

German Laws Discriminating Against Jews By Walter S. Zapotoczny

The Nazi Party 1932 blueprint for dealing with the Jewish question had forecast legal action against Jews if the National Socialists achieved parliamentary majority. The use of laws to discriminate against Jews began on March 24, 1933, when the German Parliament (Reichstag) passed the Enabling Act giving the new Chancellor, Adolf Hitler, and the Nazi Party dictatorial powers. The Reichstag's action gave the government power to govern and legislate by decree, thereby providing the Nazis a cloak of legality with which to cover their official actions.

The biological premises of Nazi anti-Semitism prescribed a specific approach to anti-Jewish legislation. It would have been reasonable to predict in 1932 that the first anti-Jewish laws of a Nazi regime would be designed to halt the process of biological assimilation. It is not surprising, therefore, that the first concrete proposals for anti-Jewish legislation were aimed at de-assimilating the Jews from German. However, the set of four laws promulgated in April 1933 had little to do with what Nazi ideology proclaimed to be the heart of the Jewish question. Rather than comprising a frontal attack upon the blood aspects of assimilation, they were directed against the Jewish professionals who had been the object of party terrorism. The first two laws, both decreed on April 7, were aimed at the civil servants and legal profession. Two more laws, one affecting Jewish doctors practicing within the National Health Service, the other affecting Jewish teachers and students, went into effect on April 22 and April 25 respectively.

The April Laws were followed on July 14 by a Denaturalization Law, which allowed the Reich government to revoke the citizenship of people it considered undesirable. Three further pieces of legislation affecting the Jews came into effect in 1933. On September 29, a "Hereditary Farm Law" excluded Jews from owning farmland or engaging in agriculture. The remaining pieces of legislation in 1933 dealt a major blow to Germany's Jews. The first law established Chambers of culture within the Propaganda Ministry, to regulate the film, theater, music, fine arts, literature, broadcasting, and the press. The law establishing the Chambers of Culture contained no Aryan clause. None was necessary. Goebbels, Minister of Propaganda, had been granted authority to refuse admission of undesirable to any of the chambers. The second, a more specific law dealing with journalists, was effected on October 4. Its provisions were similar to the ones that established the chambers of culture. None of these laws though, were sufficient in defining the Jew.

During 1934, very few official measures of any public significance were taken against the Jew. Legislative action against the Jews was renewed on a very subdued scale in May 1935 with the announcement of a new Military Service Law. The new law reinforced general conscription. Its effect upon Jews centered on the question of who was eligible for military service. Aryan ancestry was made an absolute prerequisite for entry into the services. Although it reintroduced the Aryan paragraph for the first time since 1933, it still represented no progress in defining the Jew. The courts and Nazi party members were confused and looked to the Reichs Interior Ministry for guidance. The final and most complete attempt to arrive at a definition of the Jew began in September 1935, with the announcement of the spectacular anti-Jewish legislation to date at the Nuremberg Party Rally. The first law, The Law for the Protection of German Blood and German Honor, prohibited marriages and extra-marital intercourse between "Jews " (the name was now officially used in place of "non-Aryans ") and "Germans " and also the employment of "German " females under forty-five in Jewish households. The second law, The Reich Citizenship Law, stripped Jews of their German citizenship and introduced a new distinction between "Reich citizens " and "nationals." The laws created the racial categories of German Jew, half-Jew (Jewish *Mischlinge* first degree), and quarter-Jew (Jewish *Mischlinge* second degree), each with its own regulations. The Nuremberg Laws by their general nature formalized the unofficial and particular measures taken against Jews up to 1935. The Nazi leaders made a point of stressing the consistency of this legislation with the Party program which demanded that Jews should be deprived of their rights as citizens.

The ideological value of the laws enacted against the Jews was of great value. By regulating the mixing of Aryan and Jewish races the laws presumably struck at the biological heart of the Jewish problem. They legitimized the process of expulsions and eventual extermination of the Jews. The Nazi

persecution of the Jews began with the idea of a revolution that would cleanse German of Jews and provide opportunities for Aryans. The laws that were enacted served that end.

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