

Everyday Antisemitism in Pre-War Nazi Germany: The Popular Bases

By

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The thesis that manifestations of "Antisemitism" in the Third Reich were largely a result of manipulations by Nazi politicians rather than the reflection of true sentiments among the German people appears firmly established nowadays. This thesis treats the course of German history as being devoid of a specific antisemitic tradition and regards what authentic symptoms of Antisemitism there were, before and during Hitler's rise to power, as merely incidental.¹ One might well agree with Hajo Holborn's suggestion that Hitler, the supreme propagandist of his Nazi Party (NSDAP) and of the Third Reich, conjured up Antisemitism by arousing hatred within the Germans, in order to further the regime's ultimate goals. But then one cannot, like Eva Reichmann, altogether discount pre-existing notions of Judeo-phobia among the German people and, by implication, absolve them of their complicity in the Holocaust.² Since the appearance of Reichmann's and Holborn's writings,

¹ The first view has been succinctly stated by Thomas Nipperdey, "1933 und Kontinuität der deutschen Geschichte," *Historische Zeitschrift* 227, 1978: 98. An example of the second view is in William Sheridan Allen, *The Nazi Seizure of Power: The Experience of a Single German Town 1930–1935*, Chicago, 1965, p. 77, who writes that the inhabitants of the small North German town of Northeim ("Thalburg") were drawn to anti-Semitism because they were drawn to Nazism, not the other way around'.

² Hajo Holborn, "Origins and Political Character of Nazi Ideology," *Political Science Quarterly* 79, 1964: 546; Eva G. Reichmann, *Die Flucht in den Hass: Die Ursachen der deutschen Judenkatastrophe*, Frankfurt am Main, n.d., especially pp. 279–82. For a recent, sympathetic criticism of Reichmann's view, see Michael R. Marrus, "The Theory and Practice of Anti-Semitism," *Commentary*, August 1982: 38.

certain younger scholars, while indubitably presenting cogent arguments, have overemphasized the degree of high-level Nazi management of anti-Jewish action. Conversely, they have downplayed the spontaneity of such action and its general popularity with the German public. In so doing, however, they have come close to miscomprehending the social basis of Antisemitism in the Third Reich and to ignoring its important historical antecedents.³

In this essay these antecedents will be briefly reviewed, in order to document the continuity of Antisemitism in German history primarily as a social phenomenon. Even though the factor of manipulation of the antisemitic issue by the Nazi rulers from 1933 to 1939, for instance in the guise of anti-Jewish "legislation," cannot be denied, more attention will be paid to the gray zones of overlapping responsibilities of a semi-legal and semiprivate nature, as in cases of seemingly spontaneous pogroms by the Stormtroopers (SA), which were witnessed by neutral and often astonished bystanders. A further focus of this paper will be arbitrary, hostile activities visited upon the Jews by

³ See especially Ian Kershaw, "Antisemitismus und Volksmeinung: Reaktionen auf die Judenverfolgung" (hereafter—Kershaw, "Antisemitismus und Volksmeinung") in Martin Broszat and Elke Froelich, eds., *Bayern in der NS-Zeit II: Herrschaft und Gesellschaft im Konflikt, Teil A*, Munich and Vienna, 1979, pp. 291–308; idem, "The Persecution of the Jews and German Popular Opinion in the Third Reich," *Leo Baeck Institute Year Book* 26, 1981: 261–89; idem, "Alltaegliches und Ausseralltaegliches: Ihre Bedeutung fuer die Volksmeinung 1933–1939," Detlev Peukert and Juergen Reulecke, eds., *Die Reihen fest geschlossen: Beitrage zur Geschichte des Alltags unterm Nationalsozialismus*, Wuppertal, 1981 (hereafter—Peukert and Reulecke), pp. 273–92. Kershaw also underestimates anti-Semitism as a factor in the pre-1933 rise of National Socialism, in his "Ideology, Propaganda, and the Rise of the Nazi Party," in Peter D. Stachura, ed., *The Nazi Machtergreifung*, London, 1983, pp. 167–68. To a lesser extent Falk Wiesemann's remarks in M. Broszat et al., eds., *Bayern in der NS-Zeit: Soziale Lage und politisches Verhalten der Bevoelkerung im Spiegel vertraulicher Berichte*, Munich and Vienna, 1977, p. 430. Such interpretation is supported, from the contemporary view of the 1930s, by judgements in the reports of the exiled SPD. See, for example, *Deutschland-Berichte der Sozialdemokratischen Partei Deutschlands (Sopade) 1934–1940*, Salzhausen and Frankfurt am Main, 1970, 2 (1935): 925; and *ibid.* 7 (1940): 260. A balanced assessment of the problem is given in Lawrence D. Stokes, "The German People and the Destruction of the European Jews," *Central European History* 6, 1973 (hereafter—Stokes), especially pp. 173–74, 182, 190.

civilians or nonofficial institutions after 1933 that must be seen as a consequence of decades, if not centuries, of Antisemitism in Germany .

No one could seriously dispute the importance of Antisemitism as a social, economic, and political force of great vitality in the history of Germany, more precisely: in the history of coexistence of Germans and Jews since the late Middle Ages.⁴ In the centuries following the Protestant Reformation German Jews were able to improve their lot slowly, although they had to wait for the Enlightenment and for Napoleonic rule in order to experience real emancipatory progress. In the nineteenth century they gradually received full political, if not full social, rights. Significantly, the rate of Jewish integration into German society was not commensurate with the degree of political equalization - a condition that still distinguished this minority from other Germans.⁵ As George L. Mosse, Peter G.J. Pulzer, and others have indicated, the fate of German Jews again deteriorated at the dawn of the twentieth century, as the new factor of ideology that claimed to set the Jews anthropologically apart from Gentile Germans came into play. Perhaps one of the most negative side-effects of the budding modern democracy in those decades was that Antisemitism, as a novel racist creed, could now be articulated with impunity at various political levels. Due to the efforts of such politically influential men as Heinrich von Treitschke, Max Hugo, Liebermann

⁴ See the relevant chapters in Max L. Margolis and Alexander Marx, *A History of the Jewish People*, New York, 1974. See also Wanda Kampmann, *Deutsche und Juden: Studien zur Geschichte des deutschen Judentums*, Heidelberg, 1963 (hereafter–Kampmann), pp. 13–34; Leo Sievers, *Juden in Deutschland: Die Geschichte einer 2000 jaehrigen Tragoedie* , Hamburg, 1979 (hereafter–Sievers), pp. 21–56 .

⁵ Reinhard Ruerup, *Emanzipation und Antisemitismus: Studien zur "Judenfrage" der buergerlichen Gesellschaft* , Goettingen, 1975 (hereafter–Ruerup), pp. 11–73; Kampmann, pp. 35–224; Sievers, pp. 83–224. For Stuttgart, see Maria Zelzer, *Weg und Schicksal der Stuttgarter Juden: Ein Gedenkbuch* , Stuttgart, n.d. (hereafter–Zelzer), pp. 20–60. For the example of Gerson von Bleichroeder, see Fritz Stern, *Gold and Iron: Bismarck, Bleichroeder, and the Building of the German Empire*, New York, 1977 (hereafter–F. Stern), pp. 461–93; for the example of Albert Ballin, see Lamar Cecil, *Albert Ballin: Business and Politics in Imperial Germany 1889–1918* , Princeton, 1967, pp. 3–142.

von Sonnenberg, and Heinrich Class, anti-Jewish prejudices once more had become well entrenched within German society by the time of World War I.⁶ For many German Jews the phase of the Weimar Republic from 1918/19 to 1933 promised to complete the process of emancipation begun so prodigiously before 1914.⁷ At the outset, this impression surely seemed justified, especially when the Republic was compared with Eastern European countries.⁸ However, precisely because the Republic became associated, in the mind of the German public, with increased liberties for Jews, it provoked further Judeo-phobia. Hence, one can argue that there was a continuation of previous antisemitic trends, notably the ideologically motivated strains of the post-Bismarckian era, facets of which eventually merged easily with the

⁶ George L. Mosse, *Germans and Jews: The Right, the Left, and the Search for a "Third Force" in Pre-Nazi Germany*, New York, 1971, pp. 3–76; Peter G. J. Pulzer, *The Rise of Political Anti-Semitism in Germany and Austria*, New York, 1964 (hereafter–Pulzer), pp. 76–126. See also Ruerup, pp. 74–114; F. Stern, pp. 494–531; Gordon A. Craig, *Modern Germany 1866–1945*, New York and Oxford, 1978, pp. 83–85, 204; Richard S. Levy, *The Downfall of the Anti-Semitic Political Parties in Imperial Germany*, New Haven and London, 1975; and the pre–1914 chapters in Brewster S. Chamberlain, "The Enemy on the Right: The *Alldeutsche Verband* in the Weimar Republic, 1918–1926," PhD dissertation, University of Maryland, 1972

⁷ Donald L. Niewyck, *The Jews in Weimar Germany*, Baton Rouge and London, 1980 (hereafter–Niewyck), especially p. 12; Egmont Zechlin, *Die deutsche Politik und die Juden im Ersten Weltkrieg*, Goettingen, 1969 (hereafter–Zechlin), pp. 554–55; Heinemann Stern, *Warum hassen sie uns eigentlich? Juedisches Leben zwischen den Kriegen*, ed. Hans Ch. Meyer, Duesseldorf, 1970 (hereafter–H. Stern), p. 163; Wolfgang Scheffler, *Judenverfolgung im Dritten Reich 1933–1945* 2nd ed., Berlin, 1964, p. 15.

⁸ Undoubtedly, this is why many Russian and Polish Jews came to Germany after 1918, even though some of them went on to France and the USA. See S. Adler-Rudel, *Ostjuden in Deutschland, 1880–1940: Zugleich eine Geschichte der Organisationen, die sie betreuten*, Tuebingen, 1959, pp. 64–150. For Heilbronn, see Hans Franke, *Geschichte und Schicksal der Juden in Heilbronn: Vom Mittelalter bis zur Zeit der nationalsozialistischen Verfolgungen (1050–1945)*, Heilbronn, 1963 (hereafter–Franke), pp. 106–107

pronouncedly virulent Jew hatred of the Nazis.⁹ Despite the fact that Jewish soldiers took full part in military activities during WWI, they were sometimes discriminated against in the armed forces, and the antisemitic German press characterized German Jews as war shirkers who would stay behind the front lines in order to engage in war-profiteering.¹⁰ Antisemitism at the grass-roots level became manifest in the fall of 1918, when angry mobs in Munich and Berlin physically attacked Jews during the turmoil of the revolution,¹¹ and in 1923/24, when in several areas of the Reich, including the capital, Jewish shopkeepers were manhandled and even killed.¹² The concentration of Jews in certain occupations (e.g., cattle-vending and tailoring within the lower middle class, and legal and medical practice within the upper class) and their preponderance in urban locations like Berlin, Frankfurt am Main, Hamburg, and Breslau, facilitated random attacks on and wanton discrimination against

⁹ This is ably shown in Monika Richarz's introduction to the book she edited, *Juedisches Leben in Deutschland: Selbstzeugnisse zur Sozialgeschichte 1918–1945*, Stuttgart, 1982, esp. pp. 28–30, 37. Also see first-hand accounts by survivors, *ibid.*, pp. 77–227. Further, see the balanced judgments rendered in a volume of essays edited by Werner E. Mosse, *Entscheidungsjahr 1932: Zur Judenfrage in der Endphase der Weimarer Republik*, 2nd ed., Tuebingen, 1966 (hereafter–W. E. Mosse). The blending of pro-Nazi and Nazi impulses of anti-Semitism is most ably described in Niewyck, pp. 46–54 .

¹⁰ Pulzer, p. 289; Zechlin, pp. 517–53; H. Stern, pp. 96–97, 106; Paul Sauer, *Die juedischen Gemeinden in Wuerttemberg und Hohenzollern: Denkmale, Geschichte, Schicksale* , Stuttgart, 1966 (hereafter–Sauer), p. 196 .

¹¹ Theodor Abel, *Why Hitler Came To Power*, New York, 1966; first printing, 1936, p. 156; George L. Mosse, *Toward the Final Solution: A History of European Racism*, New York, 1978, pp. 177–78 .

¹² Julius Wissmann, “Zur Geschichte der Juden in Wuerttemberg 1924–1939” (hereafter–Wissmann) in Sauer, p. 200; Max P. Birnbaum, *Staat und Synagoge 1918–1938: Eine Geschichte des Preussischen Landesverbandes juedischer Gemeinden (1918–1938)*, Tuebingen, 1981 (hereafter–Birnbaum), p. 85 .

them throughout the Weimar Republic.¹³ In her recently published memoirs, the German-Jewish physician Dr. Kaete Frankenthal writes that in the early days of the Republic she was offered an opportunity to engage in postdoctoral studies at the University of Greifswald (hardly a mainstay of Antisemitism). Yet she did not accept the position, as she had doubts whether she would be tolerated there sufficiently to enable her to finish her studies.¹⁴ 'Antisemitism, with all its well-known signs,' writes a surviving eyewitness, the German-Jewish high-school teacher Dr. Heinemann Stern, 'fully showed itself at a time when Hitler and his movement were still the object of curiosity or of casual jokes.'¹⁵

In the Weimar Republic, many of these Jew-haters turned to National Socialism because it offered them an outlet for their Antisemitism.¹⁶

¹³ For the demography and social conditions of German Jews, see Heinrich Silbergleit, *Die Bevoelkerungs- und Berufsverhaeltnisse der Juden im Deutschen Reich*, Berlin, 1930; Esra Bennathan, "Die demographische und wirtschaftliche Struktur der Juden," in W. E. Mosse, pp. 87–131; Gerhard Schulz, *Aufstieg des Nationalsozialismus: Krise und Revolution in Deutschland*, Frankfurt am Main, 1975 (hereafter–Schulz), pp. 615–17. As an impressionistic account of Jews in Frankfurt, see Valentin Senger, No. 12 *Kaiserhofstrasse*, New York, 1980, pp. 9–53.

¹⁴ Kaete Frankenthal, *Der dreifache Fluch: Juedin, Intellektuelle, Sozialistin: Lebenserinnerungen einer Arztin in Deutschland und im Exil*, Frankfurt am Main, 1981 (hereafter–Frankenthal), p. 99. Also see the examples in G. L. Mosse, *Final Solution*, pp. –79; Niewyck, pp. 55–81; Franke, p. 110; Stern, pp. 104–05, 163–80; Michael H. Kater, *Studentenschaft und Rechtsradikalismus in Deutschland 1918–1933 : Eine sozialgeschichtliche Studie zur Bildungskrise in der Weimarer Republik*, Hamburg, 1975, pp. 146–47; Franz Hundsnurscher and Gerhard Taddey, *Die Juedischen Gemeinden in Baden: Denkmale, Geschichte, Schicksale*, Stuttgart, 1968, p. 22. In more general terms: Zechlin, p. 565; Alex Bein, *Die Judenfrage: Biographie eines Weltproblems*, Stuttgart, 1980 (hereafter–Bein), Vol. 1, p. 371 .

¹⁵ H. Stern, p. 168. As in this case, all translations of original German texts into English are by the author .

¹⁶ This connection is explained in Michael H. Kater, *The Nazi Party: A Social Profile of Members and Leaders, 1919–1945*, Cambridge, Mass., 1983 (hereafter–Kater, Nazi Party), pp. 19–71.

Historically, many privately or spontaneously executed acts of Antisemitism during the early years of the Third Reich can be linked to precedents perpetrated by vicious antisemites in the republican era. Hence in Hanover, at a public meeting in July 1922, after local Nazi leader Gustav Seifert had blamed all of Germany's ills on the influx of Eastern Jews, his remarks were loudly applauded by the audience.¹⁷ The Nazis formulated a specifically anti-Jewish platform as part of their February 1920 program and toward the end of the Republic they reiterated that in a Third Reich Jews would be deprived of their rights by legal process.¹⁸ They consistently fanned the flames of Antisemitism by the fabrication and distribution of hate propaganda, especially after 1929. Their tirades were ingeniously contrived to cater to all manner of German groups, whatever their antisemitic motives. Many German women, for instance, customarily bore grudges against Jews for religious or aesthetic reasons, so the Nazis tried to reach them on those grounds.¹⁹ Since in some areas of Germany, predominantly the small towns and rural districts, the myth of Jewish ritual killings of young Christian boys was still given credence, *Der*

See also Peter H. Merkl, *Political Violence under the Swastika: 581 Early Nazis*, Princeton, 1975, passim .

¹⁷ John Farquharson, "The NSDAP in Hanover and Lower Saxony 1921–26," *Journal of Contemporary History*, Vol. 8, No. 4, October 1973, p. 110 .

¹⁸ Niewyck, p. 53, Karl A. Schleunes, *The Twisted Road to Auschwitz: Nazi Policy Toward German Jews 1933–1939*, Urbana, Ill., 1979 (hereafter–Schleunes), p. 70 .

¹⁹ See the reference to *Unsittlichkeit* (immorality) in an anti-Jewish flyer, "Wohnungsnot und Juden-Einwanderung," n.d. [appr. 1929], Staatliches Archivlager Goettingen, Gauarchiv Ostpreussen, Stiftung Preussischer Kulturbesitz, microfilms Niedersaechsisches Staatsarchiv Bueckeberg (hereafter–SAG), SF 6826, GA/101. Examples of rabid anti-Semitism among German women of the upper classes are to be found in Guida Diehl, *Die Deutsche Frau und der Nationalsozialismus*, Eisenach, 1933, pp. 15, 56; Hildegard Passow, "Juedische Greuelpropaganda," Informationsdienst der NSF (Deutscher Frauenorden), No. 11, Munich, April 8, 1933, Hoover Institution on War, Revolution and Peace, Stanford, NSDAP Hauptarchiv, microfilm 13/254 .

Stuermer, the weekly paper of Nuremberg Jew-baiter Julius Streicher, published spurious evidence on Jewish child-murders that was received from as far afield as East Prussia.²⁰

Many Germans of the Weimar Republic resented the Jews as economic rivals, be they doctors or lawyers within the upper segments of German society,²¹ or shopkeepers and tradesmen in the lower middle class.²² The latter found a particularly accommodating political champion in Adolf Hitler, and the Fuehrer and his lieutenants in turn fully exploited the Antisemitism of carpenters, greengrocers, and their likes. The durability of this alliance must be regarded as one of the chief reasons for the success of the Nazi movement until 1933. Examples of this mutually complementary relationship are plentiful. In January 1928 a paperhanger from Rheinisch Krefeld sent a linocut he had made to the regional Nazi Party headquarters; it depicted a National-Socialist knight galloping over a Jewish dragon.²³

Three years later East Prussian tobacco vendors were said to be joining the Nazis because of the competition in the trade by "Eastern Galician Jews."²⁴

It must be said that the Nazis appealed to these feelings with a great deal of sensitivity, and it is entirely possible that with their clever slogans and

²⁰ Correspondence of *Der Stuermer* with NSDAP chapter Koenigsberg, December 1932, SAG, SF 6818, GA-29 .

²¹ See Kater, *Nazi Party* , pp. 67-68, 110-11 .

²² The anti-Semitism of the lower-middle-class members in the Weimar Republic is treated in Heinrich August Winkler, *Mittelstand, Demokratie und Nationalsozialismus: Die politische Entwicklung von Handwerk und Kleinhandel in der Weimarer Republik*, Cologne, 1972 (see, for instance, p. 177). See also Schulz, p. 618 .

²³ Enclosure with letter from Beil to Gauleitung Ruhr, Krefeld, January 14, 1928, Hauptstaatsarchiv Duesseldorf, RW 23/NSDAP, GauleitungRuhr .

²⁴ Brettschneider to Heidrich, Elbing, January 23, 1931, SAG, SF 6819, GA-35 .

specious but effective argumentation they inculcated antisemitic resentment among those members of the lower middle class who had formerly been neutral or impervious. A case in point is the well-known Nazi campaign against German chain stores, many of which were indeed owned by Jews, in the midst of the Great Depression in December 1930. The Nazi allegation, directed toward Gentile shopkeepers and corner-store proprietors, that "Jewish department stores are destroying the retail trade," not only fell on the open ears of those who had started to suffer from economic setbacks and were, typically, blaming the Jews already, but it may also have reached and converted to Nazism those who were afraid of running into trouble in the future. Squarely, the Nazis told them who would be responsible on all counts: the Jews. Hence new antisemites could easily have been reared.²⁵ It was at about this time, after the Nazis had made astonishing gains in the September 1930 elections, that the first serious anti-Jewish pogrom broke out in Berlin, orchestrated, it is true, by the Nazi Wolf Heinrich Graf von Helldorf, but staged by people who, if they were National Socialists, certainly had not been compelled to join Hitler's movement by anything but their own decision, however that was motivated.²⁶

During the early days of the Third Reich the German Jews were not persecuted within the framework of a rationally conceived scheme nor according to a secret master plan, although Hitler's instinctive antipathy to them always remained, implicitly, the ideal guideline. After January 30, 1933,

²⁵ The Nazis argued wrongly, but, according to lower-middle-class shopkeeper mentality, utterly convincingly, when they said: Cheap merchandise, manufactured under the personal direction of Jews, is flooding the Christmas market. The golden calf is playing the role of the Christ child! With typically Jewish cynicism one rabbi says: Too bad that Mary did not bear two Jesus boys. Had she done so, our people could now double their Christmas sales!!! (flyer, "Die Christus ans Kreuz schlugen, machen das Weihnachts-Geschaefft!" Koenigsberg, n.d. [shortly before December 12, 1930], SAG, SF 6826, GA-101). See also Thomas Childers, *The Nazi Voter: The Social Foundation of Fascism in Germany, 1919-1933*, Chapel Hill and Lon, 1983.

²⁶ Frankenthal, p. 237. See also Franke, p. 108; Birnbaum, p. 186 .

Nazi policy against the Jews came to resemble a pattern of interactions between private or personal initiative, semi-legal activities (in which the avant-garde of the Nazi Party, notably the SA, were often pitted against the more temperate officials of the state), and, Finally, governmental legislation. Such legislation was introduced relatively haphazardly and appeared to touch only on major aspects of what was officiously called the "Jewish Question," but it was intended to be synchronized with the less official action. Evidently Hitler and his cronies hoped that such action would in itself suffice to motivate the German Jews to leave the country. Paradoxically, when popular and official persecutions did begin, the opportunities for Jewish emigration abroad were progressively curtailed until, in the end, Hitler and his followers consolidated and carried out the plan of the Final Solution.²⁷

Prior to the outbreak of World War II, official antisemitic policy, which not only lacked the sanction of populist initiative but transpired entirely beyond the control and even knowledge of the common people, was implemented at two levels: that of the state and of the party. This distinction is important, because activities at the party level -at least potentially -allowed for the participation of "Aryan" civilians and thus could provide visible proof of the kind of popular, spontaneous Antisemitism which the Nazis were always at great pains to demonstrate, particularly to foreign critics. There were two main ordinances at the governmental level, and two additional lines of action at the party level that were government-inspired and officially supported. The first governmental law against German Jews was the one regarding the "Reconstitution of the Civil Service" of April 7, 1933, and it was later followed by the Nuremberg race legislation of September 15, 1935.²⁸ The anti-Jewish

²⁷ The background for the above is in Hans Mommsen, "Der nationalsozialistische Polizeistaat und die Judenverfolgung vor 1938," *Vierteljahreshefte fuer Zeitgeschichte* 10, 1962: 68–77; Schleunes; Uwe Dietrich Adam, *Judenpolitik im Dritten Reich*, Duesseldorf, 1979 (hereafter—Adam); and Raul Hilberg, *The Destruction of European Jews*, Chicago, 1967, pp. 18–105. Also see Mommsen, "Die Realisierung des Utopischen: Die Endloesung der Judenfrage' im Dritten Reich," *Geschichte und Gesellschaft* 9, 1983: 381–420 .

²⁸ Partial text is in Gerd Ruehle, *Das Dritte Reich: Dokumentarische Darstellung des Aufbaues der Nation*, Berlin, 1933, pp. 112–13, and cf. p. 145. The most exhaustive interpretation of this

machinations instigated by agencies of the NSDAP consisted of the boycott of April 1, 1933, and the events of the so-called *Reichskristallnacht* of November 9 to 10, 1938, about which much has already been written.²⁹ In both these scenarios, the main protagonists were members of the predatory SA. Taking his cue from these Brown Shirts, who had been molesting Jews - especially those with small and medium-sized business - indiscriminately since the political takeover at the end of January 1933, Hitler, while trying to ensure full control over the SA, decided to give them free reign in the boycott of Jewish businesses and offices on April 1, 1933, thereby attaining several goals at once. First, he could teach German Jews a harsh lesson by letting them know that his brand of Antisemitism was not trivial but serious.³⁰ Second, he was

law is still that in Hans Mommsen, *Beamtenum im Dritten Reich: Mit ausgewählten Quellen zur nationalsozialistischen Beamtenpolitik*, Stuttgart, 1966, pp. 39–61. See also Adam, pp. 51–64. See Gerd Rühle, *Das Dritte Reich: Dokumentarische Darstellung des Aufbaues der Nation: Das dritte Jahr 1935*, Berlin, 1935, pp. 254–58, 277–82; Schleunes, pp. 120–32; Adam, pp. 114–44 .

²⁹ A contemporary Nazi interpretation of *Reichskristallnacht* and its consequences is provided in Gerd Rühle, *Das Dritte Reich: Dokumentarische Darstellung des Aufbaues der Nation: Das sechste Jahr 1938*, Berlin, 1938, pp. 394–404. Critically and in the context of other official antisemitic measures: Karl Dietrich Bracher, *The German Dictatorship: The Origins, Structure, and Effects of National Socialism*, New York and Washington, 1972, pp. 366–68; Hermann Graml, *Der 9. November 1938: "Reichskristallnacht,"* Bonn, 1958; Helmut Genschel, *Die Verdrängung der Juden aus der Wirtschaft im Dritten Reich*, Goettingen, 1966, pp. 177–217; Schleunes, pp. 214–54; Adam, pp. 204–16. For local examples of how the destruction was organised see, in the case of Mannheim, Hans Joachim Fliedner, *Die Judenverfolgung in Mannheim 1933–1945*, Stuttgart, 1971 (hereafter–Fliedner), pp. 199–204; in the case of Stuttgart, Zelzer, pp. 194–96 .

³⁰ In 1933 and even later, there was a sizeable number of German Jews who either did not believe Hitler's judeophobic utterances or – worse – pretended to identify themselves with them by pointing their fingers at "bad" Germans or allegedly inferior Eastern Jews. For the period before April 1, 1933, see the evidence in Peter Hanke, *Zur Geschichte der Juden in Muenchen zwischen 1933–1945*, Munich, 1967 (hereafter–Hanke), pp. 106–108; Frankenthal, p. 235; entry for March 28, 1933, in Erich Ebermayer, *Denn heute gehoert uns Deutschland. Persoenliches und politisches Tagebuch: Von der Machtergreifung bis zum 31. Dezember 1935*, Hamburg and Vienna, 1959, p. 49. See also Fliedner, p. 45; Carl J. Rheins, "Deutscher

able, momentarily at least, to placate the impatient Brown Shirts who were increasingly crying out for the fulfillment of a "second" Nazi revolution; at the same time he could attempt to contain them. And third, he could utilize these initial anti-Jewish measures to gain a sense of future direction for himself, in terms of how far the German people would be prepared to go, the Jewish reaction with a view to emigration, and the technical and logistic aspects of the implementation of antisemitic policy .

Consequently, the boycott of Jewish businesses and professional offices was launched on April 1 and continued for days thereafter, engineered by the SA and, in certain localities, by the SS. The efficiency of its execution apparently left much to be desired, certainly in the eyes of the government. And this is of prime significance for the purposes of this exposition. For example, the fact that the boycott was allowed to get out of hand locally, and

Vortrupp, Gefolgschaft deutscher Juden 1933–1935," *Leo Baeck Institute Yearbook* 26, 1981: 207–29; Hans-Joachim Schoeps, *"Bereit fuer Deutschland": Der Patriotismus deutscher Juden und der Nationalsozialismus: Fruehe Schriften 1930 bis 1939: Eine historische Dokumentation* , Berlin, 1970, pp. 9–166; example Toni Ullstein in Hermann Zondek, *Auf festem Fusse: Erinnerungen eines juedischen Klinikers* , Stuttgart, 1973, p. 171. Especially telling is the telegram by the Jewish *Centralverein* functionary Dr. Julius Brodnitz to Hitler [Berlin], March 23 [1933]: "Zusammenstellung der Schritte, die der Centralverein Deutscher Staatsbuerger Juedischen Glaubens e.V. gegen die Greuelpropaganda des Auslandes [!] unternommen hat," n.d. [1933], SAG, SF 6818, GA–29. For Goering's role in this see Birnbaum, p. 225, n. 3. The examples of the Jewish Professor Otto Lubarsch, at the medical faculty of the University of Berlin, and (honorary) Professor Paul Nikolaus Cossmann, in Munich, are particularly tragic. Both were hyper-nationalistic and on the verge of Antisemitism. Lubarsch greeted Hitler's rise to power with enthusiasm. He died in April 1933 before the Nazis could touch him, but Cossmann was deported and killed in Theresienstadt (1942). On Lubarsch, see Walter Stoeckel, *Erinnerungen eines Frauenarztes* , ed. Hans Borgelt, Munich, 1966, p. 180; Otto Lubarsch, *Ein bewegtes Gelehrtenleben: Erinnerungen und Erlebnisse, Kaempfe und Gedanken* , Berlin, 1931, pp. 539–68. On Cossmann, see George F. W. Hallgarten, *Als die Schatten fielen: Erinnerungen vom Jahrhundertbeginn zur Jahrtausendwende* , Frankfurt am Main, 1969, pp. 67–76; Else Behrend-Rosenfeld, *Ich stand nicht allein: Erlebnisse einer Juedin in Deutschland 1933–1944* , 2nd ed., Frankfurt am Main, 1963 (hereafter- Behrend- Rosenfeld), pp. 118- 19, 159- 60, 171; Rolf Hochhuth's introduction to Joseph Goebbels, *Tagebuecher 1945: Die Letzen Aufzeichnungen*, Hamburg, 1977, p.26. For the third mind-boggling example of a few Stuttgart Jews who wished to join the NSDAP after 1933, see Zelzer, p.161 (see also pp. 99- 105).

that in some areas, such as East Prussia and Lueneburg, it was begun several days ahead of schedule, goes a long way to fit the thesis of antisemitic spontaneity and to contradict the elements of planning, direction, and manipulation of the "Jewish Question" by officials of the Nazi regime, whose existence has commonly been posited.³¹

The period from March to early August 1933 in particular was one of unbridled SA violence throughout Germany.³² Its perpetrators claimed that this violence was justified on "revolutionary" grounds, and in this form, Adolf Hitler, the supreme revolutionary, tacitly approved of it, although as Chancellor of the Reich he was pledged to safeguard the time-honored institutions of state. The violence was directed against anyone who was regarded as an enemy of the regime, and particularly against the Jews. One may argue that much of the terror perpetrated by bands of SA-men was carefully monitored by some responsible SA command post, which in turn was linked to a certain official agency of the regime, and hence that any actions against Jews, for instance, were decreed from above or at least officially sanctioned. But there are two considerations that serve to refute this view. One is the simple fact that at that time in Germany the SA comprised approximately two million men over the age of 17, or roughly 10 percent of the entire civilian male population in the

³¹ The customary interpretation of the boycott is as in Stokes, p. 172. The "planning" is also stressed in Schleunes, pp. 62–91, although on pp. 79, 84, 85 the author mentions interesting capricious incidents. See also Adam, pp. 60–61, 86; and Jeremy Noakes and Geoffrey Pridham, eds., *Documents on Nazism, 1919–1945*, London, 1974 (hereafter–Noakes and Pridham), p. 461. The indiscriminate action just prior to April 1, 1933, is documented in anonymous [Centralverein East Prussia] to Centrale, Berlin [Koenigsberg], March 27, 1933, SAG, SF 6818, GA–29 (for East Prussia); and Klaus-Dieter Krohn and Dirk Stegmann, "Kleingewerbe und Nationalsozialismus in einer agrarisch-mittelstaendischen Region: Das Beispiel Lueneburg 1930–1939," *Archiv fuer Sozialgeschichte* 17, 1977: 87–88. See also *ibid.*, pp. 88–90, for other "extracurricular" boycott activities (for Lueneburg).

³² Eric G. Reiche, "From 'Spontaneous' to Legal Terror: SA, Police, and the Judiciary in Nuernberg, 1933–34," *European Studies Review* 9, 1979: 240 .

entire civilian male population in the corresponding age brackets.³³ If one now presumes that the SA by virtue of its historic and contemporary self-perception was violently antisemitic, one is inevitably led to the conclusion that in the early summer of 1933 every tenth male adult German was inimically disposed toward Jews. This figure does not take into account members of the NSDAP, the SS, the Nazi Motor Corps, or other party affiliates who in all likelihood were also antisemites. Therefore, any anti-Jewish infringement commenced by the activist representatives of Germany's known antisemitic 10 percent, must have gained the approval of a much larger, inactive section of the entire German population .

Hence, from a demographic viewpoint, it is difficult to conceptualize the capricious acts of terror of the SA against Jews as having been executed in total isolation from public opinion as a whole, and this connection establishes a potential for the German people's complicity in anti-Jewish crimes to a much higher degree than has previously been asserted.³⁴ The second consideration relates to the links in the chain of command from the highest state or party sources down to the spontaneous SA activists. The anti-Jewish harassment was often triggered at very low SA-command levels, both vertically (in the hierarchy) and horizontally (in the geographic location). More often than not, SA-Scharfuehrer or Sturmuehrer, the equivalents of sergeant or second lieutenant, respectively, initiated the raids on their own authority; frequently, in the absence of their immediate superior, three or four ordinary rank and file members of the SA would start a rumpus³⁵ which was then *post factum*

³³ The calculation is according to figures in Michael H. Kater, "Ansaetze zu einer Soziologie der SA bis zur Roehmkrise," Ulrich Engelhardt et al., eds., *Soziale Bewegung und politische : Beitrage zur Geschichte der modernen Welt* , Stuttgart, 1976, p. 799, note 5; and *Statistisches Jahrbuch fuer das Deutsche Reich 1935* , pp. 12–13 (based on the census for 1933).

³⁴ My view is supported by the argument in Bein, pp. 372–73 .

³⁵ A good example of this is in the excerpt, "Halbmonatsbericht des Regierungspraesidenten von Ober- und Mittelfranken," April 7, 1933, in Broszat et al., pp. 434–35 .

approved by the political police or the Interior Ministry. Such incidents may today be reported by historians as having been planned and directed in Berlin. On the other hand, there is no denying that Hitler's peculiar aura of calculated permissiveness, in which his old supporters thrived, could only encourage such developments.³⁶

The wanton terror of the SA was nation-wide. In Breslau on March 11, 1933, SA bands invaded a department store that was said to be Jewish-owned, and then made their way to the judicial chambers and lawyers' offices. Ludwig Foerder, a Jewish attorney, was clubbed over the head with a lead cudgel, but managed to save his life by escaping to nearby Czechoslovakia. His colleague Walter Eckstein, a World War I veteran like Foerder, was tortured by the Brown Shirts for five days until he died.³⁷ Similar SA rampages against Jewish lawyers and judges were waged in Chemnitz, Gleiwitz, Goerlitz, and Berlin.³⁸ In the capital itself, anybody who was Jewish was unsafe. The home of artist Steinhardt, a student of Louis Corinth, was raided by the SA in April; allegedly he was suspected of hiding a radio transmitter. Nothing happened to him because his neighbor, a Nazi party member, shielded him and he was thus able to emigrate to Palestine.³⁹

Especially vulnerable were the members of the Jewish petite bourgeoisie because many of the SA were in the same business and simply regarded them as rivals. Three examples of precipitate aggression serve to document this. On March 12, in the small town of Arys (East Prussia), five SA-

³⁶ For an evaluation of Hitler's relationship with his old cronies, the *Alte Kaempfer* before 1933, see Michael H. Kater, "Hitler in a Social Context," *Central European History* 14, 1981: 259–60 .

³⁷ Schleunes, pp. 71–72; Ludwig Foerder, "SA-Terror in Breslau," in Gerhard Schoenberner, ed., *Wir haben es gesehen: Augenzeugenberichte ueber Terror und Judenverfolgung im Dritten Reich* , Hamburg, 1962, pp. 18–22 .

³⁸ Adam, p. 47 .

³⁹ Martin Gumpert, *Hoelle im Paradies: Selbstdarstellung eines Arztes*, Stockholm, 1939, p. 131 .

men, armed to their teeth, invaded the home of cattle-dealer Itzig just before midnight. His daughter complained about the transgression in a letter to Prussian Minister-President Goering :

At once, a SA-man said to my father: Why, you dirty dog, you are still in bed and want to resist?' He then drew a weapon. When my mother saw this, she threw herself upon my father, who was sitting on his bed, trying to put on his trousers. He was pulled back onto the bed and the shot passed by his head and hit the window. Then the same SA-man first beat my father, then my mother, and finally myself with a rubber truncheon. My mother received a deep cut on her head, and my forehead was also lacerated. The doctor can vouch for this. Then they searched the entire house, but we have no weapons and nothing was found. My father had his hands tied behind his back and then they took him away. The people are saying that he put up a fight, but this is not true. Outside the front door all of my father's competitors had gathered, and they behaved in such an indecent manner that I, as a young girl, cannot relate of this to you'.⁴⁰

In Dresden, the SA committed acts that surpassed the boycott of April 1. Jewish prayer houses were stormed and 25 worshippers arrested. Five Polish Jews among them were forced to drink castor oil, while other Jews had to submit to the shaving of their beards or to the clipping of their hair.⁴¹ Finally, in Munich, also in April, the SA entered Jewish shops, led the customers outside, and forced the proprietors to close down. In some instances shop assistants were maltreated.⁴²

Such arbitrary actions were not the sole prerogative of the SA. The

⁴⁰ Fraulein Itzig to Goering, Arys, March 15, 1933, SAG, SF 6818, GA-29. Also see Dr. Hirschberg, Centralverein Deutscher Staatsbuerger Juedischen Glaubens e.V., to Centralverein, Landesverband Ostpreussen, Berlin, March 23, 1933, *ibid* .

⁴¹ Letter by US Consul in Leipzig, Ralph Busser, of April 5, 1933, reprinted in Noakes and Pridham, p. 460 .

⁴² Hanke, p. 128. For more examples of this kind in other parts of the Reich see Fliedner, p. 113; Wissman, pp. 201-02; Schleunes, pp. 72-73 .

Brown Shirts set the example, and other ancillary party organizations, sometimes even state institutions, emulated them. Two of these party organizations were the Hitler Youth (Hitlerjugend - HJ), and the National-Socialist Lawyers' League (BNSDJ). Again in Munich, during the night of May 12, HJ members posted signs on the outskirts of the city reading "Jews Not Wanted."⁴³ Nazi jurists, during a convention in Leipzig on March 14, demanded the "cleansing" of all German law courts of officials of a "foreign race" and the dissolution of all Jewish attorneys' offices - three weeks before the official "legislation" was enacted.⁴⁴

Among governmental agencies whose malfeasances against Jews are documented for those weeks were the municipality of Munich, the Bavarian Political Police, and the Bavarian Ministry of Justice. The first of these sent circulars to Gentile businessmen in Munich warning them not to have any dealings with Jewish business partners. There was not even a trace of legal precedent for such a step.⁴⁵ The Bavarian Political Police (Bapopo), headed by Heinrich Himmler, exceeded its legal competency by using the Emergency Ordinance promulgated after the Reichstag fire on February 28, 1933, in order to arrest a wide circle of Munich Jews who were totally innocent of any misdemeanor.⁴⁶ And in April 1933 the Bavarian Justice Ministry managed, by means of administrative manipulations, to impel Jewish justices to resign their positions, although they were not in any way affected by the stipulations of the April 7 Law.⁴⁷

⁴³ Hanke, p. 127 .

⁴⁴ See Adam, p. 48; and n. 28 above .

⁴⁵ Hanke, pp. 100–01 .

⁴⁶ Ibid. , pp. 81–82 .

⁴⁷ Ibid. , p. 97; and n. 28 above. Also see Helmut M. Hanko, "Kommunalpolitik in der Hauptstadt der Bewegung' 1933–1935: Zwischen revolutionaerer' Umgestaltung und Verwaltungskontinuitaet" (hereafter–Hanko), in Martin Broszat et al., eds., *Bayern in der NS-*

This tradition of pseudo-legality in discriminations against German Jews, established in the spring of 1933, was continued by agencies of the state and of the party in the following months and years. There is particularly rich evidence for 1935, in connection with the infamous race legislation of September, and aided by a certain lull in anti-Jewish agitation during 1934, when Hitler's main occupation was, ironically, with Ernst Roehm and the corrupt leadership of the burgeoning SA. Although the SA was stifled after June 1934,⁴⁸ it had been left with sufficient energy to carry on its anti-Jewish binges. Thus in July 1935, in a small town in Saxony, a few SA-men provoked the manager of Eckstein's Central Store and involved him in a brawl, until police arrived and arrested the innocent Jew.⁴⁹ A month later a Jewish storeowner in Dresden was subjected to similar treatment in an incident capriciously staged by SA members.⁵⁰ Such action was stepped up when the race laws were being promulgated. In September 1935, rural SA in Herxheim (Palatinate) went after a Jewish cattle-dealer who sought refuge in a friendly farmer's house. Not only did the hoodlums drive that merchant out of town (without any legal ground) but they also demolished the farmer's property.⁵¹ At the same time in Papenburg (north west Germany), the site of a notorious concentration camp, the SA seized the Jewish cattle-broker Sigmund Windus, hung a defamatory sign around his neck, and forced him to beat a large drum

Zeit III: Herrschaft und Gesellschaft im Konflikt, Teil B, Munich and Vienna, 1981, pp. 396–97

⁴⁸ See Michael H. Kater, "Zum gegenseitigen Verhaeltnis von SA und SS in der Sozialgeschichte des Nationalsozialismus von 1925 bis 1939," *Vierteljahrschrift fuer Sozial- und Wirtschaftsgeschichte* 62, 1975: 364–72 .

⁴⁹ Deutschland-Berichte 2, 1935: 807–808 .

⁵⁰ Ibid. , p. 929 .

⁵¹ Ibid. , p. 1030 .

while they dragged him around town.⁵² Once again the SA was not alone in this rampage. As in previous months, the same kinds of degradation and identical acts of random terror were perpetrated with little or no "legal" justification, even according to the widest of Nazi standards, by units of the HJ,⁵³ by party affiliates such as NS-Hago, the Nazi traders' and shopkeepers' association,⁵⁴ and by municipal administrative offices of all sorts.⁵⁵

Between 1933 and 1939, discrimination by Germans against Jews in the private sphere, without the involvement or sanction of state or party agencies and without heed to existing laws, was both spontaneous and calculated. It spanned the entire spectrum from verbal humiliation to denunciation, depredation, and physical harm. It could be committed by individuals or by corporate bodies, who may have had formal connections with party or state, but were not under their directive at the time of the transgressions. These acts were everyday events, and they were possible both because there was a tradition of populist Antisemitism in Germany and because Hitler had created an atmosphere in the Third Reich in which Jews were progressively being deprived of their civil rights .

Ingrained anti-Jewish prejudices often caused citizens of the Third Reich to become tactless or needlessly offensive to Jews. Some of these offenders were women who had long believed in the bio-sexist stereotype of

⁵² Ibid. , p. 1038 .

⁵³ Ibid. , p. 811, July 1935; Landrat Schraermeyer, memorandum "Betr.: Berichterstattung in polizeilichen Angelegenheiten," Hechingen, June 27, 1935, Staatsarchiv Sigmaringen (hereafter-SAS), HO 235, I-VIII, F 23; excerpt, "Monatsbericht der Polizeidirektion Muenchen," June 4, 1935, in Broszat et al., 1977, p. 443 .

⁵⁴ Deutschland-Berichte 2, 1935: 25, 1035-36 .

⁵⁵ Ibid., pp. 921, 1027, 1032-33, 1039, 1042; excerpt, "Taetigkeitsbericht des Gauamts fuer Kommunalpolitik, Gau Franken," July 10, 1935, in Broszat et al., 1977, p. 448; Falk Wiesemann, "Juden auf dem Lande: die wirtschaftliche Ausgrenzung der juedischen Viehhaendler in Bayern," in Peukert and Reulecke, pp. 384-86 .

the Jew as a filthy but nevertheless intriguing seducer of "Aryan" maidens - a stereotype publicized decades before the advent of Hitler, in books such as Artur Dinter's *Die Suende wider das Blut*.⁵⁶ Here, then, the sexual and other racist-ideological motives were mixed. As one young woman told US interrogators after World War II, she had long thought, even prior to her school classes in race theory, that Jews were simply disgusting. They are so fat, they all have flat feet and they can never look you straight in the eye. I could not explain my dislike for them.' She then readily admitted that such views had been inherited in childhood from her father.⁵⁷ This kind of racist-sexual motive often played a key role in anonymous denunciations of Jews, usually of men with blond German girl friends.⁵⁸ Even educated upper-class women fell victim to this cliché; significantly, the unmarried among them frequently exhibited a hysterical admiration for the Fuehrer.⁵⁹ Nor did "seductresses" go unpunished. During June 1935 in Mudersbach near Wetzlar, the "Aryan" Karl Gelzenleuchter was prevented from marrying the Jewess Martha Mayer by an antisemitic magistrate who acted without recourse to existing laws but whose decision was upheld, months before the novel and binding race legislation, by a Wetzlar court. At times, this sexual motive was inverted. In a small town in Hesse a Gentile butcher's apprentice was helping his Jewish master's widow

⁵⁶ Artur Dinter, *Die Suende wider das Blut: Ein Zeitroman*, 3rd ed., Leipzig, 1919.

⁵⁷ Testimony of Hildegard Trutz in Louis Hagen, *Follow My Leader*, London, 1951, p. 259.

⁵⁸ Example in Hans Robinsohn, *Justiz als politische Verfolgung: Die Rechtsprechung in "Rassenschandefaelen" beim Landgericht Hamburg 1936-1943*, Stuttgart, 1977, p. 18. See also O. D. Kulka, "'Public Opinion' in National Socialist Germany and the Jewish Question" (hereafter-Kulka), *Zion: Quarterly for Research in Jewish History* 40, 1975, pp. 262, 265; doc. 13 (September 26, 1933), in *Dokumente ueber die Verfolgung der juedischen Buerger in Baden-Wuerttemberg durch das nationalsozialistische Regime*, ed., Paul Sauer, Stuttgart, 1966, 1: 24; Ulrich Knipping, *Die Geschichte der Juden in Dortmund waehrend der Zeit des Dritten Reiches*, Dortmund, 1977 (hereafter-Knipping), p. 45.

⁵⁹ See the example in Viktor Klemperer, *LTI*, [East] Berlin, 1949, pp. 113-14. See also Bruno Gebhard, *Im Strom und Gegenstrom 1919-1937*, Wiesbaden, 1976, p. 59.

run the shop, until in the summer of 1935 he decided to make a sexual pass at her. The widow resisted and proceeded to dismiss him, whereupon he denounced her to the SA. The SA-men mistreated and insulted the Jewish woman, before she was formally arrested.⁶⁰ Pure malice and a sadistic disposition were another motive. Dr. Else Behrend-Rosenfeld, a German Jewess who escaped the Holocaust only through an incredible run of good luck, has related the following pathetic story: in 1934 Frau Winterling took her and her children into her house near Munich and, while feigning sympathy, acted as a spy for the Nazi authorities.⁶¹ Physical cruelty was just as common. At the end of 1934 the chauffeur of a Nazi functionary in Leer (East Friesland) got hold of a Jewish cattle-dealer, pulled him up by his coat, fastened the collar to an iron gate, and left the poor man hanging.⁶² Later on that year, demonstrations that resulted in violence against Jewish store owners in Munich were incited by a former SA-man, who, upon closer examination by the authorities, could prove no affiliation whatsoever with the NSDAP.⁶³ The sexual factor may also have played a part in the discrimination against Jewish medical students by their Gentile fellows at German universities, and Jewish physicians by their Gentile colleagues.⁶⁴ German medical students had been under heavy pressure from potential Jewish competition in the Weimar

⁶⁰ *Deutschland-Berichte* 2, 1935: 804. The Mundersbach episode is from *Ziel und Weg* 5, 1935: 427–28 .

⁶¹ Behrend-Rosenfeld, pp. 24–49 .

⁶² *Deutschland-Berichte* 2, 1935: 69. Other examples of unprovoked physical violence by civilians are in Franke, pp. 215–17 .

⁶³ Excerpt, “Monatsbericht der Polizeidirektion Muenchen,” June 4, 1935, in Broszat et al., 1977, pp. 444–45 .

⁶⁴ Regarding practicing physicians see the hate propaganda, “Das Raubtier,” by Ernst Hiemer, cited in Arnd Mueller, *Geschichte der Juden in Nuernberg 1146–1945* , Nuremberg, 1968 (hereafter–Mueller), pp. 263–64; and *Deutschland-Berichte* 2, 1935: 809–10 .

Republic, when the percentage of Jewish students in the medical faculties had been the second highest in any discipline.⁶⁵ There is evidence that in the first few years of the Nazi dictatorship they attempted to accelerate the government's anti-Jewish legislation by initiating inter-faculty measures of their own. One of these was the proposal that Jewish interns should not be allowed to perform genital inspection on "Aryan" women, so as to exclude the Jew from the realm of "German" sexuality even in clinical surroundings. This measure was adopted in most German medical faculties in the spring of 1936, clearly as an immediate consequence of the Nuremberg Race Laws of the preceding fall, but in contravention of the yet existing legislation governing the academic and social rights of Jewish university students.⁶⁶

Additional stipulations in the medical students' proposal of 1936 called for the manifold restriction of Jewish interns with a view to curtailing their overall professional prospects as doctors. In this case, the motive was

⁶⁵ See table 11 in Kater, *Studentenschaft* , pp. 218–19 .

⁶⁶ The document I have cited is from the Medical Student Associations (*Medizinische Fachschaft*) of Hamburg University but typical for other such documents contained in the Wuerzburg Student Archive. "Bericht aus der Medizinischen Fachschaft der Studentenschaft der Universitaet Hamburg," Berlin, April 17, 1936, Archiv der ehem. Reichsstudentenfuehrung und des NSD-Studentenbundes, Wuerzburg (hereafter–ARW), I* 80 g 581/2. It was only on June 18, 1936, that the Reich Education Ministry left the decision regarding Jewish gynecology interns to the individual universities, and then not to student leaders but to hospital directors. See Albrecht Goetz von Oelenhusen, "Die nichtarischen' Studenten an den deutschen Hochschulen: Zur nationalsozi Rassenpolitik 1933–1945" (hereafter–Oelenhusen), *Vierteljahreshefte fuer Zeitgeschichte* 14, 1966: 184, especially note 52; and doc. 197, June 18, 1936, in *Dokumente ueber die Verfolgung* , pp. 242–43. Governmental legislation from 1933 on permitted pre-1933 registered Jewish students of medicine to continue with their studies. After April 1934, they could not take doctoral examinations unless they relinquished their German citizenship. An ordinance of April 15, 1937 prohibited all Jewish students from earning a doctoral degree. For details, see Siegfried Boschan, *Nationalsozialistische Rassen- und Familiengesetzgebung: Praktische Rechtsanwendung und Auswirkungen auf Rechtspflege, Verwaltung und Wirtschaft* , Berlin, 1937, p. 167; Uwe Dietrich Adam, *Hochschule und Nationalsozialismus: Die Universitaet Tuebingen im Dritten Reich* , Tuebingen, 1977, p. 116; Oelenhusen, p. 91

blatantly economic.⁶⁷ In their efforts to oust Jewish colleagues from the profession, Gentile medical students and doctors stopped short of nothing, particularly since the evolving anti-Jewish legislation was considered much too cumbersome. Jewish physicians were not legally forbidden to practice medicine until an act to that effect was passed on September 30, 1938.⁶⁸ But German physicians, with the help of their professional unions, found ways to exclude their Jewish colleagues from their ranks long before that date.⁶⁹ One popular ploy was to evict Jewish doctors from the monopolistic health plan association (*Kassenaerztliche Vereinigung Deutschlands - KVD*), membership in which was obligatory for the treatment of patients covered by health insurance. Invariably, the Jewish doctors were ostracized on the basis of false evidence. In the case of Jewish Doctor M. from Waldenburg (Lower Silesia), who, like so many of his Israelite colleagues, had seen active service during World I and was therefore, for a while, exempt from certain anti-Jewish government clauses, the KVD denied his war record and wrote: Under these circumstances [the KVD] cannot be blamed for wanting to exclude from its ranks a colleague who constantly has damaged the honor and the prestige of the medical profession by his conduct.⁷⁰ In the case of another Jewish

⁶⁷ See "Bericht..." of April 17, 1936, as in n. 6 above. Also, pertaining to the medical faculty of Wuerzburg University, Winheim, Stellvertretender Fachschaftsleiter Medizin, Klinikerschaft Wuerzburg, Pathologisches Institut, Luitpoldkrankenhaus, to Bayerisches Staatsministerium fuer Unterricht und Kultus, Wuerzburg, October 1, 1935, ARW, IV* 1, 31/10 .

⁶⁸ Vierte Verordnung zum Reichsbuergergesetz," July 25, 1938, in Johannes Buettner, ed., *Der Weg zum nationalsozialistischen Reich: Dokumente zur Verwirklichung des Programms der NSDAP*, Berlin, 1943, 1: 150 .

⁶⁹ From the perspective of a former victim, the process is described in detail in Siegfried Ostrowski, "Vom Schicksal juedischer rzte im Dritten Reich: Ein Augenzeugenbericht aus den Jahren 1933–1939," *Bulletin des Leo Baeck Instituts* 6, 1963: 319–51 .

⁷⁰ KVD chapter Waldenburg to KVD Lower Silesia, Waldenburg, September 4, 1935, Unterlagder Kassenaerztlichen Vereinigung Deutschlands und der Reichsaerztekammer, West Berlin (hereafter–UK), PLA/235. For an example from Heilbronn, see facsimile letter of June 12, 1933, in Franke, p. 115 .

physician, Dr. T., a KVD functionary stated early in 1938 that it was the principle of the Vereinigung to make compensation payments due to Jewish physicians after their eviction, only if the association has actually been compelled to do so by court order.⁷¹

Occasionally, German doctors risked a brush with the law in order to disadvantage their Jewish colleagues. In Reichenhall near Munich, a certain German Dr. Z. simply moved into the premises and practice of Jewish Dr. Stern in October 1933 while the latter was recuperating in Merano (Italy) from a stroke. As a regional state official reported to the Bavarian Political Police, Dr. Z. wrote to Dr. Stern that the party had confiscated his residence, in order to circumvent the payment of compensation to Dr. Stern and to prevent him from bringing the matter to the attention of the courts.⁷² In Saxon Crimmitschau during the summer of 1935, the baptized Jew Dr. Boas, a dermatologist and reserve officer, had his windows broken and his professional sign destroyed at the instigation of his "Aryan" colleagues. Although the action was obviously illegal and the courts would have had to back Boas, the SA interceded and took the "prosecution" into its own hands. Boas' dwelling was ransacked and the doctor marched off to "protective custody."⁷³

Denunciations of Jewish physicians at the time of the first "official" boycott of April 1933,⁷⁴ highlight the economic motive of the action. As in

⁷¹ Behrendt to Schulz, Berlin, February 10, 1938, UK, PLA/243. One German-Jewish physician who had moved to Palestine and whose insurance premiums were being withheld by the KVD in 1937 sued the association in a Saxon court and won his case. See correspondence of Dr. W., 1937, UK, PLA/248 .

⁷² Swoboda to Bapopo, Munich, October 13, 1933, Staatsarchiv Muenchen, LRA/30656 .

⁷³ Deutschland-Berichte 2, 1935, pp. 808–09 .

⁷⁴ See Hanke, p. 84 .

earlier centuries of persecution by Germans of their Jewish neighbors, professional rivalry was the mainspring of unauthorized antisemitic acts by German businessmen and business institutions. Among the latter were the Bavarian chambers of commerce which took advantage of the directives of the boycott in order to denounce to the police Jewish businessmen in all spheres of commerce.⁷⁵ In the wake of this boycott the Nuremberg association Merkur, which was dedicated to the training of young commercial personnel, excluded all of its Jewish members arbitrarily and without legal support.⁷⁶ After Hitler, motivated by political and economic reasons, had strictly forbidden "individual actions against Jews" by members of the party in the summer of 1935, and Reich Interior Minister Frick had immediately extended this ordinance to the non-party realm,⁷⁷ the German Savings Bank Association (*Deutscher Sparkassen- und Giroverband*) was caught in error. On September 11, 1935, Reich Economics Minister Hjalmar Schacht sent a letter to the executive of the association, in which he expressed his astonishment at the fact that independent boycott measures against Jews had been taken by individual savings banks, without the authorization of the responsible controlling agencies.' He then urged the bank branches to remove those restrictions, such as the display of posters discouraging Jews from entering the banks' premises.⁷⁸

⁷⁵ See the example from Munich in Hanke, p. 101. For Mannheim, see Flidner, p. 123 .

⁷⁶ Mueller, p. 217 .

⁷⁷ Frick to Landesregierungen, Berlin, August 20, 1935; Frick to Preussische Regierungspraesidenten, Berlin, September 10, 1935, SAS, HO 235, I-VIII, F 23 .

⁷⁸ Reichs- und Preussischer Wirtschaftsminister [Schacht] to Dr. Heintze, Berlin, September 11, 1935, SAS, HO 235, I-VIII, F 23 .

Since National Socialism and the Third Reich were largely a lower-middle-class phenomenon,⁷⁹ it is hardly surprising that the great majority of non-organized, unauthorized and populist actions against the Jews after 1933 originated with "Aryan" businessmen of the petite bourgeoisie. Their aim was to eradicate the Jewish competition once and for all. Whether or not it was official boycott time, "Aryan" businesses ensured the spread of anti-Jewish propaganda and persuaded Gentile customers to refrain from any dealings with their Jewish rivals. The businessmen often employed the SA in these ventures, which seemed the logical thing to do, for there were relatively few SA-men whose interests did not coincide with those of lower-middle-class artisans, shopkeepers or merchants.⁸⁰

Medium-sized businesses took care to advertise the "Aryan" character of their proprietors and to denounce and defile their Jewish competitors. A special target of such businessmen were the large department stores, which the party had - for the time being - not yet "Aryanized."⁸¹ From official contemporary reports, it is obvious that "Aryan" shopkeepers played a key role in all acts of physical violence against Jewish businesses and their

⁷⁹ This view was first authoritatively stated by Seymour Martin Lipset, *Political Man: The Social Bases of Politics*, Garden City, New York, 1960, pp. 134–36 and passim. It is now empirically corroborated in Kater, *The Nazi Party*.

⁸⁰ See text above near references to notes 40, 49–52, and below near reference to note 83. Also see excerpt, "Halbmonatsbericht des Regierungspraesidenten von Ober- und Mittelfranken," July 21, 1934, in Broszat et al., 1977, p. 440; Kulka, p.263; Franke, p 117; *Deutschland-Berichte* 2, 1935: 102, 1034; Milton Mayer, *They Thought They Were Free: The Germans 1933–1945*, Chicago and London, 1955, p. 121; Noakes and Pridham, p. 462; Schleunes, pp. 143–45; Adam, *Judenpolitik*, p. 85.

⁸¹ See Graf Stosch, Stapoleitstelle, to Gestapo, Recklinghausen, November 5, 1934, Staatsarchiv Muenster, Polit. Polizei, 3. Reich/430; Hanke, pp. 102, 150; Fliedner, p. 116; Gau Westfalen Nord, "Stimmungs- und Lagebericht fuer den Monat November 1936," Staatsarchiv Muenster, Gauleitung Westfalen-Nord, Gauschulungsamt/15.

owners.⁸² If rural councils or small-town municipalities were not directly responsible for the posting of anti-Jewish signs, then the local merchants or their party and SA stooges were. Such involvement applied especially in the case of the aforementioned cattle-vendors. Often, of course, the municipal officers of a village or town were themselves trades people, and the conflict of interests, is now quite evident.⁸³ Practical considerations also motivated the anti-Jewish discrimination of tavern keepers, for it was in the local pubs that business deals were often begun and concluded.⁸⁴ And finally, owners of medium-sized businesses did their utmost to profit from "unofficial" Aryanization procedures, in which they could gain possession of formerly Jewish businesses for a token price.⁸⁵

This essay has attempted to demonstrate the capriciousness of anti-Jewish action in the Third Reich prior to 1939, the lack of any real coordination between antisemitic measures originating in the private and public sectors, and the presence of a substantial populist basis for the Judeo-phobia of Germany's most prolific ethnic-cultural minority. By way of a conclusion, one may cite the example of anti-Jewish measures designed to keep German Jews out of public baths, in order to illustrate one again the arbitrariness and,

⁸² Taetigkeitsbericht Gau Sued-Hannover-Braunschweig fuer Mai 1933," Hanover, June 12, 1933, Niedersaechsisches Hauptstaatsarchiv Hanover, Hann. 310 I, B 13; Hanke, p. 80. Sometimes discontented German farmers in the countryside molested Jewish cattle dealers without punishment. See excerpt, "Monatsbericht des Bezirksamtes [Ebermannstadt, Bavaria]," November 30, 1936, in Broszat et al., 1977, p. 97 .

⁸³ See Buergermeister Rettich to Landrat in Hechingen, Haigerloch, May 14, 1937, SAS, HO 235, I–VIII, F 23; Kulka, p. 267; and the examples in Hanke, pp. 399–400, 417–25 .

⁸⁴ Excerpt, "Monatsbericht des Bezirksamtes [Ebermannstadt, Bavaria]," November 30, 1936, in Broszat et al., 1977, p. 98; doc. 936, Aug. 26, 1938, in *Dokumente ueber die Verfolgung* , p. 108; Hanke, p. 137; Franke, p. 120 .

⁸⁵ On the phenomenon as such, see Schleunes, pp. 156–57. See also the specific examples from Nuremberg in Mueller, p. 222–25; from Dortmund in Knipping, pp. 74–76; from Heilbronn in Franke, pp. 118–19. See also Kershaw, "Antisemitismus und Volksmeinung," p. 308 .

at the same time, the curious admixture of elements of popular initiative and state legislation in Third Reich Antisemitism .

Juridically speaking, a blanket prohibition against Jews seeking admission to pool or bathing facilities in the Third Reich did not exist until the *Kristallnacht* legislation at the end of 1938.⁸⁶ Probably because of Gauleiter Streicher's pathologically vituperative Antisemitism in Franconia, the Nuremberg town council served as the vanguard of those municipal administrations that came to ban the use of public swimming pools by Jews at the start of the regime. This happened as early as August 1933, when there was no legal precedent for such action at either the Reich or the state level. From Nuremberg, the practice of closing municipally managed baths to Jews quickly spread to other communities in Upper and Middle Franconia.⁸⁷ Later that month Munich followed suit, but this time a distinction was made between swimming pools on the one hand and shower and tub-bath facilities on the other: Jews could still use the latter.⁸⁸ By August 22, one publicly operated spa in Berlin, the famous Badeanstalt Wannsee, had locked its gates to the Jews,⁸⁹ yet most other bathing spots in the Reich, including apparently all private ones, still had not imposed such restrictions .

⁸⁶ Bernhard Loesener, "Als Rassereferent im Reichsministerium des Innern," *Vierteljahreshefte fuer Zeitgeschichte* 9, 1961: 290. But as early as May 1936 the Reich Interior Ministry had conceded municipalities independent jurisdiction in the matter. See Joseph Walk, ed., *Das Sonderrecht fuer die Juden im NS-Staat: Eine Sammlung der gesetzlichen Massnahmen und Richtlinien – Inhalt und Bedeutung*, Heidelberg and Karlsruhe, 1981 (hereafter–Walk), p. 164. On the other hand, a Reich ordinance decreeing that Jews stay out of public bath (and other public places) was not issued until June 16, 1939. *Ibid.* , pp. 295–96 .

⁸⁷ Mueller, p. 217; excerpt, "Halbmonatsbericht des Regierungspraesidenten von Ober- und Mittelfranken," August 8, 1933, in Broszat et al., 1977, p. 435 .

⁸⁸ Hanke, p. 104 .

⁸⁹ Entry for August 21, in Jochen Klepper, *Unter dem Schatten deiner Fluegel: Aus den Tagebuechern 1932–1942*, ed. Hildegard Klepper, Munich, 1976, p. 100. Joining Berlin at that time were Fulda, Beuthen and Speyer. See Walk, p. 48 .

This situation began to change in the summer of 1934, a period when Jews were generally less molested in the Reich. In July of that year, the municipality of Bad Kissingen, an official spa, closed its town pool to all "non-Aryans" because of the allegedly bad behavior of certain Jews.⁹⁰ The insinuation here was a sexual one, for it was well known in Germany that pools could be used for dating purposes or as trysting places, especially if they were located in a naturally landscaped setting. This ruling, too, was inconsistent with hitherto existing ordinances, for the Nuremberg Race Laws were not enacted until autumn of the following year, and no legal definition of "Jew" as yet existed .

Some two months before this legislation was introduced, Jews were accosted at the Maria Einsiedel open-air pool in Munich as well as at the main pool in Heigenbruecken (north west Bavaria). According to the official report of the Bavarian Political Police, juvenile Gentile bathers had taken exception to the composure of young Jewish males seen in the accompaniment of "Aryan" girls. The German swimmers were then said to have started repetitive chants, demanding the expulsion of the Jews.⁹¹ It is likely that the young chanters were in fact Hitler Youths who had been ordered to commence the heckling; hence the demand for the antisemitic restrictions could have been anything but "spontaneous." On the other hand, there is probably some truth in the same report regarding Jews in Bad Kissingen during this summer season. Ever since the town pool had been closed to them, they were said to have flocked to some of the other baths in the town, and their proprietors were now complaining, for fear of losing regular resort guests and those who visited the spa for medicinal treatment.⁹² If the report can be believed, it is easy to see that in this case the well-worn economic argument against Jews was once

⁹⁰ Walk, p. 85; excerpt, "Lagebericht des Regierungspraesidenten von Unterfranken," August 7, 1934, in Broszat et al., 1977, p. 440 .

⁹¹ Excerpt, "Monatsbericht der Bayerischen Politischen Polizei," August 1, 1935, *ibid.* , p. 450 .

⁹² *Ibid.* , pp. 450–51 .

again being put to use by commercially minded entrepreneurs, without recourse to existing legal precedent or even impending discriminatory laws. Moreover, there were other pools and baths, both public and private, that now chose to inveigh against the Jews, notwithstanding Hitler's orders to members of the Nazi movement to leave the Jews alone,⁹³ and prior to the official race announcements at the Nuremberg Party Rally on September 15, 1935. Again, in the closing of some of these baths, sexual overtones came to the fore. 'In innumerable municipalities,' reported functionaries of the exiled Social Democratic Party in Prague, 'bathing facilities have been barred to Jews, and "race molesters" [*Rassenschaender*-implying sexual promiscuity] have been arrested, beaten, dragged around, and taken to concentration camps.'⁹⁴

Conventional wisdom would now have it that once the Nazis had proclaimed a law, particularly an antisemitic one, the people would have been forced to obey it, contrary to how they truly might have felt. However, the evidence presented here leads one to infer that the Nazis promulgated a law - the Nuremberg Race Law - as a result of certain impressions they may have gained from the prevailing mood of the German public. In the case of the swimming pools, affiliate members of the NSDAP might well have been involved in extensive manipulation in order to create the image of a public consensus on the officially sensitive issue of "Aryans" mixing with Jews in erotically conducive situations. However, since such manipulation cannot be proved conclusively, it is equally possible that many ordinary Germans, notably those beholden to the hard core of convinced Semites, really were offended by the company or sight of Jews. Whether they had been sufficiently conditioned by Nazi propaganda in the summer of 1935 in order to react in this manner is a question that cries out for an answer. Nevertheless, one would be hard-pressed to reply to it in the affirmative if further proof could be

⁹³ See note 77, above .

⁹⁴ Quotation is from *Deutschland-Berichte* 2, 1935: 921 (August 1935). See also *ibid.* , pp. 800–03, 932, 1036, 1042; Hermann Meyerhoff, *Herne 1933–1945: Die Zeit des Nationalsozialismus: Ein kommunalpolitischer Rueckblick* , Herne, 1963, p. 105; doc. 45, August 8, 1935, in *Dokumente ueber die Verfolgung* , p. 61; Knipping, pp. 49–50; Walk, pp. 121–22, 154

adduced that the German people, with no particular record of philo-Semitism behind them, basically did not like the Jewish minority in their midst, before or after 1933, and were fully aware of what they were doing when, in the national elections of July 1932, they voted for the NSDAP, thus making it the largest party in the Reichstag, and when they kept on cheering Hitler after his appointment to the Chancellery in January 1933.

Source: Michael H. Kater, Every day Antisemitism in prewar Nazi Germany- the Popular Bases, *Yad Vashem Studies XVI* (Jerusalem, 1984), pp. 129-159 .