addressed a letter to Reichsstatthalter Greiser on the proposed evacuations. The Führer desired, wrote Himmler, that the Old Reich and the Protektorat be "liberated from the Jews" as soon as possible. Himmler was therefore planning "as a first step" to transport the Jews to incorporated territory, with a view to shipping them farther east next spring. He intended to quarter 60,000 Jews in the *L6di* ghetto, which, as he "heard," had enough room. Looking forward to Greiser's cooperation, Himmler closed with the remark that he was entrusting Gruppenführer Heydrich with the task of carrying out these Jewish migrations.*

Although there is a gap in the correspondence, we may deduce from subsequent letters that Greiser had succeeded in reducing the figure of 60,000 migrants to 20,000 Jews and 5,000 Gypsies. But even this reduced total came as a shock to the local authorities. A representative of the *Oberbürgermeister* (mayor) of *Lddi* (the city was renamed "Litzmannstadt") protested immediately to the Regierungspräsident of the area, the honorary SS-Brigadeführer Uebelhoer.^{65 66 67}

In his protest *Oberbürgermeister* Ventzki announced that he would divest himself of every responsibility for the consequences of the measure. Then he recited some reasons for his attitude. The ghetto had originally held 160,400 people in an area of 4.13 square kilometers. The population had now declined to 144,000 owing to deaths and departures to forced labor camps, but there was more than a corresponding decline of area, to 3.41 square kilometers. Density was now 59,917 per-

65. Summary of Generalgouvernement conference, March 25, 1941. Frank diary, PS-2233.

66. Himmler to Greiser, copies to Heydrich and the Higher SS and Police Leader in the Wartheland, Gruppenführer Koppe, September 18, 1941. Himmler Files, Folder 94.

67. *Oberbürgermeister* of *Lddi* (signed Ventzki to Uebelhoer, September 24, 1941, Himmler Files, Folder 94. Honorary members of the SS wore uniforms but had no SS functions.

sons per square kilometer. The 144,000 inhabitants lived in 2,000 houses with 25,000 rooms, that is, 5.8 persons per room.

Within the ghetto, said Ventzki, large factories were producing vital materials needed by the Reich (figures cited), but only starvation rations were coming into the ghetto. Lack of coal had impelled the inmates to tear out doors, windows, and floors to feed the fires in the stoves. The arrival of an additional 20,000 Jews and 5,000 Gypsies would increase the population density to seven persons per room. The newcomers would have to be housed in factories, with the result that production would be disrupted. Starvation would increase, and epidemics would rage unchecked. The digging of additional ditches for the disposal of feces would lead to an increase in the number of flies, which would ultimately plague the German quarter. The Gypsies, as bom agitators and arsonists, would start a conflagration, and so forth. Uebelhoer forwarded this report to Himmler, underlining some of the conclusions in a letter of his own.^{68 69 70}

Heydrich's way of dealing with these protests was to cable Uebelhoer to the effect that the transports would begin to arrive on schedule in accordance with arrangements concluded with the Transport Ministry." Himmler wrote a more conciliatory letter to the unhappy Regierungspräsident. "Naturally," he began, "it is not pleasant to get new Jews. But I should like to ask you in all cordiality to show for these things the same natural understanding which has been extended by your Gauleiter." The objections had obviously been drawn up by some subordinate in an expert manner, but Himmler could not recognize them. War production was nowadays the favorite reason for opposing anything at all. No one had demanded that the Jews be quartered in factories. Since the ghetto population had declined, it could increase again. As for the Gypsy arsonists, Himmler advised Uebelhoer to announce that for every fire in the ghetto, ten Gypsies would be shot. "You will discover," said Himmler, "that the Gypsies will be the best firemen you ever had."⁷¹

Uebelhoer was now truly aroused. He wrote a second letter to Himmler in which he explained that a representative of the Reich Security Main Office, Sturmbannführer Eichmann, had been in the ghetto and, with Gypsy-like horse-trading manners, had completely misrepresented to the Reichsführer-SS the true state of affairs. Uebelhoer then made a constructive suggestion. He requested Himmler to send the Jews to Warsaw rather than to *L6dt*. Uebelhoer had read in a Berlin

68. Uebelhoer to Himmler, October 4, 1941, Himmler Files, Folder 94.

69. Heydrich to Himmler, October 18, 1941, enclosing his telegram to Uebelhoer, Himmler Files, Folder 94.

70. Himmler to Uebelhoer, October 10, 1941, Himmler Files, Folder 94.

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newspaper that the Warsaw ghetto in the Generalgouvernement still had dance halls and bars. He had seen the pictures in the *Berliner Illustrierte*. Conclusion: Warsaw was the place for the 20,000 Jews and 5,000 Gypsies.⁷¹

This time Himmler replied in a gruff tone: "Mr. Regierungspräsident, read your letter once again. You have adopted the wrong tone. You have obviously forgotten that you have addressed a superior." Henceforth all communications from Uebelhoer's office would not be accepted." Heydrich wrote his own letter to Greiser, protesting specifically against the remarks concerning SS comrade Eichmann, whom Uebelhoer had accused of the Gypsylike horse-trading manners."

On October 16 the first transports began to arrive. By November 4, twenty transports had dumped 20,000 Jews into the ghetto: 5,000 from Vienna, 5,000 from Prague, 4,200 from Berlin, 2,000 from Cologne, 1,100 from Frankfurt, 1,000 from Hamburg, 1,000 from Düsseldorf, and 500 from the occupied principality of Luxembourg. The Gypsies arrived too.⁷⁴ So crowded was the ghetto that many of the newcomers had to be quartered in the factories."

On October 28, Greiser wrote a friendly letter to Himmler. The Gauleiter had talked to the Regierungspräsident. Uebelhoer had succumbed to his "famous temper," but the Regierungspräsident was an old Nazi who had always done his job. He had done everything to bring this action to a successful conclusion.^{71 72 73 74 75 76 77 78}

Himmler replied that he had received Greiser's letter. "As everyone knows, I bear no grudges [*Ich bin bekanntlich nicht nachtragend*]." The good Uebelhoer was to take a vacation and rest his nerves; then all would be forgiven." Indeed, the incident was soon forgotten, for on July 28, 1942, Uebelhoer had had occasion to thank Himmler for a birthday gift: a porcelain figure with the inscription "Standardbearer of the SS."⁷⁵*

The expulsions were over and the situation was stabilized.

71. Uebelhoer to Himmler, October 9, 1941, Himmler Files, Folder 94.

72. Himmler to Uebelhoer, October 9, 1941, Himmler Files, Folder 94. This letter was actually dispatched *before* Himmler's first reply.

73. Heydrich to Greiser, October 11, 1941, Himmler Files, Folder 94.

74. Report by Hauptmann der Schutzpolizei Künzel, November 13, 1941, *Dokumenty i materiały*, vol. 3, pp. 203-6. Detailed data in YIVO Institute, *Ldzt ghetto collection* No 58.

75. Armament Inspectorate XXI to OKW/Economy-Armament Office, December 12, 1941, Wi/ID 1.14.

76. Greiser to Himmler, October 28, 1941, Himmler Files, Folder 94.

77. Himmler to Greiser, November, 1941, Himmler Files, Folder 94.

78. Uebelhoer to Himmler, July 29, 1942, Himmler Files, Folder 94.

GHETTO FORMATION

From the fall of 1939 to the fall of 1941, three expulsion movements had taken place from west to east: (1) Jews (and Poles) from the incorporated territories of the Generalgouvernement; (2) Jews (and Gypsies) from the Reich-Protectorat area to the Generalgouvernement; (3) Jews (and Gypsies) from the Reich-Protectorat area to the incorporated territories. These movements are significant not so much for their numerical extent as for their psychological mainsprings. They are evidence of the tensions that then convulsed the entire bureaucracy. The period 1939-41 was a time of transition from the forced emigration program to the "Final Solution" policy. At the height of this transition phase, transports were pushed from west to east in efforts to arrive at "intermediary" solutions. In the Generalgouvernement the nervousness was greatest because 1,500,000 Jews were already in the area and there was no possibility of pushing them farther east.

If the expulsions were regarded as temporary measures toward intermediary goals, the second part of the Heydrich program, which provided for the concentration of the Jews in closed ghettos, was intended to be no more than a makeshift device in preparation for the ultimate mass emigration of the victims. In the incorporated territories the administration looked forward only to the expulsion of its Jews to the Generalgouvernement, and the Generalgouverneur was awaiting only for a "victory" that would make possible the forced relocation of all his Jews to the African colony of Madagascar. We can understand, therefore, in what spirit this ghettoization was approached. During the first six months there was little planning and much confusion. The administrative preliminaries were finished quickly enough, but the actual formation of the ghettos was tardy and slow. Thus the walls around the giant ghetto of Warsaw were not closed until the autumn of 1940. The Lublin ghetto was not established until April 1941.

The preliminary steps of the ghettoization process consisted of marking, movement restrictions, and the creation of Jewish control organs. Inasmuch as these measures were being aimed at "Jews," the term had to be defined. Characteristically, not much initial thought was being given in the Generalgouvernement to the feelings or interests of the Polish community in matters of categorization. In December 1939, Stadtkommissar Drechsel of Petrikau (Piotrków Trybunalski) decided that all persons with a Jewish parent were Jews." During the following spring the newly appointed specialist in Jewish affairs in the Generalgouvernement's Interior Division, Gottong, proposed a definition that would have included not

79. Order by Drechsel, December 1, 1939, in Jüdisches Historisches Institut Warschau, *Faschismus-Getto-Massenmord* (Berlin, 1961), pp. 74-75.

only all the half-Jews but also the non-Jewish partners in undissolved mixed marriages." Finally, in July 1940 the Nuremberg principle was introduced into the Generalgouvernement by decree." By then, the process of concentration was already well under way.

As early as the beginning of November 1939, Frank issued instructions that all "Jews and Jewesses" (*Juden und Jüdinnen*) who had reached the age of twelve be forced to wear a white armband with a blue Jewish star." His order was carried out by the decree of November 23, 1939." In the incorporated territories a few Regierungspräsidenten imposed markings of their own. For the sake of uniformity, Reichsstatthalter Greiser of the Wartheland ordered that all Jews in his Reichsgau wear a four-inch (ten-centimeter) yellow star sewed on the front and back of their clothes." The Jews took to the stars immediately. In Warsaw, for example, the sale of armbands became a regular business. There were ordinary armbands of cloth and fancy plastic armbands that were washable."

In conjunction with the marking decrees, the Jews were forbidden to move freely. The Generalgouvernement decree of December 11, 1939, signed by the Higher SS and Police Leader Krüger, Jews were forbidden to change residence, except within the locality, and they were forbidden to enter the streets between 9 P.M. and 5 A.M." Under the decree of January 26, 1940, the Jews were prohibited also from using the railways, except for authorized trips."

The most important concentration measure prior to the formation of the ghettos was the establishment of Jewish councils (*Judenräte*). According to the Generalgouvernement decree of November 28, 1939, every Jewish community with a population of up to 10,000 had to elect a Judenrat of twelve members, and every community with more than 10,000 people had to choose twenty-four." The decree was published ^{80 81 82 83 84 85 86 87 88}

80. Circular letter by Gottong, April 6, 1940, *ibid.*, pp. 55-56.

81. Decree of July 24, 1940, *Verordnungsblatt des Generalgouverneurs* 1, 1940, p. 231. Cutoff dates were fixed to conform with the date of the decree entering into force. His introduction of the Nuremberg principle into the incorporated territories followed in May 1941.

82. Summary of discussion between Frank and Kraków's Gouverneur, Dr. Wächter, November 10, 1939, Frank diary, PS-2233.

83. *Verordnungsblatt des Generalgouverneurs*, 1939, p. 61.

84. Order by Regierungspräsident in Kalisz (Uebelhoer), December 11, 1939, amending his instructions of November 14, 1939, *Dokumente i material* /, vol. 3, p. 23.

85. "Warschauer Juden ganz unter sich," *Krakauer Zeitung*, December 4, 1940, Generalgouvernement page.

86. *Verordnungsblatt des Generalgouverneurs*, 1939, p. 231.

87. *Verordnungsblatt des Generalgouverneurs* 1, 1940, p. 45.

88. *Verordnungsblatt des Generalgouverneurs*, 1939, p. 72. For Statistical compilation of the Jewish population in eastern European cities, see Peter-Heinz Seraphim, *Das Judentum im osteuropäischen Raum* (Essen, 1938), pp. 713-18.

after many of the councils had already been established, but its issuance signified an assertion of civil jurisdiction over the councils and a confirmation of their character as public institutions.

In Poland, as in the Reich, the Judenrate were filled with prewar Jewish leaders, that is to say, men who were holdovers from Jewish community councils that had existed in the Polish republic, or who had served on municipal councils as representatives of Jewish political parties, or who had held posts in Jewish religious and philanthropic organizations." As a rule, the prewar council chairman (or, in the event of his unavailability, his deputy or some other willing council member) would be summoned by an Einsatzgruppen officer or a functionary of the new civil administration and told to form a Judenrat.⁸⁹ Often the rapid selection of the membership resulted in many retentions and few additions. In Warsaw and Lublin, for example, most of the remaining old members were renamed, and new appointments were made primarily in order to assemble the required twenty-four men. If there was a subtle shift in the traditional alignment of leaders, it manifested itself in the greater presence of men who could speak German and in fewer inclusions of Orthodox rabbis, whose garb or speech might have been provocative to the Germans, or of socialists, whose past activities might have proved dangerous."

Radically different from the old days were the circumstances surrounding the newly installed Judenrate. However eager some of the Judenrat members might have been for public recognition before the occupation, now they felt anxieties as they thought about the unknowns. One veteran Jewish politician chosen to serve in the Warsaw Judenrat recalls the day when Adam Czerniakow (a chemical engineer by training) met with several of the new appointees in his office and showed them where he was keeping a key to a drawer of his desk, in which he had placed a bottle containing twenty-four cyanide pills."

Before the war, these Jewish leaders had been concerned with synagogues, religious schools, cemeteries, orphanages, and hospitals. From now on, their activities were going to be supplemented by another, quite different function: the transmission of German directives and orders to the Jewish population, the use of Jewish police to enforce German will, the deliverance of Jewish property, Jewish labor, and Jewish lives to the German enemy. The Jewish councils, in the exercise of their historic function, continued until the end to make desperate attempts to alleviate the suffering and to stop the mass dying in the ^{89 90 91 92}

89. Trunk, *Judenrat*, pp. 29-35

90. *Ibid.*, pp. 8-10, 28.

91. *Ibid.*, pp. 32-33.

92. Hartglas, "Czerniakow," *Yad Vashem Bulletin* 15 (1964): 7. Hartglas, a former member of the Polish parliament, emigrated to Palestine at the beginning of 1940.

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ghettos. But, at the same time, the councils responded to German demands with automatic compliance and invoked German authority to compel the community's obedience. Thus the Jewish leadership both saved and destroyed its people, saving some Jews and destroying others, saving the Jews at one moment and destroying them at the next. Some leaders refused to keep this power, others became intoxicated with it.

As time passed, the Jewish councils became increasingly impotent in their efforts to cope with the welfare portion of their task, but they made themselves felt all the more in their implementation of Nazi decrees. With the growth of the destructive function of the Judenräte, many Jewish leaders felt an almost irresistible urge to look like their German masters. In March 1940 a Nazi observer in Kraków was struck by the contrast between the poverty and filth in the Jewish quarter and the businesslike luxury of the Jewish community headquarters, which was filled with beautiful chairs, comfortable leather chairs, and heavy carpets." In Warsaw the Jewish oligarchy took to wearing boots." In Łódź the ghetto "dictator," Rumkowski, printed postage stamps bearing his likeness and made speeches that contained expressions such as "my children," "my factories," and "my Jews." From the inside, then, it seemed already quite clear that the Jewish leaders had become rulers, reigning and disposing over the ghetto community with a finality that was absolute. On the outside, however, it was not yet clear to whom these absolute rulers actually belonged.

Under the Generalgouvernement decree of November 28, 1939, the Judenräte were placed under the Stadthauptmänner (in the cities) and the Kreishauptmänner (in the country districts). Similarly, in the incorporated territories the Judenräte were responsible to the Bürgermeister in the cities and to the Landräte in the country (see Table 6-10).

Under the decree of November 28, the authority of the regional offices over the Judenräte was unlimited. The members of a Judenrat were held personally responsible for the execution of all instructions. In fact, the Jewish leaders were so fearful and tremulous in the presence of their German overlords that the Nazi officers merely had to signal their desire. As Frank pointed out in a moment of satisfaction and complacency: "The Jews step forward and receive orders [die 93 94 95

93. Dr. Dietrich Redecker, "Deutsche Ordnung kehrt im Ghetto ein," *Krakauer Zeitung*, March 13, 1940.

94. Emanuel Ringelblum, *Notitsn fun Varshever Ghetto* (Warsaw, 1952), p. 291, as quoted in English translation by Philip Friedman (ed.), *Martyrs and Fighters*, pp. 81-82. Ringelblum, a historian, was killed by the Germans. His notes were found after the war.

95. Solomon Bloom, "Dictator of the Lodz Ghetto," *Commentary*, February 1949, pp. 113, 115. Leonard Tushnet, *The Pavement of Hell* (New York, 1972), pp. 1-70.

T A B L E 6-10
GERMAN CONTROLS OVER JEWISH COUNCILS

<i>Incorporated Territories</i>	<i>Generalgouvernement</i>
Reichsstatthalter (or Oberpräsident)	Generalgouverneur
1	|
1	
Regierungspräsident	Gouverneur
	1
1 1 (city) (rural)	1 1 (city) (rural)
Bürgermeister Landrat	Stadthauptmann Kreishauptmann
1 1	1 1
1 1	1 1
Judenrat Judenräte	Judenrat Judenräte

Juden treten an und empfangen Befehle]."* But this arrangement did not remain unchallenged.

On May 30, 1940, at a meeting in Kraków, the SS and Police made a bid for power over the Judenräte. Opening the attack, the commander of the Security Police and Security Service units in the Generalgouvernement, Brigadeführer Streckenbach, informed his civilian colleagues that the Security Police were "very interested" in the Jewish question. That was why, he said, the Jewish councils had been created. Now, he had to admit that local authorities, by close supervision of the councils' activities, had gained something of an insight into Jewish methods. But, as a result of this arrangement, the Security Police had been partly edged out, while all sorts of agencies had stepped into the picture. For example, in the matter of labor procurement everyone was planlessly approaching the Judenräte.

This problem required a clear "solution." First, it would have to be "decided" who was in charge of the Judenräte: the Kreishauptmann, the Gouverneur, the Stadthauptmann, or possibly even the Sicherheitspolizei (the Security Police). If Streckenbach recommended his Security Police, he did so for "functional reasons." Sooner or later, he said, all questions pertaining to Jewish matters would have to be referred to the Security Police, especially if the contemplated action required "executive enforcement" (*Exekutiveingriff*). Experience had shown, furthermore, that only the Security Police had a long-range ⁹⁶

96. Verbatim minutes of interview of Frank by correspondent Kleiss of *Völkischer Beobachter*, February 6, 1940, Frank diary, PS-2233.

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view of conditions affecting Jewry. All this did not mean in the least that the Security Police desired to skim off the cream, so to speak. The Security Police were not interested in Jewish property; they were receiving all their money from Germany and did not desire to enrich themselves. Streckenbach would therefore propose that the Jewish councils "and thereby Jewry as a whole" be placed under the supervision of the Security Police and that all demands upon Jewry be handled by the Security Police. If the Jewish communities were to be further exploited as much as they already had been, then one day the Generalgouvernement would have to support millions of Jews. After all, the Jews were very poor; there were no rich Jews in the Generalgouvernement, only a "Jew proletariat." He would therefore welcome the transfer of power to the Security Police. To be sure, the Security Police were by no means eager to shoulder this additional burden, but experience had shown that the present arrangement was not "functional."

At the conclusion of the speech, Frank remained silent. The Gouverneur of Lublin, Zömer, gave an account of conditions in his district. Since Frank had not spoken, the Gouverneur ventured to suggest that the Security Police could not handle the Judenräte because of insufficient numerical strength. After Zomer had finished, the Gouverneur of Kraków, Wächter, made a speech in which he alluded to Streckenbach's remarks by pointing out that in Jewish matters the civil administration could not get along without the Security Police and that, conversely, the Security Police could not act without the civil apparatus. Cautiously Wächter suggested that perhaps the two bodies could cooperate. Finally, Frank spoke up. In terse legal language he rejected Streckenbach's suggestions. "The police," he said, "are the armed force of the Reich government for the maintenance of order in the interior. ... The police have no purpose in themselves."⁹⁷

The opening move by the police had failed. Yet the challenge had been made, and for the next few years the struggle over the Jews was to continue unabated. Ultimately the police emerged victorious, but their prize was a heap of corpses.

The three preliminary steps—marking, movement restrictions, and the establishment of Jewish control machinery—were taken in the very first few months of civil rule. But then a full year passed before the actual formation of the ghettos began in earnest. Ghetto formation, that is to say, the creation of closed Jewish districts, was a decentralized process. The initiative in each city and town was taken by the competent Kreishauptmann or Stadthauptmann and, in the case of major ghettos only, by a Gouverneur or by Frank himself.⁹⁷

97. Summary of police meeting with verbatim remarks by Frank. May 30, 1940, Frank diary. PS-2233.

Military headquarters (the *Oberfeldkommandantur*, or OFK) in the Warsaw district complained that, because each *Kreishauptmann* had been allowed to decide the manner of gathering up his Jews (*die Art der Durchführung der Judenzusammenlegung in seinem Kreis*), the migration, rather than presenting a uniform picture, created an impression of constant movements this way and that* In cities, uniform planning was completely out of the question, if only because of complex population distributions, intertwined economic activities, and intricate traffic problems.

The earliest ghettos appeared in the incorporated territories during the winter of 1939-40, and the first major ghetto was established in the city of *L6di* in April 1940.⁹⁸ During the following spring the ghetto-formation process spread slowly to the Generalgouvernement. The Warsaw ghetto was created in October 1940;⁹⁹ the smaller ghettos in the Warsaw district were formed in the beginning of 1941.¹⁰⁰ For the Jews remaining in the city of Krakdw, a ghetto was established in March 1941. The Lublin ghetto was formed in April 1941.^{98 99 100 101 102 103 104 105} The double ghetto of Radom, shaped into two separate districts was finished that same month.¹⁰⁶ The ghettos of Czestochowa¹⁰⁷ and Kielce^{106 107 108 109} in the Radom district also came into existence at that time. In August 1941 the Generalgouvernement acquired its fifth district, Galicia, an area that the German army had wrested from Soviet occupation. The Galician capital, Lwdw (Lemberg), became the site of Poland's third-largest ghetto in December 1941.¹¹⁰ The ghetto-formation process in the Generalgouvernement was, on the whole, completed by the end of that year.¹¹¹ Only a few ghettos remained to be set up in 1942.¹¹²

Although the creation of the closed districts did not proceed from

98. OFK 393 to Wehrmachtbefehlshaber im Generalgouvernement, November 18, 1941, Polen 75022/17. Original folder once in Federal Records Center, Alexandria, Virginia.

99. Philip Friedman, "The Jewish Ghettos in the Nazi Era," *Jewish Social Studies*, 16 (1954), 80. On Lodi see documents in *Dokumenry i maieriaty*, vol. 3, pp. 35-49.

100. *Krakauer Zeitung*, October 16, 1940. Generalgouvernement page.

101. Generalgouvernement conference, January 15, 1941, Frank diary, PS-2233.

102. *Krakauer Zeitung*, March 23, 1941, p. 18.

103. Proclamation by Gouverneur Zdmer of Lublin, March 24, 1941, *ibid.*, March 30, 1941, p. 8.

104. *Ibid.*, April 6, 1941, p. 5.

105. Undated draft of order by Stadt hauptmann Dr. Wendler of Czestochowa, Yad Vashem microfilm JM 1489.

106. *Krakauer Zeitung*, April 8, 1941, p. 6.

107. *Ibid.*, November 15, 1941, p. 5.

108. Armament Inspectorate. Generalgouvernement to OKW/Wi RU/Rli III A, report covering July 1, 1940, to December 31, 1941, dated May 7, 1942, pp. 102-3, Wi/ID 1.2.

109. Friedman, "Jewish Ghettos," *Jewish Social Studies* 16 (1954): 83.

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any order or basic plan, the procedure was remarkably similar in all cities. This should hardly be surprising, for the problems of ghetto formation were largely the same everywhere. Let us look at the first major ghetto-forming operation, which was the prototype of all subsequent operations: the establishment of the *Lödi* ghetto.

On December 10, 1939, the Regierungspräsident in Kalisz, Uebelhoer, appointed a "working staff" to make preparations for the formation of the ghetto. Uebelhoer himself took over the chairmanship. He appointed his representative in *Lödi*, Oberregierungsrat Dr. Moser, as deputy. The working staff also included members of the party, the offices of the city, the Order Police, the Security Police, the Death Head Formation of the SS, the *Lödi* Chamber of Industry and Commerce, and the Financial Office in *Lödi*. The preparations were to be made in secret; the moving was to be sudden and precise (*schlagartig*). As we shall see, this secrecy was needed in order to assure the hurried abandonment of a lot of Jewish property, which could then be conveniently confiscated.

Uebelhoer did not look upon the ghetto as a permanent institution. "The creation of the ghetto," he said in his order, "is, of course, only a transition measure. I shall determine at what time and with what means the ghetto—and thereby also the city of *Lödi*—will be cleansed of Jews. In the end, at any rate, we must burn out this bubonic plague [*Endziel muss jedenfalls sein, dass wir diese Pestbeule restlos ausbrennen*]."¹¹⁰

The working staff selected a slum quarter, the Bahity area, as the ghetto site. The district already contained 62,000 Jews, but more than 100,000 Jews who lived in other parts of the city and its suburbs had to be moved in.¹¹¹ On February 8, 1940, the Polizeipräsident of *Lödi*, Brigadeführer Schäfer, issued his sudden and precise orders. Poles and ethnic Germans had to leave the ghetto site by February 29.¹¹² The Jews had to move into the ghetto in batches. Every few days the Polizeipräsident published a moving schedule affecting a certain quarter of the city. All Jews living in that quarter had to move into the ghetto within the time allotted. The first batch had to vacate its apartments between ^{110 111 112}

110. Uebelhoer to Greiser, thirty District *Lödi*, Representative of the Regierungspräsident in *Lödi* (Moser), City Administration of *Lödi*, Polizeipräsident of *Lödi*, Order Police in *Lödi*, Security Police in *Lödi*, *Lödi* Chamber of Industry and Commerce, and Finance Office in *Lödi*, December 10, 1939, *Dokumenty i materiafy*, vol. 3, pp. 26-31.

111. Statistical report on the *Lödi* ghetto, apparently prepared by the Jewish Council for the German administration and covering the period May 1, 1940 to June 30, 1942, *Lödi Ghetto Collection* No. 58.

112. Order by Schäfer, February 8, 1940, *Dokumentary i mareriaty*, vol. 3, pp. 35-37.

February 12 and February 17," the last moved in on April 30. Ten days later, on May 10, Polizeipräsident Schafer issued the order that closed off the ghetto population from the rest of the world. "Jews," he ordered, "must not leave the ghetto, as a matter of principle. This prohibition applies also to the Eldest of the Jews [Rumkowski] and to the chiefs of the Jewish police. . . . Germans and Poles," he continued, "must not enter the ghetto as a matter of principle." Entry permits could be issued only by the Polizeipräsident. Even within the ghetto, Jews were not allowed freedom of movement; from 7 P.M. to 7 A.M. they were not permitted to be on the streets.¹¹⁴

After the movements had been completed, the Germans threw a fence around the ghetto. The fence was manned by a detachment of the Order Police.¹¹⁵ The more intriguing job of secret police work was entrusted to the Security Police. This organization consisted of two branches: State Police (Gestapo) and Criminal Police (Kripo). The State Police, as its title implies, concerned itself with enemies of the state. Since the Jews were enemies par excellence, the State Police established an office within the ghetto. The Criminal Police was competent in the handling of common crimes. A Criminal Police detachment of twenty men was consequently attached to the Order Police that guarded the ghetto. The function of the detachment was to prevent smuggling, but the arrangement irked the Criminal Police. Like their colleagues of the Gestapo, the Criminal Police men wanted to be *inside* the ghetto. Accordingly, Kriminalinspektor Bracken drafted a memorandum in which he set forth the reason for the urgent necessity of moving his detachment across the fence. "In the ghetto," he said, "live, at any rate, about 250,000 Jews, all of whom have more or less criminal tendencies." Hence the necessity for "constant supervision" by officials of the Criminal Police.¹¹⁶ The detachment moved in.

As Regierungspräsident Uebelhoer had predicted, the ghetto was a transitional measure, but the transition did not lead to emigration. It led to annihilation. The inmates of the Łódź ghetto either died there or were deported to a killing center. The liquidation of the ghetto took a very long time. When it was finally broken up in August 1944, it had existed for four years and four months. This record was unequalled by any ghetto in Nazi Europe.^{113 114 * 116}

113. Police order, February 8, 1940, *ibid.*, pp. 38-49.

114. Order by Schäfer, May 10, 1940, *ibid.*, 83-84.

115. The units guarding the ghetto belonged to the Schutzpolizei. For instructions to the Schutzpolizei detachments to "shoot on sight," see order by commander of *LAit* Schutzpolizei, Oberst der Polizei Keuck, April II, 1941, *ibid.*, 86-87.

116. Memorandum by Kriminalinspektor Bracken, May 19, 1940, *ibid.*, pp. 92-94. See also memorandum by the chief of the Criminal Police in Łódź, Kriminaldirektor Zirpins, October 23, 1940, *ibid.*, pp. 100-101.

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Across the border from the incorporated territories, in the Generalgouvernement, three specific arguments were made for the formation of ghettos. One was put forth by German physicians, who were convinced that the Jewish population was spreading typhus (*Fleckfieber*).¹¹⁷ Another was the allegation that Jews, as urban residents and as holders of ration cards that—in the words of the Food and Agriculture chief of the Warsaw district—entitled them for practical purposes only to bread, were bidding for unrationed foods and creating a black market in rationed items.¹¹⁸ The third was the claim that suitable apartment space was unavailable to German officials and members of the armed forces.¹¹⁹ The answer each time appeared to be ghettoization. To be sure, when the ghettos were in place, spotted fever was rising in the congested Jewish houses, smuggling by Jews was increasing to stave off starvation, and apartments were still needed by Germans. In fact, the three principal explanations for creating the ghettos were going to be revived at a later time as reasons for dissolving them and for removing their Jewish inhabitants altogether.

Ghetto formation was not an easy undertaking from the start. In the case of Warsaw, where the process took a year, the first step was taken early in November 1939, when the military commander established a "quarantine" (*Seuchensperrgebiet*) in an area within the old part of the city, inhabited largely by Jews, from which German soldiers were to be barred.¹²⁰ On November 7, Gouverneur Fischer of the Warsaw district proposed that the Warsaw Jews (whose number he estimated at 300,000) be incarcerated in a ghetto, and Frank gave his immediate consent to the proposal.¹²¹ During the winter, Fischer created a Resettlement Division (*Umsiedlung*) under Waldemar Schon, who was going to have a major role in ghetto planning and who was subsequently deputized to carry out the plan. The first idea, in February, to locate the ghetto on the eastern bank of the Vistula River, was turned down in a meeting on March 8, 1940, on the ground that 80 percent of Warsaw's artisans were Jews and that, since they were indispensable, one could not very well "encircle" them (*zernieren*).^{117 118 119 120 121}

117. Remarks by Obermedizinatrat Dr. Wajbaum at meeting of Generalgouvernement division chiefs, April 12, 1940, Prfig and Jacobmeyer, eds., *Diensttagebuch*, p. 167.

118. Generaigouvernement food meeting of March 3, 1940, *ibid.*, p. 142.

119. Stadthauptmann Saurmann of Lublin complained in a monthly report dated December 31, 1940, that the city was overcrowded. Yad Vashem microfilm JM 814. The daily demand for rooms by Germans in Radom was reported by Stadthauptmann Wendler on March 8, 1941 JM814.

120. See Czemiakdw's entries for November 4 and 5, 1939, in Hiiberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 87.

121. Summary of discussion between Fischer and Frank, November 7, 1939, Frank diary, PS-2233.

Doubts were also expressed about supplying a closed ghetto with food.¹²² On March 18, 1940, Czerniaków noted cryptically: "A demand that the Community ring the 'ghetto' with wire, put in fenceposts, etc., and later guard it all."¹²³ The quotation marks around the word *ghetto* refer to the previously established quarantine. By March 29, Czerniaków noted that the ghetto was to be "walled in," and the next day he argued with Stadtkommandant Leist about the "virtual impossibility of building a wall (damaging the water installations, electric and telephone cables, etc.)."¹²⁴ Wall building was actually suspended in April, while the Germans were considering a short-lived idea of dumping the Jews in the Lublin district. Schon's Division Umsiedlung then examined the feasibility of setting up two ghettos, one in a western section (Koto and Wola) and another in the east (Grochów) to minimize any disturbance in the city's economy and traffic flow, but this plan was abandoned after word of the Madagascar project had reached Warsaw.¹²⁵ Czerniaków, on July 16, noted a report to the effect that the ghetto was not going to be formed after all.¹²⁶ In August 1940, however, Subdivision Health of the Generalgouvernement's Interior Division, pointing to increased troop concentrations in the area, demanded the formation of ghettos in the district. The nonmedical officials of the Interior Division, acquiescing, argued only against sealing the ghettos hermetically, lest they could not survive economically. On September 6, 1940, Obermedizinalrat Dr. Walbaum, citing statistics of typhus among Jews, insisted in a *ceterum censeo* speech on their incarceration in a closed ghetto as a health-political measure.¹²⁷ Six days later Frank announced during a conference of main division chiefs that 500,000 Jews in the city were posing a threat to the whole population and that they could no longer be allowed to "roam around."¹²⁸ Czerniaków, who had still harbored hopes for an "open" ghetto that would have combined compulsory residence with freedom of movement, knew of this decision by September 25. On that day he wrote "ghetto" without any doubt about its character.¹²⁹

122. Report by Schon, January 20, 1941, reproduced in large excerpt in *Faschismus-Getto-Massenmord*, pp. 108-13.

123. Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 130.

124. *ibid.*, p. 134.

125. Schon report, *Faschismus-Getto-Massenmord*, pp. 108-13.

126. Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 174.

127. Summary of discussion between Frank, Dr. Walbaum, and Warsaw district Health Chief Dr. Franke, September 6, 1940, Frank diary, PS-2233.

128. Summary of conference of main division chiefs, September 12, 1940, Frank diary, PS-2233.

129. Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 201. On September 26, Czerniaków wrote: "The Ghetto!" *Ibid.*

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The "Jewish district" (*Wohnbezirk*) of Warsaw was established over a period of six weeks during October and November 1940, in an area covering about two-thirds of the old quarantine.¹³⁰ In the course of the move, 113,000 Poles left the ghetto site and 138,000 Jews took their place.^{130 131 132 133 134} T-shaped, the ghetto was narrowest at a point where an "Aryan" wedge separated the larger, northern portion from the smaller, southern one. The borders, drawn with a view to utilizing existing fire walls and minimizing the security problem, were not final. During September 1941, in a spirit of creeping annexationism, some German officials considered severing the southern part of the ghetto. At this point, an unusual man in the German administration made an unusual move. He was the chief physician of the German city apparatus, Dr. Wilhelm Hagen. In a blunt letter to the Stadthauptmann, he predicted a worsening of the typhus epidemic and called the proposed plan "insanity" (*Wahnsinn*).¹³² The southern ghetto remained, but more blocks were chopped off, more wall building was ordered, and, as the only link between the two ghetto sections, there was now a foot bridge over what had become an "Aryan" corridor.

The Warsaw ghetto was never open to unhindered traffic, but at the beginning there were twenty-eight points for exit and entry, used by about 53,000 persons with passes. The Warsaw district health chief, Dr. Lambrecht, objected to the number of permits, arguing that they defeated the entire purpose of the ghetto. The gates were then reduced to fifteen.¹³³ The Warsaw police regiment (Lt. Col. Jarke) was responsible for guarding the ghetto. This duty was carried out by a company of the 304th Battalion (from the second half of 1941, the 60th), augmented by Polish police and the Jewish Ordnungsdienst. At each gate, one man from each of these services might have been seen, but inside there were 2,000 men of the Order Service.^{134*}

After the Warsaw ghetto had been closed, Stadthauptmänner and Kreishauptmänner in all parts of the Generalgouvernement followed suit. In town after town, local officials followed the same three-stage

130. See map, prepared by Yad Vashem cartographer, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. x-xi.

131. Schön report, *Faschismus—Getto—Massenmord*, pp. 108-13.

132. Hagen to Leist, September 22, 1941. *Zentrale Stelle der Landejustizverwaltungen*, Ludwigsburg, Polen 363c, p. 38.

133. Summary of interagency conference on ghetto, December 2, 1940. Yad Vashem microfilm JM 1113. Schön report, *Faschismus—Ghetto—Massenmord*, pp. 108-13.

134. On police jurisdiction, see conference under Auerswald and Schön, November 8, 1941, Yad Vashem microfilm JM 1112. Auerswald was then Ghetto Kommissar, Schön was in the Warsaw district Interior Division. The strength of the police company, as reported by Schön on January 20, 1941, was eighty-seven men under a first lieutenant. Identification of police units from various documents.

process. They selected the location of the ghetto, issued the sudden (*schlagartige*) movement orders, and sealed off the finished ghetto. There were some variations. A number of small Jewish communities were incarcerated in ghetto towns; that is, whole towns became ghettos.¹³⁵ The larger communities were crowded into closed-off city districts, each of which became a city within a city.

As may be seen from the statistics in Table 6-11, a ghetto was usually a tightly packed slum area without parks, empty lots, or open spaces. In spite of its small size, a ghetto, placed in the middle of a metropolis, invariably created traffic problems. In Warsaw, trolley lines had to be rerouted,¹³⁶ in Łódź the city administration had to install a new bus line that skirted the ghetto,¹³⁷ while in Lublin, Stadthauptmann Saurmann had to build a detour road around the Jewish quarter.¹³⁸ Traffic problems also determined to a large extent the method of sealing a ghetto. Only a few cities, such as Warsaw, Kraków, Radom, and Nowy Sącz surrounded their ghettos with massive, medieval-like walls¹³⁹ and built-in gates.¹⁴⁰ Some ghettos, such as Łódź, were fenced in only

T A B L E 6-11
DENSITIES IN THE GHETTOS OF WARSAW AND ŁÓDŹ

	City of Warsaw, March 1941	Warsaw	Ghetto of Warsaw	Ghetto of Łódź, September 1941
Population	1,365,000	920,000	445,000	144,000
Area (square miles)	54.6	53.3	1.3	1.6
Rooms	284,912	223,617	61,295	25,000
Persons per room	4.8	4.1	7.2	5.8

NOTE: The Warsaw statistics were taken from the archives of the Jewish Historical Institute. Warsaw, by Isaiah Think and published by him in an article entitled "Epidemics in the Warsaw Ghetto," *YIVO Annual of Jewish Social Science*, vol. 8, p. 87. The figures on apartment density in the Warsaw ghetto are confirmed by Stroop (SS and Police Leader in Warsaw) in a report to Krilger, May 16, 1943, PS-1061. Stroop mentions 27,000 apartments with an average of 2½ rooms each. Łódź statistics from report by Ventzki to Uebelhoer, September 24, 1941, Himmler Files, Folder 94.

135. For a description of such a ghetto town, see Gustav Andraschko, "Das fiel uns auf in Szydłowice . . . !" *Krakauer Zeitung*, June 21, 1941, pp. 6-7.

136. *Ibid.*, November 27, 1941, Generalgouvernement page.

137. Office of the Mayor of Łódź (Dr. Marder) to Office of the Regierungspräsident in Łódź, July 4, 1941, *Dokumentár/i materiaiy*, vol. 3, pp. 177-79.

138. Report by Saurmann in conference attended by Frank, October 17, 1941, Frank diary, PS-2233.

139. Photograph of Radom wall in *Krakauer Zeitung*, November 20, 1940. Generalgouvernement page. Photograph of Kraków wall, *ibid.*, May 18, 1941, p. 5,

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with barbed wire. Still others, including Lublin, could not be sealed at all.

While not every ghetto could be closed completely, no Jew was permitted to remain outside its boundaries. In Łódź, Jews in mixed marriage with their Polish spouses, and Mischlinge of all degrees were pushed into the ghetto.¹⁴⁰ On February 26, 1941, the First Secretary of the Soviet Embassy, Bogdanov, inquired why certain nationals of the Soviet Union were forced to live in certain places. Unterstaatssekretär Wörmann of the Foreign Office replied that the nationals involved were Jews (*dass es sich um Juden handele*) and that Jews of Soviet nationality were receiving the same treatment as Jews of other nationalities.

By the end of 1941 almost all Jews in the incorporated territories and the Generalgouvernement were living in the ghettos. Their incarceration was accompanied by changes in German control machinery and enlargements of the Jewish bureaucracy. In Łódź and Warsaw, new German offices for ghetto supervision came into being.¹⁴¹

The Łódź Jewish Council was placed under a "Food and Economic Office Ghetto" (*Ernährungs- und Wirtschaftsstelle Ghetto*). Originally this office regulated only economic questions affecting the ghetto. Soon, however, its title was changed to *Gettoverwaltung Litzmannstadt* (Ghetto Administration, Łódź), and with the change of title there was also a change of function. The office took charge of all ghetto affairs. The place of the *Gettoverwaltung* in the local governmental structure is indicated in Table 6-12.

In Warsaw the administrative changes also took place in stages. Initially the Judenrat was answerable to Einsatzgruppe IV, and thereafter it received instructions from the Stadthauptmann.¹⁴² During the process of ghetto formation, control over the council passed into the hands of the Resettlement Division (Schön) of the district administration. Schön formed a Transferstelle (under Palfinger) to regulate the ^{140 141 142 143}

140. Representative of the Regierungspräsident in Łódź (signed Moser) to Polizeipräsident in Łódź. August 26, 1940, enclosing letter by Reichsstatthalter's office in the Wartheland (signed Coulon) to Representative of the Regierungspräsident in Łódź, August 6, 1940, *Dokumente i materiaty*, vol. 3, p. 172.

141. Unterstaatssekretär Wörmann (chief, Political Division) via deputy chief of Political Division to Section V of the Division (Soviet affairs), February 24, 1941, NG-1514. However, the release of Soviet Jews was under consideration; see report by Representative of Foreign Office in Generalgouvernement (Wiuhlich) to Foreign Office, February 7, 1941, NG-1528.

142. Later, Białystok also acquired such an administration. Trunk. *Judenrat*. pp. 270-71.

143. See Czemiaków's entries for February 6, March 21, and April 26, 1940, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 115, 131, 143. The first two incumbents were Otto and Dengel. In April the city was taken over by Ludwig Leist.

T A B L E 6-12

GERMAN CONTROLS OVER THET.ÖDZ GHETTO

	Reichstatthalter Greiser
	Regierungspräsident Uebelhoer Representative of Regierungspräsident in <i>LAdt</i> : Oberregierungsrat
Polizeipräsident: Bgf. Schafer (succeeded by Bgf. Albert)	Oberbürgermeister Ventzki (Deputy: Bürgermeister Dr. Marder)
	Gettoverwaltung Litzmannstadt
	Chief: Diplom Kaufmann Hans Biebow Deputy: Ribbe
	Eldest of the Jews: Rumkowski

NOTE: For the appointment of Diplom Kaufmann Hans Biebow as chief of the Gettoverwaltung and other personnel questions, see Biebow to DAF Ortsgruppe Rickmers, April 30, 1940, and Biebow to Bürgermeister Dr. Marder, November 12, 1940, *Dokumenty i materiały*, vol. 3, pp. 253, 255-57. Diplom Kaufmann was the title of a graduate from a school of business administration.

flow of goods to and from the ghetto. By May 1, 1941, a Kommissar for the Jewish district was appointed by Gouverneur Fischer. The office was occupied by a young attorney, Heinz Auerswald, who had previously served as a section chief in the Interior Division for Population and Welfare. Adam Czerniakow was almost twice his age. The Transferstelle was placed under an experienced banker (formerly employed by the Landerbank, Vienna), Max Bischof, who held the position under a contract.¹⁴⁴ The Auerswald-Bischof administration is depicted in Table 6-13.

Ghettoization generated a far-reaching metamorphosis in the Jewish councils. In their original form, the Judenrate had been fashioned into a link between German agencies and the Jewish population, and their early activities were concentrated on labor recruitment and welfare. In the ghetto each chairman of a Judenrat became, *de facto*, a mayor (Czerniakow received the title as well), and each council had to perform the functions of a city administration. The incipient Jewish bureaucracy, heretofore consisting of small staffs engaged in registration or finance, was now being expanded and diversified to address

144. Text of contract, effective March 15, 1941, Yad Vashem microfilm JM 1112.

Central Bureau (*Zentrale*)Central Negotiations Office (*Zentral-Verhandlungsstelle*)Correspondence Division (*Präsidialabteilung*)

Personnel Bureau

Main Treasury and Bookkeeping

Information Office

Cemetery Division

Rabbinical Office

Bureau of the Eldest of the Jews for the Children's Colony

Registration and Records

Registration Office

Records Office

Statistical Division

Police Headquarters (*Ordnungsdienst Kommando*)

Law Division

4 Precincts

2 Reserves (Mobile)

Auxiliary Police (*Hilfsordnungsdienst* or "Hido")

Sanitation Control

Price Enforcement

Special Commando (*Sonderkommando*)

Fire-fighting Division

Main Post Office and Post Office Branch

Control Commission for German and Polish Property in the Ghetto

Housing Division

Finance Division

Rent Office

Tax Office

Executor's Office (*Vollstreckungsstelle*)

Bank (Main Building and Branch)

Purchasing Office for Valuables and Clothes

Economy Division

Real Estate Administration

Janitor Division

Chimney Sweeps

Technical Renovation

Garbage and Sewage Disposal (*Müll- und Fäkalienabfuhr*)

Warehouses

Sales Office for Household Items

Agricultural Division (Main Office and Branch)

School Division

Central Bureau for Labor

4 Tailors' Divisions

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- 2 Carpenters' Divisions
- 1 Shoemakers' Division
- 1 Textile Workers' Division
- Public Works Division
 - Works Assignment Office
 - Construction Office
- Supply Division
 - Receiving Station
 - Central Bureau
 - Auditing Office
 - Main Depot
 - Vegetable Depot
 - Coal Depot
 - Dairy Depot
 - Meat Depot
 - Meat Cold Storage Depot
 - Cigarette and Tobacco Depot
 - Community Bakery
 - 36 Food Distribution Points
 - 17 Stores for Sale of Milk, Butter, and Foods Purchasable upon Doctor's Prescription
 - 14 Butcher Shops
- Welfare Division
 - Relief Division (Money and Products)
 - Nursery
 - 2 Orphanages
 - Home for the Aged
 - Invalids' Home
 - Collecting Point for Homeless People
 - Public Kitchens
 - Children's Colony
 - Children's Sanatorium
- Health Division
 - Central Bureau
 - 4 Hospitals
 - 4 Dispensaries
 - Dental Clinic
 - Central Drug Store and 6 Branch Drug Stores
 - 2 Ambulance Units
 - Laboratory
 - Laboratory for Bacteriological Examination
 - Disinfection Division

The Jewish machinery in L6d2 reflected in its very organization the peculiar double role of the ghetto in the destruction process. The sur-

vival function of the ghetto is illustrated primarily by the three divisions on the bottom of the list: health, welfare, and supply. The destructive function is recognized most clearly in the Central Bureau, the Registration and Records Office, and, above all, in the police. It is characteristic that the office that was most openly destructive in its function, the police, followed the German model even in its organization. A close look at the structure of the ghetto police reveals that it was divided into a kind of Order Police (complete with precincts, reserves, auxiliaries, and sanitation control) and a kind of Security Police: a price-control force that had criminal functions, and a Sonderkommando that had Gestapo functions. In one respect the L6d2 ghetto machine was even more advanced than its Nazi prototype: the Judenrat had no separate justice department; the only legal office in the ghetto was incorporated into its police.

The Warsaw council was organized in a more complex manner. Council deliberations mattered in the Warsaw ghetto, and the regular agendas of council meetings were prepared by commissions, initially composed of council members but eventually including experts who wanted to exercise influence.¹⁴⁸ The administrative departments, whose heads were not necessarily council members, included Order Service, Hospitals, Health, Housing, Labor, Economy, Law, Finance, Social Welfare, Cemeteries, Appeals, Education, Real Property, Vital Statistics, Audit, Contributions, Postal Service, and even Archives. Four important divisions were actually transformed into independent bodies. The Provisioning Division, which dispensed food and coal, became the Provisioning Authority, the Production Division was incorporated as the Jüdische Produktion GmbH, the Trade Division was reorganized as a sales firm for deliveries outside the ghetto (Lieferungsgesellschaft), and the Bank Division was renamed the Genossenschaftsbank für den jüdischen Wohnbezirk.

Police was a special problem. The Order Service of the Warsaw ghetto was the largest Jewish police force in occupied Poland. (At its peak it numbered about two thousand.) Czemiakdw, insisting on professionalism especially in this component of the ghetto administration, appointed to some of the top positions people with police experience. Such individuals, especially the chief, former Lieutenant Colonel of Polish Police Szeryiiski, were converts to Christianity. Given the special role of these people in the operation of the ghetto, CzemiakOw did ¹⁴⁸

148. The following commissions existed at the end of December 1940: Hospitals, Health, Labor, Social Welfare. Personnel. Audit, Finance, Economy, Grievance. In addition, the important Commission on Trade and Industry concerned itself with policy for allocating raw materials and distributing food in the ghetto. See weekly reports by CzemiakOw for December 13-19 and December 20-26, 1940. Yad Vashem microfilm JM 1113.

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not hear the end of discontent and protest about their employment. *** Complicating Czemiaków's life was the existence of another Jewish police, similar to the one in the Łódź Ghetto, which was suspected by the Jewish inhabitants of serving under German Security Police auspices. Its official name was "The Control Office for Combatting the Black Market and Profiteering in the Jewish District" (*Überwachungsstelle zur Bekämpfung des Schleichhandels und der Preiswucherei im jüdischen Wohnbezirk*), but the popular designation, based on the address of its headquarters on 13 Leszno Street, was "The Thirteen." In addition to "The Thirteen," which had about five hundred men, there was a smaller but equally suspect "Ambulance Service." In August 1941, Czemiaków succeeded, with the help of Kommissar Auerswald, to dissolve the troublesome Control Office, which had interfered with the principle of undivided jurisdiction in the offices of Czemiaków and Auerswald alike.¹⁴⁹ In this respect, at least, the struggle of a ghetto leader and that of his German supervisor could be waged on a parallel plane.

GHETTO MAINTENANCE

The ghetto was a captive city-state in which territorial confinement was combined with absolute subjugation to German authority. With the creation of the ghettos, the Jewish community of Poland was no longer an integrated whole. Each ghetto was on its own, thrown into sudden isolation, with a multiplicity of internal problems and a reliance on the outside world for basic sustenance.

Fundamental to the very idea of the ghetto was the sheer segregation of its residents. Personal contacts across the boundary were sharply curtailed or severed altogether, leaving in the main only mechanical channels of communication: some telephone lines, banking connections, and post offices for the dispatch and receipt of letters and parcels. Physically the ghetto inhabitant was henceforth incarcerated. Even in a large ghetto he stood never more than a few minutes' walk from a wall or fence. He still had to wear the star, and at night, during curfew hours, he was forced to remain in his apartment house.

Having brought the ghetto into existence, the Germans took im- ¹⁴⁹ ¹⁵⁰

149. See Czemiaków's entry of July 27, 1941, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 262-63.

150. Order by Auerswald disbanding Control Office, August 4, 1941, and protocol on its dissolution, August 5, 1941, signed by Gancwajch, Stempfled, and Lewin (Control Office), Zabłudowski and Gliłeksberg (Jewish Council), and Szeryński (Order Service), *ibid.*, pp. 264-67.

mediate advantage of its machinery and institutions to rid themselves of an administrative burden (*Entlastung*) that had tied up personnel and that could now be transferred (*abgewälzt*) to the Jewish community.^{151 152 153 154} They could not, however, evade the question of how the ghetto was going to be maintained, how people bereft of enterprises and jobs that had sustained them in the past were going to fend for themselves behind walls in the future.

When Gaulciter Greiser of the Wartheland visited Frank in July 1940, he asserted that his recent establishment of the L6di ghetto was solely a provisional measure. (*Die Aktion sei an sich abgeschlossen, habe aber lediglich provisorischen Charakter.*) He could not even conceive of retaining the Jews he had stuffed into the ghetto beyond the winter (*diese im Ghetto zusammengepferchten Juden noch über den Winter hinaus zu behalten.*)¹⁵⁵ It is this experience in *Lädt* that Generalgouvernement specialists were studying for months (*monatelang*), before they went ahead with their own ghettoization in the city of Warsaw.¹⁵⁶ Yet, having established the ghetto in November 1940, they debated in two meetings during April 1941 how it was going to be able to pay for food, coal, water, electricity, gas, rent, removals of human waste, and taxes, and how it was going to discharge debts owed to public agencies or Polish creditors.

Gouverneur Fischer of the Warsaw district felt that, whereas in L6d2 a mistake had been made when machines and raw materials had been removed from the ghetto site, developments in Warsaw were better than expected (*über Erwartung gut gestaltet*). The Jews in the ghetto had supplies, they were working for Polish firms, they were paying their rent, and they had enough food.¹⁵⁵ Bankdirigent Paersch disagreed. The L6di ghetto, he said, was requiring a subsidy of a million reichsmark a month, and the Warsaw ghetto would have to be supported as well.¹⁵⁵ For Finanzpräsident Spindler an annual outlay of 70 or 100 million zloty for the Warsaw ghetto was simply "unbearable" (*untragbar*).¹⁵⁶ The Generalgouvernement's economic chief, Dr. Emerich, saw the basic issue in the ghetto's balance of payments. The problem would not be solved, he said, by pointing to current stocks of ghetto supplies, because the ghetto had not been created for just one

151. Leist in Generalgouvernement conference of April 3, 1941, in Prag and Jacobmeyer, *Diensttagebuch*, p. 346.

152. Generalgouvernement conference of July 31, 1940, *ibid.*, p. 261.

153. Generalgouvernement conference of April 19, 1941, *ibid.*, p. 360.

154. Fischer's remarks in Generalgouvernement conferences of April 3 and April 19, 1941, *ibid.*, pp. 343, 360.

155. Conference of April 19, 1941, *ibid.*, pp. 360-61.

156. *Ibid.*, p. 361.

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year. One would have to think about a larger time frame and about the relationship over that period between the ghetto and the Polish economy with regard to such questions as payments by Jews of debts to Poles and competition between the ghetto and Polish enterprises for raw materials.

Ministerialdirigent Walter Emmerich then introduced an economist, Dr. Gate (*Reichskuratorium für Wirtschaftlichkeit, Dienststelle Generalgouvernement*), who had studied the Warsaw ghetto as a specialist in the rationalization and planning of production. Dr. Gate offered the following scenario: If 60,000 or 65,000 Jews could be employed in the ghetto under the assumption that daily productivity would be averaging 5 zloty per worker (in terms of an implied formula whereby "productivity" + raw materials + other costs + profits = value of finished product at controlled prices) and if the present contingents of Jews laboring in projects outside the ghetto for seven or eight months a year would continue to work in this manner for prevailing wages, enough money could be earned for about a half-million-zloty-worth of supplies per day, or 93 groszy per person. This figure, he emphasized, was not an estimate of minimum need for survival (*Existenzminimumberechnung*) but an amount based on the projected balance of payments. Moreover, the achievement of even this goal would require an investment by major German firms, and they in turn would need credits in the amount of 30 to 40 million zloty annually. For Reichsamtseleiter Schön these ideas were "too theoretical,"¹⁵⁷ and when later that month Bischof was being recruited by Fischer for the position of director of the Transferstelle, the question raised by Bischof was whether the aspired economic independence of the Jewish quarter, now that it was closed, could be attained at all.¹⁵⁸

The pessimists had ample grounds for their doubts. The ghetto population was out of work. The creation of the ghettos was the last and insurmountable act of economic dismemberment that befell a community already weakened in the 1930s by depression and in 1939 by war. Jewish enterprises still functioning after 1939 had rapidly been liquidated. Markets of the remaining factories and artisan shops in the ghetto were severed by the wall. Middlemen, such as the ragpickers in Warsaw, were cut off from suppliers and customers alike. Jobs that had ^{157 158}

157. Remarks by Emmerich, Gate, and Schön in conference of April 3, 1941, *ibid.*, pp. 343-45. On May 5, 1941, Gate talked to Czemiaków in the ghetto. Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 229. On the following day, Palfinger of the "Ibansferstelle" asked Czemiaków what Gate had been doing there. Czemiaków's entry of May 6, 1941, *ibid.*, p. 230. Czemiaków writes "Gater."

158. Memorandum by Bischof, April 30, 1941, Yad Vashem microfilm JM 1112. Fischer, encouraging him, promised subsidies if needed.

still been held outside the ghetto boundaries were lost. The ghetto economy had to be built from the bottom up.

The hypothetical production discussed by Generalgouvernement economists in conferences was not within reach overnight, and hardly any ghetto had any immediate prospect of supporting itself, even theoretically, by means of exports alone. This was going to be the case regardless of whether all shipments would have to be sent out through official channels or whether some could be directed, for higher prices, to the black market. At the outset the ghetto inhabitants were therefore forced to use their private assets (in the main, leftover past earnings consisting of cash, valuables, furnishings, or clothes) for essential purchases. These resources were finite—once used up or sold, they were gone. Thus the survival of the ghetto was predicated in the first instance on the ability of the organizers of production to replace diminishing personal reserves in time, a precarious proposition for sustaining an export-import balance.

The ghetto was facing not only the necessity of external payments; it had internal problems as well. There were people with a few possessions and there were those without means, some with work and many more who were unemployed. Unredressed, this imbalance had ominous implications for a large part of the ghetto population, but any method of redistribution or equalization was going to be difficult. The charitable effort was inherently limited, and the raising of taxes was confounded, particularly in Warsaw, by the many black-market transactions that, in their very nature, were unrecorded. In general, taxes could be levied only at the point at which money was surfacing in nonillicit payments. Revenue was consequently made up of a mix that typically included most of the following:¹⁵⁹

- Payroll taxes
- Head taxes
- Taxes on rationed bread
- Payments by persons exempted from forced labor
- Rental taxes
- Cemetery taxes
- Postal surcharges
- Fees for drugs
- Registration fees

In Warsaw, where the bread tax was important, the revenue structure had the appearance of exactions from the poor to keep alive the destitute. For this reason, Czemiakdw also attempted to obtain contribu- ¹⁵⁹

159. Trunk, *Judenraï*, pp. 236-58, 282-83.

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tions from Jewish entrepreneurs, by strong-arm methods if need be.¹⁶⁰ In the business sector of the ghetto, his tactic gave rise to the complaint that he was ruining the capital market.^{161 162 163 164}

The chronic deficiency of funds in ghetto treasuries resulted in such "borrowing" as nonpayment of employees' wages.¹⁶⁴ Given the sheer number of ghetto employees who did not have much to do and whose main reason for clinging to their positions was eligibility for greater food rations and other privileges, much of this free labor was not really labor and not really free. Even so, Czemiakdw was concerned that his Order Service was not being paid,¹⁶⁴ for he wanted it to be a professional force.

The Germans on their part understood the limited capacity of the ghetto economy, and they were aware of the role of the councils as stabilizers in a situation of massive, abject poverty. To the extent that German agencies had to maintain a ghetto, they had to reinforce the power of its council to deal with elementary needs, lest it become incapable of carrying out German demands and directives altogether. From time to time, German officials would therefore make "concessions" to the councils, allowing them to borrow sums from sequestered Jewish funds,¹⁶⁶ or considering a rebate to a Jewish charitable organization of social welfare taxes paid by Jews to Polish municipalities that no longer helped the Jewish poor,¹⁶⁵ or supporting requests by the councils to raise new revenues from the Jewish population. When Czemiakdw asked for permission to levy a variety of such taxes and fees, the deputy chief of the Resettlement Division, Mohns, backing Czerniakdw's proposal, stated that "it lies in the interest of the difficult administration of the Jewish district that the authority of the Jewish

160. Czemiakdw's entries of January 31 and February 2, 1942, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 320-21. See also Aleksander Ivanka, *Wspomnienia skarbowca 1927-1945* (Warsaw, 1964), p. 536. Ivanka was treasurer in the Polish city administration and occasionally talked to Czemiakiw.

161. File note by Auerswald, March 4, 1942, Yad Vashem microfilm JM 1112.

162. Statistical bulletin No. 3 of the Jewish Council, June 2, 1940, containing financial report for January-April 1940, in Szymon Datner, "Działalność warszawskiej 'Gminy Wyznaniowej Żydowskiej' w dokumentach podziemnego archiwum getta Warszawskiego CRingelblum ID," *Biuletyn Żydowskiego Instytutu Historycznego* No. 74 (April-June, 1970): 103-5.

163. Czemiakdw's entry of October 2, 1941, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 291. Order Service men engaged in special tasks would sometimes receive special pay.

164. An emergency measure prior to ghettoization in Warsaw. See Czemiakdw's entries of February 16 and 20, 1940, *ibid.*, pp. 117, 119-20.

165. Report by Kreishauptmann of Petrikau (Radom district), March 7, 1941, Yad Vashem microfilm JM 814. See also Czemiakdw's entry on May 8, 1941, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 231.

Council be upheld and strengthened under all circumstances."¹⁶⁶ ¹⁶⁷ ¹⁶⁸ This line of reasoning was enunciated even more explicitly by the Warsaw ghetto Kommissar, Auerswald, a few months later. "When deficiencies occur," he wrote, "the Jews direct their resentment against the Jewish administration and not against the German supervision."¹⁶⁷

Even though these German supervisors had a vital interest in assuring a basic orderly life behind the walls, they did not refrain from implementing measures against the Jewish population that seriously weakened the ghetto's viability. The three principal means by which German agencies added to deprivation were (1) confiscatory acts eroding the ghetto's ability to export products through legal or illegal channels, (2) labor exploitation, whereby outside employers could increase their profits at the expense of Jewish wages, and (3) food embargoes, which made it impossible for the ghettos to convert the proceeds of exports into effective purchasing power for the acquisition of bread, thereby forcing many individual Jews to buy black-market food at much higher prices.

The Jewish councils on their part attempted to surmount every reversal, but they were playing a determined game in that the German agencies, which had originally created the problem, were ultimately in control of the solutions. The councils were thus enmeshed in a dilemma from which they could no longer extricate themselves: they could not serve the Jewish people without automatically enforcing the German will. Jewry, without weapons, clung only to hope. "The Jews," said Auerswald, "are waiting for the end of the war and in the meantime conduct themselves quietly. There has been no sign of any resistance spirit to date."¹⁶⁸

CONFISCATIONS

In the Reich-Protectorat area the expropriations preceded the concentration process. Insofar as any sequence of steps is recognizable, the bureaucracy thought first of expropriations and only later of ghettoization measures. The opposite was true in Poland. The destruction process was introduced into Poland with the elaborate Heydrich

166. Czemiaków to Transferstelle, January 8, 1941, and Mohns to Leisl, January 11, 1941, Yad Vashem microfilm JM 1113. In his letter Czemiaków mentioned a daily income of twenty thousand zloty and daily expenses of forty to fifty thousand zloty. The total debt was two million zloty.

167. Auerswald to Deputy of the Plenipotentiary of the Generalgouverneur, Dr. von Medeazza, in Berlin, November 24, 1941, Yad Vashem microfilm JM 1112.

168. *Ibid.*

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concentration plan. This plan became the focal point of anti-Jewish action in the Polish territories, and expropriatory measures were conceived and carried out in terms of the ghettoization process. They were a part of the institution of the ghetto.

The confiscation of property, conscription of labor, and deprivation of food were administrative operations on an elaborate scale. In Germany the gains from property expropriations far outweighed the proceeds from labor and food measures, for the Jewish community in Germany had a great deal of capital but relatively few people. In Poland the situation was reversed. The Polish Jewish community had little wealth, but its acquisition was not going to be neglected. In fact, the confiscatory process caused jurisdictional disputes among agencies interested not only in the property but also in the preservation or aggrandizement of their powers.

The first problem arose when Goring decided to do all the confiscating in Poland. For this purpose he set up the Main Trusteeship Office East (*Haupttreuhandstelle Ost*), which had its headquarters in Berlin, in the Office of the Four-Year Plan.¹⁶⁹ The Main Trusteeship Office East immediately set up branches in Danzig (Reichsgau Danzig-West Prussia), Poznan (Wartheland), Ciechandw (East Prussia), Katowice (Silesia), and Krakdw (Generalgouvernement). The head of the Main Trusteeship office was the retired Burgermeister Max Winkler.¹⁷⁰

The creation of an office with headquarters in Berlin and competence in the Generalgouvernement was a violation of Frank's sacred rule of the unity of administration. It was an act of *hineinregieren* ("reigning into" his territorial sphere) and therefore intolerable. Accordingly, Frank countered the Goring move by setting up his own trusteeship office under Ministerialrat Dr. Plodeck.¹⁷¹ Goring decided not to make an issue of the matter.¹⁷² Henceforth there were two trusteeship offices in Poland: one under Winkler, with jurisdiction in the incorporated territories; the other under Plodeck, with functions in the Generalgouvernement. It goes without saying that neither of these offices bought anything. The trusteeship offices confiscated property

169. Announcement (signed Goring), November 1, 1939, *Deutscher Reichsanzeiger und Preussischer Staatsanzeiger*, No. 260.

170. *Ibid.* Winkler had previously been the Reich's Chief Trustee. Affidavit by Winkler, September 9, 1947, NI-10727.

171. The office was set up on November 15, two weeks after the establishment of the Main Trusteeship Office East. See Plodeck, "Die Treuhandverwaltung im Generalgouvernement," in du Prel, ed., *Das Generalgouvernement* (Würzburg, 1942), pp. 110—

172. Testimony by Buhler (Staatssekretär, Generalgouvernement), in *Trial of the Major War Criminals*. XII, 67.

and sold it to interested buyers in accordance with certain priority criteria. The proceeds from such sales in the incorporated territories accrued to the Reich, while the profit in the Generalgouvernement was retained by the Kraków administration.

To pave the way for smooth and efficient confiscations, both offices took certain preliminary steps. In the incorporated territories only one such measure was enacted: the decree of September 17, 1940, signed by Goring, for the sequestration of Jewish property. The object of that decree was to prohibit the owners of sequestered property to dispose of it in any way.^{17*}

The administration of the Generalgouvernement was more elaborate in its preparatory work. By November 1939 the chief of the Foreign Currency and Trade Division of the Generalgouvernement had ordered all Jewish deposits and accounts in banks to be blocked. The Jewish depositor was permitted to withdraw only 250 zloty (RM 125, or \$50) weekly, or a larger amount if needed for the upkeep of his business. At the same time, Jews had to deposit all cash reserves in excess of 2,000 zloty (RM 1,000, or \$400), while debtors of Jews had to make all payments in excess of 500 zloty (RM 250, or \$100) into the blocked account.^{17*} Needless to say, this measure discouraged the sale of Jewish property. The discouragement was turned into a prohibition with the sequestration decree of January 24, 1940, signed by Generalgouverneur Frank.¹⁷ On the same day the Generalgouvernement administration enacted a registration decree. This measure, unlike the Reich decree of April 26, 1938, required the registration of all kinds of property, including even clothes, cooking utensils, furniture, and jewelry. Moreover, no allowances were made for small amounts.¹⁷

The actual confiscatory process was divided into three phases. At first, the confiscations were confined to skimming off the cream. It was during this phase that the trusteeship offices and some of their unauthorized competitors plundered warehouses and requisitioned fine homes.¹⁷ The second phase, which was pivotal and crucial, was tied to ghettoization.

As the Jews moved into the ghetto, they left most of their property behind. This "abandoned" property was confiscated. It can readily be

173. RGBI 1, 1270. The decree was a trifle late.

174. *Krakauer Zeitung*, November 26-27, 1939, *Wirtschafts-Kurier* page. See also draft directive by OKH/GenQu/Z(W), mid-September, 1939, Wi/1.121.

175. *Verordnungsblatt des Generalgouverneurs* I, 1940, p. 23.

176. *Ibid.*, p. 31.

177. For unauthorized competition, see letter by Brigadeführer Schäfer to L6d2 press, January 17, 1940, *Dokumente i materialy*, vol. 3, pp. 63-64. Schäfer authorized the Jews to demand official papers from requisitioners and to call the police if necessary.

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understood now that the choice of the ghetto location was of utmost importance to the success of the operation. As a rule, the preferred ghetto site was a slum, for in that way the better houses, apartments, and furniture were left behind. But this solution also had its difficulties, because the slums were often filled with warehouses and factories. Thus it was discovered during the formation of the Łódź ghetto that the largest textile warehouses lay within the proposed ghetto boundaries. Naturally, the local merchants were disturbed. "It could hardly have been intended," wrote one of these commercial men, "to leave these enormous values in the ghetto district. So far as at all possible, these things will have to be seized and stored in yards outside the ghetto."^{178 179 180} Almost equally important were the sudden and precise (*schlagartige*) moving schedules, which were designed to stun the Jews into leaving most of their movables behind. The Jews were given no time to prepare for the transport of all their possessions into the ghetto, and they did not have time to find adequate storage space in the overcrowded ghetto districts.¹⁷⁵

During the third phase of the confiscations, the trusteeship offices reached into the ghettos to administer property or to haul out valuables. This phase was not very productive, because the agencies looked upon the ghettos as transitory institutions. It was obviously easier to seize everything upon the liquidation of the ghettos than to search them for hidden property. That is why we shall have to say something more about the confiscations in the deportation chapter.^{1*}

Undoubtedly, the most interesting part of the confiscatory process was the distribution of the property to buyers. It is characteristic of the entire destruction process that it was easier to take away Jewish property than to determine who should get it. There were always many takers for things to be had for nothing, and Poland was no exception.

The incorporated territories in particular had a major distribution problem. The territories were the scene of huge upheavals. Jews were being sent into the ghettos, Poles were being expelled, Reich Germans—whether officials or fortune hunters—were arriving by the

178. Unsigned memorandum dated January 16, 1940, *ibid.*, 52-54.

179. See order by Gouverneur Zömer for establishment of the Lublin ghetto, March 24, 1941, *Krakauer Zeitung*, March 30, 1941, p. 8. Zömer directed the Jews to offer their excess properties to the branch office of the Trusteeship Division in Lublin.

180. It should be pointed out that Polish property, too, was confiscated. In the incorporated territories the Germans confiscated Polish land, real estate, enterprises, and, above all, the properties "abandoned" by Poles who had been shoved into the Generalgouvernement. See decree of September 17, 1940, RGB11.1270. In the Generalgouvernement, Polish properties were subject to confiscation only in cases of "political or economic necessity." See Dr. Helmut Seifert (Trusteeship Division, Generalgouvernement) in *Krakauer Zeitung*, October 11, 1942, p. II.

thousands, and ethnic German resettlers from the Baltic states and Volhynia were coming too. In addition, we must not forget the local ethnic Germans, who felt that they had first claim on everything. The distribution of the confiscated properties in the incorporated territories was therefore a very complex business.

The Jewish and Polish enterprises were subjected to a thorough liquidation process. It was estimated that in 1930 the incorporated territories held 76,000 minor firms, 9,000 medium enterprises, and 294 major concerns.¹⁸¹ It did not take long before the Main Trusteeship Office, in close cooperation with the industrial associations (*Reichsgruppen*), separated the wheat from the chaff. In the L6di area alone, 43,000 nonmanufacturing firms were reduced to 3,000.¹⁸² The liquidated companies had been in possession of large stocks of raw materials and finished products, which were rapidly channeled through the confiscatory machine. The raw materials and half-finished items were seized by the army (Oberbefehlshaber Ost / Plenipotentiary for Raw-Materials Seizure, Generalmajor Bilhrmann) for delivery to war industries.¹⁸³ The army thus killed two birds with one stone: it relieved shortages of raw materials and it profited from the sale of the materials to industry. To dispose of the finished products, the Main Trusteeship Office East set up an "Administration and Disposal Company" (*Verwaltungs- und Verwertungsgesellschaft*), which, as its title implies, first seized, then sold the Jewish goods.¹⁸⁴

The surviving enterprises were the subject of the greatest interest in Himmler's *Stabshauptamt für die Festigung deutschen Volkstums* (Staff Main Office for the Strengthening of Germanism). The *Stabshauptamt* was one of the twelve main offices of the SS and Police. Its primary task was to Germanize newly occupied territories by strengthening the local German elements and by encouraging the settlement of German newcomers. Hence the *Stabshauptamt* was eager to assure the distribution of enterprises to German residents and German settlers, as distinguished from absentee Reich German investors. As soon as the Main Trusteeship Office came into existence, the chief of the *Stabs-* 181 182 183 184

181. "Die Haupttreuhandstelle Ost," *Frankfurter Zeitung*, February 22, 1941, NI-3742.

182. "Textilzentrum Litzmannstadt," *Donaueitung* (Belgrade), January 14, 1942, p. 6. See also *Frankfurter Zeitung*, February 22, 1941, NI-3742.

183. Office of the Regierungspräsident in Kalisz (signed Weihe) to Oberbürgermeister in L6di, Polizeipräsident in L6di, Oberbürgermeister in Kalisz, Landrate, and Regierungspräsident Aussenstelle in L6di (Mosser), March 4, 1940. *Dokumentary i materialy*, vol. 3, pp. 67-68.

184. Polizeipräsident Schäfer (L6di) to newspapers in L6d2, January 17, 1940. *ibid.*, 63-64.

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Hauptamt, Brigadeführer Greifelt, dispatched a liaison man (Obersturmbannführer Galke) to Winkler. Next, Greifelt insisted (successfully) upon the right to veto the appointment of any trustee or the conclusion of any sale.¹⁷⁷ (Trustees were frequently interested buyers—hence this precaution). Finally, Himmler and Winkler agreed that the ethnic Germans were to obtain the enterprises for the price of the machinery and inventory only. No other values were to be paid for and no debts were to be assumed.¹⁷⁸

The Main Trusteeship Office East was now in a straitjacket. Winkler was particularly anxious to rid himself of the burdensome necessity of submitting every trustee appointment and every sales contract to Greifelt for approval, but for such riddance Winkler had to pay a price. On July 29, 1940, he made a new agreement with Greifelt that provided for the sale of enterprises in accordance with a rigid priority and preference scheme. Winkler and Greifelt set up four priority groups of prospective buyers:

Group I (top priority) consisted of Reich Germans (*Reichsdeutsche*, citizens of Germany) and ethnic Germans who had resided in the incorporated territories on December 31, 1938.

Group II included all ethnic German resettlers.

Group III comprised Reich Germans and ethnic Germans who had given up their residence in the incorporated territories after October 1, 1918 (when the territories became Polish), all Danzig Germans, and Germans from western Germany evacuated to the incorporated territories because of war conditions.

Group IV (lowest priority) consisted of all other interested German buyers.

Within each group, first preference was to be given to soldiers (*Kriegsteilnehmer*) and the survivors of ethnic Germans "murdered" by the Poles, second preference to loyal (*bewährte*) party members and big families, third preference to survivors of fallen soldiers, and last preference to all other persons.¹⁷⁹ 185 186 187

185. Affidavit by Winkler, August 15, 1947, NO-5261.

186. Himmler-Winkler agreement, February 20, 1940, NG-2042.

187. Agreement between Greifelt and Winkler, 1940, NO-5149. The administration of agricultural properties (Polish and Jewish) was transferred entirely to the Stabshauptamt. Greifelt-Winkler agreement, NO-5149. Affidavit by Greifelt, July 1, 1947, NO-4715. Polish and Jewish real estate in the territory of the former "Free State" of Danzig were confiscated by Oberbürgermeister Lippke on behalf of the city. This move was based on an "ordinance" the "Free City" had hurriedly passed on September 4, 1939 (four days after the German occupation). See memorandum by Maass (Finance Ministry), August 14, 1941, on Danzig conference of May 27, 1941. NG-1669.

The first preference for veterans was a bit difficult to implement, since Germany was just beginning to fight its war. Enterprises therefore had to be reserved for the prospective veterans. This was done by the formation of so-called *Auffanggesellschaften* (literally "catch companies") that took over Jewish and Polish enterprises for the purpose of running them and expanding them pending the return of the soldiers from the wars. The Main Trusteeship Office East sank millions of reichsmark into these companies to enable them to perform their "trusteeship" functions.¹⁸

The ethnic Germans who bought enterprises also needed money. Accordingly, the Stabshauptamt set up two credit institutions that operated in the agricultural sphere:

the *Deutsche Ansiedlungsgesellschaft* (DAG) and the *Deutsche Umsiedlungstreuhandgesellschaft* (DUT).¹⁹ For other buyers in need of funds, there was credit also from German banks. The ubiquitous Dresdner Bank set up a subsidiary, the Ostbank A. G., with headquarters in Poznan. The Ostbank specialized in substantially the same business as its parent company: the "reprivatization" of Polish and Jewish enterprises under trusteeship.¹⁹

We should say a word or two about apartments and furniture, for in the incorporated territories not only enterprises but also homes were in demand. Nominally the Main Trusteeship Office East had complete charge of vacant apartments and their contents; actually, self-help played a considerable role in the distribution process. Obviously the Germans and Poles ejected from the proposed ghetto sites had to move into vacated Jewish apartments. Resettlers, too, wanted to be settled quickly. Officials plundered the better Jewish homes in order to furnish new offices. For the sake of order, the local civil servants were later directed to report their holdings of Jewish furniture to the Main Trusteeship Office East.¹⁷¹ The remaining furniture, which was confiscated by the Main Trusteeship Office, was to be distributed in accordance with the same criteria applied to enterprises. The furniture was simply included in the Winkler-Greifelt agreement.¹⁷²

The confiscatory machine in the Generalgouvernement was as ^{188 189 190 191 192}

188. In Upper Silesia, the *AufTanggesellschaft für Kriegsteilnehmerbetriebe im Regierungsbezirk Kattowitz, GmbH* received an initial amount of RM 5,000,000. *Krakauer Zeitung*, March 23, 1941, p. 14.

189. Affidavit by Standartenführer Herbert Hübner (Stabshauptamt representative in the Warthegau). May 29, 1947, NO-5094.

190. Ostbank report of 1941 for the stockholders, NI-6881.

191. Staatssekretär Stuckart to Regierungspräsidenten in the incorporated territories, June 12, 1940, NG-2047.

192. Document NO-5149.

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swift as that of the incorporated territories. In less than two years, 112,000 Jewish commercial enterprises were cut down to 3,000 judged worthy of retention.¹⁹⁴ ¹⁹⁵ In the take-overs, Reich German firms, ready to gobble up every worthwhile Objekt in Poland, appear to have been in the lead. Already in July 1939, more than a month before the outbreak of war, I. G. Farben had prepared a report entitled "The Most Important Chemical Firms in Poland. The nature of subsequent Aryanizations is revealed by a statistic for the Warsaw district indicating that during the summer of 1942 a total of 913 nonagricultural enterprises were being administered by 208 "trustees," of whom 70 were Reich Germans, 51 ethnic Germans, 85 Poles, 1 Russian, and 1 Ukrainian.¹⁹⁵ The fate of the vast majority of Jewish business firms was liquidation. Most had disappeared after the first six months of German rule, and in the course of ghetto formation the shops remaining on the Aryan side would be closed.¹⁹⁶ ¹⁹⁷ ¹⁹⁸

A novel situation was introduced into the administration of Jewish real estate that was confiscated by the state but not sold to private interests. In the city of Warsaw, 4,000 Jewish-owned houses had been expropriated on both sides of the ghetto boundary. Outside the ghetto the real estate was placed under 241 German "plenipotentiaries," who in turn bossed 1,200 Polish "administrators." Within the ghetto the trusteeship administration consisted of 25 German "main plenipotentiaries," 57 Jewish "plenipotentiaries," and 450 Jewish "house administrators."¹⁹⁷ Tenants in apartments under trusteeship administration paid their rents to the Trusteeship Office, which disbursed various amounts for wages, taxes, utilities, insurance, minor repairs, mortgage interest, and as "advances" to Aryan co-owners.¹⁸ Business enterprises that were subject to complete liquidation posed only the problem

193. Informationsdienst der Gruppe Handel in der Hauptgruppe Gewerbliche Wirtschaft und Verkehr in der Zentralkammer für die Gesamtwirtschaft im GG, April 7, 1944, Polen 75027/4. Folder in Federal Records Center, Alexandria, Virginia, after the

194. I. G. Farben report, July 28, 1939, NI-9155. Only one of these firms, that of Dr. M. Szpilfogel, was Jewish owned. For its rapid acquisition by the I. G., see documents NI-8457, NI-2749, NI-1093, NI-8380, NI-1149, NI-8373, NI-8397, NI-8378, NI-707, NI-8388, NI-7371, NI-6738, and NI-7367.

195. The Gouverneur of the District of Warsaw (Fischer) to the Staatssekretär, Generalgouvernement, report for June and July, 1942. dated August 15, 1942. on pp. 12-13, Occ. E2-3.

196. On early liquidations in Warsaw, see Statistical Bulletin No. 1 of the Jewish Council, May 3, 1940, in Datner, "Dziatalnofd," *BiuUlyn* 73 (January-March, 1970): 107. On closings resulting from ghetto formation, see announcement by Stadthauptmann Dr. Wendler of Częstochowa, undated, Yad Vashem microfilm JM 1489.

197. *Die Judenfrage*, March 10, 1941. p. 35.

198. Report by Trusteeship office (*Abteilung Treuhand-Aussenstelle*), Warsaw district, for October 1940. November 8, 1940. Yad Vashem microfilm JM 814.

of the disposal of their inventory. The Generalgouvernement administration solved that problem by installing in each city or rural district a "reliable" German wholesale or import firm which had complete authority to sell the goods and which guaranteed that nothing would find its way into the black market."¹⁹⁹

The profits from the sale of Jewish property in Poland were certainly not overwhelming,²⁰⁰ and German agencies, dissatisfied with the loot, suspected that the Jews had hidden the bulk of their valuables in the ghetto enclosures. Hence there was no end to the confiscations even after the ghettos had come into existence. The councils were routinely called upon to make payments for the costs of German supervision. Thus in Łódź the ghetto had to fund the *Gettoverwaltung*,²⁰¹ and in Warsaw Czerniaków was presented with major bills for the wall built by the German contractor Schmidt & Munstermann, *Tiefbaugesellschaft mbH*.²⁰² "Requisitions" from the ghettos for various official German needs were another common procedure. The Economic Division of the Warsaw ghetto Judenrat, for example, would regularly hand over such ordinary items as towels and sheets.²⁰³ When the German armies were about to face their first winter on the Russian front in December 1941, the SS and Police ordered the delivery of all furs in Jewish possession at special collecting points in the ghettos.²⁰⁴

199. Summary of remarks by Ministerialdirigent Dr. Emmerich in Generalgouvernement economic conference under chairmanship of Frank October 31, 1940, Frank diary, PS-2233. See also report by Warsaw Trusteeship Office of November 8, 1940. Yad Vashem microfilm JM 814. Proceeds from sold inventory were banked in three accounts credited to the office and labeled as receipts from disposal of Jewish textiles, leather, and furs, respectively.

200. According to Winkler, the Main Trusteeship Office East collected RM 1,500,000,000. But this figure includes the value of Polish as well as Jewish properties, and it gives no clue to the confiscations in the Generalgouvernement. Affidavit by Winkler, September 9, 1947. NI-10727.

201. Trunk, *Judenrat*, pp. 282-83.

202. *Ibid.*, p. 245. Schmidt & Munstermann cumulative charges, aggregating over 1,300,000 reichsmark from 1941 through July 7, 1942, are detailed in its statement of July 8, 1942. Zentrale Stelle Ludwigsburg (Akten Auerswald), Polen 365d, p. 303. See also entries by Czemiaków for December 2, 1941, and January 13, 1942, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 304, 314-15.

203. See delivery certificate No. 200 from Izrael First (Economic Division) to Kommissar, June 20, 1942, Yad Vashem microfilm JM 1112.

204. Auerswald to SS and Police Leader in Warsaw, December 27, 1941, in Zentrale Stelle Ludwigsburg. Polen 365d, pp. 288-89. Auerswald reported that Czemiaków, haggling for exemptions, had told him that in Radom council members, physicians, and members of the Jewish Ordnungsdienst did not have to surrender their furs, and that in Łódź compensation in the form of food deliveries had been promised. On the other hand, Czemiaków (according to Auerswald) had cooperatively pointed out that Jews would attempt to store furs with Poles, and had advised Auerswald to start rumors that Poles would have to give up their furs.

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Long lines were thereupon formed in the Warsaw ghetto as the entire staff of the council bureaucracy was engaged in the counting of coats, linings, pelts, and collars.*⁵ On the German side, the processing took a long time and, as a consequence, large quantities of the furs were piled up in a central warehouse in Krakdw as late as March 23, 1941—the beginning of spring.^{2*}

In addition to such organized confiscations, periodic attempts were made to remove from the ghettos almost anything that was not bulky and that might have some value. Already in 1940 several agencies busied themselves with the task of “discovering” hidden ghetto treasures. Such activities led to accusations of “sabotage” and “corruption.” In L6d / a Criminal Police detachment had established itself inside the ghetto. From this vantage point the detachment hauled out so many goods, gold, and valuables that the Gettoverwaltung complained of “sabotage.”²⁰⁵ On October 23, 1940, the Criminal Police and the Gettoverwaltung made an agreement to the effect that all goods confiscated by the detachment in the ghetto would be delivered to the Gettoverwaltung. On its part, the Gettoverwaltung declared that it would have no objection if Criminal Police personnel “reflected” upon certain items and wished to buy them at appraised prices.²⁰⁶

The SS and Police were not so considerate when the shoe was on the other foot. Himmler hated vices, and the vice that he hated most was corruption. On March 5, 1942, Himmler, Bormann, and Lammers met with Frank to discuss informally (*kameradschaftlich*) certain problem matters (*Fragenkomplexe*). The purpose of the discussion was to clear up these problems “without bothering the Führer with these things.” Violently on the defensive, Frank spoke in a “theatrical manner” about his work and about corruption. Allegedly he was the chief corruptionist (*Oberkorruptionist*). He would not stand for such accusations. Himmler then spoke in a disparaging manner about the entire Generalgouvernement administration and remarked that an “impos- 205 206 207 208

205. See Czemiaków's entries for December 25, 1941, to January 5, 1942, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 309-12, and subsequent entries, *passim*. The Jewish police chief, Szeryhski, was arrested on suspicion of secreting furs for safekeeping with Polish police officers. See Czemiaków's entry for May 2, 1942, *ibid.*, p. 349.

206. See correspondence in Akten Auerswald. Zentrale Stelle Ludwigsburg. Polen 365d, pp. 286-97.

207. Memorandum by Kriminaloberassistent Richter, undated (probably fall of 1940), *Dokumenty i materiały*, vol. 3, pp. 96-98.

208. Memorandum by Kriminaldirektor Zirpins (chief of Criminal Police in L6dt) on his discussion with Biebow, October 23, 1940, *ibid.*, pp. 100-101.

sible" situation had been created because of purchases by private persons in the ghettos. Himmler continued by pointing out that Fräulein Frank, the sister of the Generalgouverneur, had personally conducted negotiations with the Jews, that the "castle" (Frank's headquarters) was stuffed with items from the ghetto, that these items had been obtained at "arbitrary" prices, and so on. Next, Himmler brought up the "immense corruption" (*Riesenkorrption*) of Gouverneur Dr. Lasch of Radom, and Frank countered by demanding the withdrawal of SS and Police Leader Globocnik of Lublin.¹¹⁹ (Incidentally, both Lasch and Globocnik became casualties in the Himmler-Frank war). In the meantime, the trusteeship offices looked forward to the second—and major—haul upon the liquidation of the ghetto system. As we shall see, they were to be disappointed.

LABOR EXPLOITATION

The expropriatory process in Poland had three components. Since the Polish Jews were a poor people, the confiscations were fiscally and otherwise the least important part of the expropriations. We may be certain that the 800,000 Jews of the Reich, Austria, and the Protektorat owned more property than the 2,500,000 Jews in the incorporated territories and the Generalgouvernement. To the Germans the economic importance of Polish Jewry was expressed in its numbers: two and a half million people are an important productive factor. This was especially true in Poland, where the Jews constituted an unusually high percentage of the available skilled labor.

The initial impact of the war upon Poland had produced a vast increase in unemployment. The whole economy was disrupted. Thus at the beginning of the occupation 2,150,000 people were out of work, while 6,420,000 (comprising the unemployed and their dependents) were directly affected by the upheaval.¹¹⁰ There was no need for a forced labor system during this period, but, to the Germans, the sight of thousands of Jews "milling around" (*herumlungernde Juden*) was a challenge that had to be met right away. Even during the first few weeks of the occupation, military and civilian offices seized the Jews in the streets and forced them to clear rubble, fill antitank ditches, shovel snow, and perform other emergency tasks.¹¹¹ 209 210 211

209. Memorandum by Himmler, March 5, 1942, NG-3333.

210. Report by Armament Economy Inspectorate Ober-Ost (comprising all of occupied Poland). October 28, 1939, Wi/ID 1.49.

211. *Krakauer Zeitung*. February 4-5, 1940, GG page; May 19-20, 1940, GG page.

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On October 26, 1939, the Generalgouvernement administration established forced labor as a general principle. A decree of that date provided that Jews were liable to forced labor in "forced labor troops" (*Zwangsarbeitertroups*).²¹⁷ The forced labor troops, or Jewish columns (*Judenkolonnen*), were the first form of labor utilization in Poland. Whenever Jews were needed by a particular agency, they were picked up in the street, organized into columns, and put to work. At the end of the working day the Jews were released, and next day the same procedure was started anew.²¹⁵

In Warsaw, the Judenrat addressed the street impressments as one of the first items on its agenda. It set up a labor battalion that could be made available to the Germans as needed.²¹⁷ Krieger validated this measure by signing a decree on December 2, 1939, empowering all the Judenräte to organize forced labor columns.^{212 213 214 215} The average daily strength of the Warsaw labor battalion was 8,000 to 9,000 workers.²¹⁶ During the winter the battalion was, for all practical purposes, the snow removal and street cleaning department of the city.^{217 218 219}

The Germans appeared to welcome the system. Henceforth each office in need of labor could make its wishes known to the Judenrat either directly or, indirectly, through the police, the competent Kreishauptmann, or the local Stadthauptmann. Over the desks of Judenrat officials, charts with straight lines moving diagonally upward indicated the increasing utilization of the forced labor columns.²¹⁷ A German eyewitness reported: "Today in the Generalgouvernement, one can see Jewish troops, spades on shoulders, marching without any German escort through the countryside. At the head of the column marches likewise a Jew."²¹⁷ Generalgouverneur Frank praised the Jews condescendingly for their diligence, as though he had reformed them: "They work very well [*sehr brav*], yes, they are even eager about it [*ja*

212. *Verordnungsblatt des Generalgouverneurs*, 1939, p. 6.

213. Nothing else was considered feasible at the time. See report by Kruger in GG conference of December 8, 1939, Frank diary, PS-2233.

214. Entries by Czemiaków for October 19-20 and November 2, 1939, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 84,86-87.

215. *Verordnungsblatt des Generalgouverneurs*, 1939, pp. 246-48.

216. Czemiaków to Plenipotentiary of the District Chief for the City of Warsaw (Leist), May 21, 1940, Yad Vashem microfilm JM 1113.

217. Entry by Czemiaków for March 3, 1940, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 123.

218. See report by Dr. Dietrich Redecker about the Kraków Judenrat in *Krakauer Zeitung*, March 13, 1940.

219. "Die Juden im Generalgouvernement." *Die Judenfrage*, August 1, 1940, pp. 107-8.

sie drängen sich dazu], and they feel rewarded when they are permitted to work in the 'castle.' Here we do not know the typical Eastern Jew; our Jews work."²⁰

Nevertheless, a few problems remained unsolved. Some agencies ignored the new system and continued to seize Jews in the streets."²¹ The Higher SS and Police Leader in the Generalgouvernement, Krüger, proposed the compilation of a *Zentralkartei*, a central register listing all Jews in the Generalgouvernement, with their occupation, age, sex, and other vital statistics."²² Behind this demand lurked the desire to seize the entire forced labor system."²³ But Frank conceded no special jurisdiction to the SS and Police. Since Krüger already had his fingers in the pie, Frank agreed only that in labor procurement matters the Stadt- and Kreishauptmänner would work "in closest contact" with the Security Police and Security Service."²⁴ Toward the end of 1940, Main Division Labor of the Generalgouvernement started to compile a *Zentralkartei*,²⁵ but this project was a theoretical exercise.

The columns were a cheap source of manpower. Payments by German employers, if made at all, were erratic. In Kraków the city administration made a small reimbursement to the Jewish Council for the utilization of labor,²⁶ and in Warsaw during the spring of 1941, a major German employer, German army Rittmeister Schu, whose organization collected scrap, declared that he did not want slaves (*Sklaventum*) and eventually paid Czemiaków the daily wage of 2 zloty per worker.²⁷ The principal responsibility for meeting the payroll of the labor columns consequently fell to the councils, who attempted to solve the problem by imposing surtaxes and labor registration fees, which were general, and by instituting labor exemption payments, which were exacted from registered able-bodied men who wished to purchase their freedom, and

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220. Verbatim minutes of interview of Frank by correspondent Kleiss of the *Völkischer Beobachter*, February 6, 1940, Frank diary, PS-2233.

221. See letter of Stadthauptmann Schmid of Kraków to the Kraków Judenrat, May 8, 1940, in *Czeta Żydowska* (Kraków), July 23, 1940. Schmid requested the Judenrat to report all cases of wild labor impressments.

222. Krüger in summary of conference of December 8, 1939, Frank diary, PS-2233.

223. The demand was brought up again during the conference in which Security Police Commander Streckenbach asked for control over the Judenräte. Summary of conference of May 30, 1940, Frank diary, PS-2233.

224. *Ibid.*

225. Reichshauptamtsleiter Dr. Frauendorfer, "Aufgaben und Organisation der Abteilung Arbeit im Generalgouvernement," *Reichsarbeitsblatt*, 1941, pt. 5, pp. 67-71.

226. Dunk, *Judenrat*, p. 256.

227. See Czemiaków's entries for November 13, 1939, and May 10 and 24, 1940, in Hilberg, Staron and Kermisz, eds., *Warsaw Diary*, pp. 89, 148, 153.

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which (in the case of Warsaw) amounted to 60-100 zloty monthly, with reductions for "socially active" persons and for hardship cases."²²⁸

During the summer of 1940 the chief of Main Division Labor in the Generalgouvernement, Frauendorfer, directed that Jewish laborers be paid 80 percent of the prevailing Polish wages. At a meeting of Generalgouvernement representatives and district labor officials held under his chairmanship, the policy was criticized for allowing the Jews too much compensation. Frauendorfer defended the principle on the ground that it was essential to maintain the physical strength (*Arbeitskraft*) of the Jews, but his action was opposed also at the local level. In the Pulawy district (Lublin) the army replaced its Jews with Poles,²²⁹ and in Czeszochowa the Stadthauptmann asserted that no one could understand why Jewish councils or "Jews as a whole" (*die Juden in ihrer Gesamtheit*) no longer had the means with which to pay the forced laborers. In his opinion this was not the case in Czeszochowa. Consequently, he assumed that the directive could be "lost" locally, and he had acted accordingly.²³⁰

The columns were the first form of labor utilization. They were suitable only for day-to-day emergency work and for some construction projects. As time passed, there grew out of the labor columns a new and more permanent type of forced labor, the labor camps.²³¹

Labor camps were set up for the purpose of employing Jews on a larger scale in more formidable projects. The first proposal for a large-scale project came, significantly, from Heinrich Himmler. In February 1940, he suggested to Commander-in-Chief of the Army von Brauchitsch the construction of an enormous antitank ditch along the newly formed frontiers of the east, facing the Red Army. For the building of this line Himmler dreamed of using all the Polish Jews.²³²

228. Czemiakdw toLeist, May 21, 1940. Yad Vashem microfilm JM 1113. On labor exemption payments in Krakbw, L6dt, and Lublin, see Think, *Judenrol*, pp. 250, 252, 253.

229. Summary, dated August 9, 1940, of Generalgouvernement conference on Jewish labor held on August 6. Yad Vashem document 06/11.

230. Report by Kreisauptmann Brandt for August, 1940. September 10, 1940, Yad Vashem microfilm JM 814.

231. Report for August 1940 by Stadthauptmann of Czeszochowa (Wendler), September 14, 1940, JM 814.

232. The labor columns continued in existence even after the ghettos were closed off. In several ghettos passes were issued to enable the columns to leave and return daily. See article in *Krakauer Zeitung* entitled "JODisches Wolmviertel in Kielce." April 8, 1941, p. 6. In addition to the labor columns, a handful of individuals were employed in installations outside the ghettos. This was known as *Kleineinsatz* (small-scale labor utilization). See memorandum by Militärbefehlshaberim Generalgouvernement/Chef des Generalstabes, October 15, 1942, NOKW-132.

233. Haider diary, February 5, 1940, and February 24, 1940, NOKW-3140.

In the course of further planning the Himmler line was trimmed a bit. The ditch was confined to the Bug-San gap, a stretch of territory without a river to hold up a Red advance. The project required the employment not of millions of Jews, as originally envisaged, but only of a few thousand. Labor camps were set up at Bettéc, Ptaszdów and a few other locations. By October 1940 the project was nearing its end.²³⁴

However, the Himmler line was only the beginning. The Lublin district administration launched a major river-regulation and canalization project that used 10,000 Jews in forty-five camps (overall director, Regierungsbaureisender Haller).²³⁵ In the Warsaw district a similar land-restoration program was started in 1941. About 25,000 Jews were required for that project.²³⁶ In the incorporated territories labor camps dotted the landscape of Upper Silesia. The largest Silesian camp was Markstadt. It had 3,000 Jewish inmates.²³⁷ The Warthegau too had big plans for the "outside employment" (*Ausseneinsatz*) of Jews, and in 1940 camps were set up in Pabianice and Lowenstadt.²³⁸

At first the inmates of camps were used only in outdoor projects such as digging antitank ditches, canalization and river regulation, road and railroad construction, and so on. Later on, industrial enterprises moved into some of the camps, and camps were built near major plants. Camp labor thus became a permanent institution, no longer dependent on projects. What effect the industrialization of Jewish labor had on the deportations will be discussed in a following chapter.

Like the labor columns, Jewish camp workers were recruited by the Judenrate.²³⁹ The camp groups were furnished complete with Jewish "supervisors" (*Aufseher*) and "group leaders" (*Judengruppenführer*). Furthermore, the proper behavior of the forced laborer was insured by keeping a record of the family members he left behind. In ²³⁴ * 236 237 238 239

234. Gouverneur of Lublin/Interior Division/Population and Welfare to Generalgouvernement Main Division Interior/Population and Welfare (attention Dr. Föhl), October 21, 1940. *Dokumenty i materiaty*, vol. I, pp. 220-21.

235. *Krakauer Zeitung*, December 17, 1940. Generalgouvernement page. These Jews were working eight to ten hours a day, standing without boots up to their knees in water infested by leeches. Report by Warsaw Judenrat/Referat Arbeitslager, end of 1940, in Jüdisches Historisches Institut, *Faschismus-Gelto-Massenmord*, pp. 218-20. Warsaw Jews were sent to Lublin.

236. *Krakauer Zeitung*, April 18, 1941, p. 5.

237. Affidavit by Rudolf Schönberg (Jewish survivor), July 21, 1946, PS-4071.

238. Office of the Regierungspräsident in Łódź (signed Regierungsrat von Herder) to Gettoverwaltung in Łódź, October 28, 1940, enclosing summary of conference held under chairmanship of Moser on October 18, 1940. *Dokumenty i materiaty*, vol. 3, pp. 102-4.

239. Entries by Czemiaków, September 6 and 28, 1940, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 194, 202.

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conformity with this hostage policy, the German administration in L6d2 decided that "out-employment" would be reserved primarily for heads of families.^{240 241 242 243 244} Consequently it was not necessary to divert large police forces for the guarding of the camps and of the Jewish work parties. The meager SS and Police regulars were supplemented by ethnic German police auxiliaries,²⁴¹ hired guards of the *Wach- und Schliessgesellschaft* (Watchmen's Association),²⁴² SA men, army men, members of the *Organisation Todt* (the Reich agency in charge of construction),²⁴⁵ and Polish work foremen.²⁴⁴

The cost of the labor camps was very low. Their sanitary facilities were "naturally quite primitive" (*natürlich ziemlich primitiv*).²⁴⁵ Men slept in crowded quarters on hard floors. No clothes were issued. Food in some camps was supplied by the nearest Judenrat and in other camps by the civil administration, but the chief ingredients of the workers' diet were only bread, watery soup, potatoes, margarine, and meat leftovers.^{246 247} Working from dawn to dusk seven days a week, the Jews were driven to collapse. A survivor reports that even small camps, with no more than 400 to 500 inmates, had approximately twelve dead every day.²⁴²

The financial aspects of the camps were not very complicated. Reich agencies were not required to pay any wages, and public employers were therefore free to exploit their Jewish workers without limit. Private enterprises were not "entitled" to Jewish labor. In the

240. Von Herder to Gettoverwaltung, October 28, 1940, enclosing conference summary of October 18, 1940. *Dokumeny i materiaty*, vol. 3, pp. 102-4. The conference was attended by Regierungsvizepräsident Dr. Moser, Regierungsrat Baur, Polizeipräsident Albert, Bürgermeister Dr. Marder, Dr. Moldenhauer, Chief of Gettoverwaltung Biebow and Regierungsrat von Herder.

241. *Krakauer Zeitung*, December 17, 1940, Generalgouvernement page. Ethnic German auxiliaries in the Generalgouvernement were organized into the *Selbstschutz* (self-defense force), placed under the command of the BdO (Order Police), and the *Sonderdienst* (Special Service), originally controlled by the Kreishauptmänner but later taken over by the commander of the Order Police, *ibid.*, May 21, 1940, August 16, 1940, April 9, 1941, Generalgouvernement page; Frank diary, PS-2233. The Himmler line project was guarded in part by the *Sonderkommando Dirlewanger*, a special SS unit composed of unreliaables. Globocnik to Berger, August 5, 1941, NO-2921.

242. Labor Ministry memorandum, May 9, 1941, NG-1368.

243. Affidavit by Schönberg (survivor), July 21, 1946, PS-4071.

244. *Krakauer Zeitung*, December 17, 1940, Generalgouvernement page.

245. Report for August 1940 by Kreishauptmann Weihenmaier of ZamoSC (Lublin district), September 10, 1940, Yad Vashem microfilm JM 814.

246. Report of inspection trip to Betzec by Major Braune-Krikau (Oberfeldkommandantur 379), September 23, 1940, T 501, roll 213. The food supplier in this camp was the Judenrat of Lublin.

247. Affidavit by Schönberg, July 21, 1946, PS-4071.

Generalgouvernement private firms did not enter into the labor camps before 1942. In the incorporated territories the Reich Labor Trustees (one in each Reichsgau) directed the enterprises to pay wages, at rates considerably lower than prevailing wages for German workers. However, not even the reduced wage was paid wholly to the Jewish camp inmate; the bulk of the money was kept by the regional offices of the Reich for the "upkeep" of the camps. As a rule, the Reichsstatthalter and Oberpräsident could make a profit in the transaction."²⁴⁸

Because camp labor was so cheap, it did not always occur to the bureaucracy to return Jewish workers to their ghettos at the conclusion of a project. Many a Jewish camp laborer never saw his community again. When he was no longer needed in one camp, he was simply shifted to another. A report by a local Lublin official revealed the attitude of the bureaucracy toward Jewish camp labor. In October 1940 the Betzec labor camp was broken up. Thousands of Jews were to be sent elsewhere. One train left with 920 Jews for the town of Hrubieszów, but the official who reported the matter did not even know whether the guards were SS men or members of the ethnic German auxiliary, the Selbstschutz. When the train arrived in Hrubieszów, only 500 Jews were aboard; the other 400 were missing. "Since they could not very well have been shot in such large numbers," wrote this official, "I have heard suspicions that perhaps these Jews had been released against payment of some kind of money." The second train, carrying another 900 Jews, he continued, had arrived in Radom intact. Many of the Jews on the second train were Lublin residents. It would be very difficult, he concluded, to get them back.²⁴⁹

The labor exploitation regime in Poland consisted of three parts; (1) the forced labor columns, which were only a makeshift device but which persisted because of their low cost; (2) the labor camps, which were an offshoot of the labor columns but which soon overshadowed the columns in importance; and (3) the ghetto labor system.

Essentially, there were two kinds of ghetto labor utilization; the municipal workshop system and employment by private enterprises. Municipal workshops, the prevalent form of ghetto employment, were actually run by the Judenrate under the close supervision of the control organs. The largest workshop ghetto, in Łódź, maintained its own railroad station at Radegast, from which seventy to ninety loaded cars^{248 249}

248. For detailed regulations by the labor trustees, see the Labor Ministry memorandum of May 9, 1941, NO-1368.

249. Gouverneur of Lublin/Interior Division/Population and Welfare to Generalgouvernement, Main Division Interior/Population and Welfare, attention Dr. F6hl, October 21, 1940, *Dokumenty i materiały*, vol. 1, pp. 220-21.

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were dispatched every day.²⁷ Cheap fabrication of every sort (*billige Fertigung jeder Art*) was being obtained there in exchange for a prison diet and the simplest conceivable life style (*denkbar einfachsten Lebensführung*). On this basis the ghetto was earning its keep and returning to the city a profit that was “not to be underestimated” (*einen nicht zu unterschätzenden wirtschaftlichen Gewinn*) by the end of 1941.

Private enterprises wishing to avail themselves of ghetto labor could also expect their production costs to be greatly reduced. In fact, as the director of the Warsaw Transferstelle Bischof noted in one of his monthly reports, wages were of “minor significance” (*geringer Bedeutung*).²¹¹ German firms did not, however, rush into the ghettos. The history of the industrialization of the Warsaw ghetto reveals a slow development, beginning from ground zero and accelerating only in the spring and summer of 1942. The effort to increase manufacturing in the ghetto was hampered by a variety of recurring problems, including interruptions in the flow of electricity, relocations due to boundary changes, or requisitions by the Armament Command in Warsaw—not to speak of the hunger of the work force, which Bischof attempted to alleviate (in the case of armament firms and important export enterprises) by allotments of additional rations in the factories.²⁵ Bischof avidly recruited German and ethnic German firms, among them Walther Töbrens, Schultz & Co., Waldemar Schmidt, and Astra Werke, and evidently realizing the limit of his success, he also encouraged Jewish capitalism. Jewish tax delinquencies were forgiven,²⁶ and funds for investment were released from blocked accounts,²⁵ with the result that the volume of production of Jewish companies was ultimately much larger than the output of German shops.^{250 251 252 253 254 255 256} Much to his chagrin, however, Jewish enterprises were trading with Polish firms on

250. Memorandum by Technischer Kriegsverwaltungsiniciendam Merkel on conversation with Biebow, March 18, 1941, Wi/ID 1.40.

251. Report by RQstungsinspektion XXI, covering October 1, 1940, to December 31, 1941, pt. 2, pp. 33-34 Wi/ID 1.20. The first deportations from tddi began in January 1942, but the ghetto continued until the summer of 1944.

252. Report by Bischof to Auerswald for April 1942, dated May 5, 1942, Yad Vashem microfilm JM 1112.

253. See Bischof's monthly reports in JM 1112.

254. See Bischof's report for November 1941, JM 1112.

255. Proclamation by the Kommissar für den jüdischen Wohnbezirk (signed Auerswald). August 1. 1941, *Amtlicher Anzeiger für das Generalgouvernement*. 1941, p. 1329. Private Jewish firms operated not only in the Warsaw ghetto. See letter by Jewish Kultusgemeinde/Office of the President In Sosnowlec, Upper Silesia, to David Passermann Füllfeder-Reparaturwerkstatt Sosnowitz, March 21. 1941, in Natan Elias Sztemfinkel, *Zagłada Żydw Sosnowca* (Katowice, 1946), pp. 63-64.

256. See Bischof's monthly reports for July and August 1942, Yad Vashem microfilm JM 1112.

the black market. Bischof attempted to remove the incentives for this traffic by urging the price control office to agree to "sensible" (*vernünftige*)—that is to say, higher—prices,"²⁵⁷ but the Warsaw price supervisor, Dr. Meisen, decided after pondering the question not to make concessions. Proposed prices in contracts were really "indefensible" (*unvertretbar*), Meisen reported, and therefore had to be voided. Although he could recognize the interest of German agencies "in the smoothest and least financially burdensome maintenance of the Jewish district until its possible liquidation," he had to consider the political importance of upholding the price structure."²⁵⁸ Bischof did not curb the black market, and therefore he could not harness the total production of the ghetto, as the Gettoverwaltung in Łódź had done, for the maximization of German gains, but like his colleagues in Łódź he could always neglect to send enough food and fuel into the ghetto, thus constraining his costs. To the Jewish population suffering from this officially imposed privation, the black market offered little salvation. Dealers in smuggled goods are rarely philanthropists.

Given a mixture of legal and illegal transactions, there was but one overall measure of economic activity: the number of employees. When Bischof arrived in Warsaw, he heard Auerswald admit to Gouverneur Fischer that only 170 Jews were working on outside contracts (*öffentliche Aufträge*).²⁵⁹ In September 1941, barely 34,000 persons were "economically active" (9,000 of them as clerks for the community or its affiliated organizations),²⁶⁰ but by July 11, 1942, the work force had risen to 95,000,²⁶¹ an employment rate that was nearing 50 percent. To be sure, this figure, which represented the theoretical subsistence level envisaged by the Generalgouvernement economists, was attained only during the month that the deportation of the ghetto's population began.

Labor utilization in the workshop ghettos was more stringent than in the free enterprise atmosphere of Warsaw. In Łódź, for example, the "Eldest of the Jews," Rumkowski, was empowered to "recruit all Jews for unpaid labor."²⁶² In Opole regimentation was carried so far that the

257. See Bischof's report for December 1941 and January 7, 1942, JM 1112.

258. Meisen (Warsaw district *Ami für Preisverwaltung*) to Oberregierungsrat Dr. Schulte-Wissermann (*Ami für Preisbildung*) in Staatssekretariat, Generalgouvernement, April 4, 1942, enclosing report for March, JM 1112.

259. Memorandum by Bischof on meeting with Fischer, May 8, 1941, JM 1112.

260. Table in Emanuel Ringelblum, *Polish-Jewish Relations During the Second World War*, ed. Josef Kermisz and Shmuel Krakowski (New York, 1976), footnote on pp. 71-72.

261. Czemiaków's entry for that date, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 378.

262. Office of the Oberbürgermeister (signed Schiffer) to Rumkowski, April 30, 1940, *Dokumenty i materiały*, vol. 3, pp. 74-75.

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entire Jewish population was divided into labor-oriented housing groups. All carpenters were assigned to live in one section, all tailors in another.²⁶³

Whereas the workshop ghettos forced their inmates into rigid living patterns, the private enterprise ghettos tossed their victims into an economic jungle. The Warsaw ghetto, for example, had a formidable upper class composed of bureaucrats, traders, and speculators. These privileged groups were large enough to be conspicuous. They frequented nightclubs, ate in expensive restaurants, and rode in man-drawn rikshas.²⁶⁴ The Germans photographed them and spread the news of ghetto prosperity.²⁶⁵ But there was little prosperity in the Warsaw ghetto. A German newspaperman who visited the ghetto described the situation as follows:

Everything that has an office in this Jew ghetto—and above all a great deal of police—makes a prosperous impression; whoever can work has something to eat, and whoever can trade manages quite well, but for those who cannot integrate themselves into this process nothing is done.²⁶⁶

The two ghetto systems were indistinguishable in the type of products they turned out. No manufacture involving secrecy was allowed,²⁶⁷ whereas labor intensive projects were favored. Typical ghetto production consequently consisted of the following: uniforms, ammunition boxes, leather and straw and wooden shoes, metal gadgets and metal finishing work, brushes, brooms, baskets, mattresses, containers, toys, and the repair of old furniture and of old clothes.²⁶⁸ The chief customers for these goods were the armed forces, the SS and Police agencies helping ethnic Germans (Stabshauptamt and Volksdeutsche Mittelstelle), the labor service organizations such as the ethnic German Baudienst in the Generalgouvernement, and many private firms. Gradually, however, the army emerged as the most important pur-^{263 264 265 266 267 268}

263. *Krakauer Zeitung*, August 26, 1942, p. 5.

264. Bernard Goldstein, *The Stars Bear Witness* (New York, 1949), p. 91; Mary Berg, *Warsaw Ghetto* (New York, 1945), pp. 55, 65, 87, 111.

265. Photographs of rikshas in *Krakauer Zeitung*, May 18, 1941, p. 5, and in *Donauzeitung* (Belgrade), November 22, 1941, p. 8.

266. Carl W. Gilfert, "Ghetto Juden und Ungeziefer gehören zusammen (Ghetto Jews and Vermin Belong Together)," *Donauzeitung* (Belgrade), November 22, 1941, p. 8.

267. Rüstungsinspektion Generalgouvernement to OKW/Wi Rü/Rü 111 A, covering July 1, 1940, to December 31, 1941, May 7, 1942, p. 153, Wi/ID 1.2.

268. *Krakauer Zeitung*, January 23, 1942, p. 5; April 10, 1942, p. 4; April 24, 1942, p. 5; June 10, 1942, p. 5; July 24, 1942, p. 5. On *iA&t* ghetto, described by Biebow as "Europe's greatest tailor workshop" and "Germany's biggest workshop," see memorandum by Merkel, March 18, 1941, Wi/ID 1.40; and pt. 2 of report by Rüstungsinspektion XXI, covering October 1, 1940, to December 31, 1941, pp. 33-34 and Anlage 6, Wi/ID 1.20.

chaser of ghetto products, crowding out other buyers. The ghettos thus became an integral part of the war economy, and this development was to cause considerable difficulty during the deportations. The Germans came to depend on the output of the Jewish labor force. General* gouverneur Frank himself recognized this dependence, for on September 12, 1940, just after he had ordered the creation of the Warsaw ghetto, he added the following remarks to his speech in secret conference:

As for the rest, the Jews in the Generalgouvernement are not always decrepit creatures [*verlotterte Gestalten*] but a necessary skilled-labor component of the total structure of Polish life. . . . We can teach the Poles neither the energy nor the ability to take the place of the Jews [*Wir können den Polen weder die Tatkraft noch die Fähigkeit beibringen, an Stelle der Juden zu treten*]. That is why we are forced to permit these skilled Jewish laborers to continue in their work.²⁶⁹

Indeed, the Jews had a powerful motivation to labor diligently. In their indispensability they saw their chance for survival.

FOOD CONTROLS

The survival of the ghetto population depended, in the first instance, upon the supply of food and fuel. By decreasing and choking off the food supply, the Germans were able to turn the ghettos into death traps. And that is what they did.

With the establishment of the ghettos, Jews could no longer buy food in the open market. Aside from certain devious purchases on the black market, smuggling, and food growing in the ghettos—all of which amounted to very little—the only food supply was purchased by the *Judenrate*. The food came in at the same place that manufactured products went out: at the check points (*Umschlagplätze*) established by the respective *TVansferstelle*, *Gettoverwaltung*, or municipal administration. The Germans therefore had a very clear view of how much food was shipped into the ghetto. Since food allocations were made in bulk for weekly or monthly periods, the temptation to scale down the quantities, which on paper looked formidable, was irresistible. German food policy in Poland was very simple. As much as could possibly be looted was sent to Germany. The Poles were to be kept alive. The Jews, automatically placed at the bottom, were suspended between life and death.²⁶⁹

269. Verbatim remarks by Frank in conference of main division chiefs, September 12, 1942, Frank diary. PS-2233.

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On October 25, 1940, in Łódź, a number of local officials under the chairmanship of Regierungsvizepräsident Dr. Moser discussed the question of supplying the ghetto with food. Dr. Moser pointed out that the ghetto, "that is, the Jew community," was a most unwelcome institution but a necessary evil. The Jews, most of whom were living a useless life at the expense of the German people, had to be fed; that in this connection they could not be considered normal consumers in the framework of the food economy required no comment. The quantities, Moser continued, would have to be determined by the Gettoverwaltung after consultations with food experts. As for the quality of the food, Moser explained that "preferably the most inferior merchandise" should be diverted from normal trade channels and delivered to the ghetto. The prices charged by the food growers would have to be controlled very closely, for it seemed natural that the price level would have to be brought into harmony with the quality of the "more or less dubious merchandise."²⁷⁰

Translated into statistics, the Moser policy meant that for purposes of food allocation the Łódź ghetto was considered a prison. Deliveries were to assure a prison diet. Actually, in 1941 the food supply fell below the prison level.²⁷¹ Table 6-14 shows deliveries for a period of seven months.

The statistics are psychologically misleading. To be understood properly, each figure has to be divided by approximately 150,000, which gives the monthly ration for the individual. Ninety-eight tons of meat are thus reduced to less than $\frac{1}{4}$ pounds per individual, 192,520 eggs amount to little more than 1 egg per individual, and 794 tons of potatoes equal 12 pounds per individual. That is not very much food for a whole month. Moreover, the statistics do not indicate the quality of the food. They do not reveal the German policy of shipping to the ghetto damp, rotten, or frozen potatoes and "dubious" merchandise of so-called B- and C- quality.

In the Generalgouvernement, too, there was a reluctance to supply the Jews with food. It seems that for a brief period right after the establishment of the Warsaw ghetto food deliveries were stopped altogether, and stocks were so low that Frank seriously entertained the thought of disbanding the ghetto as a means of easing the food situa-^{270 271}

270. Summary of Łódź ghetto conference (signed by Palfinger of the *Ernährungs- und Wirtschaftsseite Cello*), October 25, 1940, *Dokumenty i materiay*, vol. 3, pp. 241-42. The *Ernährungs- und Wirtschaftssielie Getto* was later transformed into the *Gettoverwaltung*.

271. Biebow to Gestapo Łódź (attention Kommissar Fuchs), March 4, 1942, *ibid.*, pp. 232-35.

T A B L E 6-14

THE *tQDt* GHETTO FOOD SUPPLY (1941, IN METRIC TONS)

<i>gurns</i>	<i>January 30- February 26</i>	<i>February 27- March 26</i>	<i>March 27- April 30</i>	<i>May 1-28</i>	<i>May 29- June 29</i>	<i>June 30- August 3</i>	<i>August 4-31</i>
Bread	892	142					
Flour	838	1,736	2,438	1,202	1,312	1,560	1,210
Meat	98	126	76	82	104	84	36
Fat	38	49	55	85	70	71	65
Milk (liters)	72,850	69,338	142,947	118,563	187,772	230,856	181,760
Cheese					1		
Eggs (pieces)					192,520	190,828	14,000
Fish					15		
Potatoes	794	1,596	3,657	916	1,067	346	1,576
Vegetables	700	2,772	3,532	2,324	672	679	3,507
Salt	90	169	132	55	105	198	97
Sugar	48	48	48	48	211	256	229
Coffee mixture	15	35	61	56	19	7	12
Artificial honey	76	36	37	36	35	43	36
Marmalade					1	1	1
Miscellaneous foods	160	171	149	132	186	148	98
Fodder		8	34	10	21	13	17
Hay	3	3			3	5	18
Straw	3	19	9	15	35	36	11
Charcoal	175	28	17	25	10	49	42
Coal	2,826	2,395	997	622	723	871	634

NOTE: Oberbürgermeister Ventzki of LOdi. enclosing report with statistics, to Regierungspräsident Uebelhoer, September 24, 1941. Himmler Files. Folder 94.

lion."³ By May 1941 the army described the situation in the ghetto as "catastrophic." Jews were collapsing from weakness in the streets. Their only ration was 1/2 pounds of bread per week. Potatoes, for which the Judenrat had advanced several millions, had not been delivered. Diseases were multiplying and mortality had tripled in two months.¹⁷ Fischer, recognizing the insufficiency of official deliveries, stated to Bischof that month that under the circumstances the "silent toleration" of smuggling was necessary,¹⁴ but when Czemiaków requested Bischof a few weeks later to allow the use of Judenrat funds for the purchase of potatoes and other items on the free (Polish) market, Bischof, hesitating, asked his predecessor Palfinger for an opinion and received the advice that such permission would constitute an "insult to authority."¹⁵ By October, Fischer was sufficiently concerned about starvation in the ghetto to ask for increases in food allocations. Main Division Chief of Food and Agriculture Naumann turned down the proposal. He could not possibly ship an additional 10,000 tons of wheat into the Warsaw ghetto, nor could the meat ration be increased. However, he thought it might be possible to send some eggs and some quantities of sugar, fat, and marmalade. Frank thereupon voiced his opinion that no increases could be granted to Jews. Such a thing was utterly inconceivable to him.¹⁶

To make matters worse for the Jewish population, there were two food controls. The first, which was in the hands of the Germans, determined the total supply of food available to the ghetto inhabitants. The second system, which was instituted within the ghetto by the Judenräte, determined how much of the available supply was distributed to individual Jews. From the very beginning, the interior controls were 272 273 274 275 276

272. Summary of Generalgouvernement conference, January 15, 1941, Frank diary, PS-2233.

273. Kommandantur Warschau (signed von Unruh) to Militärbefehlshaber. Generalgouvernement, May 20, 1941, Polen 75022/5. The folder was located at the Federal Records Center, Alexandria, Va., after the war.

274. Memorandum by Bischof, May 8, 1941, Yad Vashem microfilm JM 1112. See also army report referring to "silently permitted smuggling" (*den stillschweigend zugelassenen Schmuggel*), Kommandantur Warschau (signed von Unruh) to Militärbefehlshaber in Generalgouvernement, August 21, 1941, Polen 75022/6, T 501, roll 217.

275. Czemiaków's entry of June 3, 1941, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, pp. 245-46. Palfinger had served in *Lödi* before moving to Warsaw, where he was in charge of the Transferstelle under Schön.

276. Summary of Generalgouvernement conference, October 15, 1941, Frank diary, PS-2223. The ghetto Jews tried to increase the food supply by devious methods of food smuggling and by the conversion of vacant lots to vegetable patches. Berg, *Warsaw Ghetto*, pp. 59-62, 86, 112, 116, 130-31, 134. Goldstein, *The Stars Bear Witness*, pp. 75-78.

aimed to promote the well-being of some people at the expense of others. When the food supply is very limited, unequal distribution means disaster for the unfortunate victims. Inequality was in evidence everywhere.

Even in such a tightly compartmentalized, totalitarian economy as that of the Łódź ghetto, favoritism, stealing, and corruption were rampant. Originally the Łódź ghetto had party-controlled soup kitchens. There were Bund kitchens for socialists, Zionist kitchens for Zionists, and so forth. This impossible situation was remedied by the "nationalization" of the soup kitchens. But those who worked in the kitchens not only ate their fill but also appropriated food for profit.

Aside from the soup kitchens, the ghetto also had food stores that were "cooperatives." In these "cooperatives" a part of each food shipment was distributed at fixed prices, but the rest was sold under the counter. Under such conditions only the rich could eat. The "cooperatives," too, were consequently nationalized, but those who handled the food continued to enjoy good living conditions. Finally, the Łódź ghetto had its built-in "legalized" corruption. The ghetto distributed supplementary rations (so-called talons) to heavy laborers, physicians, pharmacists, and instructors. But by far the biggest supplementary rations were made available to officials and their families. The weekly supplements were posted in store windows, where starving people could see what they were deprived of.²⁷⁷

Early in 1942 the Gestapo in Łódź sent a letter to the chief of the Gettoverwaltung, Biebow, suggesting that the ghetto was receiving too much food and that such allocations could not be justified. In an angry response, Biebow pointed to the epidemic and to collapsing workers producing war materiel for the German army, and concluded by asking the Gestapo to stop this "time-consuming" correspondence.²⁷⁸ On April 19, 1943, Biebow wrote to Oberbürgermeister Ventzki that the food supply to the ghetto could no longer guarantee the continuation of production. For months the Jews had received no butter, no margarine, and no milk. In the soup kitchens, vegetables of B- and C- quality had been cooked in water with a little oil. No fat and no potatoes had been added to the soup. The total expenditure for food had now dropped to ²⁷⁷ ²⁷⁸

277. This description of the Łódź food controls is taken from the article by Bendet Hershkovitch, "The Ghetto in Litzmannstadt (Łódź)," *VIVO Annual of Jewish Social Science*, 5 (1950): 86-87, 104-5. Incoming food parcels were consumed by the ghetto police. Food smuggling and parcel-post packages were not tolerated, because the Eldest of the Jews, Rumkowski, wanted his Jews to depend entirely on his rations. *Ibid.*, p. 96.

278. Biebow to Gestapo Office Łódź (att. Kommissar Fuchs), March 4, 1942, *Dokumenty i materiały*, vol. 3, pp. 243-45.

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30pfennige(12cents)per person per day. No Jewish labor camp and no prison had hitherto managed with so little.”

By the beginning of 1944, the *L6di* ghetto was obtaining even less. Staples arrived irregularly. Along with shipments of flour, some cooking oil, margarine, salt, carrots, turnips, or “vegetable salad,” the ghetto might receive some shoe polish and coffee mixture, but no potatoes. In stark language the official Jewish chronicler of the council noted on January 12, 1944: “The ghetto is hungry.” During the following two weeks the situation became worse. The vegetable salad was not delivered, the gas was shut off in the council’s kitchens, and the curfew was changed from the evening to the daytime hours, forcing people to shop after work at night.”²⁰

In the free economy of the Warsaw ghetto, the amount of food people ate depended on the money they could spend. Czemiak6w estimated in December 1941 that the ghetto had about 10,000 inhabitants with capital, 250,000 who could support themselves, and 150,000 who were destitute.”²¹ Only “capitalists” could afford to sustain themselves on a steady diet of smuggled foods at the following black market prices (figures listed are price per pound in June 1941):²²

Potatoes.....	3 zloty
Rye bread.....	8 zloty
Horse meat.....	9 zloty
Groats.....	11 zloty
Com bread.....	13 zloty
Beans.....	14 zloty
Sugar.....	16 zloty
Lard.....	35 zloty

Employed groups and those with some savings could buy the rationed products: bread, sugar, and typical ghetto vegetables such as potatoes, carrots, and turnips. At the beginning of 1942, the basic ^{279 280 * 282}

279. Biebow to Ventzki, April 19, 1943, *ibid.*, pp. 245-48. When 1,000 eggs were delivered at the end of 1942, the anonymous chroniclers of the Jewish Council referred to them as a food that had become “unknown.” Entry of December 17, 1942, in Danuta Dabrowska and Lucjan Dobroszycki, eds., *Kronika Celia Ldzkiego (L6dt, 1966)*, vol. 2, pp. 588-89.

280. Entries for January 12, 14, 15, and 16, and February 26, 1944. Typewritten manuscript through the courtesy of Dr. Dobroszycki.

281. Czemiakbw’s entry of December 6, 1941. in Hilberg, Staron. and Kermisz, eds., *Warsaw Diary*, p. 305.

282. From Isaiah Trunk, “Epidemics in the Warsaw Ghetto,” *YIVO Annual of Jewish Social Science* 8 (1953): 94. Think’s statistics are taken from Ringelblum Archives No. 1193; other black-market prices in Berg. *Warsaw Gheito*, pp. 59-60,86, 116, 130-31.

individual allotment of bread was about 4/2 pounds (2 kilograms) a month. For laborers in armament and important export firms, and for council employees and other usefully occupied persons, in all 31,000, the bread ration was doubled, and for the two thousand men of the Order Service it was quintupled.²⁸⁵ For one tolerably well situated family subsisting on rationed and (for higher prices) black market food, a monthly budget around the end of 1941 consisted of the following:^{286*}

<i>Income (Actual)</i>		<i>Expenses (Actual)</i>	
Father's salary	235 zloty	Rent	70 zloty
Son's salary	120 zloty	Bread	328 zloty
Public assistance	—	Potatoes	115 zloty
Side income	80 zloty	Fats	56 zloty
	435 zloty	Allotments	80 zloty
		Fees	11 zloty
		Electricity, candles	28 zloty
		Fuel	65 zloty
		Drugs	45 zloty
		Soap	9 zloty
		Miscellaneous	3 zloty
			810 zloty

That month this particular family balanced its budget by selling a clothes closet, its last dispensable item of furniture, for 400 zloty.

The poorest 150,000 persons, though exempted from paying the bread tax,²⁸⁷ could barely afford the meager allotments. For indigents, refugees, and poverty stricken children, there were soup kitchens that in January 1942 handed out fewer than 70,000 daily midday meals.²⁸⁸

The food pyramid in the Warsaw ghetto was in fact an array of the population in the order of their vulnerability to debilitation and death. Auerswald himself recognized the implications of this inequality when he observed in an official report that allotted rations were grossly insufficient (*bei weitem nicht ausreichend*) and that smuggled food was reaching only the Jews with means.²⁸⁹ This state of affairs was confirmed in a study of food consumption made by Jewish ghetto doctors at the end of 1941. At that time council employees averaged 1,665 calories per day; artisans 1,407, shopworkers 1,225, and the "general ^{283 284 285 286 287}

283. Report by Czemiakiw for March 1942, Zentrale Stelle Ludwigsburg, Akten Auerswald, Polen 365e. pp. 588-603.

284. From the diary of Stanislaw Rozycki. in *Faschismus-Geiro-Massenmord*, pp. 152-56.

285. Entry by Czemiakdw, January 6, 1942, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 312.

286. Report by Czemiak6w for January 1942, Polen 365e. pp. 546-59.

287. Auerswald's report of September 26, 1941, Yad Vashem microfilm JM 1112.

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population" 1,125.** Beggars and refugees might have been able to subsist for several months on ghetto soup amounting to 600-800 calories.** In Czemiakdw's words, written as early as May 8, 1941: "Children starving to death."**

SICKNESS AND DEATH IN THE GHETTOS

The incarceration of the Jews was an act of total spoliation. The enfeebled ghetto Jews, without significant capital or valuables, had been rendered helpless. The German agencies continued to take what they could—furs, bed sheets, musical instruments—and they encouraged the creation of a Jewish work force that might produce new values for German enrichment. They had to make some shipments of their own, however, if only to maintain the ghetto system and to keep alive its laborers. In the main, they regarded their deliveries of food, coal, or soap as a sacrifice, and they thought about these supplies often enough to conjure up an image of themselves not as willing spoliators of the Jewish community but as unwilling contributors to its welfare. They did not hesitate to reduce the contribution to levels clearly below the bare essentials, and they made these decisions without inquiring into the consequences. Soon enough the effects were clearly visible.

Disease was one manifestation of the constrictions. On October 18, 1941, the director of Subdivision Health in the Radom district. Dr. Waisenegger, noted that typhus (*Fleckfieber*) was virtually confined to the Jews. The reasons, he said, were insufficient coal and soap, excessive room density resulting in the multiplication of lice, and lack of food lowering resistance to disease *in toto*.²⁸⁸ In the Warthegau the summer epidemics of 1941 took on such proportions that Bürgermeister and Landräte clamored for the dissolution of the ghettos and the transfer of 100,000 inmates to the overcrowded L6di ghetto. The chief of the Gettoverwaltung in L6di, Biebow, vigorously opposed this suggestion and warned that the "frivolous" transfer of such masses of people into his ghetto would be devastating.²⁸⁹ On July 24, 1941, Regierungspräsident Uebelhoer prohibited the transfer of any sick Jews ^{288 289 290 291 292}

288. Think, *Judenrat*, pp. 356, 382; Ysrael Gutman, *The Jews of Worstin'* (Bloomington, Ind., 1982), p. 436.

289. Leonard Tushnet, *Die Uses of Adversity* (New York, 1966). p. 62 ff. The author was an American physician, and his book is a study of medical aspects of the Warsaw ghetto.

290. Hilberg, Staron. and Kermisz. eds., *Warsaw Diary*, p. 232.

291. Waisenegger's remarks In Generalgouvernement conference of October 18, 1941, in Präg and Jacobmeyer, eds., *Diensttagebuch*, pp. 432-34.

292. Memorandum by Biebow, June 3, 1941, *Dokumenry i malertaty*, vol. 3, p. 184.

from the small Warthegau ghettos into Łódź.” On August 16, 1941, Uebelhoer ordered drastic measures in the stricken Warthegau ghettos: the victims of the epidemic were to be completely isolated; entire houses were to be evacuated and filled with sick Jews.²⁵⁴

The situation in the Warsaw ghetto also deteriorated. The Warsaw epidemics started in the synagogues and other institutional buildings, which housed thousands of homeless people.²⁵⁵ During the winter of 1941-42, the sewage pipes froze. The toilets could no longer be used, and human excrement was dumped with garbage into the streets.²⁵⁶ To combat the typhus epidemic the Warsaw Judenrat organized disinfection brigades, subjected people to “steaming action” (*parowka*); set up quarantine stations, hospitalized serious cases, and as a last resort instituted “house blockades,” imprisoning in their homes the sick and the healthy alike.²⁵⁷ The one useful article, serum, was almost unavailable. A single tube of antityphus medicine cost several thousand zloty.²⁵⁸

Although typhus was the ghetto disease par excellence, it was not the only one. A Łódź ghetto chronicler, writing early in 1944, saw disease as unending: intestinal typhus in the summer, tuberculosis in the fall, influenza in the winter. His “superficial statistic”: about forty percent of the ghetto was ill.²⁵⁹

The second rising curve in the ghettos was that of mortality. As ghetto hunger raged unchecked, a primitive struggle for survival began. On March 21, 1942, the Propaganda Division of the Warsaw district reported laconically:

The death figure in the ghetto still hovers around 5,000 per month. A few days ago, the first case of hunger cannibalism was recorded. In a Jewish family the man and his three children died within a few days. From the flesh of the child who died last—a twelve-year-old boy—the mother ate a piece. To be sure, this could not save her either, and she herself died two days later.²⁶⁰

293. Dr. Marder (Office of the Oberbürgermeister) to Gettoverwaltung. July 26, 1941. *ibid.*, p. 186.

294. Uebelhoer to Landräte, Oberbürgermeister in Kalisz, and Polizeipräsident in Łódź, August 16, 1941, *ibid.*, p. 187.

295. Goldstein, *The Start Bear Witness*, p. 73.

296. Berg, *Warsaw Ghetto*, p. 117.

297. Trunk, “Epidemics in the Warsaw Ghetto,” pp. 107-12. In June 1941 the number of blockaded houses in the ghetto was 179. Think, citing Ringelblum Archives No. 223, p. 107.

298. Berg, *Warsaw Ghetto*, p. 85.

299. Entry of January 13, 1944. Manuscript in the collection of Dr. Dobroszycki.

300. Generalgouvernement/Main Division Propaganda consolidated weekly reports by the district propaganda divisions for March 1942 (marked “Top Secret—to be destroyed immediately”), report by the Warsaw Division, March 21, 1942, Occ E 2-2. See also reports by a survivor and the Polish underground in Philip Friedman, ed., *Martyrs and Fighters* (New York, 1954), pp. 59,62-63.

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The ghetto Jews were fighting for life with their last ounce of strength. Hungry beggars snatched food from the hands of shoppers.³⁰¹ Yet, after persistent undernourishment, the victim was no longer able to digest his bread normally. His heart, kidneys, liver, and spleen shrank in size, his weight dropped, and his skin withered. "Active, busy, energetic people," wrote a ghetto physician, "are changed into apathetic, sleepy beings, always in bed, hardly able to get up to eat or go to the toilet. Passage from life to death is slow and gradual, like death from physiological old age. There is nothing violent, no dyspnea, no pain, no obvious changes in breathing or circulation. Vital functions subside simultaneously. Pulse rate and respiratory rate get slower and it becomes more and more difficult to reach the patient's awareness, until life is gone. People fall asleep in bed or on the street and are dead in the morning. They die during physical effort, such as searching for food, and sometimes even with a piece of bread in their hands."³⁰² Indeed, a common sight in the ghetto was the corpses lying on the sidewalk, covered with newspapers, pending the arrival of cemetery carts.³⁰³ The bodies, said Gouverneur Fischer to Czerniaków, were creating a bad impression.³⁰⁴

The Jewish community of Poland was dying. In the last prewar year, 1938, the monthly average death rate of Łódź was 0.09 percent. In 1941, the rate jumped to 0.63 percent, and during the first six months of 1942 it was 1.49.³⁰⁵ The same pattern, compressed into a single year, may be noted for the Warsaw ghetto, where the monthly death rate during the first half of 1941 was 0.63, and in the second half 1.47.³⁰⁶ In their rise to this plateau, the two cities were almost alike, even though Łódź was a hermetically closed ghetto, which had its own currency and in which the black market was essentially the product of internal barter, whereas Warsaw was engaged in extensive smuggling "quietly tol-

301. Friedman, *Martyrs and Fighters*, pp. 56-57.

302. The quote is from Dr. Julian Fliednerbaum, "Clinical Aspects of Hunger Disease in Adults." in Myron Winick, ed., *Hunger Disease* (New York, 1979), pp. 11-36, at p. 36. Additional descriptions by other ghetto physicians in Warsaw during 1942 are contained in the same volume.

303. Goldstein, *The Stars Bear Witness*, p. 74.

304. Czerniaków's entry of May 21, 1941, in Hilberg, Staron, and Kermisz, eds., *Warsaw Diary*, p. 239.

305. Statistics from Łódź Ghetto Collection, No. 58, p. 23.

306. Monthly statistics for 1941 in report by Czerniaków to Auerswald, February 12, 1942, in Zentrale Stelle Ludwigsburg, Akten Auerswald, Polen 365c. pp. 560-71, at p. 563. The annual death rate was 10.44 percent. During January-June 1942, before the onset of deportations, the monthly average was 1.2 percent. Data for that period, in absolute figures per month only, in *Faschismus-Getto-Massenmord*. p. 138.

erated" by the Germans.*" The birthrates in both cities were extremely low: Lt5d2 had one birth for every twenty deaths," while in Warsaw at the beginning of 1942 the ratio was 1:45." The implication of these figures is quite clear. A population with a net loss of one percent a month shrinks to less than five percent of its original size in just twenty-four years.

In absolute figures the long lasting *Lddi* ghetto, with a cumulative population (including new arrivals and births) of about 200,000, had more than 45,000 dead.⁵¹⁰ The Warsaw Ghetto, with around 470,000 inhabitants over the period from the end of 1940 to the end of the mass deportations in September 1942, buried 83,000 people.³¹¹ The two ghettos contained less than a fourth of the Polish Jews, and although there were communities with attrition rates lower than those of *L6dt* and Warsaw, the impact of ghettoization in any locality was but a matter of time.^{307 308 309 310 311 312 313} For the German decision makers, the pace was not fast enough. They could not wait two or three decades, or entrust the task of "solving the Jewish problem" to a future generation. They had to "solve" this problem, one way or another, right then and there.

307. The ratio of deaths for men and women in *L6di* ghetto was 3:2 both in 1941 and during the first six months of 1942. It was 17:12 in the Warsaw ghetto in 1941, and about 17:13 during the first six months of 1942. The *Lddt* mortality rate of men as a group was nearly twice as high as that of women in 1941 and during January-June 1942. *L6dt* Ghetto collection, No. 58, p. 21, Czemiakdw to Auerswald, February 12, 1942, Polen 365e, p. 563, and monthly reports by Czemiakiw in Polen 363e. pp. 546-59,573-641.

308. *Lddt* Ghetto collection. No. 58, pp. 23,26.

309. Report by Warsaw Propaganda Division, March 21, 1942, Occ E 2-2.

310. Population data in typed compilation from the files of the municipal administration in *L6di*, copy in Yad Vashem, folder 06/79.

311. Monthly statistics from September 1939 through November 1942, prepared by Jewish Council, were enclosed in paper by Fliederbaum, "Clinical Aspects," in Winick, ed., *Hunger Disease*, p. 35. The same monthly totals, for 1941 only, and with breakdowns for different categories, are found in Czemiakdw's report of February 12, 1942. Monthly council reports in 1942 also have totals with different details.

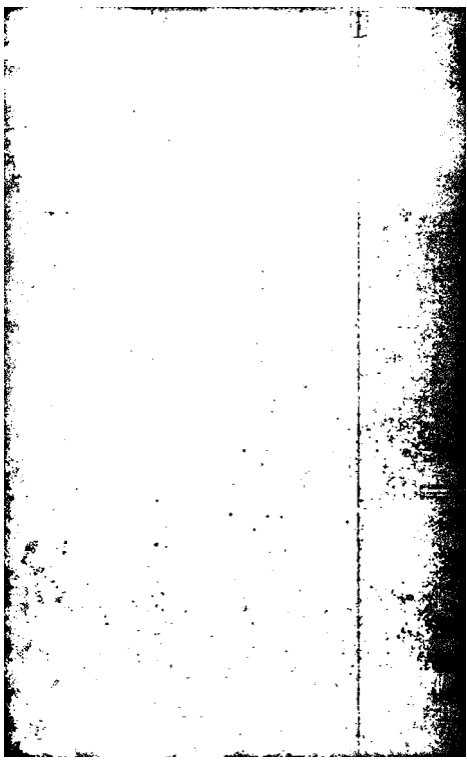
312. SS-Statistician Korherr calculated a Jewish population deficit, not attributable to deportations, of 334,673 for the incorporated territories (including Bialystok) and 427,920 for the Generalgouvernement (including Galicia) from the time these areas had been seized to December 31, 1942. Korherr to Himmler. April 19, 1943, NO-5193. In effect, these figures may be translated into three-quarters of a million victims—including a half million dead prior to and during the period of ghettoization, and most of the remainder killed in ghetto-clearing operations, particularly in Bialystok and Galicia.



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MOBILE Z
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OPERATIONS N



When the bureaucracy had completed all those measures that comprised the definition of the Jews, the expropriation of their property, and their concentration in ghettos, it had reached a dividing line. Any further step would put an end to Jewish existence in Nazi Europe. In German correspondence the crossing of this threshold was referred to as "the final solution of the Jewish question [*die Endlösung der Judenfrage*]." The word *final* harbored two connotations. In a narrow sense it signified that the aim of the destruction process had now been clarified. If the concentration stage had been a transition to an unspecified goal, the new "solution" removed all uncertainties and answered all questions. The aim was finalized—it was to be death. But the phrase "final solution" also had a deeper, more significant meaning. In Himmler's words, the Jewish problem would never have to be solved again. Definitions, expropriations, and concentrations can be undone. Killings are irreversible. Hence they gave to the destruction process its quality of historical finality.

The annihilation phase consisted of two major operations. The first was launched on June 22, 1941, with the invasion of the USSR. Small units of the SS and Police were dispatched to Soviet territory, where they were to kill all Jewish inhabitants on the spot. Shortly after these mobile killings had begun, a second operation was instituted, in the course of which the Jewish populations of central, western, and south-eastern Europe were transported to camps equipped with gassing installations. In essence, the killers in the occupied USSR moved to the victims, whereas outside of this arena the victims were brought to the killers. The two operations constitute an evolution not only chronologically but also in complexity. In the areas wrested from the Soviet Union, the mobile units could fan out with maximum freedom to the farthest points reached by German arms. The deportations, by contrast, were the work of a much larger apparatus that had to deal with a host of constraints and requirements. The effort, as we shall see, was deemed necessary to accomplish the final solution on a European-wide scale.

P R E P A R A T I O N S

The invasion of the Soviet Union and the mobile killings carried out in its wake mark a break with history. This was not an ordinary war for ordinary gain. The battle plans were discussed in the Army High Command (*Oberkommando des Heeres*) as early as July 22, 1940, eleven months before the armies crossed the Soviet border.¹ No ultimatum was to alert the Soviet government to any danger. No peace treaty was envisaged to bring the war to its conclusion. The objectives of the campaign were not limited, and the means with which it was to be fought were not restricted. In unprecedented numbers, a ground force was assembled that was to be engaged in what was soon to be called "total war."

The invading army groups were accompanied by small mechanized killing units of the SS and Police that were tactically subordinated to the held commanders but otherwise free to go about their special business. The mobile killing units operated in the front-line areas under a special arrangement and in a unique partnership with the German army. To understand what made this partnership work, it is necessary to have a closer look at the two participants: the German Wehrmacht and the Reich Security Main Office of the SS and Police.

The Wehrmacht was one of the four independent hierarchies in the machinery of destruction. Unlike the party, the civil service agencies, and the business enterprises, the armed forces had no major role to play in the preliminary phase of the destruction process. But in the inexorable development of the process, every segment of organized German society was drawn into the destructive work. We may recall that even in 1933 the Wehrmacht was interested in the definition of "Jews." Later the army was affected by the expropriation of Jewish enterprises producing war materials. In Poland the generals narrowly escaped from an entanglement in the concentration process. Now, with the onset of the mobile killing operations, the armed forces found themselves suddenly in the very center of the holocaust.

The Wehrmacht's involvement began at the top level of the High Command structure and spread from there to the field. The central features of the military machine are shown in Table 7-1. It will be noted that the *Oberster Befehlshaber der Wehrmacht* was in charge of the commanders in chief (*Oberbefehlshaber*) of the three services. However, there was no corresponding chain of command running from the OKW to the OKH, the OKM, and the OKL. The OKW, as well as the three other high commands, were essentially staff organizations, each

1. Franz Haider, *Kriegstagebuch*, ed. Hans Adolf Jacobsen, 3 vols. (Stuttgart 1962-6*), vol. 2, pp. 32-33.

of which carried out planning functions within its sphere of jurisdiction. Thus the integration of the mobile killing units into the invading army groups was accomplished only after extensive negotiations with the OKW and OKH.

The territorial organization of the army is shown in Table 7-2. The table distinguishes between three types of territorial command: the Reich itself, occupied territories, and newly invaded areas. Broadly speaking, the military authority over civilians increased with the increased distance of the territory from the Reich. In Germany proper, that authority was virtually nonexistent; in the newly invaded areas it was nearly absolute. The forward region, from army group rear areas to the front line, was considered an operational zone. There an administrative body, not part of the armed forces, could operate only under a special arrangement with the Wehrmacht.

The only agency admitted to the forward areas during the Russian campaign was the Reich Security Main Office (the RSHA). It was the agency that, for the first time in modern history, was to conduct a massive killing operation. What sort of an organization was the RSHA?

The RSHA was a creation of Reinhard Heydrich. We have already seen Heydrich as a prominent figure in the Einzelaktionen of 1938 and in the concentration process within the German and Polish spheres. However, the Heydrich organization did not assume a preeminent place in the machinery of destruction until 1941. That year was crucial for the development of the entire destruction process, for it was during that period that Reinhard Heydrich laid the administrative foundations for the mobile killing operations and for the deportations to the killing centers.

The Heydrich organization reflected in its personnel composition a characteristic of German government as a whole. The RSHA and its regional machinery was an organization of party men and civil servants. The fusion of these two elements in the RSHA was so complete that almost every man could be sent into the field to carry out the most drastic Nazi plans with bureaucratic meticulousness and Prussian discipline. This personnel amalgamation in the RSHA was accomplished over a period of years, in which Heydrich put his organization together piece by piece.

The building process began in the early days of the Nazi regime, when Himmler and his loyal follower Heydrich raided the Prussian Interior Ministry and took over its newly organized Secret State Police (*Geheime Staatspolizei*, or Gestapo). Goring was then Interior Minister and Daluge the chief of police.¹

2. Testimony by Hans Bernd Gisevius, *Trial of the Major War Criminals*. XU, 168—73, 181. Gisevius was in the Gestapo in 1933.

TABLE 7-1
THE MILITARY MACHINE OF DESTRUCTION

	<p>Commander-in-Chief— of (he Armed Forces (<i>Oberster Befehlshaber der Wehrmacht</i>) Hitler</p>	<p><i>Chef</i>. OKW. Keitel Operations (Wehrmachtsführungsstab—WFSlh Jodl Defense (Landesverteidigung—Lj, Warlimont Propaganda (WPr), von Wedel Signals (Nachrichtenwesen—WNW), Fellgiebel Intelligence (Amt Ausland-Abwehr), Canaris (Chief of Staff: Osler) Ausland, Bürkner Abwehr I, Pieckenbrock (Hansen) Abwehr II, Lahousen (von Freytag-Loringhoven) Abwehr III, Bentivegny Secret Field Police (GR*), Krichbaum Economy-Armament Office (Wi RU), Thomas Genera] Armed Forces Office (AWA). Reinecke Prisoners of War, Breyer (von Graevenitz) Armed Forces Sanitation (WSA). Handloser Armed Forces Law, Lehmann</p>
<p>Commander-in-Chief of the Army (<i>Oberbefehlshaber des Heeres—OBdH</i>) von Brauchitsch (Hitler)</p>	<p>OKH Chief, Genera] Staff of the Army (<i>Chef</i>. GenStdH), Haider (Zeitler, Guderian] Quartermaster General (GenQu). Wagner Transport (HTr). Gercke General for Special Purposes. Eugen Muller Army Personnel, Schmundt Chief of Army Armament and of the Replacement Army (<i>Chef</i>. HRUst u.BdE), Fromm (Himmler) General Army Office, Olbrichl</p>	<p>Commander-in-Chief of the Navy (<i>Oberbefehlshaber der Kriegsmarine</i>) Raeder (Doenitz)</p> <p>OKM Chief of Naval Warfare (<i>Chef der Seekriegs- leitung</i>) Schniewindt (Fricke)</p> <p>Commander-in-Chief - OKL of the Air Force (<i>Oberbefehlshaber der Luftwaffe</i>) Göring</p> <p>Chief, Genera] Staff of the Air Force Jeschonnek (Korten)</p>

NOTE: The table is based on the following affidavits: Affidavit by von Brauchitsch, November 7, 1945, PS-3703. Affidavit by Warlimont, October 12, 1946, NOKW-121. Affidavit by Warlimont, October 31, 1946, NOKW-168. Affidavit by Jodi, September 26, 1946, NOKW-65. Affidavit by Bflrkner, January 22, 1946, Office of U. S. Chief of Counsel for Prosecution of Axis Criminality, *Nazi Conspiracy and Aggression* (Washington, D.C., 1946-48), VIII, 647-53. Affidavit by Keitel, June 15, 1945, Keitel-25. Affidavit by Wilhelm Krichbaum, June 7, 1948, NOKW-3460.

OKW (Oberkommando der Wehrmacht, or High Command of the Armed Forces)

OKH (Oberkommando der Heeres, or High Command of the Army)

OKM (Oberkommando der Kriegsmarine, or High Command of the Navy)

OKL (Oberkommando der Luftwaffe, or High Command of the Air Force)

In 1944 *Amt Ausland-Ab'ehr* was abolished. Two remnants of the office (*Amt Ausiand*, under Biirkner, and *Amf Fronlaufkl'drung und Truppenabwehr*, under Silsskind-Schwendi) were subordinated to the WFSt under Jodi. Affidavit by Warlimont, October 12, 1946, NOKW-121. The *Wi Ri* gave way to a *Wehrwirtschaftsstab* under Becker. Affidavit by Keitel, March 29, 1946, Keitel-11.

The *Generalquartiermeister's* Office was divided into several sections, including a military government section (GenQu 4), which was placed outside of the GenstD. Affidavit by Keitel, June 15, 1945, Keitel-25.

On unit level (army groups and below), the staff was organized as follows:

Chief of Staff of the unit

Ia Operations

Ib Supply

(The designation Ib was used in army groups and divisions. Supply officers at the army level were called *Oberquartiermeister* (OQu); at the corps level, *Quartiermeister* (Qu). See Army Manual 90: *Supply of the Field Army*. 1938, NOKW-2708.)

Ic Intelligence

Id Training

IIa Personnel (officers)

IIb Personnel (enlisted men)

III Legal

IVa Finance

IVb Medical

IVc Veterinary

IVd Chaplains

IVWI Economic

V Motor transport

VI Indoctrination

VII Military government

Only officers in I sections were "general staff" officers.

MOBILE KILLING OPERATIONS

Prussian Ministry of Interior
(later Reich Interior Ministry)
Minister: Goring (followed by Frick)

Staatssekretär: Grauert

Chief of Police: Daluege

Chief of Gestapo (in succession):

Diels, Hinkler, Diels, Himmler (deputized by Heydrich)

Next, Heydrich (as Himmler's deputy) took over a special division in the office of the police president of Berlin: the *Landeskriminalpolizei*, or Criminal Police (Kripo).^{3 4 5} The Gestapo and the Criminal Police were subsequently detached from their parent organizations and joined together into the *Hauptamt Sicherheitspolizei* (Main Office Security Police). Heydrich had all key positions in this office:*

Chief of Security Police: Heydrich

Administration and Law: Dr. Best

Gestapo: Heydrich

Kripo: Heydrich

The creation of the Security Police as an agency of the state was accompanied by the parallel formation of a party intelligence system, the so-called Security Service (*Sicherheitsdienst*, or SD). Heydrich now had *two* main offices: the *Hauptamt Sicherheitspolizei*, which was a state organization, and the *Sicherheitshauptamt*, which was a party organization. On September 27, 1939, Himmler issued an order in pursuance of which the two main offices were amalgamated into the Reich Security Main Office (*Reichssicherheitshauptamt*, or RSHA);¹ (as diagrammed in Table 7-3.)

The organization of the RSHA is shown in abbreviated form in Table 7-4. From this table we may observe that the RSHA revealed in its structure the history of its organization. Thus the Security Police comprised Offices IV and V (Gestapo and Kripo), while the Security

3. Heydrich, "Aufgaben und Aufbau der Sicherheitspolizei im Dritten Reich." in Hans Pfundtner, ed., *Dr. Wilhelm Frick und sein Ministerium* (Munich, 1937), p. 152.

4. Dr. Ludwig Münz, *Führer durch die Behörden und Organisationen* (Berlin, 1939), p. 95. For budgetary purposes the new Hauptamt was put under the Interior Ministry.

5. Order by Himmler, September 27, 1939, L-361.

T A B L E 7 - 2

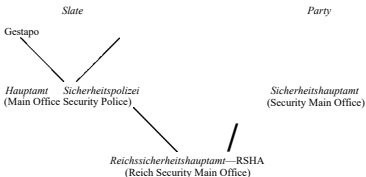
THE TERRITORIAL ORGANIZATION OF THE ARMY

		<i>Occupied Territories</i>			<i>Newly Invaded Areas</i>		
Types of territorial command	Wehrmachtbefehls-		Oberbefehls-	Militärbefehls- haber(MB) Befehlshaber of specified	Befehlshaber rückwärtiges Heeresgebiet	Kommandeur rückwärtiges Armeegebiet (Kortück)	
				Deutscher General in specified			
Subordinated	<i>Oberbefehlshaber des Heeres/Befehls- haber des Ersatz- keeres ("Commander- in-Chief of the Army/the Commander of the Replace- Fromm)</i>	ChefOKW (Keitel)	Oberbefehls- haber des Heeres (Brauchitsch, succeeded by Hitler)	Oberbefehls- haber des Heeres a territorial Oberbefehls- haber Commander	Army Group Commander	Commander	Commander

NOTE: The Wehrkreisbefehlshaber was the commander of an army district (designated by roman numeral). The WB, OR, or MB was the commander of a specified territory (such as the Ukraine, the Southeast, the Generalgouvernement). Sometimes a territorial command and a unit command (such as the OB Southeast and Commander of Army Group E) were united in the same person.

MOBILE KILLING OPERATIONS

T A B L E 7-3
FORMATION OF THE RSHA



Service functioned in Offices III (Inland) and VI (Foreign).^{6 7} Heydrich himself henceforth carried the title *Chef der Sicherheitspolizei und des SD*, abbreviated *Chef SP und SD*.

The RSHA had a vast regional network, including three types of organization: one in the Reich and incorporated areas, another in occupied territories, a third in countries undergoing invasion. This network is portrayed in Table 7-5. It will be noted that outside the Reich the Security Police and SD were completely centralized, down to the local (or unit) level. For the moment, however, we shall be concerned only with the machinery in the newly invaded areas: the so-called *Einsatzgruppen*. These groups were the first mobile killing units.⁷

The context for deploying the *Einsatzgruppen* was operation "Barbarossa"—the invasion of the USSR. A written notation of the mission appeared in the war diary of the OKW's Wehrmachtführungsstab (WFSt) on March 3, 1941, at a time when invasion plans were already far advanced. The topic of the entry was a draft directive to troop commanders, which had been prepared by Warlimont's office Landesverteidigung in the WFSt, and which had been submitted by WFSt

6. Office IV was designated "Search for and Combat against Enemies" (*ICegner-Erforschung und Bekämpfung*). Office V was "Combatting of Crime" (*Verbrechensbekämpfung*). Inland intelligence (Office III) styled itself "German Life Areas" (*Deutsche Lebensgebiete*).

7. For a complete history of the *Einsatzgruppen*, see Helmut Krausnick and Hans-Heinrich Wilhelm, *Die Truppe des Weltanschauungskrieges* (Stuttgart, 1981). Part 1 (pp. 12-279), by Krausnick, deals with the development and operations of the *Einsatzgruppen* as a whole. Part 2 (pp. 279-643), by Wilhelm, is a study of *Einsatzgruppe A*.

Chief Jodi to Hitler for approval. The war diary contains Jodi's enclosure of Hitler's comments, including a philosophical point defining the coming battle as a confrontation of two world views, and several specific statements, in one of which Hitler declared that the "Jewish-Bolshevik intelligentsia [*Intelligenz*]" would have to be "eliminated [*beseitigt*]." According to Hitler, these tasks were so difficult that they could not be entrusted to the army. The war diary went on with Jodi's instructions to Warlimont for revising the draft in conformity with Hitler's "guidelines." One question to be explored with the Reichsführer-SS, said Jodi, was the introduction of SS and Police organs in the army's operational area. Jodi felt that such a move was needed to assure that Bolshevik chieftains and commissars be "rendered harmless" without delay. In conclusion, Warlimont was told that he could contact the OKH about the revisions, and that he was to submit a new draft for signature by Keitel on March 13, 1941.*

On the specified date, the revised directive was signed by Keitel. The decisive paragraph was a statement informing the troop commanders that the Führer had charged the Reichsführer-SS with carrying out special tasks in the operational area of the army. Within the framework of these tasks, which were the product of a battle to the finish between two opposing political systems, the Reichsführer-SS would act independently and on his own responsibility. He was going to make sure that military operations would not be disturbed by the implementation of his task. Details would be worked out directly between the OKH and the Reichsführer-SS. At the start of operations, the border of the USSR would be closed to all nonmilitary traffic, except for police organs dispatched by the Reichsführer-SS pursuant to directive of the Führer. Quarters and supplies for these organs were to be regulated by OKH/GenQu (High Command of the Army/General Quartermaster—Wagner).⁸⁹

8. *Kriegslagebuch des Oberkommandos der Wehrmacht (Wehrmachtführungsslab) 1940-1945*, ed. Percy Schramm and Hans-Adolf Jacobsen (Frankfurt am Main, 1965), vol. 1, pp. 340-42.

9. Directive by OKW/L (signed Keitel), March 13, 1941, NOKW-2302. See also the detailed account by Walter Warlimont, *Im Hauptquartier der deutschen Wehrmacht 1939-1945* (Frankfurt am Main, 1962), pp. 166-87; and Warlimont's interrogation of October 25, 1962, by prosecution of Landgericht Munich II, Case Wolff, 10a Js 39/60, Z-Prot II/vol. 3, pp. 842-47, Zentrale Stelle der Landesjustizverwaltungen, Ludwigsburg. The use of mobile units as such was not unprecedented. See HSluf. Schellenberg to Obf. Jost, September 13, 1938, USSR-509, on committing two Einsatzstäbe to Czechoslovakia. Einsatzgruppen appeared in Poland in 1939, and small Security Police detachments were dispatched to the west in 1940. According to Streckenbach, Einsatzgruppen were planned for England, and two Kommandos were deployed in the Balkan campaign. Interrogation of Bruno Streckenbach, November 13, 1962, Case Wolff, Z-Prot. II/vol. 3, pp. 977-87.

TABLE 7-4
ORGANIZATION OF THE RSHA

	1941		1943
Chief of SP and SD	OGruf. Heydrich		OGruf. Dr. Kaltenbrunner
1. Personnel	Staf. Streckenbach	Attache Group	Stubaf. Dr. Plötz
II. Organization and Law	Staf. Dr. Neckmann	I Personnel 4t Organization	Bgf. Schulz
IIA Organization and Law	Stubaf. ORR. Dr. Bilfinger	II Administration & Finance	Staf. Prietzel
IIA 1 Organization	HStuf. RcgAss. Dr. Schweder		
IIA 2 Legislation	Stubaf. RR. Dr. Neifeind		
IIA 3 Indemnification	Stubaf. RR. Suhr		
II A 4 Reich Defense	Stubaf. RR. Renken		
IIA 3 Confiscations	Stubaf. RR. Richter		
II B Passports	Ministerialrat Krause	IV F	MinRat Krause
IIC a Budget SP	Staf. MinRat Dr. Siegen	IIA Finance	OStubaf. ORR. Krekiow
II Cb Budget SD	OStubaf. Bracke	IIC	OStubaf. ORR. Hafte
II D Technical Matters	OStubaf. Rauff		
III. SD-Inland	Staf. Ohlendorf	Deputizing:	OStubaf. ORR. Neifeind
III A Legal Practice	OStubaf. Dr. Gengenbach		
III B Ethnos (<i>Volksstum</i>)	Staf. Dr. Ehlich		
IIIC Culture	Stubaf. Dr. Spengler		
III D Economy	Stubaf. Seibert		
IV. Gestapo	Gruf. Müller		
Deputy for Border Police	Staf. Krichbaum		OStubaf. ORR. Huppenkothen
IV A Enemies	Ostubaf. ORR. Panzinger		
IV A 1 Communism	Stubaf. KD. Vogt		Stubaf. KD. Lindow
IV A 2 Sabotage	HStuf. KK. Kopkow		

IV A 3 Liberalism	Stubaf. KD. Litzene
IV A 4 Assassinations	Stubaf. KD. Schulz
IV B Sects	Stubaf. Hart!
IV B 1 Catholicism	Stubaf. RR. Roth
IV B 2 Protestantism	Stubaf. RR. Roth
IV B 3 Freemasonry	
IV B 4 Evacuations & Jews	OStubaf. Eichmann
IV C Card Files	OStubaf. ORR. Dr. R.
IV D Spheres of Influence	OStubaf. Dr. Weinma
IV E Counterintelligence	Stubaf. RR. Schellenb
IV E1 Treason	HStuf. KR. Lindow
V. Kripo	Bgf. Nebe
V A Policy	Staf. ORR. KR. Went
V B Crimes (<i>Eiinalz</i>)	RR. KR. Galzow
V C Identification	ORR. KR. Berger
V D Criminal Institute	Stubaf. ORR. KR. He
VI. SD-Foreign	Bgf. Jost
VIA General	OStubaf. Filbert
VIB German-Italian sphere	vacant
VID West	vacant
VIE Investigative	Stubaf. Dt Knochen
VIF Technical Mat	OStubaf. Raaff
VU. Ideology	Staf. Dr. Sx
VU B Evaluation Jews	vacant

NOTE: Organization chart of the RSHA dating from 1941...
the war. Panzmer (IV-A) took over the Kripo. Organization cli

Deputizing:

Stubaf. Roth

Stubaf. RR. Hahnenbmch
OStubaf. Wandesleben

Deputizing:

OStubaf. ORR. KR. Dr. Bemdorff
Staf. RD. Dr. Rang
OStubaf. ORR. Huppenkothen
Stubaf. ORR. Renken

Stubaf. ORR. KR. Lobbes
RR. KR. Schulze

Obf. ORR. Schellenberg
Stubaf. RR. Herbert Muller
OStubaf. Steimle
OStubaf. ORR. Dr. Graf
Stubaf. RR. Dr. Raeflgen
Stubaf. RR. Dr. Hammer
Stubaf. Domer

IV Wi Economy
IV S Special

HStuf. Dr. Krallert
Stubaf. Skorzeny

Deputizing:

OStubaf. Dr. Dittel
Stubaf. Ehlers
HStuf. Ballensiefen

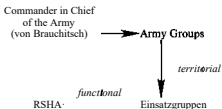
L-185. Organization chart of the RSHA, October 1, 1943, L-219. Before the end of
part of the Reich government in 1945, certified by Frick, PS-2903.

MOBILE KILLING OPERATIONS

Haider, Chief of the OKH, had been informed of Himmler's "special task [*Sonderauftrag*]" as early as March 5, and when the OKW directive was issued eight days later, he made a cryptic notation of a "Discussion Wagner-Heydrich: police questions, border customs."¹⁰

The circuitous Hitler-Jodl-Warlimont-Halder-Wagner-Heydrich chain of communications was certainly not the only one. Shorter and more direct was the route from Hitler to Himmler and from Himmler to Heydrich, but there is no record of instructions or "guidelines" passed through this channel during the first two weeks of March.

The army's correspondence goes on. It includes a draft of an agreement resulting from the Wagner-Heydrich negotiations. Dated March 26, 1941, the Army-RSHA accord outlined the terms under which the Einsatzgruppen could operate in the occupied USSR. The crucial sentence in the draft provided that "within the framework of their instructions and upon their own responsibility, the Sonderkommandos are entitled to carry out executive measures against the civilian population [*Die Sonderkommandos sind berechtigt, im Rahmen ihres Auftrages in eigener Verantwortung gegenüber der Zivilbevölkerung Exekutivmassnahmen zu treffen.*]" The two agencies also agreed that the mobile units could move in army group rear areas and in army rear areas. It was made clear that the Einsatzgruppen were to be administratively subordinated to the military command but that the RSHA was to retain functional control over them. The armies were to control the movements of the mobile units. The military was to furnish the Einsatzgruppen with quarters, gasoline, food rations, and, insofar as necessary, radio communications. On the other hand, the killing units were to receive "functional directives" (*fachliche Weisungen*) from the Chief of the Security Police and SD (Heydrich) in this way:



The relations of the Einsatzgruppen with the army's Secret Field Police (*Geheime Feldpolizei*, or GFP) were to be based on a strict separation of jurisdictions. Any matter affecting the security of the troops was to be handled exclusively by the Secret Field Police, but the two services were to cooperate by prompt exchange of information, the Einsatzgruppen to report to the GFP on all matters of concern to it, and,

10. Haider, *Kriegstagebuch*, ed. Jacobsen, vol. 2, pp. 303, 311.

TABLE 7-5

THE REGIONAL MACHINERY OF THE RSHA

<i>Reich</i>			<i>Occupied Territories</i>	<i>I/eroded Areas (Mobil* Unia)</i>
	Inspekture SP und SD (IdS)		Befehlshaber SP und SD Einsatzgruppen (BdSI)	
<i>STAPO</i> <i>UeiOsellen</i> (Gestapo directorates Gestapo offices in small cities)	<i>KJUPOUeiUiellen</i> (Kripo directorates and offices)	<i>SDileitabschnitte</i> (SD directorates and sectors)	Kommandeure SP und SD Einsatzkommandos (KdS)	
<i>Aussensellen der STAPO</i> (Field offices of the Gestapo)	<i>KRIPO dir</i> (Field offices of the Kripo)	<i>(Haupt)aussensielle des SD</i> (Main field offices and field offices of the SD)	<i>SP und des SD</i> (Field offices of the SP and SD)	<i>Sonderkommandos</i>

■ : Based on affidavits by Hóttl and Ohlendorf, October 28, 1945, PS-2364.

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conversely, the GFP to turn over to the Einsatzgruppen all information pertaining to their sphere of competence (*Aufgabenbereich*)."

The final discussions between the army and the RSHA were carried out in May 1941. At first the negotiators were Generalquartiermeister Wagner and Gestapo chief Müller. The two could come to no final agreement. At the request of Wagner, Müller was therefore replaced by a subordinate, SS-Sturmbannführer Regiemngsrat Schellenberg, then chief of IV E. Schellenberg, who was chosen because of his experience in matters of protocol, drew up the final terms. They differed from the earlier draft in only one important respect. The Einsatzgruppen were to be permitted to operate not only in army group rear areas and army rear areas but also in the corps areas right on the front line. This concession was of great importance to the Einsatzgruppen, for the victims were to be caught as quickly as possible. They were to be given no warning and no chance to escape. The final version of the agreement was signed at the end of May by Heydrich for the RSHA and by Wagner for the OKH.^{11 12} The partnership was established.

The next step, so far as the RSHA was concerned, was the formation of the Einsatzgruppen. Mobile units were not kept on hand; they had to be formed anew for each new invasion. Accordingly, orders were sent out to Security Police and SD men in the main office and regional branches to proceed to the Security Police training center at Pretzsch and from there to the assembly point at Düben.^{13 14}

Altogether, four Einsatzgruppen were set up, each of battalion size. The operational units of the Einsatzgruppen were Einsatzkommandos and Sonderkommandos, of company size. Einsatzgruppen as well as Kommandos had large staffs with sections representing the Security Service, Gestapo, and Criminal Police.^{1*} The number of

11. Text of draft, dated March 26, 1941, enclosed in letter by Wagner to Heydrich. April 4, 1941, copies to OKW/Abwehr (Canaris) and OKW/L (Warlimont), NOKW-256.

12. Affidavit by Scheilenberg, November 26, 1945, PS-3710. Statement by Ohlendorf, April 24, 1947, NO-2890. With reference to the task of the Einsatzgruppen, the final text was no more precise than the earlier one. However, it was generally understood that Jews, Communist party functionaries, insane people, and a few others in undesirable categories were to be killed on the spot. A copy of the final text is not available, and our understanding of its terms derives mainly from the statements by Schellenberg and Ohlendorf.

13. In the main, personnel were drawn from offices in which manpower could most easily be spared. Interrogation of Streckenbach, Case Wolff, Z-Prot II/vot. 3, pp. 977-67. For procedure of assignments in detail, see Krausnick, *Die Truppe des Weltanschauungskrieges*, pp. 141-50. Eichmann recalls having attended a large meeting in a movie house where the names of Einsatzkommando leaders were called out. See Eichmann's testimony at his trial, session 102, July 19, 1961, pp. HI, II.

14. See breakdown of staffs in Einsatzgruppe A headquarters and in Einsatzkommando 2, as reproduced in Wilhelm, *Die Truppe des Weitanschauungskrieges*, pp. 290-93.

TABLE 7-6

OFFICERS OF EINSATZGRUPPEN AND KOMMANDOS

Einsatzgruppe A		Stahlecker (Jost)
Sonderkommando	1a	Sandberger
Sonderkommando	1b	Ehrlinger (Strauch)
Einsatzkommando	2	R. Batz (Strauch, Lange)
Einsatzkommando	3	Jäger
Einsatzgruppe B		Nebe (Naumann)
Sonderkommando	7a	Blume (Steimle, Rapp)
Sonderkommando	Tb	Rausch (Ott, Rabe)
Sonderkommando	7c	Bock
Einsatzkommando	8	Bradfish (Richter, Isselhorst, Schindhelm)
Einsatzkommando	9	Filbert (Schäfer, Wiebens)
Vorkommando Moskau		Six (Klingelhöfer)
Einsatzgruppe C		Rasch (Thomas)
Einsatzkommando	4a	Blobel (Weinmann, Steimle, Schmidt)
Einsatzkommando	4b	Herrmann (Fendler, F. Braune, Haensch)
Einsatzkommando	5	E. Schulz (Meier)
Einsatzkommando	6	Kröger (Mohr, Biberstein)
Einsatzgruppe D		Ohlendorf (Bierkamp)
Einsatzkommando	10a	Seetzen (Christmann)
Einsatzkommando	10b	Persterer
Einsatzkommando	11a	
Einsatzkommando	11b	B. Müller (W. Braune, P. Schulz)
Einsatzkommando	12	Nosske (Ministerialrat E. Müller)

NOTE: RSHA IV-A-1, Operational Report USSR (No. 129, November 4, 1941, NO-3159. Affidavit by Eugen Steimle, December 14, 1945, NO-3842. Affidavit by Adolf Ott, April 29, 1947, NO-2992. Affidavit by Erwin Schulz, May 26, 1947, NO-3473. Affidavit by Karl Hennicke (SD-Inland Officer, Einsatzgruppe C), September 1947, NO-511. Affidavit by Heinz-Hermann Schubert (adjutant to Ohlendorf), December 7, 1945, NO-511. Krausnick and Wilhelm, *Die Truppe des Weltanschauungskrieges* pp. 644-46. Einsatzgruppen commanders held the rank of Brigadeführer or Gruppenführer that is, they were general officers. Leaders of Kommandos were Sturmabteilungsleiter, Obersturmbannführer, or Standartenführer (majors, lieutenant colonels, or colonels).

officers was much larger than in a military combat unit of comparable size, and their ranks were higher. Table 7-6 lists the officers who commanded Einsatzgruppen and Kommandos.

Who were these men? Where did they come from? Two of the initial Einsatzgruppen commanders were taken straight from the RSHA: Criminal Police Chief Nebe and Chief of SD-Inland Otto Ohlendorf. The story of Ohlendorf's assignment sheds a great deal of light on the attitude of the killers and, in a larger sense, on the whole destruction process.

In 1941 Ohlendorf was a young man of thirty-four. He had studied at three universities (Leipzig, Göttingen, and Pavia) and held a doctor's degree in jurisprudence. As a career man he had successfully worked

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himself up to a research directorship at the Institute for World Economy and Maritime Transport in Kiel. By 1938 he was also Hauptgeschäftsführer in the Reichsgruppe Handel, the German trade organization. Although Ohlendorf had joined the party in 1925, the SS in 1926, and the SD in 1936, he regarded his party activities, and even his position as chief of SD-Inland, as a sideline of his career. Actually, he devoted only four years (1939-43) to full-time activity in the RSHA, for in 1943 he became a Ministerialdirektor and deputy to the Staatssekretär in the Economy Ministry.^{15 16}

Heydrich was a man who did not like subordinates with divided loyalties. Ohlendorf was too independent. Heydrich wanted no one who functioned *ehrenamtlich* (i.e., in an honorary capacity). The "executive measures" to be taken in Russia required complete and undivided attention. Thus it came about that the intellectual Otto Ohlendorf found himself in command of Einsatzgruppe D."

A similar story can be told about Ernst Biberstein, who took over Einsatzkommando 6 in Einsatzgruppe C in the summer of 1942. Biberstein was a somewhat older man, born in 1899. He had been a private in the First World War, and after his release from the army he devoted himself to theology. In 1924 he became a Protestant pastor and in 1933 he rose to *Kirchenprobst*. After eleven years as a minister, Biberstein entered the Church Ministry. In 1940 he was transferred to the RSHA. This transfer should not be too surprising, for the Church Ministry was an agency of the state. Besides, Biberstein had joined the party in 1926 and the SS in 1936.

But Biberstein was still a man of the church. When he was shown around the offices of the RSHA, he developed some misgivings about his new surroundings. Heydrich thereupon sent him to Oppeln to take over the local Gestapo office. In this position Biberstein was already drawn into the destruction process, because he had to concern himself with the deportation of the Jews from the city of Oppeln to the killing centers in the East. In the spring of 1942, Heydrich was assassinated and Biberstein, no longer protected by his personal understanding with the RSHA chief, was suddenly transferred to the field to conduct killings.^{17 18 19}

Like Ohlendorf and Biberstein, the great majority of the officers of the Einsatzgruppen were professional men. They included a physician (Weinmann)," a professional opera singer (Klingelhöfer),¹⁵ and a large

15. Affidavit by Otto Ohlendorf, March 4, 1947, NO-2409.

16. Affidavit by Ohlendorf, July 14, 1946, SD(A)-44.

17. Interrogation of Ernst Biberstein, June 29, 1947, NO-4997.

18. Affidavit by Eugen Steimle, December 14, 1945, NO-3842.

19. Affidavit by Waldemar Klingelhöfer, September 17, 1947, NO-5050.

number of lawyers." These men were in no sense hoodlums, delinquents, common criminals, or sex maniacs. Most were intellectuals. By and large, they were in their thirties, and undoubtedly they wanted a certain measure of power, fame, and success. However, there is no indication that any of them sought an assignment to a Kommando. All we know is that they brought to their new task all the skills and training that they were capable of contributing. These men, in short, became efficient killers.

The total strength of the Einsatzgruppen was about 3,000 men. Not all the personnel were drawn from the Security Police and SD. In fact, most of the enlisted personnel had to be borrowed. A whole battalion of Order Police was dispatched to the Einsatzgruppen from Berlin because the Security Police could not put so many people into the field.^{20 21 22 23 24} In addition, the Einsatzgruppen received Waffen-SS men." Finally, they rounded out their strength in the field by adding indigenous units of Lithuanians, Estonians, Latvians, and Ukrainians as auxiliary police. The resulting personnel composition is indicated in the following table showing a distribution of the members of Einsatzgruppe A:"

Waffen-SS.....	340
Motorcycle riders.....	172
Administration.....	18
Security Service (SD).....	35
Criminal Police (Kripo).....	41
State Police (Stapo).....	89
Auxiliary Police.....	87
Order Police.....	133
Female employees.....	13
Interpreters.....	51
Teletype operators.....	3
Radio operators.....	8
Total.....	990

Einsatzgruppe A, incidentally, was the largest group. The smallest was Einsatzgruppe D, which had 400 to 500 men."

While the Einsatzgruppen were being assembled, a plenary meet-

20. See Wilhelm on Einsatzgruppe A, *Die Truppe des Weitanschauungskrieges*, pp. 281-85.

21. Affidavit by Adolf von Bombard (Kommandoamt, Order Police), July 13, 1946. SS(A)-82. In 1941 it was the 9th Bn., in 1942, the 3d. Hans-Joachim Neufeldt, Jurgen Huck, and George Tessin, *Zur Geschichte der Ordnungspolizei 1936-1945* (Koblenz, 1957), pt. II, p. 97; Krausnick, *Die Truppe des Weitanschauungskrieges*, pp. 146-47.

22. From 1st Bn. of dissolved 14th SS Inf. Reg. Krausnick, *ibid.*

23. Report by Einsatzgruppe A, October 15, 1941, L-180.

24. Affidavit by Ohlendorf, November 5, 1945, PS-2620.

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ing took place early in June, in the OKW building in Berlin. It was attended by Canaris, Wagner, Heydrich, Schellenberg, and a large number of Ic (intelligence) officers. This was the last opportunity to plan for the close coordination of Einsatzgruppen and army activities.²⁵

According to Ohlendorf, the commanders of the Einsatzgruppen were briefed by Himmler personally. They were informed that an important part of their task was the elimination (*Beseitigung*) of Jews—women, men, and children—and of Communist functionaries.²⁶ Standartenführer Jäger of Einsatzkommando 3 recalls a meeting of about fifty SS leaders in Berlin, where Heydrich declared that in the event of war with Russia the Jews in the east would have to be shot. One of the Gestapo men asked: "We should shoot the Jews? [Wir sollen die Juden erschliessen?]" Heydrich then answered: "Of course [selbstverständlich]."²⁷ In the training center of Pretzsch, the RSHA personnel chief Streckenbach addressed the Einsatzgruppen members in more general terms. He told them where they were going and instructed them to proceed ruthlessly (*dass dort rücksichtslos durchgegriffen werden müsste*).²⁸

At the beginning of June the four Einsatzgruppen assembled at Düben. After speeches by Heydrich and Streckenbach, the mobile killing units moved into position. Einsatzgruppe A was assigned to Army Group North; Einsatzgruppe B was detailed to Army Group Center; Einsatzgruppe C moved into the sector of Army Group South; and Einsatzgruppe D was attached to the Eleventh Army, operating in the extreme south. As the armies pushed over the first Soviet outposts, the Einsatzgruppen followed, ready to strike.^{25 26 27 28}

25. Affidavit by Schellenberg, November 20, 1945, PS-3710.

26. Affidavit by Ohlendorf, November 5, 1945, PS-2620. Ohlendorf's veracity, and that of others testifying about predeparture orders to kill Jews, has been called into question by Alfred Streim, *Die Behandlung sowjetischer Kriegsgefangener im "Fall Barbarossa"* (Heidelberg, 1981), pp. 74-93.

27. Summary of interrogation of Karl Jäger, June 15, 1959, in Landeskriminalamt Baden-Württemberg, Sonderkommission/Zentrale Stelle, 1/3-2/59. Jäger committed suicide on June 22, 1959.

28. Affidavit by Wilhelm Förster (driver, Einsatzgruppe D), October 23, 1947, NO-5520. The specificity of instructions seems to have been related to the ranks of those addressed. See affidavit by Walter Blume, June 29, 1947, NO-4145, indicating that the destruction of the Jews was mentioned to commanders of Kommandos by Heydrich and Streckenbach, and affidavit by Robert Barth, September 12, 1947, NO-4992, recalling a more general speech by Heydrich to the assembled men. See also Krausnick, *Die Truppen des Weltanschauungskrieges*, pp. 150-72.

THE FIRST SWEEP

When the Einsatzgruppen crossed the border into the USSR, five million Jews were living under the Soviet flag. The majority of the Soviet Jews were concentrated in the western parts of the country. Four million were living in territories later overrun by the German army:

Buffer Territories:¹

Baltic area.....	260,000
Polish territory.....	1,350,000
Bukovina and Bessarabia.....	up to 30,000
	up to 1,910,000

Old Territories:²

Ukraine (pre-1939 borders).....	1,533,000
White Russia (pre-1939 borders).....	375,000
RSFSR	
Crimea.....	50,000
Other areas seized by Germans.....	200,000
	ca. 2,160,000

About one and a half million Jews living in the affected territories fled before the Germans arrived.

Not only were the Jews concentrated in an area within reach of the German army, but they lived in the cities. Jewish urbanization in the old USSR was 87 percent;³ in the buffer territories it was over 90 percent.* The following breakdown includes (aside from Moscow and Leningrad) only localities overrun by the Germans.⁵ Generally, the figures, if not the percentages, had increased by 1939.

1. Rough approximations of estimates by American Joint Distribution Committee, *Report* for 1939, pp. 31-38, and *Report* for 1940, pp. 19, 27.

2. Solomon M. Schwarz, *The Jews in the Soviet Union* (Syracuse, 1951), p. 15, citing 1939 census figures for Ukraine and White Russia. Figures for RSFSR areas are rough approximations based on 1926 census data in Peter-Heinz Seraphim, *Das Judentum im osteuropäischen Raum* (Essen, 1939), pp. 716-18.

3. Schwarz, *The Jews in the Soviet Union*, p. 16.

4. Arthur Ruppin, *Soziologie der Juden* (Berlin, 1930). vol. 1, pp. 348, 391, 398, 401.

5. Data in Seraphim, *Das Judentum im osteuropäischen Raum*, pp. 716-18.

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City and Census Year	Jewish Population (percentage of total population in parentheses)
Odessa (1926)	153,200 (36.4)
Kiev (1926)	140,200 (27.3)
Moscow (1926)	131,200 (6.5)
Lw6w [Lvov] (1931)	99,600 (31.9)
Leningrad (1926)	84,400 (5.3)
Dnepropetrovsk (1926)	83,900 (36.0)
Kharkov (1926)	81,100 (19.4)
ChiřinŃu [Kishinev] (1925)	80,000 (60.2)
Wilno [Vilnius, Vilna] (1931)	55,000 (28.2)
Minsk (1926)	53,700 (40.8)
Cem4u(i) [Chernovtsy] (1919)	43,700 (47.7)
Riga (1930)	43,500 (8.9)
Rostov (1926)	40,000 (13.2)
Bialystok (1931)	39,200 (43.0)
Gomel (1926)	37,700 (43.6)
Vitebsk (1926)	37,100 (37.6)
Kirovograd (1920)	31,800 (41.2)
Nikolaev (1923)	31,000 (28.5)
Kremenchug (1923)	29,400 (53.5)
Zhitomir (1923)	28,800 (42.2)
Berdichev (1923)	28,400 (65.1)
Kherson (1920)	27,600 (37.0)
Kaunas [Kovno] (1934)	27,200 (26.1)
Uman (1920)	25,300 (57.2)
Stanislawdw [Stanislav] (1931)	24,800 (51.0)
R6wne [Rovno] (1931)	22,700 (56.0)
Poltava (1920)	21,800 (28.4)
Bobniysk (1923)	21,600 (39.7)
BrzeSiS [Brest-Litovsk] (1931)	21,400 (44.2)
Grodno (1931)	21,200 (43.0)
Pirisk (1931)	20,300 (63.6)
Vinnitsa (1923)	20,200 (39.2)
Tighina (1910)	20,000 (34.6)
Luck [Lutsk] (1931)	17,400 (48.9)
PrzemySl (1931)	17,300 (34.0)

STRATEGY

The geographic distribution of Soviet Jewry determined to a large extent the basic strategy of the mobile killing units. To reach as many cities as fast as possible, the Einsatzgruppen moved closely on the heels of the advancing armies, trapping the large Jewish population

centers before the victims had a chance to discover their fate. (It was for this reason that the RSHA had insisted on the right to send its mobile units to the front lines.) In accordance with the agreement, units of Einsatzgruppe A entered the cities of Kaunas, Liepāja, Jelgava, Riga, Tartu, Tallinn, and the larger suburbs of Leningrad with advance units of the army.⁶ Three cars of Einsatzgruppe C followed the first tanks into Zhitomir.¹ Kommando 4a of the same Einsatzgruppe was in Kiev on September 19, the day that city fell.* Members of Einsatzgruppe D moved into Hotin while the Russians were still defending the town.⁷

Such front-line movements did entail some difficulties. Occasionally the Einsatzgruppen found themselves in the middle of heavy fighting. Einsatzkommando 12, moving on the coastline east of Odessa to perform mass shootings of Jews, was surprised by a Soviet landing party of 2,500 men and fled hurriedly under fire.¹¹ Sometimes an army commander took advantage of the presence of the mobile killing units to order them to clear out an area infested by partisans or snipers.⁸ Only in rare cases, however, did an army order direct the suspension of a killing operation because of the front-line situation.¹² On the whole, the Einsatzgruppen were limited in their operations only by their own size in relation to the ground they had to cover.

The Einsatzgruppen did *not* move as compact units. The Kommandos generally detached themselves from the group staffs and operated independently. Often the Kommandos themselves split up into advance detachments (*Vorkommandos*), keeping pace with the troops and platoon-size working parties (*Teilkommandos*) that penetrated into remote districts off the main roads.

The relative thoroughness of the killings was a function of the

6. Summary report by Einsatzgruppe A to October 15, 1941, L-180. The report, with annexes of various dates, is well over 100 pages long. Although forty copies were prepared, it was evidently written for the RSHA. It is generally referred to as the first Stahlecker report, to distinguish it from a subsequent summary.

7. RSHA IV-A-1, Operational Report USSR No. 128 (55 copies), November 3, 1941. NO-3157.

8. RSHA IV-A-1, Operational Report USSR No. 97 (48 copies). September 28, 1941. NO-3145.

9. RSHA IV-A-1. Operational Report USSR No. 19 (32 copies), July II. 1941, NO-2934.

10. 11th Army AO to 11th Army Ic. September 22, 1941. NOKW-1525.

11. 11th Army Ic/AO (Abwehr 111), signed by Chief of Staff Wohler, to Einsatzgruppe D, August 8, 1941, NOKW-3453. The struggle against partisans "is a job for the Security Ftolice." Stahlecker Report to October 15, 1941. L-180.

12. War Diary, 17th Army/Operations. December 14, 1941, NOKW-3350. The order read: "Upon order of the chief of staff, Jewish Actions [*Judenaktionen*] in Artemovsk will be postponed, pending a clarification of the front-line situation." The commander of the 17th Army was Generaloberst Hermann Hoth. Einsatzgruppe C operated in the area.

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density of Jewish settlement and the speed of the German advance. Several districts, such as Biatystok, Galicia, and Bessarabia, were covered rather rapidly and sporadically. In those areas many Jews were subsequently deported to camps. In the Baltic region, on the other hand, detachments of Einsatzgruppe A stayed behind to move back and forth for more extensive killing operations. A summary report of Einsatzkommando 3 in Lithuania reveals a series of such repetitive movements. The Kommando covered a large part of the Lithuanian area, with salients in Dvinsk (Daugavpils), Latvia, and near Minsk in White Russia. Its report, dated December 1, 1941, contains 112 entries of shootings. One or another entry refers to several adjacent localities or several consecutive days. The number of place names is seventy-one, and in fourteen of these communities the Kommando struck more than once. Thus the towns of Babtai, Kedainiai, Jonava, and Rokiškis were raided twice; Vandžiogala, Utena, Alytus, and Dvinsk, at least three times; Rašciniai and Ukmergė, four; Marijampolė, five; Panevėžys, six; Kovno (Kaunas), thirteen; and Vilna (Vilnius), fifteen times. The interval between raids in these cities ranged from a fraction of a day to forty-two days, and the median pause was a week. Some of the major massacres occurred after the third, fourth, or fifth round.¹⁷

The Einsatzkommandos that moved with the armies farther to the east encountered fewer and fewer Jews. The victims were thinning out for two reasons. The first was geographic distribution. By October-November 1941, the largest concentrations of Jews had already been left behind. In the eastern Ukraine and beyond the White Russian areas around Smolensk, the Jewish communities were smaller and more widely dispersed. The second reason was the decreasing percentage of Jews who stayed behind. With increasing distance from the starting line, the Soviet evacuation of factory and agricultural workers gained momentum. Many Jews were evacuated, and many others fled on their own. On September 12, 1941, Einsatzgruppe C reported that "across the lines, rumors appear to have circulated among the Jews about the ^{13 * 15}

13. Report by Staf. Jäger, December 1, 1941, Zentrale Stelle der Landesjustizverwaltungen, Ludwigsburg, UdSSR 108, film 3, pp. 27-38. To cover Lithuania in this manner, Jäger had organized a raiding party (<Rollkommando) of eight to ten men under Ostuf. Hamann. The raiding party was dispatched almost daily from Kaunas to outlying points, where local Lithuanians assisted in roundups and shootings. In neighboring Latvia, Einsatzkommando 2 was also held behind the lines. Up to the end of October 1941, its major killings took place at the coast (Liepāja and Riga), the center (Jelgava), and the Lithuanian region around Siauliai (Shavli, or Schaulen). Stahlecker Report to October 15, 1941, L-180. Einsatzkommando 2 was augmented by a Latvian Sonderkommando of more than one hundred men (eventually two companies of three platoons each) under a Latvian with legal training and police experience, Viktor Arajš. Indictment of Arajš by prosecutor with Landgericht Hamburg, 141 Js 534/60, May 10, 1976, pp. 55-66, and judgment of Hamburg court in Arajš case, (37) 5/76, December 21, 1979.

fate which they can expect from us [*Bei den Juden scheint sich auch jenseits der Front herumgesprochen zu haben, welches Schicksal sie bei uns erwartet*].” The Einsatzgruppe which operated in the central and eastern Ukrainian territories found that many Jewish communities were reduced by 70 to 90 percent and some by 100 percent.”

Such reports began to multiply in the fall. In Melitopol an original Jewish population of 11,000 had dwindled to 2,000 before Einsatzgruppe D arrived.¹⁵ Dnepropetrovsk had a prewar Jewish community of 100,000; about 30,000 remained.^{14 15 16 17} In Chernigov, with a prewar Jewish population of 10,000, Sonderkommando 4a found only 309 Jews.” In Mariupol and Taganrog, Einsatzgruppe D encountered no Jews at all.^{18 19 20} On the road from Smolensk to Moscow, Einsatzgruppe B reported that in many towns the Soviets had evacuated the entire Jewish population,” while in the frozen areas near Leningrad, Einsatzgruppe A caught only a few strayed Jewish victims.” These figures are not an accurate indication of the number of Jews who succeeded in getting away, for many of the victims fled only a short distance and—overtaken by the German army—drifted back into the towns. Nevertheless, a comparison of the original number of Jewish inhabitants with the total number of dead will show that upwards of 1,500,000 Jews did succeed in eluding the grasp of the mobile killing units. Most Jews, however, were trapped.

The Einsatzgruppen had moved with such speed behind the advancing army that several hundred thousand Jews could be killed like sleeping flies. Einsatzgruppe A reported on October 15, 1941, that it had killed 125,000 Jews.²¹ Einsatzgruppe B reported on November 14,

14. RSHA IV-A-1, Operational Report USSR No. 81 (48 copies), September 12, 1941, NO-3154.

15. Ortskommandantur 1/853 Melitopol to Kortlck 533, October 13, 1941, NOKW-1632.

16. RSHA IV-A-1, Operational Report USSR No. 135 (60 copies), November 19, 1941, NO-2832.

17. *Ibid.*

18. RSHA IV-A-1, Operational Report USSR No. 136 (60 copies), November 21, 1941, NO-2822.

19. RSHA IV-A-1, Operational Report USSR No. 123 (50 copies), October 24, 1941, NO-3239. Schwarz, in *The Jews in the Soviet Union*, pp. 220-22, states that there is no evidence of a Soviet evacuation plan for Jews in particular.

20. Stahlecker Report to October 15, 1941, L-180.

21. Stahlecker Report to October 15, 1941, L-180. In addition, about 5,000 non-Jews had been killed. The most lethal unit in the Einsatzgruppe was Einsatzkommando 3. Its count as of February 9, 1942, was 138,272 people killed (including 136,421 Jews). Handwritten note by Jäger to Einsatzgruppe A, February 9, 1942, Zentrale Stelle Ludwigsburg. UdSSR 108, film 3, p. 27.

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1941, an incomplete total of 45,000 victims." Einsatzgruppe C reported on November 3, 1941, that it had shot 75,000 Jews." Einsatzgruppe D reported on December 12, 1941, the killing of 55,000 people."

Although over a million Jews had fled and additional hundreds of thousands had been killed, it became apparent that many Jewish communities had hardly been touched. They had been bypassed in the hurried advance. To strike at these Jews while they were still stunned and helpless, a second wave of mobile killing units moved up quickly behind the Einsatzgruppen.

From Tilsit, in East Prussia, the local Gestapo sent a Kommando into Lithuania. These Gestapo men shot thousands of Jews on the other side of the Memel River." In Kraków the *Befehlshaber der Sicherheitspolizei und des SD* (BdS) of the Generalgouvernement, SS-Oberführer Schöngarth, organized three small Kommandos. In the middle of July these Kommandos moved into the eastern Polish areas and, with headquarters in Lwów, Brest-Litovsk, and Biatystok, respectively, killed tens of thousands of Jews." In addition to the Tilsit Gestapo and the Generalgouvernement Kommandos, improvised killing units were thrown into action by the Higher SS and Police Leaders. In the newly occupied Soviet territories, Himmler had installed three of these regional commanders:²⁷

HSSPf Nord (North):

OGruf. Priitzmann (Jeckeln) ^{22 23 24 25 26 27}

22. RSHA IV-A-1, Operational Report USSR No. 133 (60 copies), November 14, 1941, NO-2825.

23. RSHA IV-A-1, Operational Report USSR No. 128 (55 copies), November 3, 1941, NO-3157. In addition, the Einsatzgruppe had shot 5,000 non-Jews.

24. RSHA IV-A-1, Operational Report USSR No. 145 (65 copies), December 12, 1941, NO-2828.

25. RSHA IV-A-1, Operational Report USSR No. 19 (32 copies), July 11, 1941, NO-2934. RSHA IV-A-1, Operational Report USSR No. 26, July 18, 1941, NO-2941. The Stahlecker mentions that the Tilsit unit had killed 5,500 persons. Stahlecker Report to October 15, 1941, L-180.

26. Order by Commander, Rear Army Group Area South, Ic (signed von Roques), July 14, 1941, NOKW-2597. RSHA IV-A-1, Operational Report USSR No. 43 (47 copies), August 5, 1941, NO-2949. RSHA IV-A-1, Operational Report USSR No. 56 (48 copies), August 18, 1941, NO-2848. RSHA IV-A-1, Operational Report USSR No. 58, August 29, 1941, NO-2846. RSHA IV-A-1, Operational Report USSR No. 66, August 28, 1941, NO-2839. RSHA IV-A-1, Operational Report USSR No. 67, August 29, 1941, NO-2837. RSHA IV-A-1, Operational Report USSR No. 78 (48 copies), September 9, 1941, NO-2851. These reports, which do not cover all the operations of the three Kommandos, mention 17,887 victims.

27. RSHA IV-A-1, Operational Report USSR No. 129 (55 copies), November 4, 1941, NO-3159. RSHA IV-A-1, Operational Report USSR No. 141 (66 copies), December 3, 1941, NO-4425. RSHA IV-A-1, Operational Report USSR No. 149 (65 copies), December 22, 1941, NO-2833.

HSSPf Mitte (Center):

OGruf. von dem Bach-Zelewski

HSSPf Slid (South):

OGruf. Jeckeln (Prittmann)

Each Higher SS and Police Leader was in charge of a regiment of Order Police and some Waffen-SS units." These forces helped out considerably.

In the northern sector the Higher SS and Police Leader (Prittmann), assisted by twenty-one men of Einsatzkommando 2 (Einsatzgruppe A), killed 10,600 people in Riga.^{28 29 30 31 32 33 34} In the center the Order Police of Higher SS and Police Leader von dem Bach helped kill 2,278 Jews in Minsk⁵⁰ and 3,726 in Mogilev.⁷¹ (The beneficiary of this cooperation was Einsatzgruppe B.) In the south Higher SS and Police Leader Jeckeln was especially active. When Einsatzkommando 4a (Einsatzgruppe C) moved into Kiev, two detachments of Order Police Regiment South helped kill over 33,000 Jews." The role of the regiment in the Kiev massacre was so conspicuous that Einsatzkommando 4a felt obliged to report that, apart from the Kiev action, it had killed

14,000 Jews "without any outside help *[ohne jede fremde Hilfe erledigt].*"⁶⁶

But Jeckeln did not confine himself to helping the Einsatzgruppen. His mobile killing units were responsible for some of the greatest massacres in the Ukraine. Thus when Feldmarschall Reichenau, commander of the Sixth Army, ordered the 1st SS Brigade to destroy remnants of the Soviet 124th Division, partisans, and "supporters of the Bolshevik system" in his rear, Jeckeln led the brigade on a three-day rampage, killing 73 Red Army men, 165 Communist party functionaries, and 1,658 Jews." A few weeks later, the same brigade shot 300 Jewish men and 139 Jewish women in Starokonstantinov "as a

28. Report by Major Schmidt von Altenstadt, May 19, 1941, NOKW-486.

29. RSHA, IV-A-1, Operational Report USSR No. 156, January 16, 1942, NO-3405. The action took place on November 30, 1941.

30. RSHA, IV-A-1, Operational Report USSR No. 92, September 23, 1941, NO-3143. The army's Feldgendarmarie also participated in this action.

31. RSHA IV-A-1, Operational Report USSR No. 133 (60 copies), November 14, 1941, NO-2825.

32. RSHA, IV-A-1, Operational Report USSR No. 101 (48 copies), October 2, 1941, NO-3137.

33. RSHA IV-A-1, Operational Report USSR No. III (50 copies), October 12, 1941, NO-3155. Einsatzkommando 4a had a total of 51,000 victims by that time.

34. OGruf. Jeckeln to 6th Army, copies to Himmler, Army Group Rear Area South (General von Roques), Commander of 6th Army Rear Area (Generalleutnant von Puttkammer), and Chief of Order Police Daluge, August 1, 1941, NOKW-1165.

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reprisal measure for the uncooperative attitude of the Jews working for the Wehrmacht.”

Next Jeckeln struck at Kamenets-Podolsky, shooting there a total of 23,600 Jews.³⁵ Another action followed in Berdichev, where Jeckeln killed 1,303 Jews, “among them 875 Jewesses over twelve years of age.”^{35 36 37 38 39 40} In Dnepropetrovsk, where Jeckeln slaughtered 15,000 Jews, the local army command reported that to its regret it had not received prior notification of the action, with the result that its preparations to create a ghetto in the city, and its regulation (already issued) to exact a “contribution” from the Jews for the benefit of the municipality, had come to naught.” Yet another massacre took place in Rovno, where the toll was also 15,000.* In its report about Rovno, Einsatzgruppe C stated that, whereas the action had been organized by the Higher SS and Police Leader and had been carried out by the Order Police, a detachment of Einsatzkommando 5 had participated to a significant extent in the shooting (*an der Durchführung massgeblich beteiligt*).^{*1}

Although the total number of Jews shot by the Higher SS and Police Leaders cannot be stated exactly, we know that the figure is high. Thus in the single month of August the Higher SS and Police Leader South alone killed 44,125 persons, “mostly Jews.”^{*1 42}

The mobile killing strategy was an attempt to trap the Jews in a wave of Einsatzgruppen, immediately followed up by a support wave of Gestapo men from Tilsit, Einsatzkommandos from the Generalgouvernement, and formations of the Higher SS and Police Leaders. Together, these units killed about five hundred thousand Jews in five months. (The locations of the mobile killing units in July and November 1941 are shown on Maps 2 & I. *)

35. RSHA IV-A-1, Operational Report USSR No. 59 (48 copies), August 21, 1941, NO-2847. For other killings by the 1st SS Brigade, see its activity reports for July-September 1941, compiled by Europa Verlag, *Unsere Ehre heisst Treue* (Vienna-Frankfurt-Zurich, 1965).

36. RSHA IV-A-1, Operational Report USSR No. 80 (48 copies), September 11, 1941, NO-3154.

37. RSHA IV-A-1, Operational Report USSR No. 88 (48 copies), September 19, 1941, NO-3149.

38. Report by Feldkommandantur 240/VI1 for period of September 15, 1941, to October 15, 1941, Yad Vashem document 0-53/6. Sonderkommando 4a reported 10,000 killed in the city by Jeckeln on October 13, 1941. See RSHA IV-A-1, Operational Report USSR No. 135 (60 copies), November 19, 1941, NO-2832.

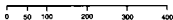
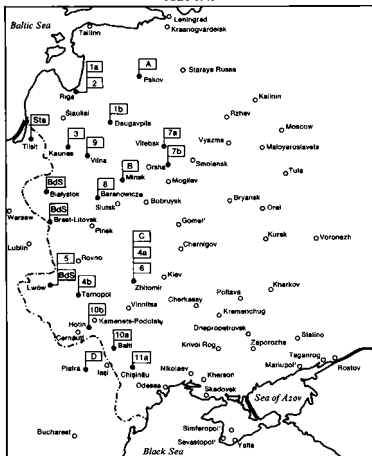
39. RSHA IV-A-1, Operational Report USSR No. 143 (65 copies), December 8, 1941, NO-2827. The action took place on November 7-8, 1941.

40. *Ibid.*

41. RSHA IV-A-1, Operational Report USSR No. 94 (48 copies), September 25, 1941, NO-3146.

42. Locations are cited in almost every RSHA IV-A-1 operational report.

MAP 2
POSITIONS OF THE MOBILE KILLING UNITS
JULY 1941

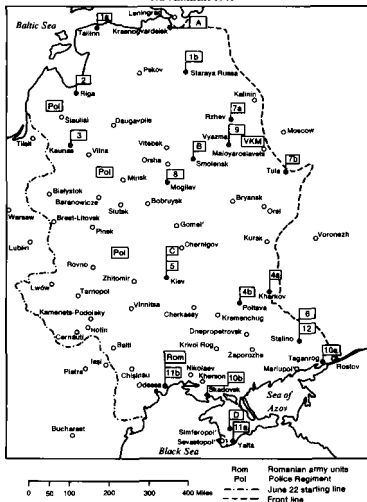


Sta Gestapo Tilsit
Units of BdS
BdS Generalgouvernement

COOPERATION WITH THE MOBILE KILLING UNITS

Movement was the basic problem of the mobile killing units during the first sweep. Once the killing units had arrived at a desired spot, however, they had to deal with a host of problems. The success of the

MAP 3
POSITIONS OF THE MOBILE KILLING UNITS
NOVEMBER 1941



operation from that point on depended on the attitudes of the military authorities, the native population, and the victims themselves.

The army cooperated with the Einsatzgruppen to an extent that far

exceeded the minimum support functions guaranteed in the OKH-RSHA agreement. This cooperation was all the more remarkable because the Security Police had expected little more than grudging acquiescence in the killing operations. On July 6, 1941, Einsatzkommando 4b (Einsatzgruppe C) reported from Tamopol: "Armed forces surprisingly welcome hostility against Jews [*Wehrmacht erfreulich gute Einstellung gegen die Juden*]." On September 8, Einsatzgruppe D reported that relations with military authorities were "excellent" (*ausgezeichnet*). The commander of Einsatzgruppe A (Brigadeführer Dr. Stahlecker) wrote that his experiences with Army Group North were very good and that his relations with the Fourth Panzer Army under Generaloberst Hoepner were "very close, yes, almost cordial [*sehr eng, ja fast herzlich*]."''

These testimonials were given to the army because it went out of its way to turn over Jews to the Einsatzgruppen, to request actions against Jews, to participate in killing operations, and to shoot Jewish hostages in "reprisal" for attacks on occupation forces. The generals had eased themselves into this pose of cooperation through the pretense that the Jewish population was a group of Bolshevik dachards who instigated, encouraged, and abetted the partisan war behind the German lines.^{43 44 45 46} The army thus had to protect itself against the partisan menace by striking at its presumable source—the Jews.⁴⁷

The first consequence of army "security" policy was the practice of handing over Jews to the Einsatzgruppen for shooting. In Minsk the army commander established a civilian internment camp for almost all the men in the city. Secret Field Police units and Einsatzgruppe B personnel together "combed out" the camp. Thousands of "Jews,

43. RSHA IV-A-1, Operational Report USSR No. 14 (30 copies), July 6, 1941, NO-2940.

44. Ohlendorf via Stubaf. Gmeiner to 11th Army Ic/AO (received and initialed by Chief of Staff Wohler), September 8, 1941, NOKW-3234.

45. Stahlecker Report to October 15, 1941, L-180.

46. In line with this thinking, see letter by Gen. Eugen Müller (OKH morale chief) to commanders of Army Group Rear Areas, North, Center, and South, July 25, 1941, NOKW-182. Müller warned in that letter that the "carriers of the Jewish-Bolshevik system" were now starting an all-out partisan war in the German rear.

47. An illustration of army credulity is the ease with which the military was persuaded without any evidence that the great fire in Kiev had been started by the Jews. RSHA IV-A-1, Operational Report USSR No. 97 (48 copies), September 28, 1941. NO-3145. A subsequent Einsatzgruppen report disclosed that the fire had been set by a so-called annihilation battalion—a type of partisan unit employed by the Russians during the early days of the war in sabotage activities. RSHA IV-A-1, Operational Report USSR No. 127(55 copies), October 31, 1941, NO-4136.

MOBILE KILLING OPERATIONS

criminals, functionaries, and Asiatics” were caught in the roundup* In Zhitomir, General Reinhardt assisted Einsatzgruppe C in a “comb-out” (*Durchkammung*) of the town* Outside the cities several military units turned in stray Jews fleeing on the roads or in the woods.”

The second application of the theory that Jews were the instigators of the partisan war was army initiation of action against the Jews. In Kremenchug the Seventeenth Army requested Kommando 4b to wipe out the Jews of the city because three cases of cable sabotage had occurred there.^{48 49 50 51 52 53} In other towns army commanders did not even wait for sabotage occurrences, but requested anti-Jewish action as a “precautionary” measure. Thus in the town of Kodyma an illiterate Ukrainian woman who claimed to understand Yiddish was brought before Hauptmann (Captain) Kramer of Secret Field Police Group 647 with the XXX Corps. She revealed that she had overheard a Jewish plot to attack the army in the city. That same afternoon, Einsatzkommando 10a in Olshanka was asked to send a detachment to Kodyma. The detachment, assisted by Secret Field Police men, then carried out the killings.” At Armyansk in the Crimea, the local military commander sent the following report to his superior:

For protection against the partisan nuisance and for the security of the troops in this area, it became absolutely necessary to render the fourteen local Jews and Jewesses harmless. Carried out on November 26, 1941.”

The third effect of the German theory of a “Jewish-Bolshevist” conspiracy was a policy of taking Jewish hostages and suspects in the occupied territories. The Seventeenth Army ordered that whenever sabotage or an attack on personnel could not be traced to the Ukrainian population, Jews and Communists (especially Jewish Komsomol mem-

48. RSHA IV-A-1. Operational Report USSR No. 21 (32 copies), July 13, 1941, NO-2937, RSHA IV-A-1, Operational Report USSR No. 73 (48 copies), September 4, 1941, NO-2844.

49. RSHA IV-A-1. Operational Report USSR No. 38 (48 copies). July 30, 1941, NO-2951.

50. For instance, the 99th Infantry Division of the 6th Army. See reports by 99th Division Ic, September 27 and 29, 1941, NOKW-1294. See also 3rd Company of 683d Motorized Feldgendarmarie Battalion to Feldkommandantur 810, November 2, 1941, NOKW-1630. The Feldgendarmarie (not to be confused with the Secret Field Police) was the army's military police. Many of its personnel had been drawn from the Order Police.

51. War diary, 17th Army Ic/AO, September 22, 1941, NOKW-2272. The commander of the 17th Army was General der Infanterie Heinrich von Stülpnagel.

52. XXX Corps Ic to 11th Army Ic, August 2, 1941, NOKW-650. Sonderkommando 10a (OStubaf. Seetzen) to Einsatzgruppe D, August 3, 1941, NOKW-586.

53. Ortskommandantur Armyansk to Korick 553/Qu in Simferopol, November 30, 1941, NOKW-1532.

bers) were to be shot in reprisal.⁵⁴ The commander of the Southern Army Group Rear Area explained a similar order in the following terms:

We must convey the impression that we are just. Whenever the perpetrator of an act of sabotage cannot be found, Ukrainians are not to be blamed. In such cases reprisals are therefore to be carried out only against Jews and Russians.”

Perhaps the most interesting order was issued by the Sixth Army Ia/OQu at Kharkov. The order provided that Jews and other hostages be placed in big buildings. It was suspected that some of these buildings were mined. Now that the supposed perpetrators were in the buildings, the military expected that reports of the location of the mines would soon be made to army engineers.* At least one unit carried its suspicion of the Jews so far as to order, in one breath, that all Red Army men in uniform or civilian clothes caught “loafing around,” Jews, commissars, persons who carried a weapon, and those suspected of partisan activities were to be shot at once.⁵⁵

It is difficult to estimate how many Jewish hostages or suspects fell victim to the German army. Einsatzgruppe A reported that in White Russia alone. Army Group Center had shot 19,000 “partisans and criminals, that is, in the majority Jews,” up to December 1941.” The Jewish victims of army action were thus no insignificant group of people. The army was pitching in very seriously to help the Heydrich forces reduce the Jewish population of the east.

In all the examples cited so far, partisan activity was the explicit or implicit justification for the army’s actions. Interestingly enough, however, there were instances after the start of operations when the military went out of its way to help the mobile killing units for no apparent reason save the desire to get things over with. The growth of this callousness in the face of mass death is illustrated by the following two stories.

54. 17th Army Ic/AO (signed by Stulpnagel) to corps commands, with copy to commander of Southern Army Group Rear Area, July 30, 1941, NOKW-1693. The Kom-somol was a Communist party youth organization.

55. Order by Southern Army Group Rear Area/Section VII (signed by Gen. von Roques), August 16, 1941, NOKW-1691. For reports of “reprisal” shootings of Jews, see proclamation by town commander of Kherson, August 28, 1941, NOKW-3436. Commander, Southern Army Group Rear Area Ic to Army Group South Ia/Ib, November 13, 1941, NOKW-1611. 202d Replacement Brigade Ia to Commander, Southern Army Group Rear Area, November 13, 1941, NOKW-1611. There are many other such reports.

56. Order by 6th Army Ia/OQu, October 17, 1941, NOKW-184. The engineer chief in Kharkov was Obersl (Colonel) Herbert Sell«, commander of the 677th Engineer Regiment.

57. Order by 52d Infantry Division Ic, September 11, 1941, NOKW-1858.

58. Draft report by Einsatzgruppe A, winter 1941-42, PS-2273.

MOBILE KILLING OPERATIONS

In Dzhankoy on the Crimean peninsula, the local mayor had established a concentration camp for Jews without notifying anyone. After a while, famine raged in the camp and epidemics threatened to break out. The military commander (*Ortskommandant*) approached Einsatzgruppe D with a request to kill the Jews, but the Security Police turned down the request because it did not have enough personnel. After some haggling, the army agreed to furnish its Feldgendarmarie for blocking the area off so that a Kommando of the Einsatzgruppe could perform the killings.*

In Simferopol, the Crimean capital, the Eleventh Army decided that it wanted the shooting to be completed before Christmas. Accordingly, Einsatzgruppe D, with the assistance of army personnel and with army trucks and gasoline, completed the shootings in time to permit the army to celebrate Christmas in a city without Jews."

From an initial reluctance to participate in the destruction process, the generals had developed such an impatience for action that they were virtually pushing the Einsatzgruppen into killing operations. The German army could hardly wait to see the Jews of Russia dead—no wonder that the commanders of the Einsatzgruppen were pleasantly surprised.

While most of the mobile killing units were operating in the territorial domain of the German army, Einsatzkommandos of Groups C and D also moved into sectors of the Hungarian and Romanian armies. A novel situation faced the Security Police in these sectors. The RSHA had made no agreements with the satellite commands. The German government had not even informed its allies of the special mission of the Reichsführer-SS. New experiences were therefore in store for Himmler's men as they moved into areas held by alien authority.

References to the relations with the Hungarians are scarce, and whenever we find them they do not show the Hungarians in a cooperative attitude. In Zhitomir, for instance, the Hungarian army stopped an action by native police against the Jews.^{59 60 61} Again, farther to the south, Einsatzgruppe D reported at the end of August that it had "cleared of Jews" a territory bordering on the Dniester from Hotin to Yampol, *except* for a small area occupied by Hungarian forces.⁶² The Romanian

59. Report by Major Teichmann (Korück 553/lc), January 1, 1942, NOKW-1866.

60. Affidavit by Werner Braune (commander, Sonderkommando lib), July 8, 1947, NO-4234. Still another example of army cooperation is Zhitomir. See RSHA IV-A-1, Operational Report, USSR No. 106 (48 copies), October 7, 1941, NO-3140.

61. RSHA IV-A-1, Operational Report USSR No. 23, July 15, 1941, NO-4526. Control of the city passed subsequently into the hands of a German commander.

62. RSHA IV-A-1, Operational Report USSR No. 67 (48 copies), August 29, 1941, NO-2837.

attitude, on the other hand, was quite different. Repeatedly, Romanian forces on the march invaded Jewish quarters and killed Jews, and their actions took the form of atrocities rather than well-planned or well-reasoned killing operations. The German witnesses of that Romanian fury were slightly disturbed by what they saw and at times attempted to introduce discipline into the ranks of their ally.

Early in July, Sonderkommando 10a of Einsatzgruppe D moved into the city of Bălji. The Sonderkommando sent search parties into the Jewish quarter of the Romanian-occupied city. "In one room," reported Obersturmbannführer Seetzen, "a patrol last evening discovered fifteen Jews, of different ages and both sexes, who had been shot by Romanian soldiers. Some of the Jews were still alive; the patrol shot them to death for mercy's sake."⁶³ ⁶⁴ Another incident in the same town occurred on the evening of July 10. Romanian army authorities drove together four hundred Jews of all ages and both sexes in order to shoot them in retaliation for attacks on Romanian soldiers. The commander of the 170th German Division in the area was taken aback by the spectacle. He requested that the shooting be limited to fifteen Jewish men." By July 29 another report from Bălji indicated that the Romanians were shooting Jews en masse. "Romanian police in Bălji and surrounding area proceeding sharply against Jewish population. Number of shootings cannot be determined exactly." Kommando 10a pitched in by shooting the Jewish community leaders in the town.⁶⁵ ⁶⁶ ⁶⁷

The Einsatzgruppe also had trouble with the Romanians in Cernăuți. In that city the Romanians were busily shooting Ukrainian intellectuals "in order to settle the Ukrainian problem in the North Bukovina once and for all." Among the victims the Security Police found many Ukrainian nationalists who had been potential collaborators in German service. Kommando 10b consequently had a dual reason for interfering. It requested the release of the pro-German nationalists (OUN men) in exchange for Communists and Jews." The arrangement was successful. Two weeks later, Einsatzgruppe D and Romanian police were jointly shooting thousands of Jews.⁶⁷

63. Sonderkommando 10a (signed Seetzen) to Einsatzgruppe D, July 10, 1941, NO-2073.

64. RSHA IV-A-1, Operational Report USSR No. 25 <34 copies), July 17, 1941, NO-2939.

65. RSHA IV-A-1, Operational Report USSR No. 37 (45 copies). July 29, 1941, NO-2952.

66. RSHA IV-A-1, Operational Report USSR No. 22 <30 copies), July 14, 1941, NO-4135. The OUN was a pro-German organization of Ukrainians.

67. RSHA IV-A-1, Operational Report USSR No. 40(45 copies), August 1, 1941, NO-2950. RSHA IV-A-1, Operational Report USSR No. 67 (48 copies), August 29, 1941, NO-2827.

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The occurrences at Băl(ı and Cemău(ı were destined to be dwarfed by a bloodbath that followed in the fall. The city with the largest Jewish population in the USSR, Odessa, was captured by the Fourth Romanian Army after a long siege, on October 16, 1941.⁶⁸ During the first days of the occupation, fires broke out night after night, but—in the eyes of a German observer—the Romanians were proceeding against the Jewish “elements” with “relative loyalty [*verhältnismässiger Loyalität*].” There were no “special excesses [*besondere Ausschreitungen*].” In the late afternoon of October 22, however, partisans blew up the Romanian headquarters on Engel Street, killing the commander of the 10th Division, General Glogojanu, and his entire staff. The number of identified dead was forty-six, of whom twenty-one were officers, including some Germans. Others were believed buried in the debris.⁶⁹ That evening, the deputy commander of the 13th Division, General Trestioreanu, reported that he was taking measures to hang Jews and Communists in public.^{68 69 70} During the night, Odessa was the scene of numerous hangings and shootings.^{71 72} These killings had hardly ceased when, on October 23, Romanian gendarmerie began a major roundup. According to an Abwehr liaison officer with Romanian intelligence, who was in Odessa at the time, about 19,000 Jews were shot that morning in a square surrounded by a wooden fence in the harbor area. Their bodies were covered with gasoline and burned.⁷³ At 12:30 p.m. of the same day, the Romanian dictator, Marshal Ion Antonescu, issued instructions that 200 Communists be executed for every officer—Romanian or German—killed in the explosion, and that 100 Communists be executed for every dead enlisted man. All Communists

68. OKW communiques, October 16 and 17, 1941, published in the press. Following Soviet evacuation by sea, about 300,000 inhabitants were reported left behind. Institute of Jewish Affairs, *Hitler's Ten-Year War on the Jews* (New York, 1943), p. 185, citing *Novoye Slovo* (Berlin), July 22, 1942. An estimate of the Jewish component of the total population is a “round” *irundl* 100,000. Report by Oberkriegsverwaltungsrat Dr. Ihnen (German legation in Bucharest), December 15, 1941, last unnumbered folder in Rumänien series, once in Federal Records Center, Alexandria, Va.

69. Director (Leiter) of Abwehrstelle Rumänien (signed Rodler) to 11th Army/Ic, German Army Mission Ic, German Air Force Mission Ic, and German Naval Mission Ic, November 4, 1941, T 501, roll 278.

70. Telegram from Trestioreanu to 4th Army, October 22, 1941, 8:40 P.M., in Matatias Carp, ed., *Cartea Neagra* (Bucharest, 1947), vol. 3, p. 208.

71. Rodler report, T 501, roll 278. An indictment in the war crimes trial of Romanian dictator Ion Antonescu noted that 5,000 people were shot. Extract from indictment in Carp, *Cartea Neagra*, p. 208. The majority of the victims were Jews. Comment by Carp, *ibid.*, p. 199.

72. Rodlerreport, T501, roll 278.

in Odessa, as well as one member of every Jewish family, were to be held as hostages." The Odessa prisons were now filling rapidly with more victims. On October 24, masses of Jews were moved some ten miles west of the city to the collective farm of Dalnik, where they were to be shot in antitank ditches. The shootings, which took place in batches of forty to fifty along a two-mile stretch, were too slow for the Romanian officers in charge of the operation. The remaining Jews were thereupon crowded into four sizable warehouses and sprayed with bullets fired through holes in the walls. One warehouse after another was then set on fire. A Romanian indictment presented in a postwar trial contains an estimate of 25-30,000 dead at Dalnik. The Abwehr officer in Odessa was told by the Romanian director of telephone "surveillance" (*Überwachung*) that 40,000 Odessa Jews had been "conveyed to Dalnik [*nach Dalnik geschafft*]." Some tens of thousands of Jews remained in Odessa after the October massacres." They were to be swept up in a second wave during the following months.

The mobile killings had thus become an operation of SS, police, and military units, Romanian as well as German. Much, however, depended also on the attitude of the civilian population. How were the Slavs going to react to the sudden annihilation of an entire people living in their midst? Would they hide the Jews or hand them over to German occupation authorities? Would they shoot at the killers or help in the killings? These were vital questions for Einsatzgruppen commanders and their subordinates.

In fact, the behavior of the population during the killing operations was characterized by a tendency toward passivity. This inertness was the product of conflicting emotions and opposing restraints. The Slavs had no particular liking for their Jewish neighbors, and they felt no overpowering urge to help the Jews in their hour of need. Insofar as there were such inclinations, they were effectively curbed by fear of reprisals from the Germans. At the same time, however, the Slavic population stood estranged and even aghast before the unfolding spectacle of the "final solution." There was on the whole no impelling desire ^{73 74 75}

73. Text of order in Carp, *Corleo Neagra*, pp. 208-9.

74. See extract from Romanian indictment in Carp, *ibid.*, pp. 309-10; extract from the deposition of Romanian Sublieutenant Alexe Neacsu, 23d Regiment, *ibid.*, pp. 210-11; German figure in Rodler report T 501, roll 278. See also Dora Litani, "The Destruction of the Jews of Odessa," *Yad Vashem Studies* 6 (1967): 135-54, and Julius Fischer, *Transnistria* (New York, 1969), pp. 120-21.

75. Carp estimates that 30,000 remained. Carp, *Cartea Neagra*, p. 201. On Jews, insecure after shootings, streaming into the central prison without "prodding" of the Romanians (*ohne Zutun der Rumänen*). see report by confidential agent, code no. USSR 96, recorded in Bucharest, beginning of November 1941. WL/1C 4.2-a.

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to cooperate in a process of such utter ruthlessness. The fact that the Soviet regime, fighting off the Germans a few hundred miles to the east, was still threatening to return undoubtedly acted as a powerful restraint on many a potential collaborator. The ultimate effect of this psychological constellation was an escape into neutrality. The population did not want to take sides in the destruction process. If few were on the side of the Germans, fewer still were on the side of the Jews.

In all the Einsatzgruppen reports, we discover only one indication of the pro-Jewish act in the occupied lands. Sonderkommando 4b reported that it had shot the mayor of Kremenchug, Senitsa Vershovsky, because he had "tried to protect the Jews."⁷⁶ This incident appears to have been the only case of its kind. The counterpressure was evidently too great. Whoever attempted to aid the Jews acted alone and exposed himself as well as his family to the possibility of a death sentence from a German Kommando. There was no encouragement for a man with an awakened conscience. In Lithuania, Bishop Brizgys set an example for the entire population by forbidding the clergy to aid or intercede for the Jews in any way (*sich in irgend einer Form für Juden zu verwenden*)?

Across the whole occupied territory Jews were turning to the Christian population for assistance—in vain. Einsatzgruppe C reported that many Jews who had fled from their homes were turning back from the countryside. "The population does not house them and does not feed them. They live in holes in the earth or pressed together [*zusammengepfercht*] in old huts."^{77*}

Sometimes the failure to help the Jews appears to have weighed on the conscience of the population. Thus in the northern sector, south of Leningrad, Einsatzgruppe A reported a subtle attempt by the local residents to justify their inactivity. The following anecdote was circulating in that sector: A group of Soviet prisoners of war was requested by its German captors to bury alive a number of Jewish fellow prisoners. The Russians refused. The German soldiers thereupon told the Jews to bury the Russians. The Jews, according to the anecdote, immediately grabbed the shovels."

The refusal to help the Jews was only a little more tenacious than ^{76 77 78 79}

76. RSHA, IV-A-1, Operational Report USSR No. 156, January 16, 1942, NO-3405.

77. RSHA IV-A-1, Operational Report USSR No. 54 (48 copies), August 16, 1941, NO-2849.

78. RSHA IV-A-1, Operational Report USSR No. 94 (48 copies), September 25, 1941, NO-3146.

79. RSHA IV-A-1, Operational Report USSR No. 123 (50 copies), October 24, 1941, NO-3239.

the reluctance to help the Germans. On July 19, Einsatzgruppe B in White Russia had already noted that the population was remarkably "apathetic" to the killing operations and that it would have to be asked to cooperate in the seizure of Communist functionaries and the Jewish intelligentsia." From the Ukraine, Einsatzkommando 6 of Einsatzgruppe C reported as follows:

Almost nowhere can the population be persuaded to take active steps against the Jews. This may be explained by the fear of many people that the Red Army may return. Again and again this anxiety has been pointed out to us. Older people have remarked that they had already experienced in 1918 the sudden retreat of the Germans. In order to meet the fear psychosis, and in order to destroy the myth [*Bann*] which, in the eyes of many Ukrainians, places the Jew in the position of the wielder of political power [*Träger politischer Macht*], Einsatzkommando 6 on several occasions marched Jews before their execution through the city. Also, care was taken to have Ukrainian militiamen watch the shooting of Jews.¹¹

This "deflation" of the Jews in the public eye did not have the desired effects. After a few weeks, Einsatzgruppe C complained once more that the inhabitants did not betray the movements of hidden Jews. The Ukrainians were passive, benumbed by the "Bolshevist terror." Only the ethnic Germans in the area were busily working for the Einsatzgruppe."

Neutrality is a zero quantity that helps the stronger party in an unequal struggle. The Jews needed native help more than the Germans did. The Einsatzgruppen, however, not only had the advantage of a generally neutral population; they also managed to obtain—at least from certain segments of the local citizenry—two important forms of cooperation in the killing operations: pogroms and the help of auxiliary police in seizures and shootings.

80. RSHA IV-A-1, Operational Report USSR No. 27 (36 copies), July 19, 1941, NO-2942.

81. RSHA IV-A-1, Operational Report USSR No. 81 (48 copies), September 12, 1941, NO-3154.

82. RSHA IV-A-1, Operational Report USSR No. 127 (55 copies), October 31, 1941, NO-4136. The Poles in the Biatystok region were also reported to have engaged in "spontaneous denunciations" (*Erstattung von Anzeigen*). RSHA IV-A-1, Operational Report USSR No. 21 (32 copies), July 13, 1941, NO-2937.

From the Crimea, Einsatzgruppe D reported: "The population of the Crimea is anti-Jewish and in some cases spontaneously brings Jews to Kommandos to be liquidated. The *starosts* (village elders) ask for permission to liquidate the Jews themselves." RSHA IV-A-1, Operational Report USSR No. 145 (65 copies), December 12, 1941, NO-2828. On Crimea, see also report by OStufab. Seibert (Einsatzgruppe D) to 11th Army Ic, April 16, 1942, NOKW-628. During the Soviet reoccupation of the Crimean city of Feodosiya in the winter of 1941-42, collaborators were said to have been killed with pickaxes as they were asked: "Why did you tolerate it that the Germans shot all the Jews?" AOK 11/IV Wi to WiStOst/FU, February 1, 1942, Wi/ID 2.512.

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What are pogroms? They are short, violent outbursts by a community against its Jewish population. Why did the Einsatzgruppen endeavor to start pogroms in the occupied areas? The reasons that prompted the killing units to activate anti-Jewish outbursts were partly administrative, partly psychological. The administrative principle was very simple: every Jew killed in a pogrom was one less burden for the Einsatzgruppen. A pogrom brought them, as they expressed it, that much closer to the "cleanup goal" (*Sduberungsziel*).⁸³ The psychological consideration was more interesting. The Einsatzgruppen wanted the population to take a part—and a major part at that—of the responsibility for the killing operations. "It was not less important, for future purposes," wrote Brigadeführer Dr. Stahlecker, "to establish as an unquestionable fact that the liberated population had resorted to the most severe measures against the Bolshevik and Jewish enemy, on its own initiative and without instructions from German authorities."⁸⁴ In short, the pogroms were to become a defensive weapon with which to confront an accuser, or an element of blackmail that could be used against the local population.

It may be noted in passing that Einsatzgruppen and military interests diverged on the matter of pogroms. The military government experts, like the civilian bureaucrats at home, dreaded any kind of uncontrollable violence. One rear (security) division, issuing a long directive for anti-Jewish measures, included also this sharply worded paragraph in its order: "Lynch justice against Jews and other terror measures are to be prevented by all means. The armed forces do not tolerate that one terror [the Soviet one] be relieved by another."⁸⁵ Most of the pogroms, therefore, took place in those areas that had not yet been placed in the firm grip of military government experts.

The Einsatzgruppen were most successful with "spontaneous" outbursts in the Baltic area, particularly in Lithuania. Yet even there Dr. Stahlecker observed: "To our surprise, it was not easy at first to set in motion an extensive pogrom against the Jews."⁸⁶ The Lithuanian pogroms grew out of a situation of violence in the capital city of Kaunas. As soon as war had broken out, anti-Communist fighting groups had gone into action against the Soviet rear guard. When an advance detachment of Einsatzkommando 1b (Einsatzgruppe A) moved into Kaunas, the Lithuanian partisans were shooting it out with retreating Red Army men. The newly arrived Security Police approached the ^{83 84 85 86}

83. Stahlecker Report to October 15, 1941, L-180.

84. *ibid.*

85. Directive by 454th Security Division/1a to Ortskommandanturen in its area, September, 1941, NOKW-2628.

86. Stahlecker Report to October 15, 1941, L-180.

chief of the Lithuanian insurgents, Klimaitis (misspelled by the Germans *Klimatis*), and secretly persuaded him to turn his forces on the Jews. After several days of intensive pogroms, Klimaitis had accounted for 5,000 dead: 3,800 in Kaunas, 1,200 in other towns.⁸⁷ Moving farther north, Einsatzgruppe A organized a pogrom in Riga, Latvia. The Einsatzgruppe set up two pogrom units and let them loose in the city; 400 Jews were killed.⁸⁸ Both in Kaunas and in Riga, the Einsatzgruppe took photographs and made films of the "self-cleansing actions" (*Selbstreinigungskaktionen*) as evidence "for later times" of the severity of native treatment of the Jews.⁸⁹ With the disbanding of the anti-Communist partisans, the northern pogroms ended. No other outbursts took place in the Baltic states.^{87 88 89 90 91 92 93 94}

In addition to Stahlecker's Einsatzgruppe in the north, Einsatzgruppe C had some success with pogroms in the south. The southern pogrom area was largely confined to Galicia, an area that was formerly Polish territory and that had a large Ukrainian population. The Galician capital of Lw6w was the scene of a mass seizure by local inhabitants. In "reprisal" for the deportation of Ukrainians by the Soviets, 1,000 members of the Jewish intelligentsia were driven together and handed over to the Security Police.⁹⁰ On July 5, 1941, about seventy Jews in Tarnopol were rounded up by Ukrainians when three mutilated German corpses were found in the local prison. The Jews were killed with dynamite (*mit geballter Ladung erledigt*). Another twenty Jews were killed by Ukrainians and German troops.⁹¹

In Krzemieniec (Kremenets), 100 to 150 Ukrainians had been killed by the Soviets. When some of the exhumed corpses were found without skin, rumors circulated that the Ukrainians had been thrown into kettles full of boiling water. The Ukrainian population retaliated by seizing 130 Jews and beating them to death with clubs.⁹² Although the Galician pogroms spread still further, to such places as Sambor⁹³ and

87. Stahlecker Report to October 15, 1941, L-180. RSHA IV-A-1, Operational Report USSR No. 8 (25 copies). June 30, 1941, NO-4543.

88. RSHA IV-A-1, Operational Report USSR No. 15 (30 copies), July 7, 1941, NO-2935. Stahlecker Report to October 15, 1941, L-180.

89. Stahlecker Report to October 15, 1941, L-180.

90. *Ibid.*

91. RSHA IV-A-1, Operational Report USSR No. 11 (25 copies), July 3, 1941, NO-4537. RSHA IV-A-1, Operational Report USSR No. 14 (30 copies), July 6, 1941, NO-2940.

92. RSHA IV-A-1, Operational Report USSR No. 14 (30 copies), July 6, 1941, NO-2940.

93. RSHA IV-A-1, Operational Report USSR No. 28 (36 copies), July 20, 1941, NO-2943.

94. RSHA IV-A-1, Operational Report USSR No. 24 (33 copies), July 16, 1941, NO-2938.

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Czortkōw," the Ukrainian violence as a whole did not come up to expectations. Only Tarnopol and Czortkōw were scored as major successes.*

Three observations about the pogroms may be noted. First, truly spontaneous pogroms, free from Einsatzgruppen influence, did not take place. All outbreaks were either organized or inspired by the Einsatzgruppen. Second, all pogroms were implemented within a short time after the arrival of the killing units. They were not self-perpetuating, nor could new ones be started after things had settled down. Third, most of the reported pogroms occurred in buffer territory, areas in which submerged hostility toward the Jews was apparently greatest and in which the Soviet threat of a return could most easily be discounted, for the Communist government had been in power there for less than two years.

We come now to a second and somewhat more efficient form of local cooperation, namely the help extended to the Einsatzgruppen by auxiliary police. The importance of the auxiliaries should not be underestimated. Roundups by local inhabitants who spoke the local language resulted in higher percentages of Jewish dead. This fact is clearly indicated by the statistics of Kommandos that made use of local help. As in the case of the pogroms, the recruitment of auxiliaries was most successful in the Baltic and Ukrainian areas.

In the Baltic states the auxiliary police were organized very rapidly. The Lithuanian anti-Soviet partisans, who had been engaged in the pogroms, became the first manpower reservoir. Before disarming and disbanding the partisans, Einsatzgruppe A picked out "reliable" men and organized them into five police companies." The men were put to work immediately in Kaunas* The ensuing "actions" in that city were, in Standartenführer Jäger's words, "like shooting at a parade [*Paradeschiessen*]." In July 1941, 150 Lithuanians were assigned to participate in the "liquidation" of the Jewish community in Vilna, where every morning and afternoon they seized and concentrated about five hundred people, who were "subjected to special treatment on the very same day [*noch am gleichen Tage der Sonderbehandlung*]"^{95 96 97 98 99}

95. RSHA IV-A-1. Operational Report USSR No. 47 (47 copies), August 9, 1941, NO-2947.

96. *Ibid.*

97. RSHA IV-A-1, Operational Report USSR No. 14 (30 copies), July 6, 1941, NO-2940.

98. *Ibid.* RSHA IV-A-1. Operational Report USSR No. 19 (32 copies), July II, 1941, NO-2934.

99. Report by Jäger, December I, 1941, Zentrale Stelle Ludwigsburg, UdSSR 108, film 3, pp. 27-38.

unterzogen By mid-September 1941, a detachment of Einsatzkommando 3 had swept through the districts of RaSciniai, RokiSkis, Sarasai, Persai, and Prienai and, with the help of local Lithuanians, rendered them "free of Jews" *Judenfrei*.¹⁰⁰ The operations assisted by the Lithuanians accounted for more than half of the Einsatzkommando's killings by that date."¹⁰¹

In Latvia auxiliaries were similarly used by Einsatzkommandos 1b and 2.^{100 101 102 103 104 105 106} Like the Lithuanians, the Latvians were able helpers. There was only one case of trouble. A Latvian Kommando was caught in Karsava by German army men while stuffing its pockets with the belongings of dead Jews. The Latvian detachment in question had to be disbanded. In the northernmost country, Estonia, the army had set up an indigenous auxiliary (*Selbstschutz*) which was taken over by Sonderkommando 1a of Einsatzgruppe A to do its entire dirty work of shooting a handful of Jews left behind after the Soviet retreat."¹⁰²

In addition to the Baltic *Selbstschutz* used by Einsatzgruppe A, a Ukrainian militia (*Miliz*) was operating in the areas of Einsatzgruppen C and D. The Ukrainian auxiliaries appeared on the scene in August 1941,¹⁰³ and Einsatzgruppe C found itself compelled to make use of them because it was repeatedly diverted from its main task to fight the "partisan nuisance." The network of local Ukrainian militias was paid by the municipalities, sometimes with funds confiscated from

100. RSHA IV-A-1, Operational Report USSR No. 21 (32 copies). July 13, 1941, NO-2937.

101. RSHA IV-A-1, Operational Report USSR No. 88 (48 copies), September 19, 1941, NO-3149. See also Director of Lithuanian Police Reivytis (Kaunas) to Ostuf. Hamann (commander of detachment), August 23, 1941, pointing out that in the course of continuous seizures in Prienai, the number of concentrated Jews had risen to 493, that epidemics were breaking out, and that it was imperative that Hamann take them from the collecting points as soon as possible. B. Baranauskas and K. Ruksenas, comps., *Documents Accuse* (Vilnius, 1970), p. 216. Jäger's report lists a total of 1,078 shot there on August 27.

102. The figure was nearly 47,000 out of about 83,000. RSHA IV-A-1, Operational Report USSR No. 88 (48 copies), September 19, 1941, NO-3149. See also the detailed summary report by Jäger. On Lithuanian shootings without German participation, see Lithuanian Department of Internal Affairs/Chief of Sakiai District (Karalius) to Director of Lithuanian Police (Reivytis) about the 1,540 people killed in the area on September 13 and 16. Baranauskas and Ruksenas, *Documents Accuse*, p. 223.

103. RSHA IV-A-1, Operational Report USSR No. 24 (33 copies). July 16, 1941, NO-2938.

104. War diary, 281st Security Division, August 1, 1941, NOKW-2150.

105. RSHA IV-A-1, Operational Report USSR No. III (50 copies). October 12, 1941, NO-3155.

106. RSHA IV-A-1, Operational Report USSR No. 60 (48 copies), August 22, 1941, NO-2842. Report by Sonderkommando Ita (Einsatzgruppe D), covering August 22-September 10, 1941, NOKW-636.

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Jews.¹⁰⁸ The Ukrainians were used principally for dirty work. Thus Einsatzkommando 4a went so far as to confine itself to the shooting of adults while commanding its Ukrainian helpers to shoot children.¹⁰⁹

In the south the SS drew upon a sizable population of resident ethnic Germans to organize a Selbstschutz of several thousand men.¹¹⁰ Einsatzgruppe D discovered that the local Germans were eager volunteers during shootings. In that connection, a former chief of Einsatzkommando 6 (Biberstein) commented after the war: "We were actually frightened by the bloodthirstiness of these people [*Das hat uns direkt erschreckt, was die für eine Blutgier hatten*]."¹¹¹

The Einsatzgruppen profited from the assistance of the military, and they made what use they could of local help. More important than the cooperation of the army and the attitude of the civilian population, however, was the role of the Jews in their own destruction. For when all was said and done, the members of the Einsatzgruppen were thousands. The Jews were millions.

When we consider that the Jews were not prepared to do battle with the Germans, we might well ask why they did not flee for their lives. We have mentioned repeatedly that many Jews had been evacuated and that many others fled on their own, but this fact must not obscure another, no less significant phenomenon: most Jews did not leave. They stayed. What prompted such a decision? What chained the victims to cities and towns that were already within marching reach of the approaching German army? People do not voluntarily leave their homes for uncertain havens unless they are driven by an acute awareness of coming disaster. In the Jewish community that awareness was blunted and blocked by psychological obstacles.

The first obstacle to an apprehension of the situation was a convic- 107 108 109 110

107. RSHA IV-A-I, Operational Report USSR No. 80(48 copies). September II, 1941, NO-3154.

108. This action took place in Radomyshl. RSHA IV-A-I, Operational Report USSR No. 88 (48 copies), September 19, 1941, NO-3149. For other reports of Ukrainian militia activity, see RSHA IV-A-I, Operational Report USSR No. 106(48 copies), October 7, 1941, NO-3140; Ortskommandantur Snigerevka to KorQek 553 in Kherson, October 5, 1941, NOKW-1855; Ortskommandantur Kachovka to Korilck 553, copy to Feldkommandantur 810. October 20, 1941, NOKW-1598.

109. As of July 1943, the number was 7,000. PrOtzmann (Higher SS and Police Leader South) to Himmler, July 28, 1943. T 175, roll 19. German settlements were located primarily in the area between the Dniester and the Bug Rivers, which was administered by the Romanians. The Selbstschutz in the German villages remained, however, under SS jurisdiction. See Martin Broszat, "Das Dritte Reich und die rumänische Judenpolitik," *Gutachten des Instituts für Zeitgeschichte*, March, 1958. pp. 160-61.

110. Interrogation of Biberstein, June 29, 1947, NO-4997.

tion that bad things came from Russia and good things from Germany. The Jews were historically oriented away from Russia and toward Germany. Not Russia but Germany had been their traditional place of refuge. Such thinking was not entirely extinguished in October and November 1939, when thousands of Jews moved from Russian-occupied to German-occupied Poland. The stream was not stopped until the Germans closed the border.¹¹¹ Similarly, one year later, at the time of Soviet mass deportations in the newly occupied territories, the Attaché Division of the OKH and Amt Ausland-Abwehr of the OKW received reports of widespread unrest in these areas. "Even Poles and Jews," read the reports, "are waiting for the arrival of a German army *ISogar Polen und Juden warten auf das Eintreffen einer deutschen Armee*."¹¹² When the army finally arrived in the summer of 1941, old Jews in particular remembered that in World War I the Germans had come as quasi-liberators. These Jews did not expect that now the Germans would come as persecutors and killers.

The following note was handed by a Jewish delegation of the little town of Kamenka in the Ukraine to a visiting German dignitary, Friedrich Theodor Prince zu Sayn und Wittgenstein, in the late summer of 1941:

We, the old, established residents of the town of Kamenka, in the name of the Jewish population, welcome your arrival. Serene Highness and heir to your ancestors, in whose shadow the Jews, our ancestors and we, had lived in the greatest welfare. We wish you, too, long life and happiness. We hope that also in the future the Jewish population shall live on your estate in peace and quiet under your protection, considering the sympathy which the Jewish population has always extended to your most distinguished family."¹¹³

The prince was unmoved. The Jews, he said, were a "great evil" (*großes Übel*) in Kamenka. Although he had no authority to impose any solutions (final or interim) upon his greeters, he instructed the local mayor to mark the Jews with a star and to employ them without pay in hard labor.¹¹⁴

Another factor that blunted Jewish alertness was the haze with which the Soviet press and radio had shrouded events across the border. The Jews of Russia were ignorant of the fate that had overtaken

111. Office of the Chief of District (Gouverneur), Kraków (signed by Capt. Jordan) to Minister (*Gesandter*) von WUhlisch, November 15, 1939, Wi/ID 1.210, Anlage 8.

112. OKW/Ausland-Abwehr to VAA (Pr) and Wehnnachtpropaganda IV, October 18, 1940, enclosing report by agent "U 419," OKW-687.

113. Report by Georg Reichart, General Referent of Geschäftsgruppe Ernährung in the Office of the Four-Year Man, November 15, 1941, enclosing travel report of Prince zu Sayn und Wittgenstein, August 28-September 1, 1941, Wi/ID .58.

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the Jews in Nazi Europe. Soviet information media, in pursuance of a policy of appeasement, had made it their business to keep silent about Nazi measures of destruction.¹¹⁴ The consequences of that silence were disastrous. A German intelligence official reported from White Russia on July 12, 1941:

The Jews are remarkably ill-informed [*auffallend schlecht unterrichtet*] about our attitude toward them. They do not know how Jews are treated in Germany, or for that matter in Warsaw, which after all is not so far away. Otherwise, their questions as to whether we in Germany make any distinctions between Jews and other citizens would be superfluous. Even if they do not think that under German administration they will have equal rights with the Russians, they believe, nevertheless, that we shall leave them in peace if they mind their own business and work diligently."¹¹⁵

We see therefore that a large number of Jews had stayed behind not merely because of the physical difficulties of flight but also, and perhaps primarily, because they had failed to grasp the danger of remaining in their homes. This means, of course, that precisely those Jews who did *not* flee were less aware of the disaster and less capable of dealing with it than those who did. The Jews who fell into German captivity were the vulnerable element of the Jewish community. They were the old people, the women, and the children. They were the people who at the decisive moment had failed to listen to Russian warnings and who were now ready to listen to German reassurances. The remaining Jews were, in short, physically and psychologically immobilized.

The mobile killing units soon grasped the Jewish weakness. They discovered quickly that one of their greatest problems, the seizure of the victims, had an easy solution. We have noted that in several places the Einsatzgruppen had enlisted the army's support in combing out prospective victims, and, as far as possible, Einsatzgruppen commanders had relied also upon the local population to discover Jewish residences and hideouts. Now, however, the Kommandos had found their most efficient helpers: the Jews themselves. In order to draw together and assemble large numbers of Jews, the killers had only to "fool" the victims by means of simple ruses.

The first experiment with ruses was made in Vinnitsa, where a search for members of the Jewish intelligentsia had produced meager results. The commander of Einsatzkommando 4b called for "the most

114. Wittgenstein report, August 28-September 1, 1941, Wi/ID .58.

] 15. Schwarz, *The Jews in the Soviet Union*, p. 310.

116. Reichskotnmissar Ostland to Generalkotnmissar in White Russia, August 1941, enclosing report by Sonderführer Schröter, Occ E 3a-2.

prominent rabbi in town" and told him to collect within twenty-four hours the most intelligent Jews for "registration work." When the result still did not satisfy the Einsatzkommando, the commander sent the group back to town with instructions to bring more Jews. He repeated this stunt once more before deciding that he had a sufficient number of Jews to shoot.^{117 118 119 120} In Kiev, Einsatzkommando 4a followed the much simpler expedient of using wall posters to assemble the Jews for "resettlement."¹¹⁷ Variations of the registration and resettlement legends were used repeatedly throughout the occupied territories.¹¹⁷

The psychological traps were effective not only for the seizure of Jews within the cities; the Einsatzgruppen actually managed to draw back large numbers of Jews who had already fled from the cities in anticipation of a disaster. We have seen that the Jews who had taken to the roads, the villages, and the fields had great difficulty in subsisting there because the German army was picking up stray Jews and the population refused to shelter them. The Einsatzgruppen took advantage of this situation by instituting the simplest ruse of all: they did nothing. The inactivity of the Security Police was sufficient to dispel the rumors that had set the exodus in motion. Within a short time the Jews flocked into town. They were caught in the dragnet and killed.¹⁷⁰

THE KILLING OPERATIONS AND THEIR REPERCUSSIONS

During the first sweep, the mobile killing units reported approximately one hundred thousand victims a month. By now we can understand how it was possible to seize so many people in the course of a

117. RSHA IV-A-1. Operational Report USSR No. *7 (47 copies), August 9, 1941, NO-2947.

118. RSHA IV-A-1, Operational Report USSR No. 128 (55 copies), November 3, 1941, NO-3157. The relative success of the Kiev operation is difficult to gauge. Before the action started, Einsatzgruppe C expected to kill 50,000 Jews. RSHA IV-A-1, Operational Report USSR No. 97 (48 copies), September 28, 1941, NO-3145. After reporting 33,771 Jewish dead, Einsatzgruppe C claimed that only 5,000 to 6,000 Jews had been expected to respond. RSHA IV-A-1. Operational Report USSR No. 128, NO-3145. After the war, commander Blobel of Einsatzkommando 4a declared that he had shot in Kiev no more than about 16,000 Jews. Affidavit by Paul Blobel, June 6, 1947, NO-3824.

119. For example. Ortskommandantur 1/287 in Feodosiya to Kortlek 553, November 16, 1941, NOKW-163). Also report by Oberst Erwin Stolze, deputy to Generalmajor Lahousen (OKW/Abwehr II), October 23, 1941, NOKW-3147. The Stolze report was verified in an affidavit by Lahousen, March 17, 1948, NOKW-3230.

120. RSHA IV-A-1, Operational Report USSR No. 127 (55 copies), October 31, 1941, NO-4136. RSHA IV-A-t. Operational Report USSR No. 128 (55 copies), November 3, 1941, NO-3157. See also statement by Higher SS and Police Leader Center von dem Bach, in *Aufbau* (New York), September 6, 1946, p. 40.

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mobile operation. A simple strategy—combined with a great deal of army assistance, native collaboration, and Jewish gullibility—had transformed the occupied Soviet cities into a series of natural traps. Now, however, we have to find out what happened after the Jews were caught; for with the seizure of the victims, the administrative problems of the Einsatzgruppen were not entirely solved, while the psychological difficulties were only just beginning.

In their daily operations, the Einsatzgruppen were preoccupied with preparations, logistics, maintenance, and reporting. They had to plan their movements, select the sites for shootings, clean weapons, and count the victims one by one—man, woman, or child, Jew, communist, or Gypsy.¹²¹ Depending on the size of a Jewish community selected for decimation or obliteration, the strength of a killing party ranged from about four men to a full Einsatzkommando, supplemented by units of the Order Police or the army. (The Higher SS and Police Leaders could assign larger formations to an operation.) In almost every major action the victims outnumbered their captors 10 to 1, 20 to 1, or even 50 to 1; but the Jews could never turn their numbers into an advantage. The killers were well armed, they knew what to do, and they worked swiftly. The victims were unarmed, bewildered, and followed orders.

The Germans were able to work quickly and efficiently because the killing operation was standardized. In every city the same procedure was followed with minor variations. The site of the shooting was usually outside of town, at a grave. Some of the graves were deepened antitank ditches or shell craters, others were specially dug.¹²² The Jews were taken in batches (men first) from the collecting point to the ditch.¹²³ The killing site was supposed to be closed off to all outsiders, but this was not always possible, and, as we shall see, a lot of trouble resulted from this fact. Before their death the victims handed their valuables to the leader of the killing party. In the winter they removed their overcoats; in warmer weather they had to take off all outer garments and, in some cases, underwear as well.¹²⁴

From this point on, the procedure varied somewhat. Some Einsatzkommandos lined up the victims in front of the ditch and shot them

121. Such breakdowns appear in the statistics of the Jäger report, December 1, 1941, Zentrale Stelle Ludwigsburg, UdSSR 108, him 3, pp. 27-38.

122. Affidavit by Ohlendorf, November 5, 1945, PS-2620. Report by Hauptfeldwebel Sönnecken (received by Generalmajor Lahousen), October 24, 1941, PS-3047.

123. Affidavit by Wilhelm Förster (driver, Einsatzgruppe B), October 23, 1947, NO-5520.

124. Affidavit by Ohlendorf, November 5, 1945, PS-2620.

with submachine guns or other small arms in the back of the neck. The mortally wounded Jews toppled into their graves.¹⁴⁴ Some commanders disliked this method, which possibly reminded them of the Russian NK.VD. Blobel, the commander of Einsatzkommando 4a, stated that he personally declined to use *Genickschusspezialisten* (specialists in shooting in the neck).¹⁴⁵ Ohlendorf, too, spurned the technique because he wanted to avoid "personal responsibility."¹⁴⁶ Blobel, Ohlendorf, and Haensch are known to have employed massed fire from a considerable distance.¹⁴⁷ There was, however, still another procedure which combined efficiency with the impersonal element. This system has been referred to as the "sardine method" (*Olsardinenmanierend* was carried out as follows. The first batch had to lie down on the bottom of the grave. They were killed by cross-fire from above. The next batch had to lie down on top of the corpses, heads facing the feet of the dead. After five or six layers, the grave was closed.¹⁴⁸

It is significant that the Jews allowed themselves to be shot without resistance. In all the reports of the Einsatzgruppen there were few references to "incidents."¹⁵¹ The killing units never lost a man during a shooting operation. All their casualties were suffered during antipartisan fighting, skirmishes on the front, or as a result of sickness or accident. Einsatzgruppe C remarked:

Strange is the calmness with which the delinquents allow themselves to be shot, and that goes for non-Jews as well as Jews. Their fear of death appears to have been blunted by a kind of indifference [*Abstumpfung*] which has been created in the course of twenty years of Soviet rule.¹⁵¹

This comment was made in September 1941. It turned out in later years

125. Interrogation of Ernst Biberstein (commander, Einsatzkommando 6), June 29, 1947, NO-4997. Affidavit by Albert Haiti, October 9, 1947, NO-5384. HartHRSHA IV-B) watched shootings on an inspection trip.

126. Affidavit by Paul Blobel. June 6, 1947, NO-3824.

127. Affidavit by Ohlendorf, November 5, 1945, PS-2620.

128. Affidavit by Blobel, June 6, 1947, NO-3824. Affidavit by Ohlendorf, November 5, 1945, PS-2620. Statement by Walter Haensch, July 21, 1947, NO-4567.

129. The term was used by Generalmajor Lahousen (Chief of OKW/Abwehr II) after an inspection trip in the area of Army Group Center. See his report of November 1, 1941, NOKW-3146.

130. Affidavit by Alfred Metzner (civil employee who volunteered for shootings), September 18, 1947, NO-5558.

131. Einsatzgruppe A reported that on (he way to a killing site near Zagore. the Jews had attacked the guards. However, the Jews had quickly been brought under control. RSHA IV-A-I, Operational Report USSR No. 155, January J4, 1942, NO-3279.

132. RSHA IV-A-I. Operational Report USSR No. 81 (48 copies), September 12, 1941, NO-3154.

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that the non-Jewish "delinquents" could not be shot so easily after all, but the Jews remained paralyzed after their first brush with death and in spite of advance knowledge of their fate.

Although the Jews were being killed smoothly, the Einsatzgruppen commanders were worried about possible repercussions on the population, the army, and their own personnel. Repercussions are problems that arise or continue after the completion of action. Like pebbles thrown into quiet ponds, these aftereffects cause ripples that travel far and wide from the scene of the event.

To minimize the shock of the shootings at its source, the Einsatzgruppen commanders, their deputies, and their adjutants frequently visited the killing sites. Ohlendorf tells us that he inspected shootings in order to be certain that they were military in character and "humane under the circumstances."¹³³ Ohlendorf's adjutant, Schubert, describes the reasons for the inspections more deliberately. Schubert supervised the killing operation in Simferopol, the capital of the Crimea. He watched the loading on trucks to make sure that the non-Jewish population was not disturbed. Furthermore, he kept an eye on the guards to prevent them from beating the victims. He worried about unauthorized traffic at the killing site and ordered that all outsiders be detoured. During the collection of valuables, he saw to it that the Order Police and Waffen-SS did not pocket anything. Finally, he convinced himself that the victims were shot humanely, "since, in the event of other killing methods, the psychic burden [*seelische Belastung*] would have been too great for the execution Kommando."¹³⁴ A former sergeant tells us of one more reason—an important one—for the inspections. When Ohlendorf arrived at the killing site of Sonderkommando 10b one time, he complained to the commander, Persterer, about the manner of burial. Ohlendorf ordered that the victims be covered a little better (*dass diese Leute besser zugeschaufelt werden*).¹³⁵

In spite of the precautions taken by Einsatzgruppen commanders, the emergence of repercussions was inevitable. The inhabitants at first seemed to be unworried and carefree. Commanders reported that the population "understood" the shootings and judged them "positively."¹³⁶ In one town, Khemel'nik, the inhabitants were reported to have gone to ^{133 134 * 136}

133. Affidavit by Ohlendorf, April 2, 1947, NO-2836.

134. Affidavit by Heinz Hermann Schubert, February 24, 1947, NO-3053.

135. Affidavit by Josef Guggenberger (Hauptscharführer, Sonderkommando 10b), September 9, 1947, NO-4959.

136. RSHA IV-A-1, Operational Report USSR No. 81 (48 copies), September 1941, NO-3154.

church in order to thank God for their "deliverance" from Jewry." However, the idyllic picture of a population completely at ease and even thankful for the elimination of the Jews soon began to fade away.

In February 1942, Heydrich reported to the defense commissars in the army districts that the shootings were now being carried out in such a manner that the population hardly noticed them. The inhabitants, and even the surviving Jews, had frequently been left with the impression that the victims had only been resettled.¹³⁷ The Security Police thought it wise to hide the killings, for it could no longer trust a population that was itself chafing under the increasing harshness of German rule and that was already fearful for its own security and safety.

A German eyewitness (in Borisov, White Russia) who knew Russian spoke to a number of local residents before the mass shooting of the Jews was to start in the town. His Russian landlord told him: "Let them perish, they did us a lot of harm!" But on the following morning the German heard comments like these: "Who ordered such a thing? How is it possible to kill 6,500 Jews all at once? Now it is the turn of the Jews; when will it be ours? What have these poor Jews done? All they did was work! The really guilty ones are surely in safety!"¹³⁸ During the following year, the Germans observed a wave of mysticism, including dream interpretations, premonitions, and prophecies in Borisov. People were now saying: "The Jews were killed for their sins, as was prophesied them in the holy books. In the Holy Bible one must also be able to find out what kind of fate is awaiting us."¹³⁹

The following report was sent by an army officer stationed in the Crimea to the Economy-Armament Office (OKW/Wi Rii) in Berlin:

In the present situation of unrest the most nonsensical rumors—the bulk of which are started by partisans and agents—find willing ears. Thus, a few days ago, a rumor circulated that the Germans were intending to do away [*beseitigen*] with all the men and women over fifty. The *Ortskommandantur* (in Simferopol) and other German offices were mobbed with questions about the veracity of the report. In view of the fact that the total "resettlement" of the Jewish population and the liquidation of an insane ^{137 138 139 140}

137. RSHA IV-A-1, Operational Report USSR No. 86 (48 copies), September 17, 1941, NO-3151.

138. RSHA IV-A-1 (signed Heydrich) to Einsatzgruppen, Higher SS and Police Leaders, and defense commissars in Army Districts II, VIII, XVII, XX, and XXI. February 27, 1942, enclosing Activity Report No. 9 of the Einsatzgruppen, covering January 1942, PS-3876.

139. Rom a report by Hauptfeldwebel Sönnecken, received by Generalmajor Lahousen, October 24, 1941, PS-3047.

140. Propaganda Abteilung W to OKW/WPr le, August 4, 1942, OKW-733.

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asylum with about 600 inmates cannot be hidden forever, such rumors are bound to gain in credibility among the inhabitants.¹⁴¹

Gradually then, the local non-Jewish witnesses of the destruction process perceived the true nature of the German racial ladder. The lowest rung was already afire, and they were but one step above it.

The killing operations had repercussions not only for the population but also for the military. One of these consequences was an undercurrent of criticism in the army's ranks. On October 10, 1941, Feldmarschall Reichenau, commander of the Sixth Army, sent an order to the troops in which he exhorted them to be a little harsher in their treatment of partisans. He explained that this was not an ordinary war and recited all the dangers of the Jewish-Bolshevist system to German culture. "Therefore," he continued, "the soldier must have full understanding of the necessity for harsh but just countermeasures [Suftne] against Jewish subhumanity." These measures, Reichenau pointed out, had the added purpose of frustrating revolts behind the back of the fighting troops, for it had been proved again and again that the uprisings were always being instigated by Jews.¹⁴² Hitler read this order and found that it was "excellent."^{141 142 143 144 145 146} Feldmarschall von Rundstedt, commander of the Southern Army Group, sent copies to the Eleventh and Seventeenth Armies, as well as to the First Panzer Army, for distribution.¹⁴⁴ Von Manstein, the Eleventh Army commander, elaborated on the order, explaining that the Jew was the liaison man (*Mittelsmann*) between the Red Army on the front and the enemy in the rear.¹⁴⁵

A second problem, more serious than lack of "understanding" of the killings, was soon discovered with dismay by unit commanders. Among the troops the shootings had become a sensation. Many years after having become a witness to such an event, a former soldier recalled: "Although we were forbidden to go there, it drew us magically."¹⁴⁶ They watched, took pictures, wrote letters, and talked. With rapidity, the news spread in the occupied territories, and gradually it seeped into Germany.

To the army this was an embarrassing business. In Kiev a group of

141. 11th Army/iV Wi (Oberstleutnant Oswald) via Wirtschaftsstab Ost to OKW/Wi RU, March 31, 1942, Wi/ID 2.512.

142. Order by Feldmarschall Reichenau, October 10, 1941, D-41t.

143. Order by Oeneralquartiermeister Wagner, October 28, 1941, D-411.

144. Rundstedt to 11th Army, 17th Army, and 1st Panzer Army, and to commander of Rear Army Group South, October 17, 1941, NOKW-309.

145. Order by von Manstein, November 20, 1941, PS-4064.

146. Tape-recorded statement by a businessman, in Walter Kempowski, *Haben Sie davon gewusst?* (Hamburg, 1979), pp. 72-73. At the time, the witness was nineteen.

foreign journalists who had been invited to view the "Bolshevist destruction" of the city quickly looked up the representative of the civil administration with Army Group Center, Hauptmann Koch, and questioned him about the shootings. When Koch denied everything, the journalists told him that they had pretty exact information about these matters anyway. "The members of a Swiss army medical mission with the German forces were similarly informed. One of the Swiss officers, Dr. Rudolf Bucher, not only reported his experiences to his superiors but gave numerous lectures about what he had heard and seen to military and professional audiences in Switzerland."¹⁴⁷

The German army attempted to take various countermeasures. Initially, several officers blamed the Einsatzgruppen for performing the shootings where everybody could see them. One such protest was sent by the deputy commander of Army District IX in Kassel (Schniewindt) to Generaloberst Fromm, the chief of the Replacement Army. In his protest the army district official dealt with the rumors about the "mass executions" in Russia. Schniewindt pointed out that he had considered these rumors to be vast exaggerations (*weit übertrieben*) until he received a report from a subordinate, Major Rosier, who had been an eyewitness.

Rosier commanded the 528th Infantry Regiment in Zhitomir. One day while he was sitting in his headquarters and minding his own business, he suddenly heard rifle volleys followed by pistol shots. Accompanied by two officers, he decided to find out what was happening (*dieser Erscheinung nachzugehen*). The three were not alone. From all directions, soldiers and civilians were running toward a railroad embankment. Rosier, too, climbed the embankment. What he saw there was "so brutally base that those who approached unprepared were shaken and nauseated [*ein Bild dessen grausame Abscheulichkeit auf den unvorbereitet Herantretenden erschütternd und abschreckend wirkte*]."

He was standing over a ditch with a mountain of earth on one side, and the wall of the ditch was splattered with blood. Policemen were standing around with bloodstained uniforms, soldiers were congregating in groups (some of them in bathing shorts), and civilians were watching with wives and children. Rosier stepped closer and peered into the grave. Among the corpses he saw an old man with a white beard and a cane on his arm. Since the man was still breathing, Rosier approached a policeman and asked him to kill the man "for good"¹⁴⁷⁻¹⁴⁸

147. Report by Oberst Erwin Stolze (deputy to Lahousen), October 23, 1941. NOKW-3147. The author of the report is identified in the Lahousen affidavit of March 17, 1948, NOKW-3230. For Koch's position, see his report of October 5, 1941, PS-53.

148. Alfred Häsler, *The Lifeboat Is Full* (New York, 1969), pp. 76-80.

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(*endgültig zu töten*). The policeman replied in the manner of someone who does not need advice: "This one has already got something seven times into his-----he is going to perish by himself [*Dem habe ich schon 7 mal was in den-----gejagt, der krepirt schon von alleine*]." In conclusion, Rösler stated that he had already seen quite a few unpleasant things in his life but that mass slaughter in public, as if on an open-air stage, was something else again. It was against German customs, up-bringing, and so on.^{1*} Not once in his account did Rosier mention Jews.

Complaints in the held were not lacking either. A local battalion commander at Genicke protested (complete with sketch map) that a killing operation had been carried out near the city limit, that troops and civilians alike had become involuntary witnesses of the shooting, and that they had also heard the "whining" of the doomed. The SS officer in charge replied that he had done the job with only three men, that the nearest house was 500 to 800 yards from the spot, that military personnel had insisted on watching the operation, and that he could not have chased them away."

As late as May 8, 1942, the military government officers of Rear Army Group Area South met in conference and resolved to persuade the killing units in a nice way (*im Wege guten Einvernehmens*) to conduct their shootings, "whenever possible," not during the day but at night, except of course for those "executions" that were necessary to "frighten" the population (*die aus Abschreckungsgründen notwendig sind*)."

However, in spite of the occasional attempts to regulate the location or even the time of the shootings, the army soon realized that it could not remove the killing sites from the reach of "involuntary" (let alone "voluntary") witnesses. The only other way to stop the entertainment (and the flow of rumors resulting from it) was to conduct an educational campaign among the soldiers. The army then tried this method also.

Even during the first weeks of the war, soldiers of the Eleventh ^{149 150 151}

149. Deputy Commander of Wehrkreis IX (signed Schniewindt) to Chief of Replacement Army (Fromm). January 17, 1942, enclosing Rösler report, dated January 3, 1942, USSR-293(1).

150. See the following correspondence in document NOKW-3453: 11th Army Ic/AO (Abwehr II) to Einsatzgruppe D, copy to 22d Infantry Division Ic, October 6, 1941; Sonderkommando 10a/Feilkommando (signed UStuf. Spiekermann) to Sonderkommando 10a, October 8, 1941; Sonderkommando 10a to Einsatzgruppe D, copy to Stubaf. Gmeiner (liaison officer of the Einsatzgruppe with the army), October 8, 1941; 3d Battalion of 65th Regiment Ic (in 22d Division) to regiment, October 12, 1941.

151. Summary of military government conference in Kremenchug (Oberkriegsverwaltungsrat Freiherr von Wrangel presiding). May 8, 1942, NOKW-3097.

Army watched Romanian shootings at Bälji.¹⁵² Since the killers were Romanians, the chief of staff of the Eleventh Army, Wohler, allowed himself the use of some blunt language. Without making direct references to the incident, he wrote:

In view of a special case, the following has to be pointed out explicitly.

Because of the eastern European conception of human life, German soldiers may become witnesses of events (such as mass executions, the murder of civilians, Jews, and others) which they cannot prevent at this time but which violate German feelings of honor most deeply.

To every normal person it is a matter of course that he does not take photographs of such disgusting excesses or report about them when he writes home. The distribution of photographs and the spreading of reports about such events will be regarded as a subversion of decency and discipline in the army and will be punished strictly. All pictures, negatives, and reports of such excesses are to be collected and are to be sent with a notation listing the name of the owner to the Ic/AO of the army.

Ib gaze at such procedures curiously [*ein neugieriges Begaffen solcher Vorgänge*] is beneath the dignity of the German soldier.¹⁵³

Sensationalism and rumor spreading did not exhaust the army's troubles. The operations of the mobile killing units had created another problem, even more far reaching and disturbing in its implications. It happened that Jews were killed by military personnel who acted *without* orders or directives. Sometimes soldiers offered their help to the killing parties and joined in the shooting of the victims. Occasionally, troops participated in pogroms, and once in a while members of the German army staged killing operations of their own. We have pointed out that the army had helped the mobile killing units a great deal. Why, then, was the military leadership concerned with these individual actions?

The army had several administrative reasons for anxiety. As a matter of status, the idea that soldiers were doing police work was not very appealing. Pogroms were the nightmare of military government experts, and unorganized killings on the roads and in occupied towns were dangerous, if only because of the possibility of mistakes or acci-

152. Testimony by General Wohler. Case No. 12, tr. pp. 5790, 5811-12, 5838-39.

153. Order by Wöhler, July 22, 1941, NOKW-2523. An order by the Quartiermeister of the 6th Army similarly directed the confiscation of photographs and specified, in addition, that complete cooperation was to be given to killing units in their efforts to keep spectators out. Order by 6th Army Quartiermeister, August 10, 1941, NOKW-1654. Somewhat later, on November 12, 1941, Heydrich forbade his own men to take pictures. "Official" photographs were to be sent undeveloped to the RSHAIV-A-I as secret Reich matter (*Geheime Reichssache*). Heydrich also requested the Order Police commands to hunt up photographs that might have been circulating in their areas. Heydrich to Befehlshaber and Kommandeure der ORPO, April 16, 1942, USSR-297Ü).

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dents. But in addition to these considerations, there was an overall objection that was rooted in the whole psychology of the destruction process. The killing of the Jews was regarded as historical necessity. The soldier had to "understand" this. If for any reason he was instructed to help the SS and Police in their task, he was expected to obey orders. However, if he killed a Jew spontaneously, voluntarily, or without instruction, merely because he *wanted* to kill, then he committed an abnormal act, worthy perhaps of an "Eastern European" (such as a Romanian) but dangerous to the discipline and prestige of the German army. Herein lay the crucial difference between the man who "overcame" himself to kill and one who wantonly committed atrocities. The former was regarded as a good soldier and a true Nazi; the latter was a person without self-control, who would be a danger to his community after his return home. This philosophy was reflected in all orders attempting to deal with the problem of "excesses."

On August 2, 1941, the XXX Corps (in the Eleventh Army) distributed an order, down to companies, that read as follows:

Participation by soldiers in actions against Jews and Communists.

The fanatical will of members of the Communist Party and of the Jews, to stem the advance of the German Army at any price, has to be broken under all circumstances. In the interest of security in the Rear Army Area it is therefore necessary to take drastic measures [*dass scharf durchgegriffen wird*]. This is the task of the Sonderkommandos. Unfortunately, however, military personnel have participated in one such action [in *unerfreulicher Weise beteiligt*]. Therefore, I order for the future:

Only those soldiers may take part in such actions as have specifically been ordered to do so. Furthermore, I forbid any member of this unit to participate as a spectator. Insofar as military personnel are detailed to these actions [*Aktionen*], they have to be commanded by an officer. The officer has to see to it that there are no unpleasant excesses by the troops [*dass jede unerfreuliche Ausschreitung seitens der Truppe unterbleibt*].¹⁵⁴

An order by the commander of Rear Army Group Area South pointed out:

The number of transgressions by military personnel against the civilian population is increasing. ... It has also happened lately that soldiers and ¹⁵⁴

154. Order by XXX Corps/lc, August 2, 1941. NOKW-2963. Generaloberst von Salmuth commanded the XXX Corps. Generaloberst von Schobert commanded the 11th Army. For similar directives, see also the following: Order by 6th Army/Qu. August 10, 1941. NOKW-1654; Army Group South Ic/AO (signed by von Rundstedt) to armies belonging to the army group, and to Army Group Read Area Command, September 24, 1941, NOKW-541.

even officers independently undertook shootings of Jews, or that they participated in such shootings.”

After an explanation that “executive measures” were in the exclusive province of the SS and Police, the order continued:

The army itself finishes on the spot [*erUdigt auf der Sielle*] only those local inhabitants who have committed—or are suspected of having committed—hostile acts, and that is to be done only upon order of an officer. Moreover, collective measures [*Kollektivmassnahmen*] may be taken only if authorized by at least a battalion commander. Any kind of doubt about this question is inadmissible. Every unauthorized shooting of local inhabitants, including Jews, by individual soldiers, as well as every participation in executive measures of the SS and Police, is disobedience and therefore to be punished by disciplinary means, or—if necessary—by court martial.

Clearly, the killing operations seriously affected the local inhabitants and the army. Among the population the operations produced a submerged, deep-seated anxiety, and in the army they brought into the open an uncomfortably large number of soldiers who delighted in death as spectators or as perpetrators.

The third group to be confronted with major psychological problems was the mobile killing personnel themselves. The leaders of the *Einsatzgruppen* and *Einsatzkommandos* were bureaucrats—men who were accustomed to desk work. In the east it was their job to supervise and report about the operations. This was not mere desk work. We have already noted that “inspections” took the *Einsatzgruppen* leaders and their staffs to the killing sites. In *Einsatzgruppe C*, everybody had to watch shootings. A staff member, Karl Hennicke, tells us that he had no choice about the matter:

I myself attended executions only as a witness, in order not to lay myself open to charges of cowardice. ... Dr. Rasch [*Einsatzgruppe* commander] insisted on principle that all officers and noncommissioned officers of the *Kommando* participate in the executions. It was impossible to stay away from them, lest one be called to account.¹⁵⁵

The *Einsatzgruppe* officer had to “overcome” himself. He had to be in this business completely, not as a reporter but as a participant, not as a possible future accuser but as one who would have to share the fate of those who did this work. One of the officers who one day had been commanded to watch the shootings suffered the most horrible ^{155 156}

155. Order by Commander of Army Group Rear Area South (signed Major Geissler), September 1, 194], NOKW-2594.

156. Affidavit by Karl Hennicke (SD-Ili officer on the staff of the *Einsatzgruppe*), September 4, 1947, NO-4999.

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dreams (*Angsträume fürchterlichster Art*) during the following night.¹⁵¹ Even the Higher SS and Police Leader Central Russia, Obergruppenführer von dem Bach-Zelewski, was brought into a hospital with serious stomach and intestinal ailments. Following surgery, his recovery was slow, and Himmler dispatched the top physician of the SS, Grawitz, to the bedside of his favorite general. Grawitz reported that von dem Bach was suffering especially from reliving the shooting of Jews that he himself had conducted, and other difficult experiences in the East (*er leidet insbesondere an Vorstellungen im Zusammenhang mit den von ihm selbst geleiteten Judenerschiessungen und anderen schweren Erlebnissen im Osten*).¹⁵²

The Commanders of the mobile killing units attempted to cope systematically with the psychological effects of the killing operations. Even while they directed the shooting, they began to repress as well as to justify their activities. The repressive mechanism is quite noticeable in the choice of language for reports of individual killing actions. The reporters tried to avoid the use of direct expressions such as "to kill" or "murder." Instead, the commanders employed terms that tended either to justify the killings or to obscure them altogether. The following is a representative list:

hingerichtet: put to death, executed

exekutiert: executed

ausgemerzt: exterminated

liquidiert: liquidated

Liquidierungszahl: liquidation number

Liquidierung des Judentums: liquidation of Jewry

erledigt: finished (off)

Aktionen: actions

Sonderaktionen: special actions

Sonderbehandlung: special treatment

sonderbehandelt: specially treated

der Sonderbehandlung unterzogen: subjected to special treatment

Säuberung: cleansing

Großsäuberungsaktionen: major cleaning actions

Ausschaltung: elimination

Aussiedlung: resettlement

Vollzugstätigkeit: execution activity

Exekutivmassnahme: executive measure

entsprechend behandelt: treated appropriately ¹⁵⁷*

157. Report by Oberst Erwin Stolze, October 23, 1941, NOKW-3147.

158. Grawitz to Himmler, March 4, 1942, NO-600. On Bach's life, see Wladislaw Bartoszewski, *Erich von dem Bach* (Warsaw, 1961).

der Sondermassnahme zugeführt: conveyed to special measure
sicherheitspolizeiliche Massnahmen: Security Police measures
sicherheitspolizeilich durchgearbeitet: worked over in Security Police
 manner

Lösung der Judenfrage: solution of the Jewish question

Bereinigung der Judenfrage: cleaning up of the Jewish question

judenfrei gemacht: (area) made free of Jews

Aside from terminology designed to convey the notion that the killing operations were only an ordinary bureaucratic process within the framework of police activity, we find—in logical but not psychological contradiction—that the commanders of the Einsatzgruppen constructed various justifications for the killings. The significance of these rationalizations will be readily apparent once we consider that the Einsatzgruppen did not have to give any reasons to Heydrich; they had to give reasons only to themselves. Generally speaking, we find in the reports one overall justification for the killings: the Jewish danger. This fiction was used again and again, in many variations.

A Kommando of the BdS Generalgouvernement reported that it had killed 4,500 Jews in Pifisk because a member of the local militia had been fired on by Jews and another militia man had been found dead.¹⁵⁹ In Bälli the Jews were killed on the ground that they were guilty of "attacks" on German troops.¹⁶⁰ In Starokonstantinov the 1st SS Brigade shot 439 Jews because the victims had shown an "uncooperative" attitude toward the Wehrmacht.^{159 160 161 162 163 164 165} In Mogilev the Jews were accused of attempting to sabotage their own "resettlement."¹⁶¹ In Novoukrainka there were Jewish "encroachments" (*iÜbergriffe*).¹⁶² In Kiev the Jews were suspected of having caused the great fire.¹⁶³ In Minsk about twenty-five hundred Jews were shot because they were spreading "rumors."¹⁶⁴ In the area of Einsatzgruppe A, Jewish propaganda was the justification. "Since this Jewish propaganda activity was especially heavy in Lithuania," read the report, "the number of persons liq-

159. RSHA IV-A-1, Operational Report USSR No. 58, August 20, 1941, NO-2846.

160. RSHA IV-A-1, Operational Report USSR No. 37 (45 copies), July 29, 1941 NO-2952.

161. RSHA IV-A-1, Operational Report USSR No. 59, August 21, 1941, NO-2847.

162. RSHA IV-A-1, Operational Report USSR No. 124 (48 copies), October 25, 1941, NO-3160.

163. RSHA IV-A-1, Operational Report USSR No. 60 (48 copies), August 22, 1941, NO-2842.

164. RSHA IV-A-1, Operational Report USSR No. 97 (48 copies), September 28, 1941, NO-3145.

165. RSHA IV-A-1, Operational Report USSR No. 92, September 23, 1941, NO-3143.

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uidated in this area by Einsatzkommando 3 has risen to 75,000."¹⁶⁶ The following reason was given for a killing operation in Ananiev: "Since the Jews of Ananiev had threatened the ethnic German residents with a bloodbath just as soon as the German Army should withdraw, the Security Police conducted a roundup and, on August 28, 1941, shot about 300 Jews and Jewesses."¹⁶⁷ On one occasion Einsatzgruppe B substituted for rumor spreading, propaganda, and threats the vague but all-inclusive accusation of a "spirit of opposition [*Oppositionsgeist*]."¹⁶⁸ At least one Einsatzgruppe invoked the danger theory without citing any Jewish resistance activity at all. When Einsatzgruppe D had killed all Jews in the Crimea, it enclosed in its summary report a learned article about the pervasive influence that Jewry had exercised on the peninsula before the war.¹⁶⁹

An extreme example of an accusatory posture may be found in an anonymous eyewitness report of a shooting in the area of Mostovoye, between the Dniester and the Bug rivers. An SS detachment had moved into a village and arrested all its Jewish inhabitants. The Jews were lined up along a ditch and told to undress. The SS leader then declared in the presence of the victims that inasmuch as Jewry had unleashed the war, those assembled here had to pay for this act with their lives. Following the speech, the adults were shot and the children were assaulted with rifle butts. Gasoline was poured over their bodies and ignited. Children still breathing were thrown into the flames.¹⁷⁰

Charges of dangerous Jewish attitudes and activities were sometimes supplemented with references to the hazard that Jews presented as carriers of sickness. The Jewish quarters in Nevel and Yanovichi were doomed because they were full of epidemics.^{166 167 168 169 170 171} In Vitebsk the

166. RSHA IV-A-1. Operational Report USSR No. 94 (48 copies). September 25, 1941, NO-3146.

167. Ortskommandantur Ananiev/Staff of 836th Landesschützen Battalion to Koriück 553 in Berezovka, September 3, 1941. NOKW-1702.

168. RSHA IV-A-1. Operational Report USSR No. 124 (48 copies), October 25, 1941, NO-3160.

169. OStufab. Seibert (Einsatzgruppe D) to 11th Army Ic, April 16, 1942, NOKW-628.

170. Undated and unsigned report from the files of a Jewish rescue organization in Geneva. Yad Vashem document M-20. The action was described as having taken place during the fall of 1941. From the context it is not clear whether the unit belonged to Einsatzgruppe Dor whether it was a newly organized Kommando of ethnic Germans. On Mostovoye shootings by German police, see text of report by Inspector of Romanian Gendarmerie in Transnistria (Colonel Brojteanu), March 24, 1942, in Carp, *Cartea Neagra*. vol. 3, p. 226, and Litani, "Odessa," *Yad Vashem Studies* 6 (1967): 146-47.

171. RSHA IV-A-1, Operational Report USSR No. 92, September 23, 1941, NO-3143.

threat of an epidemic (*höchste Seuchengefahr*) sufficed.¹⁷² The following explanation was given for the shootings in Radomyshl. Many Jews from surrounding areas had flocked into the city. This led to an overcrowding of Jewish apartments—on the average, fifteen persons lived in one room. Hygienic conditions had become intolerable. Every day several corpses of Jews had to be removed from these houses. Supplying food for Jewish adults as well as children had become “impracticable.” Consequently, there was an ever increasing danger of epidemics. To put an end to these conditions, Sonderkommando 4a finally shot 1,700 Jews.¹⁷³

It should be emphasized that psychological justifications were an essential part of the killing operations. If a proposed action could not be justified, it did not take place. Needless to say, the supply of reasons for anti-Jewish measures never ran out. However, just once, explanations did exhaust themselves with respect to the killings of mental patients. Einsatzgruppe A had killed 748 insane people in Lithuania and northern Russia because these “lunatics” had no guards, nurses, or food. They were a “danger” to security. But when the army requested the Einsatzgruppe to “clean out” other institutions that were needed as billets, the Einsatzgruppe suddenly refused. No interest of the Security Police required such action. Consequently, the army was told to do the dirty job itself.^{174 175 176}

Like the leaders of the mobile killing units, the enlisted personnel had been recruited on a jurisdictional basis. While they had all had some ideological training, they had not volunteered to shoot Jews. Most of these men had drifted into the killing units simply because they were not fit for front-line duty (*nicht dienstverpflichtet*).¹⁷⁷ They were older men, not teen-agers. Many had already assumed the responsibility of caring for a family; they were not irresponsible adolescents.

It is hard to say what happened to these men as a result of the shootings. For many, undoubtedly, the task became just another job, to be done correctly and mechanically, i.e., the men made some sort of “adjustment” to the situation. However, every once in a while a man did have a nervous breakdown,¹⁷⁴ and in several units the use of alcohol

172. RSHA IV-A-I, Operational Report USSR No. 124 (48 copies), October 25, 1941, NO-3160.

173. RSHA IV-A-I, Operational Report USSR No. 88 (48 copies), September 19, 1941, NO-3149. It was in this action that the children were shot by Ukrainian militia men.

174. Stahlecker Report to October 15, 1941, L-180.

175. Affidavit by Ohlendorf, April 24, 1947, NO-2890.

176. Affidavit by Hauptscharführer Robert Barth (Einsatzgruppe D), September 12, 1947, NO-4992.

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became routine.¹⁷⁷ At the same time, indoctrination was continued, and occasionally commanders made speeches before major operations.¹⁷⁸

Once, in mid-August, 1941, Himmler himself visited Minsk. He asked Einsatzgruppe B Commander Nebe to shoot a batch of a hundred people, so that he could see what one of these "liquidations" really looked like. Nebe obliged. All except two of the victims were men. Himmler spotted in the group a youth of about twenty who had blue eyes and blond hair. Just before the firing was to begin, Himmler walked up to the doomed man and put a few questions to him.

Are you a Jew?

Yes.

Are both of your parents Jews?

Yes.

Do you have any ancestors who were not Jews?

No.

Then I can't help you!

As the firing started, Himmler was even more nervous. During every volley he looked to the ground. When the two women could not die, Himmler yelled to the police sergeant not to torture them.

When the shooting was over, Himmler and a fellow spectator engaged in conversation. The other witness was Obergruppenführer von dem Bach-Zelewski, the same man who was later delivered to a hospital. Von dem Bach addressed Himmler:

Reichsführer, those were only a hundred.

What do you mean by that?

Look at the eyes of the men in this Kommando, how deeply shaken they are! These men are finished [*fertig*] for the rest of their lives. What kind of followers are we training here? Either neurotics or savages!

Himmler was visibly moved and decided to make a speech to all who were assembled there. He pointed out that the Einsatzgruppe were called upon to fulfill a repulsive (*widerliche*) duty. He would not like it if Germans did such a thing gladly. But their conscience was in no way impaired, for they were soldiers who had to carry out every order unconditionally. He alone had responsibility before God and Hitler for everything that was happening. They had undoubtedly noticed that he hated this bloody business (*dass ihm das blutige Handwerk zuwider wäre*) and that he had been aroused to the depth of his soul.^{177 178}

177. Report by Generalmajor Lahoosen, November 1, 1941, NOKW-1146.

178. Affidavit by Barlh, September 12, 1947, NO-4992.

But he too was obeying the highest law by doing his duty, and he was acting from a deep understanding of the necessity for this operation.

Himmler told the men to look at nature. There was combat everywhere, not only among men but also in the world of animals and plants. Whoever was too tired to fight must go under (*zugrunde gehen*). The most primitive man says that the horse is good and the bedbug is bad, or wheat is good and the thistle is bad. The human being consequently designates what is useful to him as good and what is harmful as bad. Didn't bedbugs and rats have a life purpose also? Yes, but this has never meant that man could not defend himself against vermin.

After the speech Himmler, Nebe, von dem Bach, and the chief of Himmler's Personal Staff, Wolff, inspected an insane asylum. Himmler ordered Nebe to end the suffering of these people as soon as possible. At the same time, Himmler asked Nebe "to turn over in his mind" various other killing methods more humane than shooting. Nebe asked for permission to try out dynamite on the mentally ill people. Von dem Bach and Wolff protested that the sick people were not guinea pigs, but Himmler decided in favor of the attempt. Much later, Nebe confided to von dem Bach that the dynamite had been tried on the inmates with woeful results.¹⁷⁹

The eventual answer to Himmler's request was the gas van. The RSHA's technical branch (II-D) reconstructed a truck chassis in such a way that the carbon monoxide of the exhaust could be conducted through a hose to the van's interior.¹⁸⁰ This invention lent itself to stationary killings in Poland and Serbia. By early 1942, two or three vans were sent to each of the Einsatzgruppen as well.^{179 180 181} Throughout

179. The story of the Himmler visit, as told by von dem Bach, was printed in *Aufbau* (New York), August 23, 1946, pp. 1-2. See also statements by other witnesses in Case Wolff, 10a Js 39/60, particularly Z-Prot II/vol. 2. The approximate date may be ascertained from vol. I of von dem Bach's diary, *Zentrale Stelle der Landesjustizverwaltungen, Ludwigsburg*. Volume 1, a doctored version of the original, was given by von dem Bach to the German Federal Archive in 1953. Archive (signed Kinder) to Zentrale Stelle, enclosing the copy. November 18, 1966.

180. Wilhelm in Krausnick and Wilhelm, *Die Truppe des Wellenschauungskrieges*, pp. 543-51. Vehicles equipped with bottled, chemically pure carbon monoxide had already been used in 1940 for gassing East Prussian mental patients in Soldau, a camp located in the former Polish corridor. Indictment of Wilhelm Koppe by prosecutor in Bonn, 8 Js 52/60 (1964), pp. 174-89. See also Adalbert ROckerl, *NS-Verrichtungslager* (Munich, 1977), pp. 258-59.

181. See UStuf. Dr. Becker (in Kiev) to OStuf. Rauff(II.D). May 16, 1942, and subsequent correspondence in document PS-501. Each vehicle could hold sixty to seventy victims standing tightly pressed together. Interrogation of Obersekretär Josef Ruis of the Criminal Police by Soviet authorities. Institut für Zeitgeschichte, Munich, Fb 82/2. Ruis was stationed in Minsk, where two of the vans were employed in 1942. During killing operations, each van could make four or five daily trips.

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that time the vans were being tested for proper operation in the Kriminaltechnisches Institut (RSHA V-D) of Sturmbannführer Oberregierungsrat Dr. Heess and his assistant for biology and chemistry, Obersturmführer Dr. Widmann. The young Obersturmführer had been in Minsk, where he had blown up the mental patients. He had been under the impression that the vans would be used only for the killing of the insane. When he found out about their application in the east, he complained to Heess that one could not, after all, employ this device against normal people. Dr. Heess addressed him in a familiar tone: "But you see, it is done anyway. Do you want to quit by any chance? [Du siehst, es geht doch, willst Du etwa abspringen?]"¹⁸² Dr. Widmann remained at his post and was promoted to Hauptsturmführer.¹⁸³

There were many technical and psychological problems with the gas vans in the field. Some of the vehicles broke down in rainy weather; after repeated use they were no longer tightly sealed. Members of Kommandos who unloaded the vans suffered from headaches. If a driver stepped too hard on the accelerator, the bodies removed from the van had distorted faces and were covered with excrement.¹⁸⁴

Clearly, alcohol, speeches, and gas vans did not eliminate the psychological problems generated by the killings. Yet there was no breakdown in the operations as a whole. To the contrary, the men of the Einsatzgruppen were given additional tasks, one of which was the killing of prisoners of war in German army camps.

THE KILLING OF THE PRISONERS OF WAR

More than 5,700,000 Soviet soldiers surrendered to German forces during the war, and more than 40 percent of these men died in captivity. Some 3,350,000 had been taken prisoner by the end of 1941, and during that winter deaths from exposure and starvation occurred en masse.¹ It

182. Wilhelm, quoting from Stuttgart court judgment against Dr. Albert Widmann, September 15, 1967, in *Die Thyppe des Weltanschauungskrieges*, pp. 549-52.

183. Organization chart of the RSHA, October 1, 1943, L-219.

184. Becker to Rauff, May 16, 1942, PS-501. Testimony by Ohlendorf, in *Trial of the Major War Criminals*, IV, 322-23, 332-34. Naumann (Einsatzgruppe B) asserts that he did not avail himself of vans. See Naumann's affidavit, June 24, 1947, NO-4150. Einsatzgruppe A, on the other hand, asked for another one. HStuf. TKiHe (BdS Ostland/1-T) to Pradel (RSHA II-D-3-a), June 15, 1942, PS-501.

1. See recapitulation in OKW report covering June 22, 1941, to May 1, 1944, NOKW-2125, and the major study by Christian Streit, *Heine Kameraden* (Stuttgart, 1978), pp. 244-49.

THE KILLING OF THE PRISONERS OF WAR

is in this context that a relatively small but insistent undertaking was pursued to kill a particular segment of the Soviet prisoners. On July 16, 1941, barely four weeks after the opening of the eastern campaign, Heydrich concluded an agreement with the chief of the General Armed Forces Office (*Allgemeines Wehrmachtsamt*), General Reinecke, the text of which provided that the Wehrmacht was to "free itself" from all Soviet prisoners of war who were carriers of Bolshevism.^{2 3} The central administrators of that program are listed in Table 7-7.¹

The two partners came to an understanding that the situation required "special measures," which were to be carried out in a spirit free from bureaucratic controls. On the next day, Heydrich alerted his regional machinery to prepare for the selection (*Aussonderung*) of all "professional revolutionaries," Red Army political officers, "fanatical"

T A B L E 7-7
CENTRAL ADMINISTRATORS FOR KILLING PRISONERS OF WAR

<i>RSHA</i>	<i>Army</i>		
	<i>Directly Concerned</i>	<i>Interested</i>	
	OGruf. Heydrich	General Reinecke	Admiral Canaris (deputized by Generalmajor Lahousen)
	I	I	
RSHA IV	Gruf. Muller	Chief of PW Camps Oberst Breyer (succeeded by Generalmajor von Graevenitz)	
RSHA IV-A	Obf. Panzinger		
RSHA IV-A-1	Stubaf. Vogt (succeeded by Stubaf. Lindow)		
RSHA IV-A-1-c	HStuf. Königshaus		

2. Operational Order No. 8 (signed Heydrich) (530 copies), July 17, 1941, NO-3414.

3. Affidavit by Kurt Lindow (RSHA IV-A-1), September 30, 1945, PS-2545.

Affidavit by Lindow, July 29, 1947, NO-5481. Affidavit by Lahousen, April 17, 1947, NO-2894.

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T A B L E 7-8
REGIONAL ORGANIZATION FOR KILLING PRISONERS OF WAR

<i>Screening Teams</i>	<i>SS-Liaison</i>	<i>C,</i>
Einsatzgruppen		Army Prisoner Collecting Points (<Armeegefangenen-sammelstellen) and Transit Camps (Durchgangslager, or Dulag) in newly occupied territories
BdS Kraków	Kriminalkommissar Raschwitz (succeeded by Stubaf. Liska) attached to General-leutnant Herrgott, commander of GG camps	Generalgouvernement
Gestapo offices in Reich	Kriminalrat Schiffer (succeeded by Kriminalkommissar Walter) attached to Generalmajor von Hindenburg, commander of PW camps in East Prussia	Permanent PW camps (Stammlager, or Stalag) in Reich

Communists, and "all Jews."⁴ Since Soviet prisoners of war were already pouring through the transit camps into the Generalgouvernement and the Reich, Heydrich had to set up screening teams in the newly occupied territories, in Poland, and in Germany. The plan consequently called for a three-pronged operation, as shown in Table 7-8. The bulk of the work was to be done by the Einsatzgruppen, because the Gestapo offices at home were already understaffed.⁵

While the screening teams were in the process of formation, military authorities began to segregate and exploit their Jewish prisoners. The Second Army ordered that Jewish prisoners and "Asiatics" be retained by the army for labor before their transport to Dulags in the Army Group Rear Area.⁶ The XXIX Corps (Sixth Army) at Kiev or-

4. Operational Order No. 8. July 17, 1941, NO-3414. See also earlier draft referred to "all Jews" by RSHA IV-A-1, June 28, 1941, PS-78.

J. Operational Order No. 8, July 17, 1941, NO-3414.

6. Second Army OQu/Qu 2 to Commander of Rear Army Area, Corps Commanders Army tc. Army tVa, and Army IVb (54 copies), August 5, 1941, NOKW-2145.

dered that Jews from Dulags in the area be employed in dangerous mine-clearing operations. In Dulag 160 at Khorol, the Jewish prisoners were marked with a star. Since the Khorol camp had no latrines, the marked men had to pick up the dirt with their hands and drop it into barrels.* In Army District XX (Danzig), one impatient Stalag commander ordered his own men to kill Communist and Jewish prisoners at once. Three hundred were shot.⁷

The screening teams entered the prisoner-of-war camps without difficulty, since camp commanders were notified in advance by their superiors.¹⁰ One of these notifications will suffice to point once more to the choice of language in documents: "During the examination of prisoners, the SD is to be allowed to participate in order to sift out given appropriate elements [*Bei der Sichtung der Gefangenen ist der SD zu beteiligen, um gegebenenfalls entsprechende Elemente auszusondern*]."¹¹

The teams were relatively small, comprising one officer and four to six men." The SS men therefore had to rely on the preparatory work by the army, the cooperation of the counterintelligence officer (AO) in the Dulag or Stalag, and their own "ingenuity."¹²

On the whole, the army was cooperative. The commander at Borispol, for instance, invited Sonderkommando 4a to dispatch a screening team to his camp. In two separate actions the team shot 1,109 Jewish prisoners. Among the victims were seventy-eight wounded men who had been handed over by the camp physician.¹³ Other reports were similarly matter of fact. Einsatzgruppe A reported on August 28 that it had screened prisoners of war on two occasions; the results were "satisfying" (*zufriedenstellend*).¹⁴ From the prisoner-collecting point^{7 8 9 10 11 12 13 14 15}

7. XXIX Corps la/lc to Divisions in Corps. September 22, 1941, NOKW-1323. The corps commander was General der Infanterie Obstfelder.

8. Affidavit by Henrik Schaechter, October 21, 1947, NO-5510. Affiant, a Jewish Red Army man captured at Kharkov, did not step forward during the selection.

9. Affidavit by Generalleutnant von Österreich, December 28, 1945, USSR-151. The shooting had been ordered by one of his subordinates, Oberstleutnant Dulnig, commander of Stalag XX-C. One SS unit did not even bother to deliver its Jewish prisoners to the rear. The Jews were shot on the spot. OStubaf. Zschoppe, Deputy Commander of 8th SS Infantry Reg. (mot.), to XVII Corps. August 20, 1941, NOKW-1350.

10. Affidavit by Oberst Hadrian Ried (PW commander, Brest-Litovsk), October 22, 1947, NO-5523.

11. Order by General von Roques (Commander, Southern Army Group Rear Area), August 24, 1941, NOKW-2595.

12. Operational Order No. 8, July 17, 1941, NO-3414.

13. Preliminary order by RSHA IV, June 28, 1941, PS-69.

14. RSHA IV-A-1, Operational Report USSR No. 132, November 12, 1941, NO-2830.

15. RSHA IV-A-1, Operational Report USSR No. 71 (48 copies), September 2, 1941, NO-2843.

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(*Armeegefangenensammelstelle*) of the Eleventh Army, Jewish soldiers were handed over every month, around the clock. A sample of the monthly prisoner-of-war reports from that army reads as follows:^{16*}

Died, shot	1,116
Turned over to SD	111

One Einsatzgruppe encountered a few complications. Einsatzgruppe C reported that in Vinnitsa the camp commander had initiated court martial proceedings against his deputy for having handed over 362 Jewish prisoners of war. At the same time, the Einsatzgruppe was barred from the transit camps. However, these difficulties were ascribed to the fact that orders had been delayed, and Einsatzgruppe C praised the commander of the Sixth Army, Feldmarschall von Reichenau, for his full cooperation with the Security Police.^{16 17 18}

While the screening teams had few complaints about the army, not everybody in the army was happy about the screening operations, particularly about the way in which they were conducted. In the summer of 1941, shortly after the killing of prisoners of war had begun, a high-level conference took place under the chairmanship of General Hermann Reinecke.¹⁶ The RSHA was represented by Gestapo Chief Müller; in addition, Reinecke's subordinate, the prisoner-of-war camps chief, Oberst Breyer, was present; another interested party, Admiral Canaris, was deputized by Oberst Lahousen. Canaris himself did not participate, because he did not want to show "too negative an attitude" vis-à-vis the representative of the RSHA.

Reinecke opened the discussion with a few remarks to the effect that the campaign against the USSR was not a mere war between states and armies but a contest of ideologies, namely between National Socialism and Bolshevism. Since Bolshevism opposed National Socialism "to the death," Soviet prisoners could not expect the same treatment as the prisoners of the Western enemies. The harshness of the orders that had been issued was only a natural defense against Bolshevik subhumanity in the sense that the carriers of Bolshevik thought, and thus also of the Bolshevik will to resist, were to be annihilated.

Oberst Lahousen then spoke up. He protested that the morale of the German army was impaired because executions were carried out before the eyes of the troops. Second, the recruitment of agents from the ranks of the prisoners had become more difficult. Third, any sur-

16. 11th Army OQu/Qu 2 to Army Group South Ib, reports for January-September, 1942, NOKW-1284, NOKW-1286.

17. RSHA IV-A-1, Operational Report USSR No. 128 (55 copies), November 3, 1941, NO-3157.

18. Affidavit by Erwin Lahousen, April 17, 1947, NO-2894.

render messages to the Red Army would now be unsuccessful, with the result that bloody German losses would increase to even greater heights.

Gestapo chief Müller was aroused to defend his police. In the course of the "sharp argument" that ensued, Lahousen pointed out further that the "special treatment" meted out by the Security Police and SD was proceeding in accordance with very peculiar and arbitrary viewpoints (*nach ganz eigenartigen und willkürlichen Gesichtspunkten*). For example, one Einsatzgruppe had confined itself to students, while another had used only race considerations. As a consequence of one selection, several hundred Moslems, probably Crimean Tatars, had been "conveyed to special treatment" (*der Sonderbehandlung zugeführt*) on the assumption that they were Jews. Muller acknowledged that mistakes had been made but insisted that the operation continue according to "world-philosophical criteria" (*weltanschauliche Grundsätze*). Reinecke concluded the discussion by pointing once more to the necessity for harshness.

Lahousen tells us that he was motivated during the conference to help the prisoners, but the arguments he presented served only to increase the efficiency of the operations. Thus on September 12, 1941, Heydrich sent out another directive in which he cautioned the screening teams to be a little more careful. An engineer was not necessarily a Bolshevik. Moslems were not to be confused with Jews. Ukrainians, White Russians, Azerbaijanians, Armenians, Georgians, and Northern Caucasians were to be "treated according to directive" only if they were fanatical Bolsheviks. Above all, the shootings were not to be carried out in the middle of camps. "It goes without saying," said Heydrich, "that executions must not be public. Spectators must not be allowed, on principle."¹⁹

As a result of all the discussions and directives, the screening teams appear to have improved their techniques considerably. So far as we know, they no longer shot Moslems en masse. In the Reich the shooting operation was transferred from the prisoner-of-war camps to concentration camps, where it could take place in complete privacy.²⁰ There were, in short, no longer any controversies over these questions between the army and the RSHA. This does not mean that all differences of opinion had ended. In fact, there were to be new disputes, only this time the viewpoints were almost reversed.^{19 20}

19. Heydrich to Einsatzgruppen, Higher SS and Police Leaders. Inspektore der SP und des SD, BdS in Kraków, BdS in Metz, BdS in Oslo. KdS in Kraków, KdS in Radom, KdS in Warsaw, KdS in Lublin, and State Police offices (*Staatspolizeileitstellen*) (250 copies). September 12, 1941. NO-34U5.

20. See death lists of the Mauthausen concentration camp. May 10, 1942, PS-495.

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In November 1941, Sturmbannführer Vogt of the RSHA sent a letter to the Gestapo office in Munich to notify the office that the Wehrmacht had complained of "superficial" examinations of Soviet prisoners of war in Wehrkreis VII. During one screening, for example, only 380 prisoners had been selected from 4,800.²¹

The Gestapo in Munich replied as follows: There had been 410 selections out of 3,088 prisoners. The 410 men consisted of the following categories:

Communist party functionaries	3
Jews	25
Intellectuals	69
Fanatical Communists	146
Instigators, agitators, and thieves	85
Refugees	35
Incurables	47

The selection represented an average of 13 percent. It was true that the Gestapo offices in Nuremberg and Regensburg had shown percentages of 13 and 17, but these offices had accepted many Russians who had been handed over by camp officers for small offenses against camp discipline. The Gestapo office in Munich only followed RSHA orders. If the figure was still too low, the army was to blame, because the counterintelligence officer (AO) had preferred to use Jews as interpreters and informers.^{22 23}

Another example of changed army mentality is even more striking. During 1942 a number of conferences were held under the chairmanship of Generalmajor von Graevenitz, Oberst Breyer's successor as prisoner-of-war chief. The RSHA was usually represented by Oberführer Panzinger (IV-A) or by Sturmbannführer Lindow and Hauptsturmführer Königshaus. During one of these conferences, Graevenitz and a number of other Wehrmacht officers, including doctors, requested Lindow and Königshaus to take over all Soviet prisoners of war who were suffering from some "incurable" disease, such as tuberculosis or syphilis, and to kill them in a concentration camp in the usual manner. The Gestapo men refused with indignation, pointing that, after all, they could not be expected to act as hangmen for the Wehrmacht (*Die Staatspolizei sei nicht weiter der Hänger der Wehrmacht*).^a

21. RSHAIV-A-1 (signed Stubaf. Vogt) to Stapoleitstelle Munich, attention Stubaf. Oberregierungsrat Dr. Isselhorst. November 11, 1941, R-178.

22. Report by Stapoleitstelle Munich (signed Scheraier), November 15, 1941, R-178.

23. Affidavit by Kurt Lindow, July 29, 1947, NO-5481.

Throughout occupied Russia, Poland, Germany, Alsace-Lorraine, and even Norway, wherever Soviet prisoners were sent, Heydrich's screening teams were at work." After one year of operations, in July 1942, Müller felt that he could order the withdrawal of screening teams from the Reich and confine further selections to the eastern territories. Needless to say (*selbstverständlich*), any requests by the army for additional searches in the Reich were to be complied with at once.²³

On December 21, 1941, in Berlin, Müller revealed some figures to General Reinecke and representatives of several ministries. He reported that 22,000 Soviet prisoners (Jewish and non-Jewish) had been selected (*ausgesondert*) so far; approximately 16,000 had been killed.* No later figures are available, and the total number of Jewish victims is unknown.

THE INTERMEDIARY STAGE

During the first sweep the Einsatzgruppen rolled for six hundred miles. Splitting up, the killing units covered the entire map of the occupied territory, and small detachments of five or six men combed through the prisoner-of-war camps. An administrative task of drastic proportions had been tackled successfully, but it was by no means solved. Of

4,000,000 Jews in the area of operations, about 1,500,000 had fled. Five hundred thousand had been killed, and at least 2,000,000 were still alive. To the Einsatzgruppen the masses of bypassed Jews presented a crushing burden.

When Einsatzgruppe C approached the Dnieper, it noted that rumors of killing operations had resulted in mass flights of Jews. Although the rumors were actually warnings that frustrated the basic strategy of the mobile killing operations, the Einsatzgruppe went on to say: "Therein may be viewed an indirect success of the work of the Security Police, for the movement [*Abschiebung*] of hundreds of thousands of Jews free of charge—reportedly most of them go beyond the Ural—represents a notable contribution of the solution of the Jew-^{24 25 26}

24. The territorial extent is indicated in the distribution list of the Heydrich order of September 12, 1941, NO-3416.

25. Müller to Stapoleitstellen, Higher SS and Police Leaders in Reich, BdS in Kraków, liaison officer Kriminalkommissar Walter in Königsberg, and Liaison Officer Stubaf. Liska in Lublin, July 31, 1942, NO-3422.

26. Ministerialrat Dr. Letsch (Labor Ministry) to Ministerialdirektor Dr. Mansfeld, Ministerialdirektor Dr. Beisiegel, Ministerialrat Dr. Timm, Obenegierungsrat Dr. Hoelk. ORR Meinecke, and Regierungsrat Dr. Fischer, December 22, 1941, NOKW-147.

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ish question *in Europe*.¹ The mass departure of Jews had lightened the load of the mobile killing units, and the Einsatzgruppen welcomed this development.

All Einsatzgruppen commanders, with the possible exception of the relentless Dr. Stahlecker, realized that the Jews could not be killed in a single sweep. In one report there is even a note of despair over the Jewish refugees who were drifting back into the cities from which they had fled. The report was written by Einsatzgruppe C, which prided itself with the "extremely skilful organization" (*überaus geschickte Organisation*) of its trapping operation in Kiev. "Although 75,000 Jews have been liquidated in this manner so far," a report of Einsatzgruppe C stated, "today it is already clear that even with such tactics a final solution of the Jewish problem will not be possible." Whenever the Einsatzgruppe had left a town, it returned to find more Jews than had already been killed there.^{2 3} On September 17, 1941, the same Einsatzgruppe, already struck by the immensity of its task, had gone so far as to suggest that the killing of the Jews would not solve the major problems of the Ukrainian area anyhow. The following passage is unique in Nazi literature:

Even if it were possible to shut out Jewry 100 percent, we would not eliminate the center of political danger.

The Bolshevik work is done by Jews, Russians, Georgians, Armenians, Poles, Latvians, Ukrainians; the Bolshevik apparatus is by no means identical with the Jewish population. Under such conditions we would miss the goal of political security if we replaced the main task of destroying the Communist machine with the relatively easier one of eliminating the Jews. . . .

In the western and central Ukraine almost all urban workers, skilled mechanics, and traders are Jews. If we renounce the Jewish labor potential in full, we cannot rebuild Ukrainian industry and we cannot build up the urban administrative centers.

There is only one way out—a method that the German administration in the Generalgouvernement failed to recognize for a long time: final solution of the Jewish question through complete labor utilization of the Jews.

This would result in a gradual liquidation of Jewry—a development which would be in accord with the economic potentialities of the country.⁴

Not often have Nazis made such a clear separation between Jewry

1. RSHA IV-A-1, Operational Report USSR No. 81 (48 copies), September 12, 1941, NO-3154, italics added.

2. RSHA IV-A-1, Operational Report USSR No. 128 (55 copies), November 3, 1941, NO-3157.

3. RSHA IV-A-1, Operational Report USSR No. 86 (48 copies), September 17, 1941, NO-3151.

and Communism. But the demands of the killing operations, coupled with a realization that the vast Communist apparatus in the occupied areas continued to operate unhampered, opened the eyes and the minds of even the most indoctrinated Nazi elements.

The inadequacy of the first sweep necessitated an intermediary stage during which the first three steps of the destruction process—definition, expropriation, and concentration—were implemented with bureaucratic thoroughness. However, something happened to the usual order of procedure, for in the wake of the killings the bureaucrats thought first of ghettoization and only later of economic measures and definitions.

The initial concentrations were effected by the mobile units themselves. These ghettoizations were by-products of the killing operations in the sense that the Security Police were forced to defer the complete annihilation of certain communities, either because they were too large to be wiped out in one blow or (as Einsatzgruppe C explained the situation) because "it could not be avoided, for reasons of a considerable skilled labor shortage, that Jewish workers who are needed for urgent reconstruction work, etc., be permitted to live temporarily [*wobei es sich nicht vermeiden Hess, aus Gründen des erheblichen Facharbeitermangels jüdische Handwerker, die zur Vornahme dringender Instandsetzungsarbeiten usw. gebraucht werden, vorerst noch am Leben zu lassen*]."* Within a short time, therefore, the Einsatzgruppen, Higher SS and Police Leaders, and units of the BdS Kraków introduced marking and appointed Jewish councils.⁷ These measures were sometimes supplemented by registration, a task performed by the newly organized councils.⁶ With the help of registration lists, the Einsatzgruppen put labor columns at the disposal of the army and the

4. RSHA IV-A-1, Operational Report USSR No. 135 (60 copies), November 19, 1941, NO-2832. Labor considerations prevailed also in the sector of Einsatzgruppe B. RSHA IV-A-1, Operational Report USSR No. 94 (48 copies), September 25, 1941, NO-3146. In the Ukraine, Einsatzgruppe C discovered Jewish collective farms (*ikolkhozy*). The Einsatzgruppe considered the Jewish *kolkhozy* workers to be unintelligent (*tvenig intelligent*); therefore it "contented itself" with the shooting of the Jewish directors (who were replaced by Ukrainians). The remainder of the Jewish labor force on the farms was permitted to make a contribution to the harvest. RSHA IV-A-1, Operational Report USSR No. 81 (48 copies), September 12, 1941, NO-3154.

5. RSHA Summary Report No. 1, covering June 22-July 31, 1941, NO-2651. RSHA Summary Report No. 3 (80 copies), covering August 15-31, 1941, NO-2653. RSHA IV-A-1, Operational Report USSR No. 91, September 22, 1941, NO-3142, and other operational reports.

6. Report by Sonderkommando 11a (signed Stubaf. Zapp), covering August 18-31, 1941, NO-2066; Ohlendorf via Gmeiner to 11th Army Ic/AO, September 8, 1941, NOKW-3234.

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Organisation Todt.' In almost all large cities and many smaller ones, the mobile killing units wedged the Jewish population into closed districts. The Polish-type ghetto thus made its appearance in the occupied USSR.

One of the first ghettos was established in the Lithuanian capital of Kaunas. To obtain the maximum cooperation of the local Jewish community, a committee of prominent Jews was summoned by the Einsatzgruppe to be informed, probably by Stahlecker himself, that the entire Jewish population of the city would have to move into the Viliampole quarter, a relatively small district of old wooden buildings without water mains or sewers, hemmed in by two rivers. When the Jewish representatives tried to plead with the SS to desist from the action, they were told that the establishment of a ghetto was the only way to prevent new pogroms.¹

When the civil administration took over part of the occupied territory in July and August of 1941, the mobile killing units had already completed a large part of the ghettoization process. Einsatzgruppe A prided itself that, upon transfer of jurisdiction, it had already made preparations for the incarceration in ghettos of all Jewish communities

7. RSHA IV-A-1. Operational Report USSR No. 43 (47 copies), August 5, 1941, NO-2949. RSHA Summary Report No. 3 (80 copies), covering August 15-31, 1941, NO-2653. Report by Sonderkommando 11a for August 18-31, 1941, NO-2066. Report by Sonderkommando 11a for August 22-September 10, 1941, NOKW-636. RSHA IV-A-1, Operational Report USSR No. 63 (48 copies), August 25, 1941, NO-4538. Ohlendorf via Gmeiner to 11th Army Ic/AO, September 8, 1941, NOKW-3234. RSHA IV-A-1, Operational Report USSR No. 107 (50 copies), October 8, 1941, NO-3139. The Organisation Todt, first headed by Fritz Todt and then by Albert Speer, was engaged in construction projects.

8. RSHA IV-A-1. Operational Report No. 19 (32 copies), July 11, 1941, NO-2934. Stahlecker Report to October 15, 1941, L-180. A Jewish survivor, who was secretary of the Jewish Council during the ghetto days, fixed the date of the meeting as July 7, 1941. Statement by Avraham Tory (formerly Golub), July 6-8, 1982, in warrant by Amtsgericht Frankfurt am Main for the arrest of Helmut Rauca, July 16, 1982, 50/4 Js 284/71, through the courtesy of the Canadian Department of Justice. See also Tory's diary and notes; draft of ordinance by Lithuanian commandant of Kaunas (as of the end of June, Colonel Bobelis) and Lithuanian mayor of the city (Paliauskas), July 10, 1941, for the establishment of the Kaunas ghetto by August 15, 1941, including marking, movement restrictions, and provisions for liquidation of Jewish real estate, from Soviet archives through the courtesy of the U.S. Department of Justice; Jewish committee to German Security Police, July 10, 1941, pleading for postponement of ghettoization order to enable Jews to negotiate with Lithuanian offices for amelioration. Yad Vashem document 0-48/12-4; and proclamation of ghetto, July 31, 1941, by Gebietskommissar Kauen-Stadt (Cramer), affirming Lithuanian mayor's decree of July 10, 1941, *Amtsblatt des Generalkommissars in Kauen*, November 1, 1941, p. 2. For the extensive role of the Kaunas Lithuanian municipality in ghettoization, see documents in Yad Vashem file 0-48/12-4 and in Soviet archives.

(excepting only Vilna).⁹ However, the systematic concentration of the Jews was the task of the military and civilian authorities, which exercised overall governmental functions in the occupied territories. To understand what happened during the intermediary stage and the second sweep, which was to follow, we therefore need a rough outline of that administration.

Newly occupied areas were always placed under a military government. Secured areas were held by *Befehlshaber* (that is, a *Wehrmachtbefehlshaber*, *Militärbefehlshaber*, or *Befehlshaber* of a specified region). Moving toward the front, a traveler would pass through the army group rear area, army rear area, and corps area. In occupied Russia the territorial organization of the army was extensive in its dimensions (see Table 7-9 and Map 4).

On the map the "military area" refers to the territory of the three army groups (including army group rear areas, army rear areas, and corps areas). The secured territory, under the two *Wehrmachtbefehlshaber*, corresponded roughly to the areas marked "Ostland" and "Ukraine." These two areas were colonies governed by a colonial minister: *Reichsminister für die besetzten Ostgebiete* (Reich Minister for the Eastern Occupied Territories) Alfred Rosenberg, whose office was in Berlin. His two colonial governors were called *Reichskommissare*; they had their headquarters in the east (Riga and Rovno). The domain of the *Reichskommissar* was the *Reichskommissariat* (the *Reichskommissariat Ostland* and the *Reichskommissariat Ukraine*). Each *Reichskommissariat* was divided into general districts (*Generalbezirke*), and each *Generalbezirk* was divided into regions (*Kreisgebiete*). The chief of the *Generalbezirk* was a *Generalkommissar*; the chief of a *Kreisgebiet* was a *Gebietskommissar*.¹⁰ Below is an abbreviated list showing the most important offices in the ministry, the two *Reichskommissariate*, and the *Generalbezirke*.

*Ministry for Eastern Occupied Territories (Berlin)*¹¹

Reichsminister, Dr. Alfred Rosenberg
Staatssekretär, Gauleiter Alfred Meyer

Chief, Political Division, Reischsamtseiter Dr. Georg Leibbrandt

Deputy Chief, Political Division, Generalkonsul Dr. Bräutigam

Expert in Jewish Affairs, Amtsgerichtsrat Dr. Wetzel^{9 10 11}

9. RSHA IV-A-1, Operational Report USSR No. 94 (48 copies), September 25, 1941. NO-3146.

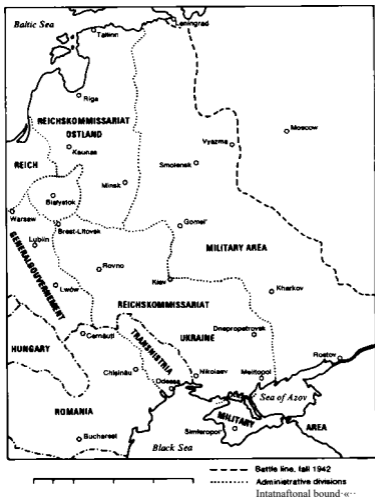
10. In White Russia there was a level between *Generalbezirk* and *Kreisgebiet*: the *Hauptgebiet*, which was governed by a *Hauptkommissar*. Major cities were governed by a *Stadtkommissar*. The *Stadtkommissar* was not subordinate but equal in rank to a *Gebietskommissar*.

11. Memorandum by Rosenberg, April 29, 1941, PS-1024.

T A B L E 7-9
THE TERRITORIAL ORGANIZATION OF THE ARMY IN THE OCCUPIED USSR

Commanding Authority	ChefOKW	Army Group Commander	4 Comm	Corps Commander
Territorial Commander	Wehrmachtbefehlshaber (Ostland and Ukraine)	Army Group Rear Area Commander (North, Center, South)	1 Army Rear Area Commander (Korück)	
Lower Territorial Echelons	(Secured areas under civilian control: no military government functions)	Sicherungsdivisionen (security divisions) 2-3 per Army Group	Feldkommandanturen	
		Feldkommandanturen (district commands)		
		Ortskommandanturen (town commands)	Ortskommandanturen	

MAP 4
ADMINISTRATION OF THE OCCUPIED USSR



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Reichskommissariat Ostland¹²

Reichskommissar, Gauleiter Hinrich Lohse
Chief, Political Division, RegRat Dr. Trampedach
Generalkommissar, Estonia, SA-OGruf. Litzmann
Generalkommissar, Latvia, Oberbürgermeister (Mayor) Staatsrat Dr.
Drechsler
Generalkommissar, Lithuania, Reichsamtsleiter Dr. von Rentein
Generalkommissar, White Russia, Gauleiter Wilhelm Kube (succeeded
by SS-Gruf. von Gottberg)

Reichskommissariat Ukraine¹³

Reichskommissar, Gauleiter Erich Koch
Chief, Political Division, Regierungspräsident Dargel
Generalkommissar, Volhynia-Podolia, SA-OGruf. Schöne
Generalkommissar, Zhitomir, Regierungspräsident Klemm
Generalkommissar, Nikolaev, Oppermann (OGruf. in NSKK-Party
Motor Corps)
Generalkommissar, Kiev, Gauamtsleiter Magunia (official in DAF-
German Labor Front)
Generalkommissar, Dnepropetrovsk, Selzner (DAF)
Generalkommissar, Crimea-Tauria, Gauleiter Frauenfeld

As a brief glance at the list will indicate, most of the high officials in the Rosenberg apparatus were party men." The machinery as a whole was rather small. In the Ukraine, for example, the entourage of Reichskommissar Koch, composed of 800 Germans at its height, was fixed in 1942 at 252.^{15 16} At the same time, the office force of a Generalkommissar consisted of about 100 Germans, while the personnel of a Gebietskommissar numbered no more than about a half-dozen German bureaucrats.^{12 13 ts.}¹⁴ In other words, the occupied territories were run by a handful of party men, not very efficiently but all the more ruthlessly.

12. Lammers to Rosenberg, July 18, 19*1, NG-1325. *Deutsche Zeitung im Ostland* (passim). For a list of Gebietskommissare in Ostland as of February 1, 19*2, see T 459, roll 24.

13. *Deutsche Ukraine Zeitung* (passim). The Generalbezirke Dnepropetrovsk and Crimea-Tauria (both east of the Dnieper river) were added in August, 1942. The Crimean Generalbezirk (seat, Melitopol) never included the Crimean peninsula, which remained under military control. For a list of Gebietskommissare as of March 13, 1942, see ORPO compilation (signed by Winkelmann) of that date, NO-2546.

14. Originally, it was intended that the leadership of the Eastern Occupied Territories—the *Ostfuhrerkorps*, as it was called—should have the following composition: party men, 35 percent; SS, SA, and party organizations, 20 percent; agricultural and industrial experts and others, 45 percent. See report by Dr. Hans-Joachim Kausch (journalist) June 26, 1943, Occ E 4-11.

15. Koch to Rosenberg, March 16, 1943, PS-192.

16. Report by Kausch, June 26, 1943, Occ E 4-11.

Before we leave the administration of the occupied USSR, a word is due about the territories west of the two Reichskommissariate. There were three such areas: the Bialystok district, Galicia, and the Romanian territories. The Bialystok area became a quasi-incorporated district of the Reich. It was placed under the administration of Gauleiter Koch, the Reichskommissar of the Ukraine—not in his capacity as Reichskommissar but as an adjunct to his position as Gauleiter and Oberpräsident of the neighboring Gau and province of East Prussia.¹⁷ Southeastern Poland (Galicia) became the fifth district of the Generalgouvernement.¹⁸ Northern Bukovina and Bessarabia reverted to Romanian rule, whereas the area between the Dniester and the Bug became a new Romanian territory, "Transnistria."¹⁹

In anticipation of a second sweep, the primary task of both military and civil administrations was the establishment of ghettos. In its very nature, the ghetto was to prevent the dispersal of the victims and to facilitate their future seizure for shootings. Reichskommissar Lohse of the Ostland explained the purpose of the ghetto in ponderous but explicit language. His basic ghettoization order states:

These provisional directives are designed only to assure minimum measures by the Generalkommissare and Gebietskommissare in those areas where—and so long as—further measures in the sense of the final solution of the Jewish question are not possible.²⁰

Thus the function of these ghettos, unlike those established in the Generalgouvernement during the preceding year and a half, was to be neither open-ended nor ambiguous. The goal was in sight from the start.

From the summer of 1941, the military issued an avalanche of orders providing for marking (in the form of either armbands or patches worn in front and back), registration, Judenrate, ghettos, and ghetto police.²¹ Interestingly enough, the army did not always regard the crea-

17. Decree (signed by Hitler, Keitel, and Lammers), July 17, 1941, NG-1280.

18. Dr. Max Freiherr von du Prel, *Das Generalgouvernement* (Wurzburg, 1942), p. 363.

19. Agreement of Tighina, signed by Generals Hauffe and TStartnu, August 30, 1941, PS-3319. The Romanian governor was Gheorge Alexianu. Romanian currency was not introduced into the territory and, under the terms of the agreement, its railway system was placed under German control.

20. Wetzel to Foreign Office, May 16, 1942, enclosing Lohse directive of August 19, 1941, Generalkommissare NG-4815.

21. Order by Commander of Army Group Rear Area South (von Roques) (33 copies), July 21, 1941, NOKW-1601. Order by von Roques, August 28, 1941, NOKW-1586. Order by Commander of Army Group Rear Area North/VII (signed by Oberlleutnant Muller-Teusler) (about 65 copies), September 3, 1941, NOKW-2204. Order by 454th Security Division/Ia, September 8, 1941, NOKW-2628. Ortskommandantur in Dzankoy (signed Hauptmann Weigand) to Commander of Area 553 (1 Ith Army), November 10,

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tion of ghettos as a task of great urgency. They were not to take precedence over genuinely military matters.”

By 1942 the military regulations were standardized and codified. Instructions issued by the Oberquartiermeister of Army Group Center in regard to Jewish affairs take up several pages and include all of the following: Jews were members of the Jewish religion or those descended from three Jewish grandparents. Mixed marriages with non-Jews were prohibited. In registration lists of local inhabitants, Jews who had been added after June 22, 1941, were to be noted with a *J*. Identity cards of Jews over sixteen years of age were to be marked with a *J*. Jews aged ten or older were to be marked with a 10-centimeter yellow patch. The Jews themselves were to provide for patches and armbands. Greetings by Jews were prohibited. Jewish councils were to be installed. In the event of any infraction by a Jew, the Feldkommandanturen and Ortskommandanturen were to proceed with the heaviest penalties, including death, not only against the culpable person but also against council members. Jews were to reside in cities and towns that were their homes before the war. Free movement was forbidden, and ghettos or Jewish quarters were to be established, from which non-Jews were to be barred. A Jewish Ordnungsdienst armed with rubber or wooden sticks was to be created in each ghetto. Towns and cities could take over and administer Jewish property under trusteeship. Jews were not to engage in trade with non-Jews without the explicit consent of German offices. Forced labor was to be instituted for Jewish men aged fifteen to sixty and for Jewish women aged sixteen to fifty. Local mayors and Jewish councils were to be held responsible for their recruitment, but the utilization of Jewish labor was to be undertaken only if non-Jewish manpower was unavailable. No wages were to be paid in excess of 80 percent of rates earned by unskilled workers, and the cost of meals was to be deducted from the pay. The bodies of Soviet soldiers and cadavers of animals were to be buried immediately, and the Ortskommandanturen could employ Jews for this purpose. As for Gypsies, those found roaming about who did not have a fixed domicile for at least two years were to be handed over to the Security Police, and their horses and carts were to be retained by the army.”^{22 23}

1941, NOKW-1582. 299th Inf. Division/Ic lo XXIX Corps/Ic, November 29, 1941, NOKW-1517. Draft of Proclamation of XLII Corps/Ia, December 11, 1941, NOKW-1682. Order by 101 st Light Inf. Division/Ic, May 24, 1942, NOKW-2699. Draft directive by 299th Division Ia/Ic, October 1, 1942, NOKW-3371.

22. Order by von Roques, August 28, 1941 NOKW-1586. Order by Rear Army Group Area North, September 3, 1941, NOKW-2204.

23. Military government ordinances (*Militärverwaltungsanordnungen*) by Army Group Center, OQu VII, document Heeresgruppe Mitte 75858, located during postwar years at Federal Records Center, Alexandria, Va.

The civil administration was even more preoccupied with ghettoization, and therefore the "provisional directives" of Reichskommissar Lohse, and especially those of his subordinates, are a little more detailed than the military orders. In the directive of Generalkommissar von Renteln (Lithuania), for example, we find, in addition to the regular instructions, such points as these: All telephones and telephone lines were to be ripped out of the ghetto. All postal services to and from the ghetto were to be cut off. Whenever ghetto bridges had to be built over thoroughfares, the bridges were to be enclosed with barbed wire to prevent people from jumping down. With an eye to the future, von Renteln ordered that Jews be forbidden to tear down doors, window frames, floors, or houses for fuel." A draft directive of the Generalkommissar in Latvia specified a proposed occupancy of four Jews per room and, among other things, prohibited smoking in the ghetto."

While the directives of the civil administration were more elaborate than those of the military, they were not published in any proclamations or decrees. In an extraordinary attempt at secrecy, Lohse ordered his subordinates to "get by with oral instructions to the Jewish councils."²⁴

Not only were the Kommissare very interested in ghetto administration; they also developed a feeling of proprietorship toward the Jewish districts. During the second sweep this feeling was to have administrative repercussions, but even during the intermediary stage it gave rise to difficulties.

On October 11, 1941, the Generalkommissar of Latvia, Dr. Drechsler, was sitting in his private apartment in Riga when a visitor arrived: Brigadeführer Dr. Stahlecker, chief of Einsatzgruppe A. Stahlecker informed his surprised host that, in accordance with a "wish" of the Führer, a "big concentration camp" was to be established near Riga for Reich and Protektorat Jews. Could Drechsler help out with necessary materials?²⁵

Drechsler was now in a position similar to Regierungspräsident Uebelhoer, who had been fighting about the *L6di* ghetto against the all-powerful Himmler. Like Uebelhoer, Drechsler was to be the recipient of tens of thousands of Jews who were sent from the Reich-Protektorat area to some form of destruction in the East. The late fall months of 1941 were a transition period during which deportations were already under way, but killing centers had not yet been established. The Ost-^{24 25 26 27}

24. Order by von Renteln, August 26, 1941. Occ E 3-19. See also materials on Vilna ghettoization in B. Baranaukas and K. Ruksenas, *Documents Accuse* (Vilnius, 1970), pp. 217-18, 166-67.

25. Draft directive signed by Bönner, undated. Occ E 3-20.

26. Lohse directive. August 18, 1941, NG-1815.

27. Drechsler to Lohse, October 20, 1941, Occ E 3-29.

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land was looked over for possible sites while transports were shoved east. In fact, on October 21, 1941, Sturmbannführer Lange of the Einsatzgruppe telephoned Dr. Drechsler to report that the killing unit was planning to set up a camp for 25,000 Reich Jews about fourteen miles from Riga."

By October 24, Reichskommissar Lohse was drawn into the picture. With Drechsler, Lohse complained to Lange that the Einsatzgruppe had contacted Drechsler not to *discuss* the matter but to *inform* him of developments. Lange repeated that higher orders were involved and that the first transport was due on November 10. Lohse replied that he was going to discuss the whole question in Berlin on October 25."

By November 8, 1941, Lange sent a letter to Lohse, reporting that 50,000 Jews were on the move. Twenty-five thousand were due in Riga, 25,000 in Minsk. A camp was being built at Salaspils, near Riga." Since the Reichskommissar was in Berlin, his political expert, Regierungsrat Trampedach, wrote to the capital to urge that the transports be stopped." The chief of the ministry's Political Division, Dr. Leibbrandt, replied that there was no cause for worry, since the Jews would be sent "farther east" anyway (that is, they would be killed)."

At the time of these tense discussions, more than 30,000 Jews were still alive in Riga. The city's Jewish community, one of the most prosperous in Eastern Europe, had experienced a brush with death during the opening days of the German occupation, but for several months thereafter it was to remain intact. The German army was busily engaged in exploiting Jewish workers and in requisitioning Jewish-owned furniture. The Generalkommissar's labor expert, Oberkriegsverwaltungsrat Dorr, was reaching out for control of the Jewish labor supply, and the Generalkommissar's chief of finance, Regierungsrat Dr. Neuendorff, deputized the Gebietskommissar's office to assess all the registered Jewish property with a view to its confiscation." Dorr wanted a ghetto, and after some preparations it was put into place." Then, in the middle of labor allocations and the taking of inventory, ^{28 29 30 31 32 33 34}

28. Unsigned notation, October 21, 1941, Occ E 3-29.

29. Memorandum, office of the Reichskommissar, October 27, 1941, Occ E 3-30.

30. Stubaf. Lange to Reichskommissar Ostland, November 8, 1941, Occ E 3-31.

31. TVampedach to ministry, copy for Lohse at Hotel Adlon in Berlin, November 9, 1941. Occ E 3-32.

32. Leibbrandt to Reichskommissar Ostland, November 13, 1941, Occ E 3-32.

33. See correspondence in T 459, rolls 21 and 23.

34. Dorr to Feldkommandantur and other offices, September 15, 1941, T 459, roll 23. The Feldkommandant was Generalmajor Bamberg. Orders of the Gebietskommissar establishing a ghetto as of October 25, in his letter to the Generalkommissar, October 30, 1941, T 459, rolls 21 and 23. The Gebietskommissar of the city of Riga was Oberbürgermeister Wittrock.

Higher SS and Police Leader Jeckeln assembled his forces and struck without warning in two waves—on November 29-December 1 and December 8-9, killing 27,800 Jews." Space had now been created for transports from Germany inside the ghetto itself."

In a matter of days a double ghetto was created within the ghetto fence. All but a few thousand Latvian Jews were dead, and most of the German Jews were moved in. The new arrivals found apartments in shambles, and some of the furnishings bore traces of blood." That winter fires flared in abandoned buildings," pipes froze," and epidemics raged unchecked.* In the months and years ahead, the German Jews, in labor camps and the ghetto, were whittled down to a handful of survivors.

Meanwhile, other transports were arriving in Kaunas and Minsk. Five thousand Jews from the Reich and the Protektorat were shot in Kaunas by the efficient personnel of Einsatzkommando 3 on November 25 and 29.* At Minsk the numbers were larger, and the correspon-

35. The figure is given in an undated report of Einsatzgruppe A, PS-2273. See also Max Kaufmann, *Die Vernichtung der Juden in Lettland* (Munich, 1947), and Gertrude Schneider, *Journey into Terror* (New York, 1979), pp. KM5. On the involvement of Latvian auxiliaries in the massacre, see E. Avotins, J. Dzirkalis, and V. Petersons. *Daugavas Vanagi—Who Are They?* (Riga, 1963), pp. 22-24. The Jewish historian Simon Dubnov was among those killed on December 8. On the suddenness of this "turn of events" (*Wendung*) for the German civil administration, see correspondence in T 459, roll 21.

36. A transport from Berlin, the first to be directed to the Riga area, departed on November 27. Three days later the victims were unloaded in the Rumbula forest and shot. Schneider, *Journey*, pp. 14-15, 155. A telephone log kept by Heinrich Himmler in his own handwriting at the Wolfschanze (Hitler's headquarters) contains a cryptic note about a conversation with Heydrich at 1:30 P.M. on November 30. Five words of the entry are: "*Judentransport aus Berlin. Keine Liquidierung.* [Jewish transport from Berlin. No liquidation.]" Facsimile in David Irving, *Hitler's War* (New York, 1977), p. 505. Riga is not mentioned, but no other transport left Berlin during November 27-30. and on December 1 there was another Himmler-Heydrich conversation about "executions in Riga" (*Exekutionen in Riga*). See Martin Broszat, "Hitler und die Genesis der Endlösung," *Vierteljahrshefte für Zeitgeschichte* 25 (1977): 760-61. The veto, possibly prompted by arguments from the Reichskommissariat, had evidently been without effect. Most subsequent transports, however, were not killed off immediately.

37. Affidavit by Alfred Winter, October 15, 1947 NO-5448. Winter, a Jewish survivor, was a deportee.

38. Gebietskommissar, city of Riga, via Generalkommissar to Reichskommissar, December 30, 1941, enclosing report of fire chief Schleicher of the same date, T 459, roll 3.

39. Gebietskommissar via Generalkommissar to Reichskommissar, January 27, 1942, T 459, roll 3.

40. Reichskommissar's Office (Health to Ministerialdirigent Frilndt on the premises, February 7, 1942, enclosing report of Medizinalrat Dr. Ferdinand, February 3, 1942, T 459, roll 3.

41. Report by Staf. Jäger, December 1, 1941, Zentrale Stelle Ludwigsburg, UdSSR 108, film 3, pp. 27-38.

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dence became longer. The Wehrmachtbefehlshaber in the Ostland protested against the arrivals on purely military grounds. The German Jews, he pointed out, were far superior in intelligence to White Russian Jews; hence there was danger that the "pacification" of the area would be jeopardized. Furthermore, Army Group Center had requested that no trains be wasted on Jews. All railroad equipment was needed for the supply of military matériel.^{42 43}

The protest of the Wehrmachtbefehlshaber in the Ostland was followed on December 16, 1941, by a letter from the Generalkommissar of White Russia, Gauleiter Kube. That letter was the first in a series of letters and protests by this official that were to shake at the foundations of the Nazi idea. It was addressed to Lohse personally (*Mein lieber Hinrich*).

Kube pointed out that about 6,000 to 7,000 Jews had arrived in Minsk; where the other 17,000 to 18,000 had remained he did not know. Among the arrivals there were World War I veterans with the Iron Cross (both First and Second Class), disabled veterans, half-Aryans, and even a three-quarter Aryan. Kube had visited the ghetto and had convinced himself that among the Jewish newcomers, who were much cleaner than Russian Jews, there were also many skilled laborers who could produce about five times as much as Russian Jews. The new arrivals would freeze to death or starve to death in the next few weeks. There were no serums to protect them against twenty-two epidemics in the area.

Kube himself did not wish to issue any orders for the treatment of these Jews, although "certain formations" of the army and the police were already eyeing the personal possessions of these people. The SD had already taken away 400 mattresses—without asking. "I am certainly hard and I am ready," continued Kube, "to help solve the Jewish question, but people who come from our cultural milieu are certainly something else than the native animalized hordes. Should the Lithuanians and the Latvians—who are disliked here, too, by the population—be charged with the slaughter? I could not do it. I ask you, consider the honor of our Reich and our party, and give clear instructions to take care of what is necessary in a form which is humane."

On January 5, 1942, the Stadtkommissar (city equivalent of Gebietskommissar) of Minsk, Gauamtsleiter Janetzke, going over the heads of Kube and Lohse, addressed a letter to Rosenberg personally. Janetzke had just been informed by the SS and Police that an additional 50,000 Jews were due from the Reich. In bitter language he pointed out

42. Wehrmachtbefehlshaber Ostland/Ic to Reichskommissar Ostland, November 20, 1941 Occ E 3-34. The Wehrmachtbefehlshaber was Git. Braemer.

43. Kube to Lohse, December 16, 1941, Occ E 3-36.

that Minsk was a heap of rubble that still housed 100,000 inhabitants. In addition, there were 15,000 to 18,000 Russian Jews and 7,000 Reich Jews. Any further arrival of transports would bring about a catastrophe."

The Jewish expert in the ministry, Amtsgerichtsrat Wetzel, replied to the letter by addressing himself to Reichskommissar Lohse. Originally, wrote Wetzel, it had been intended to send 25,000 Jews to Minsk. Because of transport difficulties, the project could not be carried out. As for Janetzke, Wetzel requested that the Stadtkommissar be instructed to heed official channels in the future.⁴⁷

Although the controversy was now over, Kube insisted on a last word. Writing to Lohse, he pointed out that had Janetzke used official channels, he not only would have been within his rights but would have done his duty.^{44 45 46 47 48}

Whereas the mobile killing units were interested only in concentrating the Jews to facilitate the second sweep, the military and civilian administrations decided to exploit the situation while it lasted. Hence economic measures, in the form of labor utilization and property confiscations, became an important aspect of the intermediary stage. Economic exploitation was not the exclusive task of the army groups and the Reich Ministry for Eastern Occupied Territories. We shall therefore have to look briefly at two other agencies: the *Wirtschaftsinspektionen* (economy inspectorates) and the *Rüstungsinspektionen* (armament inspectorates).

Overall economic control in the military areas was placed into Göring's hands. To carry out his task, the Reichsmarschall formed a policy staff, the *Wirtschaftsführungsstab Ost* (Economy Leadership Staff East). Goring himself headed the organization. The deputy was Staatssekretär Körner (Office of the Four-Year Plan). Other members included Staatssekretäre Backe and Neumann (also of the Office of the Four-Year Plan) and General Thomas, who was chief of the OKW/WiRti (Armed Forces High Command/Economy-Armament Office).⁴¹ In the field the policies of the *Wirtschaftsführungsstab Ost* were carried out by another staff, the *Wirtschaftsstab Ost* (Economy Staff East), headed by Generalleutnant Schubert.⁴⁴ The regional machinery of the *Wirtschaftsstab Ost* consisted of three *Wirtschaftsinspektionen*—one

44. Stadtkommissar Janetzke to Minister for Eastern Occupied Territories (Rosenberg), January 5, 1942. Occ E 3-37.

45. Wetzel to Reichskommissar, January 16, 1942. Occ E, 3-37.

46. Kube to Lohse, February 6, 1942. Occ E 3-37.

47. Von Lüdinghausen (Dresdner Bank) to Dr. Rasche (Dresdner Bank), July 20, 1941, NI-14475. Decree by Göring, July 30, 1941, Wi/ID .240.

48. Decree by Goring, July 30, 1941. Wi/ID .240.

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with each army group. Each inspectorate was subdivided territorially into *Wirtschaftskommandos* (economy commands).

Originally it was intended that Goring have plenary economic control in the entire occupied territory (military areas and civilian Reichskommissariate alike).⁴⁹ That arrangement, however, hurt the sensibilities of the newly appointed Reichsminister, Rosenberg. The functions of the economy inspectorates were therefore confined to the military areas, while the Rosenberg machinery was given a free hand to regulate general economic matters (finance, labor, agriculture) in the Kommissariate. Like all other regional potentates, however, Rosenberg had no control over war contracts placed in his territory. The continuous supervision of war production contracted for by the German army, navy, or air force was the function of the *Rüstungsinspektionen*, which belonged to General Thomas of the OKW/Wi Ru.»

Table 7-10 summarizes the basic economic jurisdictions in the east. From this table it should be apparent why the economy inspectorates in the military area dealt with *all* economic measures against Jews, whereas the armament inspectorates in the civilian area were concerned only with forced labor questions arising from war contracts.^{49 50 51}

The economic measures against Jews comprised starvation, forced labor, and confiscations of property. So far as the German bureaucrats were concerned, the measure that gave rise to the least difficulty was the prescription of a starvation diet.

In the military area the *Wirtschaftsstab Ost* ordered that Jews receive half the rations allotted to people who did "no work worth mentioning." This meant that Jews were entitled to no meat but that they could receive a maximum of 2 pounds of bread, 2½ pounds of potatoes, and 1 Yi ounces of fat per week.⁵² Lohse's "provisional directives" provided that Jews would receive only whatever the rest of the population could do without, but in no case more than was sufficient for scanty

49. Directive by OKH/GenQu (signed Wagner) (60 copies), May 16, 1941, NOKW-3335. Von LQdinghausen to Dr. Rasche, July 20, 1941, NI-14475.

50. For precise functions of the armament inspectorates in the Rosenberg territories, see decree by Thomas, July 25, 1941, Wi/ID .240; decree by Goring, August 25, 1942, WL/ID 2.205.

51. In their internal organization, economy inspectorates were quite different from armament inspectorates. The economy inspectorates and commands were organized into sections dealing with economy, labor, agriculture, finance, etc. The armament inspectorates and commands were organized into a central section and three sections designated "Army," "Navy," and "Air Force."

52. Instructions by *Wirtschaftsstab Ost/Führung ia*, November 4, 1941, PS-1189. The Jewish diet was the same as the allotment for children.

T A B L E 7-10
ECONOMIC JURISDICTIONS IN THE EAST

<i>Civilian Area</i>	<i>Military Area</i>		
<i>General Economy War Contracts</i>	Wirtschaftsführungsstab Ost: Goring		
	Wirtschaftsstab Ost: Git. Schubert (succeeded by Gen. d. Inf. Staf)		
|-----| RU In Ru In Ostland Ukraine	Wi In North	Wi In Center	Wi In South
	Economy IV Wi Sections Commands (with armies, corps, and divisions)		

nourishment." The food rationing problem was thus easily solved, Jews simply did not have to eat. More difficult, however, was the question of labor utilization, for Jews did have to work.

To understand the role of Jewish labor in the newly occupied territories, we should examine in particular that early period of the occupation when the Germans first organized eastern production. The *Wirtschaftsstab Ost* planned to make maximum use of the productive capacity of the new areas, but in the very beginning it hoped that this objective could be accomplished without the Jews. On July 16, 1941, Generalleutnant Schubert (chief of the *Wirtschaftsstab Ost*) reported in telegraphic style:

With respect to the Jewish question important experience at Drohobycz, where [oil] refinery employed the leading Jews only during the first week, and runs today without any Jews [*ganzjudenfrei*].*

No such pronouncements were made after July. In Przemyśl-South, the IV Wi officer wrote the following report about his troubles in organizing war industries during the summer of 1941: ^{53 54}

53. Lohse to Generalkommissare in Ostland, August 8, 1941. NG-4815.

54. Chief of *Wirtschaftsstab Ost* (signed Schubert) to OKW/Wi Ru and other offices (90 copies), July 16, 1941, Wi/ID 0.10. The Drohobycz area (Galicia) was then under army control.

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Almost insoluble was the problem of finding expert managers. Almost all former owners are Jews. All enterprises had been taken over by the Soviet State. The Bolshevik commissars have disappeared. The Ukrainian trustee administrators, who were appointed upon the recommendation of the Ukrainian Committee, turned out to be incompetent, unreliable, and completely passive. Only a handful of Poles were useful. The real experts and real heads are Jews, mostly the former owners or engineers. Constantly, they stand as translators of the language or translators into action at the side of the Ukrainian straw man (*Immer stehen sie als sprachliche oder fachliche Dolmetscher neben dem ukrainischen Strohmann*). They try their utmost and extract the very last ounce of production—until now almost without pay, but naturally in the hope of becoming indispensable. The assistance of Reich and ethnic Germans who offered their services as “trustees” had to be dispensed with because, without exception, they proved to be speculators or adventurers who pursued only selfish aims. Although they have already acquired plenty of enterprises in the Generalgouvernement, they are interested only in more booty.”

Reading these lines, one cannot escape from the conclusion that during the crucial organizing period the Jews had already become indispensable.

The reliance upon Jewish skills and brains was immediately recognized as a potential obstacle to the “final solution.” On August 14, 1941, Goring himself declared that the Jews no longer had any business in German-dominated territories (*dass die Juden in den von Deutschland beherrschten Gebieten nichts mehr zu suchen hätten*). Wherever Jewish labor was needed, the Jews were to be grouped into work formations. Insofar as they had not had an “opportunity” to “emigrate,” they were to be incarcerated in “something like” prison camps, to be organized there into labor battalions. Any other type of employment was not to be permitted, save in exceptional cases during the beginning of the occupation.^K

However, the implementation of that directive proved to be a difficult proposition. Expert mechanics can easily be employed as heavy laborers, but unskilled laborers cannot easily replace trained artisans. The attempt was made. In November 1941 the Economy Inspectorate Center went so far as to order that Jewish skilled workers surrender their tools and report for work in labor columns.” To the ^{55 56 57}

55. Report by Feldkommandantur Przemysl SOD/Gruppe IV Wi (signed Hauptmann Dr. Bode), August 29, 1941, Wi/ID 1.113.

56. Report by Nagel (OKW/Wi Rū liaison officer with the Reichsmarschall), August 14, 1941. Wi/ID 2.319.

57. Economy Inspectorate Center (signed Kapitän zur See Kotthaus) to Wirtschaftsstab Ost, Economy Inspectorates North and Center, Armament Inspectorate Ukraine, Army Group B, 2nd, 4th, and 9th Armies, Armament Command Minsk, and economy commands of the Economy Inspectorate Center, November 16, 1941, Wi/ID 2.124.

north, in Latvia, the forest administration of the Generalkommissar used "large contingents" of Jews to collect wood for heating.⁵⁸ To the south, in military territory, municipalities made use of labor columns for clearing away debris and reconstruction work.⁵⁵ But in the end the pressing need for irreplaceable Jewish skilled labor made itself felt everywhere.

The army needed Jewish workers in its repair shops and Jewish clerks in its offices." The armament plants under "trusteeship" continued to be dependent upon Jewish labor.⁶¹ In the Volhynian sector of the Generalkommissariat Volhynia-Podolia, the labor force in armament plants was 90 percent Jewish throughout 1941 and 1942." In the same area "educated Jews were in many cases the real factory managers [*Gebildete Juden waren vielfach die eigentlichen Betriebsführer*]." The ghettos themselves employed a large labor force in workshops and administrative positions."

In the Riga region, where the German Jews were to be "quartered only for a transitory stay [*nur vorübergehend hier untergebracht*]," and where many of the deportees were "cripples, war invalids, and people over seventy years of age [*Krüppel, Kriegsinvaliden und über 70 Jahre alte Leute*]," a widespread demand for Jewish workers became manifest all the same. On one occasion a Gebietskommissar employee complained that soldiers, shouting in the presence of more than 1,000 Jews, had simply seized the labor in defiance of regulations." By 1943 the remaining thousands of German and Latvian Jewish laborers were di-

58. Generalkommissar Latvia/Division 11a to Reichskommissar Ostland/11a. October 20, 1941 Occ E 3-27.

59. Order by Army Group Rear Area South (signed von Roques). July 21, 1941. NOKW-1601.

60. On September 12, 1941, Keitel prohibited the utilization of Jews in "preferential" jobs. Army Group Rear Area North/1c to Army Group Rear Area North/VII, September 24, 1941, NOKW-1686.

61. For early recruitment, report by Economy Command Riga to Economy Inspectorate North. July 21, 1941, PS-579. Riga was then still under military control.

62. Armament Command Luck to Armament Inspectorate Ukraine, report for October 1 to December 31, 1942, January 21, 1943 Wi/ID 1.101.

63. *Ibid.*

64. See chan of Statistical Office of the Vilna ghetto. June, 1942, Vilna Ghetto Collection, No. 286. According to this chart, Vilna had 7,446 employed Jews, of whom 1,401 worked for the ghetto.

65. Report by a labor official in Riga (the signature appears to be that of Kriegsverwaltungssekretär Slandtke) following discussions with OStuf. Maywald and OStuf. Krause (on the staffs of Einsatzgruppe A and Einsatzkommando 2, respectively), February 16, 1942, T 549, roll 23. The SS was building camps at Salaspils and Jungfernhof.

66. Report by Generalkommissar/HIe (Labor), signed Lippmann. June 6, 1942. T 459, roll 19.

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vided among a large number of employers: SS, army, navy, air force, railroads, and firms." One medical laboratory needed three specially selected Jews from whom blood was to be drawn twice daily to feed lice."

Not much need be said about working conditions and wages. Labor columns returning to the Riga ghetto each night were received with rubber truncheons and fists." In the Salaspils camp for Reich Jews, 900 men were buried in a single mass grave (i.e., about 60 percent of the working force died).⁷⁰ With respect to wages, the Lohse directive provided that only subsistence money was to be paid. In White Russia, wage scales for the Slavic population ranged from 0.5 ruble (child labor) to 2.5 rubles (foremen) per hour. The wage scale for Jews was 0.40 to 0.80 ruble.⁷¹ This differential was not intended for the benefit of private firms, though; it was to be paid to the Kommissariat." During the second sweep, the civil administration in particular was also to have a financial reason for the retention of the Jewish labor supply.

The third economic measure against Jews was the confiscation of property. Unlike the Jews of the Reich-Protectorat area or even the Jews of Poland, USSR Jewry could offer no major "objects" to German industrialists, bankers, and economy experts. In the USSR no private person owned enterprises, warehouses, real estate, or art collections. Such items were state property. The only prizes to be taken from Soviet Jews were their apartments, furniture, utensils, small amounts of cash, bits of jewelry, and large quantities of old clothes. In spite of the meagerness of this loot, there were jurisdictional disputes over possession of the Jewish belongings. In part, such disputes were an inevitable outgrowth of the chaotic state of affairs during the transition period; in part, they were a prelude to the struggle that was to follow, for the implication was clear that whoever owned the Jewish property also owned the Jews. There was a long list of "claimants" to the Jewish ^{67 68 69 70 71 72 73}

67. See detailed breakdown by labor administration of Gebietskommissar, August 18, 1943, T459, roll 23. The number of employed Jews at that time was about 11,000.

68. Dr. Abshagen (Institut für medizinische Zoologie) to Generalkommissar. October 24, 1942, T 459, roll 19. The experiment involved typhus.

69. Report by Soviet Extraordinary State Commission (signed by Burdentko, Nikolai, TVainin, and Lysenko), undated. USSR-41.

70. Affidavit by Alfred Winter (survivor), October 15, 1947, NO-5448.

71. Decree (signed Kube) of June 1, 1942, *Amtsblatt des Generalkommissars für Weissruthenien*, 1942, p. 105. According to official rate of exchange, one ruble was equal to 0.10 reichsmark.

72. Decree (signed Kube) of August 18, 1942, *Amisblatt des Generalkommissars in Minsk*, 1942, p. 166.

73. The term *estate* (*Nachlass*) was freely used in correspondence. See, for example, Generalkommissar in White Russia to Reichskommissar Ahisteeship (Special Repre-

One of the first collectors of Jewish property was invariably a killing unit.⁷¹ As a rule, the mobile killing units generously handed out furniture and clothes to the native population, particularly to the ethnic Germans in the area.^{74 75}

A second claimant—of a very de facto character—was the civilian population, which helped itself to the abandoned Jewish apartments, often taking possession of them.⁷⁶ Following the Riga massacre of November 30, thousands of packed suitcases were left unguarded where they had been collected and stacked. Many were subsequently found to have been forced open, their contents removed.⁷⁷

Other claimants were administrative officials of the military and the Kommissariate who needed offices, office furniture, and a variety of other things. In Riga such requests came from the German railways,⁷⁸ from local branches of corporations, such as a truck repair facility of Daimler-Benz, which sought to establish its eligibility to receive ghetto property by asserting that its personnel were attendants of the Wehrmacht (*Gefolge der Wehrmacht*) within the meaning of

representative for Seizure of Jewish Property in the Ostland) Bruns, March 4, 1942, T 459, roll 3. Secrecy of records dealing with Jewish gold and silver in the Ostland was abandoned altogether. Notation by Kunska (Generalkommissar in Latvia/Trusteeship), June 27, 1942, on copy of directive from Reichskommissar's Trusteeship Office. April 30, 1942, T 459, roll 21.

74. RSHA IV-A-1, Operational Report USSR No. 21 (32 copies), July 13, 1941, NO-2937. RSHA IV-A-1, Operational Report USSR No. 125 (50 copies), October 26, 1941, NO-3403. RSHA IV-A-1, Operational Report USSR No. 156, January 16, 1942, NO-3405.

75. RSHA IV-A-1, Operational Report USSR No. 103 (48 copies), October 4, 1941, NO-4489. In Zhitomir, Einsatzgruppe C handed 50,000 to 60,000 pounds of clothes and utensils to a representative of the NSV (National Socialist People's Welfare). RSHA IV-A-1, Operational Report USSR No. 106 (48 copies), October 7, 1941, NO-3140. Einsatzgruppe D delivered its loot to Reich finance offices—much to the chagrin of the 11th Army, which wanted the stuff for its own purposes. Ohlendorf to 11th Army. February 12, 1942, NOKW-631. In October, 1942, the Higher SS and Police Leader Center, Obergruppenführer von dem Bach, sent 10,000 pairs of children's socks and 2,000 pairs of children's gloves to Himmler's Personal Staff for distribution to SS families. Ostuf. Meine (Personal Staff) to Gruf. Hofmann (Chief, RuSHA). October 28, 1942. NO-2558. The Higher SS and Police Leader North, Jeckeln, presided over a huge warehouse in Riga. He spent hours sorting jewelry on his desk. Affidavit by Richard Dannler (SS mailman), September 19, 1947, NO-5124.

76. Report by 454th Security Division Ic, December 4, 1941, NOKW-2926. Also, report of looting in Kharkov: RSHA IV-A-1, Operational Report USSR No. 164 (65 copies), February 4, 1942, NO-3399.

77. Neuendorff to Reichskommissar/II-h (Finance). December 4, 1941, T 459, roll 21.

78. Hauptisenbahndirektion Nord to Reichskommissar, April 26, 1942, T 459, roll

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Article 13 of the Hague Land Warfare Regulations⁷⁹, and from individuals, including a Latvian policeman who had taken part in a "Jewish transport" (*Judentransport*),* an official interpreter who wanted a piano for his talented ten-year-old daughter," and a sculptor who wished to remove stones of granite and marble from the Jewish cemetery as a public service." On the front line the troops "requisitioned" things, although looting was prohibited." What was left was subject to systematic confiscation by the economy inspectorates in the military areas and by the finance offices in the Reichskommissariate. The disposal of the Jewish property, like the requisition of Jewish labor, was consequently handled on a first-come-first-grab basis. Very few changes could be made in this scheme.

In the military area the Wirtschaftsstab Ost, armed with authority from the OKH, attempted to curb the looting by Einsatzgruppen and army units." It was an uphill fight," and the spoils were hardly worth it. In one report the Economy Inspectorate Center explained that by German standards the Jewish clothes and underwear could be classified only as "rags" (*Lumpen*). * On July 4, 1942, the Economy Inspectorate

79. Daimler-Benz Corporation (Mercedes) to Reichskommissar Altvusteeship (Dr. Köster), January 7, 1942, T 459, roll 2.

80. Nikolai Radzinsch (Radzins) to Reichskommissar, January 26, 1942, T 459, roll 2.

81. Wilhelm Strauss to Generalkommissar/Finance, October 9, 1942, T 459, roll 2.

82. Rudolf Feldberg, Riga, to Security Police in Riga (passed on to Trusteeship Office, attention Bruns), July 16, 1942, T 459, roll 2. The graveyards in Jelgava (Latvia) and Tallinn (Estonia), he explained, had already been leveled. The Finance Office of the Reichskommissar took a dim view of the sale of Jewish gravestones at inappropriately low prices. Alletag to Generalkommissare in Riga, Kaunas, Tallinn, and Minsk, October 2, 1942, T 459, roll 3. Alletag dealt with Jewish property in the Finance Office. The director of the office was Vialon.

83. Order by Commander, Rear Army Group Area South (signed von Roques), September 1, 1941, NOKW-2594. Ortskommandantur Nikolaev to Commander, Rear Army Area 553 (11th Army). September 25, 1941, NOKW-1729.

84. Order by Wirtschaftsstab Ost/FOhrung Ia, October 22, 1941, Wi/ID 0.82. The OKH order, investing the Wirtschaftsstab Ost with sole authority to conduct confiscations in the military area, was dated October 2, 1941.

85. Economy Inspectorate Center (signed Kapitän zur See Kotthaus), to Wirtschaftsstab Ost, November 6, 1941, Wi/ID 2.124. Report by Economy Inspectorate Center (signed Generalleutnant Weigand), November 22, 1941, Wi/ID 2.124. Report by Economy Inspectorate Center (signed Generalleutnant Weigand), December 22, 1941, Wi/ID 2.124. Report by Economy Inspectorate Center (signed Generalleutnant Weigand), April 4, 1942, Wi/ID 2.33. War diary. Economy Command in Klimovichi (signed Hauptmann Weckwerth) to Economy Inspectorate Center, December 31, 1941, Wi/ID 2.90.

86. Economy Inspectorate Center/Main Group Economy to Wirtschaftsstab Ost, July 1, 1942, Wi/ID2.347.

reported that in the entire area of Army Group Center it had collected property amounting to 2,046,860 rubles (204,686 reichsmark, or about 80,000 dollars). A part of that property had been "relinquished" in favor of the suffering Russian communities in the area.*

The civilian administration approached the confiscation problem with stubbornness in the Ostland and with remarkable laxity in the Ukraine. Reichskommissar Lohse of the Ostland made a determined attempt to stop confiscations by the mobile killing units, collect all articles not essential for subsistence living (*notdürftige persönliche Lebensführung*) from the Jews, and lay claim to Jewish property in possession of the civilian population. To establish his exclusive competence, Lohse declared in secret directive and public decree that he, as Reichskommissar, had sole jurisdiction in Jewish property matters." But declarations are one thing, action another.

On September 8, 1941, the Gebietskommissar of Siauliai, Lithuania (Gewecke), complained to Lohse that he simply could not carry out a systematic seizure of Jewish property. A certain Hauptmann Stasys Senulis had appeared in his office that very day and had demanded in the name of Standartenführer Jäger (Einsatzkommando 3) that the local mayors hand over all the gold and silver that had been in Jewish possession." On September 24, 1941, a file note in the office of the Generalkommissar in Kaunas recorded the fact that the SS had removed from Lithuanian banks 3,769,180 rubles in Jewish deposits and valuables." On September 25, 1941, Lohse wrote to the Higher SS and Police Leader personally (Priitzmann), pointing out that confiscations were in the exclusive province of the Reichskommissar. "I do not permit any sideswipes at Jewish property and expect to take all necessary measures to persuade your police officers to cease all self-empowered action." But there was very little he could do. On November 15, 1941, Rosenberg and Himmler had a four-hour discussion. Among the subjects aired were, in Himmler's words, the "fussiness of Reichskommissar Lohse" and the "ludicrous complaints of Generalkommissar Kube" about the "requisition of necessary items for ^{87 88 89 90 91}

87. Economy Inspectorate Center (signed Generalleutnant Weigand) to Wirtschaftsstab Ost, July 4, 1942, Wi/1D 2.70.

88. Temporary directive (signed Lohse). August 18, 1941, NG-4815. Decree (signed Lohse), October 13, 1941, *Verkündungsblatt des Reichskommissars für das Ostland*, 1941, p. 27.

89. Gewecke to Lohse, September 8, 1941, PS-3661.

90. Memorandum by Generalkommissar in Kaunas/Main Division II-F, September 24, 1941, Oec E 3-24.

91. Lohse to Higher SS and Police Leader Ostland personally, September 25, 1941, Oec E 3-25.

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the SS and Police" (*"Kleinlichkeit des Reichskommissars Lohse" und "lächerliche Beschwerden" des Generalkommissars Kube über "Sicherstellung des notwendigen Bedarfs für SS und Polizei"*).

The civil war between the SS and the Lohse administration continued for many months." At last, on October 13, 1942, the Jewish expert of the Ostland's Security Police, Obersturmführer Regierungsrat Jagusch, conceded to the civil authorities jurisdiction in property disposals, but asserted on the basis of a Führer directive (a text of which had never been transmitted to the Reichskommissar) that the SS possessed the primary power (*Federführung*) for lawmaking in all Jewish matters."

Even in Lohse's own apparatus there were a number of conflicts. Initially he had placed confiscatory powers into the hands of his Generalkommissare, instructing them to collect immediately all money, bankbooks, promissory notes, and valuables." In December 1941 the administration of tangible Jewish property was concentrated in the hands of the Reichskommissar's Main Division ILLTrusteeship (Dr. Köster). This transfer was accompanied in Riga by the forcible eviction of a local official by Dr. Köster personally." Meanwhile, the chief of finance in the Latvian Generalkommissariat, Dr. Neuendorff, was still struggling with the recovery of taxes owed by Jews who had just been killed. A collection of the taxes themselves, he concluded, was not possible for reasons already known (*aus den bekannten Gründen nicht möglich*), but he thought that from the proceeds of the sale of Jewish assets, some portion might be allocated for the discharge of tax obligations." By July 1942, responsibility for the personal portable possessions of Jews was moved from the Reichskommissar's Thiesteeship Office to the Finance Office of his Main Division II." That 92 93 94 95 96 97 98

92. Memorandum by Himmler, November 15, 1941, NO-5329.

93. Reichskommissar Ostland/II-c to ReichskommissariTrusteeship Office on quarrel in Vilna, early February 1942. T 459, roll 3. Memorandum in Reichskommissar's thiesteeship Office (signature illegible), March 19, 1942, complaining that objects—ostensibly of gold—delivered by SS in Riga were not genuine, T 459, roll 2.

94. Summary of conference, prepared on October 15, 1942, by Ministerialrat Burmeister of Reichskommissar's Office, T 459, roll 3.

95. Lohse directive, August 18, 1941, NG-4815. The Generalkommissare deputized the Gebietskommissare to seize Jewish belongings. See registration of property order by Gebietskommissar of city of Vilna (Hingst), September 1, 1941, T 459, roll 3.

96. Report by Friedrich Brasch (deputized by Gebietskommissar Wittrock to administer the Riga ghetto) to Wittrock, December 18, 1941, and Wittrock via Generalkommissar to Reichskommissar, December 19, 1941, T 459, roll 21.

97. Neuendorff to Generalkommissar/Thiesteeship (Kunska), June 4, 1942, T 459, roll 21.

98. Vialon to Main Division II/Heath. May 15, 1943, T 459, roll 24.

office, under Regierungsdirektor Vialon, patiently issued directive after directive to deal with every conceivable claim.⁵⁷

Now the only remaining problem was the recovery of loot in the possession of the population. This was not much easier than taking things away from Himmler. A decree issued by Lohse on October 13, 1941, provided that whoever was holding Jewish property at the moment was to continue to "administer" it. Only extraordinary transactions required the permission of the Reichskommissar.⁹⁹ ¹⁰⁰ A year later, Lohse ordered the registration of the property.¹⁰¹ Many practical difficulties developed in consequence of the registration order. On November 16, 1942, an article entitled "Better One Registration Too Many [*Besser eine Anmeldung zu vieff*]" appeared in the German newspaper published in Riga. The politely worded press release pointed out that many Jewish belongings had been distributed by various agencies "at the time" (*seiner Zeit*) without receipt. On the other hand, many people had already reported these possessions at various places. Everyone was now asked to register his holdings, even if he had already done so.¹⁰² ¹⁰³

In the Ukraine, Lohse's counterpart, Reichskommissar Koch, was far less ambitious in his efforts to collect Jewish belongings. On September 7, 1942, Koch received a directive, prepared in the East Ministry, to seize all Jewish and abandoned property. He was to use former Ukrainian officers and civil servants for the task. The Ukrainians were to seize Jewish furniture in empty apartments, collect debts owed by the population to Jews, seize Jewish bank accounts, and pay Jewish debts. After some months, Koch replied that the implementation of this decree was a "political and organizational impossibility." He had already confiscated Jewish valuables, "particularly gold." The remainder of the Jewish property consisted primarily of furnishings, part of which he was using in his offices and the rest of which he had burned. "To make lists now," he wrote, "to collect bank accounts, some of which no longer exist, to pay Jewish debts—that in my opinion is a presumption about my administration that cannot be justified in wartime. The suggestion, moreover, that I should use former Ukrainian officers for such a purpose, I consider politically dangerous."¹⁰³

99. Vialon directive of August 27, 1942, Institut für Zeitgeschichte, Munich, Fb 85/2, and his subsequent directives in T 459, roll 3.

100. Decree by Reichskommissar Osland, October 13, 1941, *Verkiindungsblau des Reichskommissars für das Osland*, 1941, p. 27.

101. Implementation decree (signed Lohse). October 14, 1942. in *Amtsblau des Generalkommissars in Minsk*, 1942, pp. 246-48.

102. *Deutsche Zeitung im Osland* (Riga), November 16, 1942, p. 5.

103. Koch to Rosenberg personally. March 16, 1943. PS-192.

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The recovery of Jewish possessions from *de facto* owners thus made little headway. Lohse found that it was a most difficult administrative task; Koch did not even try." So much, then, for the "confiscations."

During the intermediary stage the missing steps of the destruction process were introduced one by one. To the SS and Police the concentration measures were most important, since they were to pave the way for the annihilation of the remaining Jews. Economic exploitation was of primary interest to the administration. In the field of labor, the SS and Police tolerated economic activities at first but fought hard against them during the second sweep. The third step, definition, was opposed by Himmler on principle. He could see no use in it to anybody.

The mobile killing units did not concern themselves with definitions. To the Einsatzgruppen it made little difference whether there were half-Jews or even quarter-Jews among their victims. Since the other half or other three-quarters were non-German, everybody who answered to the name "Jew" or was denounced as a Jew was killed as a Jew.

There were, however, two small groups, Jews by religion, yet living as separate communities and speaking Ibrkic languages, that defied easy classification. One, a schismatic sect, the Karaites, had practiced Judaism outside the talmudic-rabbinic tradition for twelve hundred years. Before the German invasion, clusters of several hundred to several thousand were residents of Vilna (Lithuania), Halisz (Galicia), and the Crimea. Claiming to be entirely dissociated from Jewry, the Karaites cited exemptions from anti-Jewish measures granted to them in czarist days. The Germans exempted them as well.¹⁰⁴ The second group, known as Krimchaks, were an old, established community of several thousand living in the Crimea. Though full adherents of rab-^{104 105}

104. Interestingly enough, in the Romanian-occupied territory of Tfansnistria. Germans were the *de facto* claimants and Romanian authorities had to do the recovering. In the city of Odessa, ethnic Germans had moved into Jewish apartments and had taken possession of the furnishings therein. The SS Welfare Agency for Ethnic Germans (*Volksdeutsche Millelsstelle*—VOMI) decided to protect these Germans. An agreement concluded in August 1942 provided that, in view of the "fact" that during the Soviet regime many ethnic Germans had been forced to give up their apartments to Jews, the present German occupants should remain in possession. For the furniture they were to pay a "modest" amount to the Romanian administration. Agreement signed by Governor Alexianu of TVansnistria and Oberiuhrer Horst Hoffmeyer of the VOMI, August 30, 1942, NO-5561.

105. Dr. Steiniger, "Die Karaimen," *Deutsche Zeitung im Ostland* (Riga), November 15, 1942, p. 1. Also, correspondence in document Occ E 3ba-100. and Philip Friedman, "The Karaites under Nazi Rule," in Max Beloff, ed., *On ike Track of tyranny* (London, 1960), pp. 97-123.

binic Judaism, their origins were complicated enough to warrant presumptions of past intermarriages with indigenous neighbors and perhaps partial descent from medieval Central Asian converts to the Jewish religion (the Khazars). Nevertheless, when they did not answer to a call for "registration," it was decided that they were racially incontestable Jews (*rassisch emwandfreie Juden*).¹⁰⁶ They were seized and killed, although listed apart from Jews in recapitulations of the dead.¹⁰⁷

While the mobile killing units were concerned only with broad categorizations of ethnic groups, the military and civilian offices in the occupied territories imported the Nuremberg definition (three Jewish grandparents, or two Jewish grandparents plus the Jewish religion or a Jewish marital partner) into regulations pertaining to marking, ghettoization, and so on.¹⁰⁸ The definitions, which could be found only in secret directives with limited distribution, aroused no protests from the SS and Police.

In the beginning of 1942, however, the Ministry for Eastern Occupied Territories decided to issue a definition that was deemed more appropriate for the eastern area (that is, more stringent) than the Nuremberg decree. For this purpose, a conference was called on Jan-

106. Orstkommandantur Feodosiya to Rear Army Area 553 (1 Uh Army). November 16, 1941, NOKW-1631. See reference to Krimchaks as descendants of Khazars in an article by Abraham Poliak, *Encyclopedia Judaica* (1971-72) 3: 1103-6. But see also Itzhak Ben-Zvi, *The Exiled and the Redeemed* (Philadelphia, 1957) pp. 83-92.

107. RSHA IV-A-1, Operational Report USSR No. 150 (65 copies), January 2, 1942, NO-2834, noting 2,504 Krimchaks shot as of December 15. See also the following: RSHA IV-A-1, Operational Report USSR No. 190 (65 copies), April 8, 1942, NO-3359. Ortskommandantur Kerch to Army Rear Area 553 (11th Army), July 15, 1942, NOKW-1709. Ortskommandantur Bakhchisaray to Army Rear Area 553 (11th Army), July 16, 1942, NOKW-1698. Einsatzgruppe D also killed the so-called Tati (mountain Jews from the Caucasus who had been resettled in the Crimea by the American Joint Distribution Committee). Feldkommandantur Eupatoria to Army Rear Area 553 (11th Army), March 16, 1942, NOKW-1851. Another group of victims were the Gypsies, not because it was thought that they were Jews but because they were regarded as a criminal element. RSHA IV-A-1, Operational Report USSR No. 150 (65 copies), January 2, 1942, NO-2834. RSHA IV-A-1, Operational Report USSR No. 178 (65 copies), March 9, 1942, NO-3241. RSHA IV-A-1, Operational Report USSR No. 184, March 23, 1942, NO-3235. RSHA IV-A-1, Operational Report USSR No. 195 (75 copies), April 24, 1942, NO-3277. After the systematic killing of Gypsies had begun, an order exempted all "nonmigratory" Gypsies who could prove a two-year period of residence in the place where they were found. 218th Security Division to Oberfeldkommandantur 822. March 24, 1943. NOKW-2022. Other correspondence in document Occ E 3-61.

108. 454th Security Division Ia to Onskommandaluren in its area, September 8, 1941, NOKW-2628. Lohse directive. August 18, 1941, NG-4815. The Lohse directive exempted half-Jews who had married Jewish partners *before* June 20, 1941, and who were *no longer* living with their partners on that date. The military definition specified no marriage cutoff date. Neither definition contained a cutoff date for Jewish religious

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uary 29, 1942, under the chairmanship of Generalkonsul Dr. Bräutigam (deputy chief, Political Division) and with a long list of participants, including Amtsgerichtsräte Wetzel and Weitnauer and Regierungsräte Lindemann and Beringer (all of the East Ministry); Ministerialrat Lösener, Jewish expert of the Interior Ministry and author of the original Nuremberg definition; Oberregierungsrat Reischauer of the Party Chancellery; Sturmbannführer Neifeind and Sturmbannführer Suhr (both RSHA officials); Legationssekretär Muller of the Foreign Office (*Abteilung Deutschland*); Korvettenkapitän Frey, representing the Canarias office (Armed Forces Intelligence); and a representative of the Justice Ministry, Pfeifle.

Over the objections of Ministerialrat Lösener, who preferred that his decree be applied in all territories under German control, the conferees decided on a broader definition. Any person was to be considered as Jewish if he belonged to the Jewish religion or had a parent who belonged to the Jewish religion. For determination of adherence to the Jewish religion, the slightest positive indication was to be conclusive. A declaration that the father or mother was Jewish was to be entirely sufficient. In cases of doubt an "expert" race and heredity examination was to be ordered by the competent Generalkommissar.¹⁰⁵

When Himmler heard about the definition-making, he wrote the following letter to the chief of the SS-Main Office, Obergruppenführer

I request urgently that no ordinance be issued about the concept of "Jew." With all these foolish definitions we are only tying our hands. The occupied eastern territories will be cleared of Jews. The implementation of this very hard order has been placed on my shoulders by the Führer. No one can release me from this responsibility in any case. So I forbid all interference!¹⁰⁶

No one could interfere with Himmler now, for the second sweep had begun, leaving in its wake the demolished ghettos of the occupied East.

THE SECOND SWEEP

The first sweep was completed toward the end of 1941. It had a limited extension in newly occupied territories of the Crimea and the Caucasus during the spring and summer months of 1942. The second sweep

109. Summary of inleminsterial conference (held on January 29, 1942), dated January 30, 1942, NG-5035.

110. Himmler to Berger, July 28, 1942, NO-626.

began in the Baltic area in the fall of 1941 and spread through the rest of the occupied territory during the following year. Hence, while the first sweep was still proceeding in the south, the second had already started in the north. At the pivotal point, in the center, the turn came around December 1941.

The machinery employed in the second sweep was larger and more elaborate than that of the first. Himmler's forces were joined by army personnel in mobile and local operations designed for the complete annihilation of the remaining Soviet Jews.

In the ensuing operations the *Einsatzgruppen* played a smaller role than before. Organizationally they were placed under the direction of the Higher SS and Police Leaders.^{1 2 3} In the north the chief of *Einsatzgruppe A* (through 1944: Stahlecker, Jost, Achamer-Pifradner, Panziger, and Fuchs) became the *BdS Ostland*, and in the south the chief of *Einsatzgruppe C* (Rasch, Thomas, Böhme) became the *BdS Ukraine*, with jurisdiction over the Reichskommissariat as well as over the military areas to the east.⁷ Despite such attributes of permanence, the Security Police in the occupied USSR did not grow.

The Order Police, on the other hand, was greatly expanded. The police regiments were increased from three at the beginning of the campaign to nine at the end of 1942. Whereas five of these nine regiments were at the front, the remainder, together with six additional battalions, were at the disposal of the Higher SS and Police Leaders in the rear.⁷ The police regiments had a stationary counterpart in the *Einzeldienst* (single-man duty), divided into *Schutzpolizei* (in cities) and *Gendarmerie* (in rural areas). At the end of 1942 the *Einzeldienst* had 14,953 men, of whom 5,860 were in the *Schutzpolizei* and 9,093 in the *Gendarmerie*.⁴

Almost from the beginning, the Order Police was augmented by native personnel. On July 25, 1941, Himmler, noting that the *Einsatzgruppen* had already added local helpers to their detachments, ordered the rapid formation of a force composed primarily of Baltic,

1. RSHA Summary Report No. 6, June 5, 1942, NO-5187. A fourth Higher SS and Police Leader, Bgf. Korsemann, was installed in the Caucasus. *Einsatzgruppe D* operated in that area.

2. Below the level of *BdS*, the machinery branched out into the offices of the *Kommandeure der Sicherheitspolizei und des SD* (KdS). In the Ostland the chiefs of *Einsatzkommandos* became *Kommandeure*. However, this amalgamation did not take place in the Ukraine. RSHA Summary Report No. 6, June 5, 1942, NO-5187.

3. Oberst-Gruppenführer Daluge (Chief of the Order Police) to OGruf. Wolff (Chief of Himmler's Personal Staff), February 28, 1943, NO-2861. Police regiments had about 1,700 men, battalions, 500.

4. *ibid.* The statistics do not include Galicia and the Bialystok district. Galicia obtained a regiment, Bialystok a battalion and 1,900 men in *Einzeldienst*.

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White Russian, and Ukrainian nationalities.’ During the following months the Order Police set up an indigenous *Schutzmannschaft* in the form of units and precincts.’ By the second half of 1942, this apparatus had reached sizable proportions. As of July 1, 1942, there were seventy-eight *Schutzmannschaft* (or Schuma) battalions with 33,270 men, and at the end of the year the count was 47,974.’ For every German battalion, the Schuma had at least five. Moreover, these units were widely used. Although identified as Lithuanian, Latvian, and so on, some were stationed far from their original bases.* The nonmobile component of the *Schutzmannschaft* was even larger. It consisted of three branches: *Einzeldienst*, firemen, and auxiliaries (*Hilfsschutzmannschaft*) serving in labor projects or guarding prisoners of war. The native *Einzeldienst* was a considerable factor in the second sweep. In the small towns and villages of the Ostland and the Ukrainian regions, it outnumbered the German Gendarmerie nearly ten to one (see Table 7-11).

Assisting the SS and Police was the network of military rear-echelon offices and their specialized personnel who roamed about the countryside collecting information about hidden partisans and Jews: the Ic/AO offices, the *Feldgendarmerie* (military police), the *Geheime Feldpolizei* (Secret Field Police, an intelligence branch), and the so-called *Partisanenjäger* (partisan hunters, or antipartisan patrols). The military intelligence machinery was formally incorporated into the killing apparatus by an agreement between Heydrich and Canaris for exchange of information in the field. The agreement provided specifically that “information and reports might bring about executive activities are to be transmitted immediately to the competent office of the Security Police and SD.””

5. Himmler to Priitzmann, Jeckein, von dem Bach, and Globocnik, July 25, 1941, T 454, roll 100.

6. Order by Daluge, November 6, 1941, T 454, roll 100. Some of the men were taken into the *Schutzmannschaft* from the militias that had appeared during the first days of the occupation, others were newly recruited from the population, still others (mainly Ukrainians) were drawn from prisoner-of-war camps.

7. Order Police strength (*Stärkenachweisung*) for July 1, 1942, German Federal Archives R 19/266. Year-end data from Daluge to Wolff, February 28, 1943, NO-2861. For a complete recapitulation, see Hans-Joachim Neufeldt, Jürgen Huck, and Georg Tessin, *Zur Geschichte der Ordnungspolizei 1936-1945* (Koblenz, 1957), part II (by Tbsin), pp. 51-68, 101-9.

8. For example, the 4th, 7th, and 8th Lithuanian battalions, and the 17th, 23rd, 27th, and 28th Latvian battalions guarded *Durchgangsstrasse IV* in the Ukraine. Neufeldt, Huck, and Tessin, *Zur Geschichte Ordnungspolizei*, pt. II, pp. 101-2. Many Jewish laborers were employed in this road-construction project.

9. Agreement between the Wehrmacht and RSHA (signed by Canaris and Heydrich), March 1, 1942, in file note of commander of Rear Army Group Area South Ic/AO, October 1, 1942, NOKW-3228.

T A B L E 7-11
 SIZE OF THE EINZELDIENT DURING THE SECOND SWEEP

	<i>Ostland*</i>		<i>Ukrainet</i>	
	<i>Schutzpolizei</i>			
	<i>Gendarmerie</i>	<i>Schutzpolizei</i>	<i>Gendarmerie</i>	<i>Gendarmerie</i>
Germans	4,428	3,849		5,614
Indigenous personnel	31,804	14,163		54,794

*As of October 1, 1942.

tComprising the Reichskommissariat, military area to the east, and Crimea as of November 25, 1942.

Data from Tessin, *Zur Geschichte der Ordnungspolizei*, pt. II, pp. 54,64-65.

During the second sweep, mobile killing operations were also carried out by so-called antipartisan formations (*Bandenkampfverbände*). The employment of these formations derived from one of Hitler's orders, issued in the late summer of 1942, for the centralization of antipartisan fighting.¹⁰ Pursuant to the order, antipartisan operations in the civilian areas were to be organized by Himmler. In the military areas the same responsibility was to be exercised by the chief of the army's General Staff. Himmler appointed as his plenipotentiary von dem Bach, Higher SS and Police Leader Center, and gave him the title *Chef der Bandenkampfverbände* (Chief of the Antipartisan Formations).¹¹ In his capacity as antipartisan chief in the civilian areas, von dem Bach could draw upon army personnel (security divisions, units composed of indigenous collaborators, etc.), SS units, police regiments, and *Einsatzgruppen*, for as long as he needed them for any particular operation. These units became "antipartisan formations" for the duration of such an assignment.¹² The device is of interest because, in the guise of antipartisan activity, the units killed thousands of Jews in the woods and in the swamps. The killing machinery of the second sweep is summarized in Table 7-12, in which the terms "mobile" and "local" are primarily intended to convey a difference in the radius of operations.

10. Order by Hitler, September 6, 1942, NO-1666.

11. Von dem Bach recommended himself, as the most experienced Higher SS and Police Leader in the business, for the position. Von dem Bach to Himmler, September 5, 1942, NO-1661. The letter was written only a few months after von dem Bach had suffered his nervous breakdown. Grawitz to Himmler, March 4, 1942, NO-600. He had to wait for his title. *Chef der Bandenkampfverbände*, until 1943. Order by Himmler, June 21, 1943, NO-1621.

12. Affidavit by von dem Bach, January 21, 1947, NO-1906.

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In the military area the second sweep was comparatively brief. As we have noted, the density of the Jewish population decreased as the mobile killing units pushed east. The slowing of the advance enabled the units to work much more thoroughly. Einsatzgruppe A had little to do in the rear area of Army Group North. Accordingly, it shifted some of its Kommandos to the civilian areas of White Russia to work over terrain through which Einsatzgruppe B had passed hurriedly in the early months of the fall.^{13 14 15} Einsatzgruppe B spent the winter in the Mogilev-Smolensk-Bryansk sector. Recoiling from the Soviet counteroffensive, the advance Kommandos pulled back, and in the course of the contraction the Einsatzgruppe systematically killed the surviving Jews in the rear areas of Army Group Center.¹⁶ In the meantime, isolated Jews in the north and center, fleeing alone or in small groups, were hunted down relentlessly by the Secret Field Police, Russian collaborators (*Russischer Ordnungsdienst*), an Estonian police battalion, and other units.¹⁷

To the south, Einsatzgruppen C and D were engaged in heavier operations. In Dnepropetrovsk, 30,000 Jews at the time of the city's occupation were whittled down to 702 by February 1942.¹⁶ During March 1942 several large cities east of the Dnieper, including Gorlovka,

T A B L E 7-12

KILLING MACHINERY OF THE SECOND SWEEP

<i>Organization</i>	<i>Mobile</i>	<i>Local</i>
Security Police and SD	Einsatzgruppen	BdS and KdS offices
Order Police	Police regiments and Schuma battalions	Einzeldienst (German and indigenous)
Army	Bandenkampfverbände	Army rear echelons

13. Draft report by Einsatzgruppe A, winter 1941-42, PS-2273.

14. During the period March 6-30 1942, the Einsatzgruppe killed 3,358 Jews as well as 371 other people, including 78 Gypsies. RSHAIV-A-I. Operational Report USSR No. 194 (75 copies), April 21, 1942, NO-3276.

15. Operational report by Secret Field Police Group 703 (signed Feldpolizeikommissar Gasch), June 24, 1942, NOKW-95. The unit operated in the Vyazma sector. 39th Estonian Police Battalion via 281 st Security Division Ia to Higher SS and Police Leader North, August 28, 1942, NOKW-2513. Secret Field Police Group 722 to 207th Security Division Ic, etc., March 25, 1943, NOKW-2158. However, as late as July, 1943, the Organisation Todt was still employing 1,615 Jews in the area of Army Group Center. Wi In Mitte to WiStOst, August 5, 1943, Wi/ID 2.59.

16. "Das Schicksal von Dnjepropetrowsk," *Krakauer Zeitung*, February 10, 1942.

Makeyevka, Artemovsk, and Stalino, were "cleared of Jews" (*judenfrei gemacht*)." In this area the army also tracked down escaping Jews. One security division actually encountered a Jewish partisan group (twenty-five men) in the Novomoskovsk-Pavlograd area.¹⁸

Einsatzgruppe D in the Crimea reported on February 18, 1942, that almost 10,000 Jews had now been killed in Simferopol—300 more than had originally registered there." This discovery was the signal for a systematic sweeping operation in the entire Crimea." The drive was conducted with the help of local militia, a network of agents, and a continuous flow of denunciations from the population.¹¹ The army gave the drive every assistance. On December 15, 1941, Major Stephanus, antipartisan expert of the Eleventh Army, had ordered the Abwehr and Secret Field Police to hand over escaped Jews to the Einsatzgruppe." The local Kommandanturen and the Gendarmerie also joined in the operation." By spring the Crimea no longer had any Jews, except for two groups in Soviet-held territory. Einsatzgruppe D caught them in July."

17. RSHA IV-A-1, Operational Report USSR No. 177 (65 copies), March 6, 1942, NO-3240. RSHA IV-A-1, Operational Report USSR No. 187, March 30, 1942, NO-3237. RSHA Summary Report No. 11 for March, 1942 (100 copies), PS-3876.

18. Report by 444th Security Division Ia, January 22, 1942, NOKW-2868. The Jewish partisans were referred to as *Judengruppe Dnyeprpelrowsk*. For other reports of seizures by the military, see Generalmajor Mierzinsky of Feldkommandantur 245/Ia to XLIV Corps/Qu, March 31, 1942, and other reports by same Feldkommandantur, in NOKW-767. The seizures took place in the Slavyansk-Kramatorskaya area. Also, Feldkommandantur 194 in Snovsk (signed Oberst Ritter von Würfel) to commander of Army Group Rear Area South/Ia, April 7, 1942, NOKW-2803.

19. RSHA IV-A-1, Operational Report USSR No. 170, February 18, 1942, NO-3339.

20. RSHA IV-A-1, Operational Report USSR No. 178 (65 copies), March 9, 1942, NO-3241. RSHA IV-A-1, Operational Report USSR No. 184, March 23, 1942, NO-3235.

21. RSHA IV-A-1, Operational Report USSR No. 190 (65 copies), April 8, 1942, NO-3359.

22. 11th Army Ic/Ia (signed Major Stephanus) to Einsatzgruppe D, Secret Field Police, and Abwehr, December 15, 1941, NOKW-502. Secret Field Police Group 647 to 11th Army Ic/AO, July 26, 1942, NOKW-848. Affidavit by Heinz Hermann Schubert, December 7, 1945, NO-4816.

23. Major Erxleben (Feldgendarmerie) to 11th Army OQu, February 2, 1942, NOKW-1283. Ortskommandantur Karasubar to Army Rear Area, February 14, 1942, NOKW-1688. Operational report by Feldkommandantur 810/Feldgendarmerie (signed Lt. Pallmann), March 3, 1942, NOKW-1689. Feldkommandantur 810 in Eupatoria to Rear Army Area, March 16, 1942, NOKW-1851. Report by Sonderkommando 10b, March 27, 1942, NOKW-635. Feldgendarmerie Battalion 683 to 11th Army OQu, April 2, 1942, NOKW-1285. Feldkommandantur 608 to Rear Army Area, April 28, 1942, NOKW-1870.

24. Ortskommandantur Kerch to Army Rear Area/Qu, July 15, 1942, NOKW-1709. Kerch is on the eastern end of the peninsula. Ortskommandantur Bakhchisaray to Army Rear Area/Qu, July 16, 1942, NOKW-1698. Bakhchisaray is on the road to Sevastopol.

MOBILE KILLING OPERATIONS

In the Romanian-administered territory between the Dniester and the Bug (Transnistria), killings were conducted even more expeditiously than in the German military area. On November 11, 1941, Governor Alexianu of Transnistria issued a decree requiring Jews to live in localities specified by the Inspector General of Gendarmerie.²⁵ Pursuant to this ordinance, a large number of Jews in southern Transnistria were moved from their homes to the southern districts of Berezovka and Golta.

Berezovka was the arrival point of almost 20,000 Odessa Jews who had survived the Romanian army massacres of October 1941. The railroad station of the town of Berezovka, some sixty miles northeast of Odessa, was situated in the middle of a cluster of Ukrainian and ethnic German settlements. The Jews, brought there by train, were marched to the countryside and shot by ethnic German Selbstschutz stationed in the area.²⁶ The death toll at Berezovka was swelled by victims from smaller towns and villages. A cumulative figure was indicated by a member of the German Foreign Office in May. About 28,000 Jews had been brought to German villages in Transnistria, he wrote. "Meanwhile they have been liquidated [*Inzwischen warden sie liquidiert*]."²⁷

In the Golta prefecture the killings were carried out by the Romanians themselves. The district, under the prefect Lt. Col. Modest Isopescu, was located upstream on the Bug River. Three primitive enclosures were organized in the district: Bogdanovca (Bogdanovka), Acmechetca (Akmechet), and Dumanovca (Domanevka). These hastily assembled concentration camps, which consisted of half-destroyed houses, stables, and pigpens, held a total of 70,000 Jews, most of them

No documentary information is available about operations in Sevastopol itself. Possibly no Jews remained there when the German army arrived.

25. Matatias Carp, ed., *Cartea Seagra* (Bucharest, 1947), vol. 3, p. 200. The inspector general was General C. Tobescu.

26. *Ibid.*, pp. 202-5, and texts of reports from the following offices: Commander, Gendarmerie in the Berezovka district (Major Popescu), Inspector of Gendarmerie in Transnistria (Colonels Brojteanu and Iliescu), Military Command in Odessa/Pretor (Lt. Col. Niculescu), Third Army/Pretor (Col. Barozi and Lt. Col. Poitevin), January-June 1942, *ibid.*, pp. 211-12, 215, 217, 226-27. The Jews were transported from the "provisional" ghetto of Slobodka near the city as well as from Odessa itself. The use of German trains was noted in a report by Brojteanu, January 17, 1942, *ibid.* pp. 221-22. See also Dora Litani, "The Destruction of the Jews of Odessa," *Yad Vashem Studies* 6 (1967): 135-154, at p. 144.

27. Note, probably by Diska, May 16, 1942, NG-4817. The Berezovka shootings continued after May. Iliescu report, June 16, 1942, in Carp, *Cartea Neagra*, vol. 3, p. 227. Statement by Dr. Arthur Kessler (survivor), August 1959, *Yad Vashem Oral History* 957/78.

from towns and hamlets, some from Odessa. Disease, especially typhus, was rampant, and food was scarce.

At Bogdanovca, the largest and most lethal camp, killings began on December 21. At first, 4,000 to 5,000 sick and infirm Jews were placed in several stables, which were covered with straw, sprinkled with gasoline, and torched. While the stables were still burning, about 43,000 Jews were marched through the woods in groups of 300 to 400 to be shot, kneeling completely naked in the icy weather on the rim of a precipice. This operation continued until December 30, with an interruption for the celebration of Christmas." During January and February 1942, about 18,000 Jews were killed in Dumanovca. At Acmeceța, where Isopescu took pleasure in tormenting and photographing his victims, 4,000 were killed."

Although the Berezovka and Golta prefectures accounted for nearly 100,000 Jewish dead, some tens of thousands, particularly in northern Transnistria, were permitted to languish in ghettos and camps, most of them crowded with Jewish expellees from Bessarabia and Bukovina."

In the civilian territories under German administration, some attempts were made to be efficient as well as rational. These efforts, however, were not always successful. The problems and conflicts arising from repeated combings of the two Reichskommissariate became manifest in the Ostland as early as the fall.

On September 11, 1941, the Gebietskommissar of Siauliai (northern Lithuania) sent a letter to Reichskommissar Lohse that contained a short preview of what was going to take place in the coming months. In Siauliai, Einsatzkommando 2 had left behind a small detachment (*Restkommando*) under an SS sergeant. One day, the chief of Einsatzkommando 3 (Jäger) dispatched his Obersturmführer Hamann (commander of the *Rollkommando* organized by Jäger), to Siauliai, where Hamann looked up the sergeant and declared in an "extraordinary arrogant tone" that the Jewish situation in Siauliai was a dirty mess (*ein Saustall*) and that all Jews in the city had to be "liquidated." Hamann then visited the Gebietskommissar and repeated "in a less arrogant tone" why he had come. When the Gebietskommissar explained that the Jews were needed as skilled laborers, Hamann declared curtly that ^{28 29 30}

28. Extract from indictment before Bucharest People's Court, in Carp, *Cartea Neagra*, vol. 3, pp. 215-16. See also Eugene Levai, *Black Book on the Martyrdom of Hungarian Jewry* (Zurich and Vienna, 1948), pp. 72-73.

29. Extract from indictment, in Carp, *Cartea Neagra*, vol. 3, pp. 225-26.

30. Carp, *ibid.*: 201; report by Fred Saraga, January 31, 1943, Yad Vashem document M 20. Saraga served on the Jewish Commission from Bucharest that visited Transnistria.

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such matters were none of his business and that the economy did not interest him at all.⁹¹

On October 30, 1941, Gebietskommissar Carl of Slutsk, White Russia, reported to Kube that the 11th Lithuanian Police Battalion had arrived in his city suddenly in order to wipe out the Jewish community. He had pleaded with the battalion commander for a postponement, pointing out that the Jews were working as skilled laborers and specialists and that White Russian mechanics were, "so to speak, nonexistent." Certainly the skilled men would have to be sifted out. The battalion commander did not contradict him, and the interview ended upon a note of complete understanding. The police battalion then encircled the Jewish quarter and dragged out everybody. White Russians in the area tried desperately to get out. Factories and workshops stopped functioning. The Gebietskommissar hurried to the scene. He was shocked by what he saw. "There was no question of an action against the Jews anymore. It looked rather like a revolution." Shots were fired. Lithuanian police hit Jews with rifle butts and rubber truncheons. Shops were turned inside out. Peasant carts (*Panjewagen*), which had been ordered by the army to move ammunition, stood abandoned with their horses in the streets. Outside the town the mass shootings were carried out hurriedly. Some of the Jews, wounded but not killed, worked themselves out of the graves. When the police battalion departed, Gebietskommissar Carl had a handful of Jewish workers left. In every shop there were a few survivors, some of them with bloody and bruised faces, their wives and children dead.⁹²

When Kube received this report, he was incensed. He sent it on to Lohse, with a duplicate for Reichsminister Rosenberg. Adding a comment of his own, Kube pointed out that the burial of seriously wounded people who could work themselves out of their graves was such a disgusting business (*eine so bodenlose Schweinerei*) that it ought to be reported to Goring and to Hitler.⁹³

In October 1941 the Reichskommissar forbade the shooting of Jews in Liepaja (Latvia). The RSHA complained to the East Ministry, and Dr. Leibbrandt, chief of the ministry's Political Division, requested a report.⁹⁴ In the correspondence that followed, Regierungsrat Trampedach (Political Division, Ostland) explained that the "wild executions of Jews" in Liepaja had been forbidden because of the manner in which they had been carried out. Trampedach then inquired whether

31. Gewecke to Lohse, September II, 1941, Occ E 3-22.

32. Carl to Kube, October 30, 1941, PS-1104.

33. Kube to Lohse, November 1, 1941. PS-1104.

34. Leibbrandt to Reichskommissar Ostland, October 31, 1941, PS-3663.

the letter from Dr. Leibbrandt was to be regarded as a directive to kill all Jews in the east, without regard to the economy." The ministry's answer was that economic questions should not be considered in the solution of the Jewish problem. Any further disputes were to be settled on the local level.* This declaration ended the incipient struggle for the preservation of the Jewish labor force. The Kommissare were now resigned to its loss.

In the Ukraine the Armament Inspectorate looked forward to the massacres with some apprehension, but declined to fight about the issue. On December 2, 1941, the Armament Inspector sent a report by an expert, Oberkriegsverwaltungsrat Professor Seraphim, to the chief of the Economy-Armament Office in the OKW (Thomas). The inspector took pains to point out that the report was personal and unofficial. He requested the receiving agency not to distribute it without the express permission of General Thomas.⁵⁷

Seraphim wrote that, obviously, "the kind of solution of the Jewish problem applied in the Ukraine" was based on ideological theories, not on economic considerations. So far, 150,000 to 200,000 Jews had been "executed" in the Reichskommissariat. One result of this operation was that a considerable number of "superfluous eaters" had been eliminated. Undoubtedly, the dead had also been a hostile element "that hated us." On the other hand, the Jews had been "anxious" and "obliging" from the start. They had tried to avoid everything that might have displeased the German administration. They had played no significant part in sabotage, and they had constituted no danger to the armed forces. Although driven only by fear, they had been producing goods in satisfactory quantities.

Moreover, the killing of the Jews could not be looked upon as an isolated phenomenon. The city population and farm laborers were already starving. "It must be realized," concluded Seraphim, "that in the Ukraine only the Ukrainians can produce economic values. If we shoot the Jews, let the prisoners of war perish, condemn considerable parts of the urban population to death by starvation, and lose also a part of the farming population by hunger during the next year, the question remains unanswered: Who in all the world is then supposed to produce something valuable here?" The answer to this rhetorical question was soon to be provided by Himmler's men.^{35 36 37}

35. Reichskommissariat Ostland to East Ministry, November 15, 1941, PS-3663.

36. Dr. Bräutigam (deputy of Leibbrandt) to Reichskommissar Ostland, December 18, 1941, PS-3663. For attempt at local compromise, see Reichskommissar Ostland, Ha to Higher SS and Police Leader North, December, 1941, Occ E 3-33.

37. Armament Inspector Ukraine to General Thomas, enclosing Seraphim report, December 2, 1941, PS-3257.

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The sweep through the Ostland in the fall of 1941 was only a warm-up, but it settled a decisive issue. The Jews were at the disposal of the civil and military authorities only at the sufferance of the SS and Police. The killers had first claim.

In the meantime, the Jews kept working. During the quiet months of the winter and spring of 1942, they began to adjust themselves to their hazardous existence. They tried to make themselves "indispensable."³⁸ The most important possession of any Jew in this period was a work certificate. None of the penalties threatened by the Jewish ghetto police for infractions of rules were as severe as the confiscation of a certificate,³⁹ since it was looked upon as a life insurance policy. Whoever lost it stared death in the face. Some certificate holders grew confident during the lull. In the Kamenets-Podolsky district (Ukraine), one Jewish worker approached a Gendarmerie sergeant and pointed out: "You are not going to shoot us to death; we are specialists."⁴⁰

The civil administration utilized the time to brace itself for the coming sweep. The Kommissare prepared lists of irreplaceable Jewish workers and ordered that the vocational training of non-Jewish youths be stepped up.⁴¹ In June, Regierungsrat Trampedach (Political Division, Reichskommissariat Ostland) wrote to Kube that in the opinion of the BdS (Jost) the economic value of the Jewish skilled worker was not great enough to justify the continuation of dangers arising from Jewish support of the partisan movement. Did Kube agree?⁴² Kube replied that he agreed. At the same time, he instructed his Gebietskommissare to cooperate with the SS and Police in a review of the essential status of Jewish workers with the aim of eliminating (*auszusondern*) all those skilled laborers who under the "most stringent criteria" were not "absolutely" needed in the economy.⁴³

In the summer of 1942, the second sweep was in full force. The ^{38 39 40 41 42 43}

38. Hauptkommissar Baranowicze (ORR. Gentz) to Lohse, February 10, 1942, Occ E 3-38.

39. Proclamation of the police chief in the Vilna ghetto, June 7, 1942, Vilna Ghetto Collection No. 17. Also, his order of March 10, 1942, Vilna Collection No. IS. For use of certificates to keep Jews at work during periodic shootings, see also Jewish Black Book Committee, *The Black Book*, pp. 321-23, 323.

40. Gendarmeriemeister Fritz Jacob to Obergruppenführer Rudolf Querner (personal letter), June 21, 1942, NO-5655.

41. Hauptkommissar Baranowicze (ORR. Gentz) to Lohse. copy to Kube. February 10, 1942, Occ E 3-38. Memorandum by Reichskommissariat Ostland/Iib, November, 1941, Occ E 3-33.

42. Trampedach to Kube. June 15, 1942, Occ E 3-40.

43. Kube to Reichskommissar Ostland, July 10, 1942, enclosing directive of the same date, Occ E 3-40.

entire machinery of the SS and Police was mobilized for the task, and the Ostland and the Ukraine were covered with a wave of massacres. Unlike the first sweep, which caught the Jews by surprise, the second wave was expected by everyone. It was no longer feasible to employ ruses. The ghetto-clearing operations were carried out in the open, with ruthlessness and brutality. The actions were uncompromising in character and final in their effect. No one could remain alive.

In the bureaucracy the feverish pitch of the killers created a strange transformation. The Gebietskommissare, who had previously protested against the destruction of their labor force and against the methods of the SS and Police, now joined Himmler's men and, in some cases, outdid themselves to make their areas *judenfrei*. By November 1942, the Reichskommissar Ostland was constrained to forbid the participation of members of the civilian administration in "executions of any kind."⁴⁴ Lohse was a little late. In town after town, Jewish communities were disappearing in the frenzy of the killings.

The first step in a ghetto-clearing operation was the digging of graves. Usually, a Jewish labor detachment had to perform this work.⁴⁵ On the eve of an *Aktion*, an uneasy air pervaded the Jewish quarter. Sometimes Jewish representatives approached German businessmen with requests to intercede.⁴⁶ Jewish girls who wanted to save their lives offered themselves to policemen. As a rule, the women were used during the night and killed in the morning.⁴⁷

The actual operation would start with the encirclement of the ghetto by a police cordon. Most often, the operation was timed to begin at dawn,⁴⁸ but sometimes it was carried out at night, with searchlights focused on the ghetto and flares illuminating the countryside all around.⁴⁹ Small detachments of police, Kommissariat employees, and railroad men armed with crowbars, rifles, hand grenades, axes, and picks then moved into the Jewish quarter.⁵⁰

The bulk of the Jews moved out immediately to the assembly point. Many, however, remained in their homes, doors locked, praying and consoling each other. Often they hid in cellars or lay flat between the earth and the wooden floors.⁵¹ The raiding parties moved through

44. Order by Reichskommissar Ostland, November 1, 1942, NO-5437.

45. Affidavit by Alfred Metzner, October 15, 1947, NO-5530. Metzner, an employee of the Generalkommissariat Slonim (White Russia), personally killed hundreds of Jews.

46. Affidavit by Hermann Friedrich Graebe, November 10, 1945, PS-2992. Graebe was with a German firm in Sdolbunov, Ukraine.

47. Affidavit by Alfred Metzner, September 18, 1947, NO-5558.

48. Report by Hauptmann der Schutzpolizei Paier on operation in Pirisk, undated, probably November, 1942, USSR-119a.

49. Affidavit by Graebe, November 10, 1945, PS-2992.

50. Report by Paier, USSR-119a; and affidavits cited above.

51. Affidavit by Metzner, September 18, 1947, NO-5558.

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the streets shouting, "Open the door, open the door!"⁵² Breaking into the houses, the Germans threw hand grenades into the cellars, and some "especially sadistic persons [*besonders sadistische Leute*]" fired tracer bullets point-blank at the victims. During an operation in Slonim, many houses were set afire, until the entire ghetto was a mass of flames. Some Jews who still survived in cellars and underground passages choked to death or were crushed under the collapsing buildings. Additional raiders then arrived with gasoline cans and burned the dead and wounded in the streets."

Meanwhile, the Jews who had voluntarily left their homes waited at the assembly point. Sometimes they were forced to crouch on the ground to facilitate supervision.⁵³ Trucks then brought them in batches to the ditch, where they were unloaded with the help of rifles and whips. They had to take off their clothes and submit to searches. Then they were shot either in front of the ditch or by the "sardine" method in the ditch.

The mode of the shooting depended a great deal on the killers' sobriety. Most of them were drunk most of the time; only the "idealists" refrained from the use of alcohol. The Jews submitted without resistance and without protest. "It was amazing," a German witness relates, "how the Jews stepped into the graves, with only mutual condolences in order to strengthen their spirits and in order to ease the work of the execution commandos."^{52 53 54 55} When the shooting took place in front of the ditch, the victims sometimes froze in terror. Just in front of them, Jews who had been shot were lying motionless. A few bodies were still twitching, blood running from their necks. The Jews were shot as they recoiled from the edge of the grave, and other Jews quickly dragged them in.

At the shooting site, too, there were some "mean sadists." According to a former participant in these operations, a sadist was the type of man who would hurl his fist into the belly of a pregnant woman and throw her alive into the grave.^{56 57} Because of the killers' drunkenness, many of the victims were left for a whole night, breathing and bleeding. During an operation at Slonim, some of these Jews dragged themselves, naked and covered with blood, as far as Baranowicze. When panic threatened to break out among the inhabitants, native auxiliaries were dispatched at once to round up and kill these Jews."

52. Affidavit by Graebe, November 10, 1945, PS-2992.

53. Affidavit by Metzner. September 18, 1947, NO-5558.

54. Affidavit by Graebe, November 10, 1945, PS-2992.

55. Affidavit by Metzner. September 18, 1947, NO-5558.

56. *Ibid.*

57. *Ibid.* There were similar occurrences at Slutsk, Teresid Pifisk. Gebiets-

The Gebietskommissar of Slonim, Erren, used to call a meeting after every ghetto-clearing operation. The meeting was the occasion for a celebration, and employees of the Kommissariat who had distinguished themselves were praised. Erren, who was perhaps more eager than most of his colleagues, acquired the title "Bloody Gebietskommissar."

As the massive killing wave moved westward across the two Reichskommissariate and the Bialystok district, it became clear that in the Ukraine the operations would be over before the end of 1942. In the Volhynian-Podolian Generalkommissariat, the armament industry gradually collapsed. Tens of thousands of Jewish workers in the plants of the western Ukraine were "withdrawn." Ghetto after ghetto was wiped out. In one report, armament officials expressed the opinion that no one, not even skilled workers, would be saved; the very nature of these *Grossaktionen* precluded special arrangements. In Jandw, for example, the entire ghetto with all its inhabitants had been burned to the ground (*das ganze Ghetto mit sämtlichen Insassen verbrannt*).⁵⁸ On October 27, 1942, Himmler himself ordered the destruction of the last major Ukrainian ghetto, Pirtsk.⁵⁹

In the western Ukraine, workshops that once produced *Panjewagen* (wooden carts), soap, candles, lumber, leather, and ropes for the German army stood abandoned at the end of the year. There were no replacements. A report by the armament command in Luck tabulated the damage: "The leather works in Dubno are closed.... In Kowel all *Panjewagen* workshops are paralyzed. ... In the Kobrin works we have a single Aryan metals worker. ... In Brest-Litovsk the Jewish workshops now as before are empty [*nach wie vor leer*]."⁶⁰ The Jews of the Ukraine had been annihilated.^{58 59 60 61}

A journalist traveling through the Ukraine in June 1943 reported

kommissar Carl to Kube, October 30, 1941, PS-1 104; affidavit by Franz Reichrath, October 14, 1947, NO-5439; testimony by Rivka Yossalevska, Eichmann trial transcript. May 8, 1961, sess. 30. pp. L2, M1, M2. NI. Reichrath was a German eyewitness at Terespol. Mrs. Yossalevska dragged herself out of a grave at Pifisk. Dying people, biting her, attempted to pull her back.

58. Armament Command Luck to Armament Inspectorate Ukraine, report for October 1-10, 1942, Wi/ID 1.97.

59. Himmler to OGruf. Prutzmann, October 27, 1942, NO-2027.

60. Armament Command Luck to Armament Inspectorate Ukraine, report for October 1 to December 31, 1942, dated January 21, 1943, Wi/ID 1.101.

61. The figure of Jews killed in Bialystok, South Russia, and the Ukraine from August through November 1942 was 363,211. Himmler to Hitler, December 29, 1942, NO-1128.

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that he had seen only four Jews. He had interviewed a high official of Reichskommissariat who had summed up the holocaust in these words: "Jews were exterminated like vermin [*Juden warden wie die Wanzen verüilgt*]."⁶¹

At the end of 1942 the focus of attention shifted from the Ukraine to the Ostland. There, too, most of the Jews were already dead, but a sizable number (close to 100,000) were still alive. The killing of these remnants was a much more difficult process than the climactic waves of the second sweep could have led anyone to expect.

The Ostland remnant was divided into two groups: the forest Jews and the ghetto Jews (including camp inmates). The Jews in the forests and marshes were a special problem because they were no longer under control. They had run away and were now in hiding. Consequently, they were more important than their numbers (in the thousands) would indicate. In the main, we may distinguish among the forest Jews three types of survivors: (1) individual Jews who were hiding out," (2) Jews in the Soviet partisan movement,⁶² and (3) Jews banded together in Jewish units." The Jews still under control were living in the Ostland ghettos, as follows:"

Latvia	4,000
Lithuania	34,000
White Russia	<u>30,000</u>
	68,000

62. Report by Dr. Hans-Joachim Kausch. June 26, 1943, Occ E 14-11.

63. These Jews led a precarious existence. See M. Cherszstein, *Geopfertes Volk: Der Untergang des polnischen Judentums* (Stuttgart, 1946), pp. 26-40. Cherszstein is a survivor who hid in the woods.

64. First reports of Jewish movements to the partisans were received in the winter of 1941-42. Wehrmachtbefehlshaber Ostland/Propaganda Detachment (signed Oberleutnant Knoth) to commander of Army Group Rear Area North, undated report received February 8, 1942, NOKW-2155. By June 1942 some partisan units were eliminating "unpopular Jews and other asocial elements through trial and public shooting." Propaganda Abteilung Ostland to Wehrmachtpropaganda, June 4, 1942, OKW-745. Similarly, Propaganda Abteilung W to OKW/WPr le, August 4, 1942, OKW-733. See also Schwarz, *The Jews in the Soviet Union*, pp. 321-30.

65. OKH/Chief of Secret Field Police to army groups and armies in the East, July 31, 1942, NOKW-2535. Kreisverwaltung Koslovchisna to Gebietskommissar in Slonim, November 3, 1942, EAP 99/88. RR. Dr. Ludwig Ehrensleitner (deputizing for Gebietskommissar Erren of Slonim) to Kube. March 21, 1943, Occ E 3a-16. Reports by 69th Jäger Division (in Lithuania) to 3d Panzer Army, August 30-31, 1944, NOKW-2322. For relations between Jewish and Soviet units, see Tobias Bielski, "Brigade in Action," in Leo W. Schwarz, ed., *The Root and the Bough* (New York, 1949), pp. 112-14.

66. RSHA Summary Report No. 7, June 12, 1942, NO-5158. RSHA Summary Report No. 8, June 19, 1942, NO-5157. Generalkommissar White Russia to East Ministry, November 23, 1942, Occ E 3-45. Estonia was *judenrein*. RSHA IV-A-I, Operational

These ghettos became a problem because they, too, developed into focal points of resistance.

The drive against the forest Jews was launched early in 1942. During February and March of that year, the SS and Police Leader North (Jeckeln) struck against the partisans in a drive that became the precursor of later "antipartisan" operations by von dem Bach. Each of these operations covered a specific area. As a rule, the smaller ghettos in the area were wiped out, and any fugitives encountered alone or with the partisans were shot. In the prototype *Aktion Sumpffieber* (Action Marsh Fever), carried out by Jeckeln in February-March, 389 "bandits" were killed in combat, 1,274 persons were shot on suspicion, and 8,350 Jews were mowed down on principle.⁶⁷

Following the establishment of the antipartisan command under von dem Bach, Bandenkampfverbände led by Brigadeführer von Gottberg were thrown into action in White Russia. On November 26, 1942, von Gottberg reported 1,826 dead Jews, "not counting bandits, Jews, etc., burned in houses or dugouts." This was "Operation Nuremberg."⁶⁸ On December 21 von Gottberg reported another 2,958 Jewish dead in "Operation Hamburg."⁶⁹ On March 8, 1943, he reported 3,300 dead Jews in "Operation Homung."⁷⁰ In general, we may therefore conclude that this type of operation directed against the forest Jews

Report USSR No. 155, January 14, 1942, NO-3279. The ghetto figures do not include several thousand Jews in camps. When the camp Jews were transferred to the ghettos in 1943, the ghetto population in Latvia increased to almost 5,000. KdS Latvia (Obf. Pif-rader) to Lohse, August 1, 1943, Occ E 3ba-29. The ghetto population in Lithuania increased to over 40,000. Report by KdS Lithuania for April 1943, Occ E 3ba-95; report by Generalkommissar Lithuania for April and May 1943, Occ E 3ba-7. Later in 1943, thousands of Jews, most of them from the Vilna ghetto, were brought to Estonia for construction projects and shale oil production. See war diary of Mineralölkommando Estland/Gruppe Arbeit, November 1943 to January 1944, Wi/ID 4.38, and reports and correspondence of Kontinental 61 A.G. in Wi/1.32.

67. Report by Higher SS and Police Leader North, November 6, 1942, PS-1113.

68. Bgf. Gottberg to Gruf. Herff, November 26, 1942, NO-1732.

69. Gottberg to Herff, December 21, 1942, NO-1732. Also, RSHA Summary Report No. 38, January 22, 1943, NO-5156.

70. Gottberg to Herff, March 8, 1943. NO-1732. RSHA Summary Report No. 46, March 19, 1943, NO-5164. See also report by Kube on "Operation *Kottbus*" June 1, 1943, R-135. This report does not specify Jewish dead, but Lohse, in reporting about the matter to Rosenberg, commented on the 9,500 dead "bandits" and "suspects" as follows: "The fact that Jews receive special treatment requires no further discussion. However, it appears hardly believable that this is done in the way described in the report by the Generalkommissar. . . . What is Katyn against that?" Lohse to Rosenberg, June 18, 1943 R-135. Katyn is a reference to the German claim that the Soviets had massacred Polish officers in the Katyn forest.

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was quite successful, although several thousand Jews in the woods were able to survive until the arrival of the Red Army.

In October 1942, just before the end of the Ukrainian sweep and in conjunction with the antipartisan operations, the stage was set for the destruction of the remaining Ostland ghettos, which held altogether about 68,000 to 75,000 Jews. On October 23, 1942, Dr. Leibbrandt, the chief of the Political Division in the East Ministry, sent the following letter to Generalkommissar Kube:

I request a report about the Jewish situation in the Generalbezirk White Russia, especially about the extent to which Jews are still employed by German offices, whether as interpreters, mechanics, etc. I ask for a prompt reply because I intend to bring about a solution of the Jewish question as soon as possible.⁷¹

After a considerable delay Kube replied that, in cooperation with the Security Police, the possibilities of a further repression of Jewry (*die Möglichkeiten einer weiteren Zurückdrängung des Judentums*) were undergoing constant exploration and translation into action.⁷² But as late as April 1943 von Gottberg complained that Jews were still being employed in key positions, that Jews were sitting in central offices in Minsk, that even the idea of the court Jew was still alive.⁷³

As Kube had indicated, the reduction of the Ostland ghettos with their remnants of the Jewish skilled-labor force was a slow, grinding process. In the course of this process, two centers of resistance emerged in the territory, one within the ghettos, the other in the person of Generalkommissar Kube himself.

Within the ghettos Jewish attempts to organize a resistance movement were largely abortive. In Riga and to a lesser extent in Kaunas, the Jewish police (*Ordnungsdienst*) began to practice with firearms. (However, in both places the police were caught before a shot was fired.)⁷⁴

71. Leibbrandt via Lohseto Kube, October 23, 1942, Occ E 3-45.

72. Generalkommissar of White Russia to East Ministry, November 23, 1942, Occ E 3-45.

73. Speech by vonGottberg before SS and Police officials, April 10, 1943, Fb 85/1. In this talk he reported having killed 11,000 Jews through March 1943.

74. On Kaunas, see Samuel Gringauz, "The Ghetto as an Experiment of Jewish Social Organization," *Jewish Social Studies* 11(1949): 14-15, 19. Gringauz was a survivor of the ghetto. For an account of the Riga incident, which took place in October 1943, see Jeanette Wolff in Eric H. Boehm, ed., *We Survived* (New Haven, 1949), pp. 262-63. Wolff survived in Riga. An earlier shooting of Ordnungsdienst personnel in the Riga ghetto had occurred after some armed Jews escaping from the ghetto had been intercepted on the road. For a description of the earlier incident, see the judgment of a Hamburg court against Karl TollkQhn, May 9, 1983, (89) 1/83 Ks, pp. 26-36, 66-85.

In the Vilna ghetto, where most Jewish inhabitants had been shot in 1941, a United Partisans Organization (*Fareinikte Partisaner Organizatzie*) was formed in January 1942. Its leadership was composed of Communists, the nationalistic Zionist Revisionists, and members of the Zionist movements Hashomer Hatzair and Hanoar Hazioni. The command of this unusual political amalgamation was entrusted to the Communist Yitzhak Witenberg.

The self-imposed mission of Vilna's Jewish partisans was to fight an open battle at the moment when the ghetto faced total dissolution. While they were waiting for the confrontation, they had to cope with a ghetto population that was prone to illusions, and they had to resolve internal contradictions between Jewish and Communist priorities.

The dilemma of the United Partisans Organization was accentuated when non-Jewish Communists in the woods asked for reinforcements from the ghetto, and when some of the Jewish partisans themselves wanted to leave. Such departures were opposed by the official Jewish ghetto chief, Jacob Gens, whose policy of saving the ghetto by maintaining the largest possible workforce required the presence of strong young people for the protection of vulnerable dependents not capable of heavy labor. Gens knew about the resistance, but he tolerated it only as a means of last resort and only under the condition that it would not interfere with his strategy.

In July 1943, the Germans captured the Lithuanian and Polish Communist leaders in Vilna, and discovered Witenberg's identity as a Communist. The German police demanded Witenberg's surrender with implied threats of mass reprisals. As Witenberg was hiding in a ghetto building, Gens dispatched his men armed with stones against assembled partisans. The attack was repelled, but the argument was not over. Witenberg wanted his partisans to fight then and there, yet they did not believe that the hour of the ghetto had come or that the Germans were aware of their organization. Hence they overruled him, and Witenberg walked out of the ghetto to his death. According to some reports, Gens had given him a cyanide pill; other accounts indicate that his body was found mutilated the next day.

By August and September 1943, the Vilna ghetto was dissolved. Most of its inmates were sent to Estonia and Latvia, where they were subjected to attrition and shootings, and from where the remainder was subsequently routed to the Stutthof concentration camp. Other thousands were transported to the Lublin death camp, and still others were rounded up and shot. During these deportations, which were represented as work relocations, the United Partisans Organization realized that it did not have the Jewish community's support for a battle. It left the ghetto in small groups for the forest, falling prey to

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ambushes, regrouping, and holding on. Gens himself was called to a meeting by the Germans. A grave had already been dug for him. His death left the ghetto leaderless in its last days.⁷⁵ A survivor who reflected about this history after the war remarked: "Today we must confess the error of the staff decision which forced Vitenberg [sic] to offer himself as a sacrifice for the twenty thousand Jews. ... We should have mobilized and fought."⁷⁶

Generalkommissar Kube's postclimactic resistance was one of the strangest episodes in the history of the Nazi regime. His battle with the SS and Police was unique. Kube was an "old" Nazi who had once been purged (he had been a Gauleiter). As he had pointed out in one of his letters, he was certainly a "hard" man, and he was ready to "help solve the Jewish question. But there were limits to his ruthlessness.

In 1943 Kube had a serious controversy with the commander of the Security Police and SD (KdS) in White Russia, SS-Obersturmbannführer Strauch. On July 20, Strauch arrested seventy Jews employed by Kube and killed them. Kube called Strauch immediately and accused him of chicanery. If Jews were killed in his office but Jews working for the Wehrmacht were left alone, said Kube, this was a personal insult. Somewhat dumbfounded, Strauch replied that he "could not understand how German men could quarrel because of a few Jews." His record of the conversation went on:

I was again and again faced with the fact that my men and I were reproached for barbarism and sadism, whereas I did nothing but fulfil my duty. Even the fact that expert physicians had removed in a proper way the gold fillings from the teeth of Jews who had been designated for special treatment was made the topic of conversation. Kube asserted that this method of our procedure was unworthy of a German man and of the Germany of Kant and Goethe. It was our fault that the reputation of Germany was being ruined in the whole world. It was also true, he said, that my men literally satisfied their sexual lust during these executions. I protested energetically against that statement and emphasized that it was regrettable that we, in addition to having to perform this nasty job, were also made the target of mudslinging."^{75 76 77 78}

75. For a full account of these events, see Yitzhak Arad, *Ghetto In Flames* (Jerusalem, 1980), pp. 221-70, 373-470. Other descriptions are provided by Leonard TUshnet, *The Pavement of Hell* (New York, 1972), pp. 141-99, and Joseph Tenenbaum, *Underground* (New York, 1952), pp. 349-50, 352-54. The sources in these books are contemporaneous diaries and postwar testimony of Jews who had lived in the ghetto.

76. Abraham Sutzkever, "Never Say This Is the Last Road," in Schwarz, *The Root and the Bough*, pp. 66-92; quotation from p. 90.

77. Kube to Lohse. December 16, 1941, Occ E 3-36.

78. File memorandum by Strauch, July 20, 1943, NO-4317. On teeth extractions, see report by prison warden Guenther to Kube, May 31, 1943, R-135.

Five days later, Strauch sent a letter to Obergruppenführer von dem Bach in which he recommended Kube's dismissal. In a long list of particulars, Strauch pointed out that Kube had for a long time favored the Jews, especially the Reich Jews. So far as the Russian Jews were concerned, Kube could quiet his conscience because most of them were "partisan helpers," but he could not distinguish between Germans and German Jews. He had insisted that the Jews had art. He had expressed his liking for Offenbach and Mendelssohn. When Strauch had disagreed, Kube had claimed that young Nazis did not know anything about such things. Repeatedly Kube had shown his feelings openly. He had called a policeman who had shot a Jew a "swine." Once, when a Jew had dashed into a burning garage to save the Generalkommissar's expensive car, Kube had shaken hands with the man and had thanked him personally. When the Judenrat in Minsk had been ordered to prepare 5,000 Jews for "resettlement," Kube had actually warned the Jews. He had also protested violently that fifteen Jewish men and women who had been shot had been led, covered with blood, through the streets of Minsk. Thus Kube had sought to pin on the SS the label of sadism."

While the recommendation by Strauch (technically a subordinate of the Generalkommissar) that Kube be dismissed was not carried out, Rosenberg decided to dispatch Staatssekretär Meyer to Minsk in order to give Kube a "serious warning."⁷⁹ On September 24, 1943, the German press reported that Kube had been murdered "by Bolshevik agents of Moscow"⁸¹ (he was killed by a woman employed in his household). Himmler thought that Kube's death was a "blessing" for Germany. So far as Himmler was concerned, the Generalkommissar had been heading for a concentration camp anyway, for his Jewish policy had "bordered on treason."⁸²

A few months before Kube died, Himmler had decided to liquidate the entire ghetto system. The ghettos were to be turned into concentration camps." His decision appears to have been prompted at least in part by reports that Jews were employed in confidential positions and that, in Kaltenbrunner's words, the personal relations between Reich

79. Strauch to von dem Bach, July 25, 1943, NO-2262. After the war, in Nuremberg, von dem Bach called Strauch "the most nauseating man I have met in my life [*den übelsten Menschen, dem ich meinem Leben begegnet hin*]." Von dem Bach in *Aufbau* (New York), September 6, 1946.

80. Berger (chief of SS Main Office) to Brandt (Himmler's Personal Staff), August 18, 1943, N 0-4315.

81. "Gaulleiter Kube Ermordet," *Deutsche Ukraine-Zeitung*, September 24, 1943, P-1.

82. Von dem Bach in *Aufbau* (New York), September 6, 1946, p. 40.

83. Himmler to Higher SS and Police Leader North and Chief of WVHA (Pohl), June 21, 1943, NO-2403.

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Germans and Jewish women had "exceeded those limits which for world-philosophical (*weltanschaulichen*) and race-political reasons should have been observed most stringently."⁸⁴ The East Ministry acquiesced in Himmler's decision."

The changeover to concentration camp administration was carried out in Latvia without disturbance." In Lithuania the surrender of jurisdiction to the SS and Police was accompanied by large-scale killing operations. In Kaunas several thousand Jews were shot and the remainder distributed in ten labor camps. In the Vilna ghetto, where the SS and Police had encountered "certain difficulties," the ghetto, with its 20,000 inmates, was cleared "totally."⁸⁵ In White Russia two concentrations of Jews remained, at Lida and Minsk. The Minsk Jews were ordered to Poland." Thus, by the end of 1943, Ostland Jewry had shrunk to some tens of thousands, who could look forward to evacuation or death. They were now concentration camp inmates, wholly within the jurisdiction of the SS and Police. But they were still the subject of some controversy.

As late as May 10, 1944, Ministerialdirektor Allwörden of the East Ministry addressed a letter to Obergruppenführer Pohl of the SS Economic-Administrative Main Office (WVHA) in which he said that the Rosenberg Ministry recognized the exclusive jurisdiction of the SS in Jewish matters. He also granted that the administration of the camps and the work activity in the camps would remain in the hands of the SS. But he "insisted" upon the continued payment of wage differentials to the Finance Office of the Reichskommissar. The Rosenberg ministry simply could not "resign" itself to this loss."

This correspondence preceded the breakup of the Baltic camps by only a few months. From August 1944 to January 1945, several thousand Jews were transported to concentration camps in the Reich. Many thousands of Baltic camp inmates were shot on the spot, just before the arrival of the Red Army."

During the final days of the second sweep, the SS and Police were

84. Kaltenbmnner (Heydrich's successor as chief of RSHA) to SS main offices, August 13, 1943, NO-1247.

85. Memorandum by ORR. Hermann. August 20, 1943. On interministerial conference of July 13, 1943. NO-1831.

86. KdS Latvia (Obf. Pifradler) to Lohse, August 1. 1943, Occ E 3b8-29.

87. Report by Generalkommissar Lithuania (von Renteln) for August-September, 1943, November 16, 1943, Occ E 3a-14.

88. Rudolf Brandt (Himmler's Personal Staff) to Berger, July 1943, NO-3304. See summary of East Ministry conference, July 14, 1943, Wi/ID 2.705. Summary of WiStOst conference, September 13/14, 1943 Wi/ID .43.

89. Von Allwörden to Pohl, May 10, 1944, NO-2074. Dr. Lange (East Ministry) to Finance Minister von Krosigk, July 24, 1944, NO-2075.

90. Tencnbaum, *Underground*, pp. 362-63.

beset by a weighty problem. The SS (and also the civil administration) was worried about the secrecy of the vast operation that was now coming to an end. Although photography control in the German ranks was now complete, Hungarian and Slovak officers had taken pictures of a number of "executions." The photographs were presumed to have reached America. This was considered especially "embarrassing" (*peinlich*),*⁹¹ but nothing could be done about the matter. Even greater fears of discovery were generated as a result of the Red Army's steady westward advance. The occupied territories were full of mass graves, and Himmler was determined to leave no graves.

In June 1942, Himmler ordered the commander of Sonderkommando 4a, Standartenführer Paul Blobel, "to erase the traces of Einsatzgruppen executions in the East."⁹² Blobel formed a special Kommando with the code designation 1005. The Kommando had the task of digging up graves and burning bodies. Blobel traveled all over the occupied territories, looking for graves and conferring with Security Police officials. Once he took a visitor from the RSH A (Hartl) for a ride and, like a guide showing historical places to a tourist, pointed to the mass graves near Kiev where his own men had killed 34,000 Jews.⁹³

From the beginning, however, Blobel had to contend with problems. The BdS Ukraine (Thomas) was apathetic about the entire project. There was a shortage of gasoline. The members of the Kommandos found valuables in the graves and neglected to comply with the rules for handing them in. (Some of the men were later tried in Vienna for stealing Reich property.) When the Russians overran the occupied territories, Blobel had fulfilled only part of his task.⁹⁴*

The SS and Police thus left behind many mass graves but few living Jews. The total number killed in this gigantic operation can now be tabulated.⁹⁵

91. Report by Dr. Hans-Joachim Kausch, June 2b, 1943, Occ E 4-11.

92. Affidavit by Blobel, June 18., 1947, NO-3947.

93. Affidavit by Albert Hartl, October 9, 1947, NO-5384.

94. Affidavit by Blobel, June 18, 1947, NO-3947. Reference to the Vienna trial is made in an affidavit by a former defendant, Wilhelm Gustav Tempel, February 18, 1947, NO-5123. For descriptions of the work of the (Commando, see affidavit by Szloma Gol (Jewish survivor), August 9, 1946, D-964; and affidavit by Adolf Ruebe (former Kriminalsekretär with KdS White Russia), October 23, 1947, NO-5498.

95. Ostland, and Army Group Rear Areas North and Center; Einsatzgruppe A draft report (undated), PS-2273. Report by Einsatzgruppe B, September 1, 1942, EAP VIII 173-8-12-10/1.

Ukraine, Biatystok, Army Group Rear Area South, and Rear Area 11th Army: RSHA IV-A-I, Operational Report USSR No. 156. January 16, 1942, NO-3405. RSHA IV-A-I, Operational Report USSR No. 190(65 copies), April 8, 1942, NO-3359. Himmler to Hitler. December 29, 1942, NO-1128.

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"Ostland" and Army Group Rear Areas North and Center:

An Einsatzgruppe A draft report (winter 1941 —42) listed the following figures of Jews killed:

Estonia	2,000
Latvia	70,000
Lithuania	136,421
White Russia	41,000

Einsatzgruppe B reported on September 1, 1942, a toll of 126,195.

Ukraine, Biaiyostok, Army Group Rear Area South, and Rear Area Eleventh Army:

Einsatzgruppe C reported that two of its Kommandos (4a and 5) had killed 95,000 people up to the beginning of December 1941. Einsatzgruppe D reported on April 8, 1942, a total of 91,678 dead. Himmler reported to Hitler on December 29, 1942, the following numbers of Jews shot in the Ukraine, South Russia, and Biaiyostok:

August 1942	31,246
September 1942	165,282
October 1942	95,735
November 1942	70,948
Total	363,211

These partial figures, aggregating more than 900,000, account for only about two-thirds of the total number of Jewish victims in mobile operations. The remainder died in additional shootings by Einsatzgruppen, Higher SS and Police Leaders, Bandenkampfverbände, and the German army, as result of Romanian operations in Odessa-Dalnik and the Golta camp complex, and in the course of privation in ghettos, camps, and the open woods and fields.