

## The Nazi Party and its Violence Against the Jews, 1933-1939:

### Violence as a Historiographical Concept<sup>1</sup>

Armin Nolzen

In his masterpiece, *Behemoth*, first published in 1942, Franz Neumann referred to violence as “not just one unimportant phenomenon in the structure of National Socialist society.” Violence, Neumann argued, “is the very basis upon which the [Nazi] society rests.”<sup>2</sup> He regarded violence as a technique of dominating the masses from above, and the ministerial bureaucracy, the armed forces, the industrial and agrarian leadership and the Nazi party all aimed to dominate German society by using violence. Violence served, in Neumann’s own words, to establish totalitarian control over German society. From his point of view, violence throughout the Third Reich was used as a rational instrument of political power. Hence, Neumann supported Max Weber’s fundamental insight that, in each political association, violence is an inevitable element for maintaining power.<sup>3</sup>

Neumann’s assumptions concerning the functions of violence for Nazi Germany have been the basis of all historical research on this regime. Indeed, there can be no doubt that Nazi Germany was violent, even, to a striking degree, when compared to other non-democratic regimes in the twentieth

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<sup>1</sup> This article is based on a lecture given at the Third Annual Workshop “New Perspectives in Holocaust Research,” at Yad Vashem, November 22, 2001. I am deeply indebted to our Berlin discussion circle (Manfred Gailus, Wolf Gruner, Rüdiger Hachtmann, Christoph Jahr, Christian Jansen, Jürgen Matthäus, Kiran Klaus Patel, Sven Reichardt, Alexandra-Eileen Wenck, and Ulrich Wyrwa) for the very inspiring comments on my basic manuscript. I would also like to thank Frank Bajohr, Jacob Borut, Martin Moll, Daniel Mühlenfeld, Jan Erik Schulte, and Michael Wildt for their fruitful remarks on the topic of violence against the Jews.

<sup>2</sup> Franz Neumann, *Behemoth. The Structure and Practice of National Socialism* (2<sup>nd</sup>, revised ed., New York: Harper Torchbooks, 1944), p. 403. Neumann’s analysis of the Nazi regime is interpreted by Jürgen Bast, *Totalitärer Pluralismus. Zu Franz L. Neumanns Analyse der politischen und rechtlichen Struktur der NS-Herrschaft* (Tübingen: J. C. B. Mohr, 1999).

<sup>3</sup> Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. by Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1968).

century.<sup>4</sup> The impact of Nazi violence has been described thoroughly, primarily focusing on the terror and brutality of the Gestapo<sup>5</sup> and the SS.<sup>6</sup> During the Nazi period, these two agencies were at the center of the violence, with their actions directed against their declared enemies--Communists and Social Democrats, the Catholic Church, Homosexuals, so-called Gypsies, and Jews. Most historical studies on this violence have concentrated on the persecution of the Jews and later on the Holocaust.<sup>7</sup> This is not surprising, for the Holocaust marked the pivotal point of all Nazi politics.

As far as the persecution of the Jews between 1933 and 1939 is concerned, little is known about the anti-Jewish violence of the Nazi party, its divisions (*Gliederungen*) and affiliated organizations (*angeschlossene Verbände*).<sup>8</sup> This is somewhat strange because, after the Nazi rise to power on January 30, 1933, violent acts against Jews were mainly perpetrated by members of the Nazi party. There was also a certain continuity to this anti-Jewish violence from the so-called "time of struggle" (*Kampfzeit*) of the Nazi party between 1925 and 1932. During this period the SA terrorized Communists, Social Democrats, and Jews.<sup>9</sup> Regarding the Nazi party's rise to the scope of a mass movement before 1933, its antisemitic propaganda

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<sup>4</sup> The best typology of non-democratic regimes is offered by Juan J. Linz, "Totalitarian and Authoritarian Regimes," in Fred I. Greenstein and Nelson W. Polsby, eds., *Handbook of Political Science*, vol. III: *Macropolitical Theory* (Reading: Addison-Wesley, 1975), pp. 175-411.

<sup>5</sup> The most detailed analysis of the Gestapo is to be found in the two volumes by Klaus-Michael Mallmann and Gerhard Paul, eds., *Die Gestapo. Mythos und Realität*, and *Die Gestapo im Zweiten Weltkrieg. 'Heimatfront' und besetztes Europa* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995-2000).

<sup>6</sup> There is no comprehensive history of the SS. The best topical accounts are the editors' introduction in *Der Dienstkalender Heinrich Himmlers 1941/42*, ed. by Peter Witte, et al. (Hamburg: Christians, 1999), pp. 13-96; Jan Erik Schulte, *Zwangsarbeit und Vernichtung: Das Wirtschaftsimperium der SS. Oswald Pohl und das SS-Wirtschafts-Verwaltungshauptamt 1933-1945* (Paderborn: Schoeningh, 2001).

<sup>7</sup> See the brilliant studies by Raul Hilberg, *The Destruction of the European Jews* (Chicago: Quadrangle Books, 1961); Saul Friedländer, *Nazi Germany and the Jews*, vol. I: *The Years of Persecution 1933-1939* (London: Weidenfeld & Nicolson, 1997), and Peter Longerich, *Politik der Vernichtung. Eine Gesamtdarstellung der nationalsozialistischen Judenverfolgung* (Munich: Piper, 1998).

<sup>8</sup> On the history of the Nazi party, see Dietrich Orlow, *The History of the Nazi Party*, 2 vols. (Newton Abbot: David & Charles, 1969-1973); Johnpeter H. Grill, *The Nazi Movement in Baden 1920-1945* (Chapel Hill: University of North Carolina Press, 1983); Michael H. Kater, *The Nazi Party. A Social Profile of Members and Leaders, 1919-1945* (Cambridge: Cambridge University Press, 1983), and Kurt Pätzold and Manfred Weissbecker, *Geschichte der NSDAP 1920 bis 1945* (Cologne: PapyRossa, 1998).

<sup>9</sup> Sven Reichardt, *Faschistische Kampfbünde. Gewalt und Gemeinschaft im italienischen Squadristismus und in der deutschen SA* (Köln: Böhlau, 2002).

seems to have been far more important than most scholars have assumed until now.<sup>10</sup> Dirk Walter points out that, after World War I, anti-Jewish violence had been a widespread phenomenon in German society.<sup>11</sup> This became even truer of the Third Reich.

This article will analyze the anti-Jewish violence of the Nazi party between 1933 and 1939. It will evaluate both the forms and the functions of violent acts against the Jews as far as the Nazi party, its divisions and affiliates as a political body is concerned. Following the sociologist Heinrich Popitz, I define violence as “every action of power that leads to an intended physical injury of others.”<sup>12</sup> His definition of violence includes three power actions: actions that are physically harmful; actions that cause economic damage; and actions that lead to a decreased social participation.<sup>13</sup> Popitz, unlike Weber, for example, does not restrict violence to an inevitable act for maintaining power within associations. Popitz defines it as an execution of power actions that inflict pain. With this definition, it is possible to analyze violent actions of individuals or social groups that are institutionalized to a minor degree. The Nazi party was actually a political body whose integrational force, as compared to communist parties, was low.<sup>14</sup> The Nazi party only aspired to be a totalitarian organization, but in reality this was never the case.<sup>15</sup>

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<sup>10</sup> Oded Heilbronner, “The Role of Nazi Antisemitism in the Nazi Party’s Activity and Propaganda: A Regional Historiographical Study,” *Leo Baeck Institute Year Book*, vol. XXXV (1990), pp. 397-439; idem, “Where Did Nazi Anti-Semitism Disappear to? Anti-Semitic Propaganda and Ideology of the Nazi Party, 1929-1933. A Historiographic Study,” *Yad Vashem Studies*, vol. XXI (1991), pp. 263-286.

<sup>11</sup> Dirk Walter, *Antisemitische Kriminalität und Gewalt. Judenfeindschaft in der Weimarer Republik* (Bonn: Dietz, 1999).

<sup>12</sup> Heinrich Popitz, *Phänomene der Macht*, 2<sup>nd</sup>, revised ed. (Tübingen: Mohr, 1992), p. 48 (my translation). See Trutz von Trotha, “Zur Soziologie der Gewalt,” in idem, ed., *Soziologie der Gewalt. Sonderheft der Kölner Zeitschrift für Soziologie und Sozialpsychologie* (Köln: Westdeutscher Verlag, 1997), pp. 9-56.

<sup>13</sup> Popitz, *Phänomene*, p. 44.

<sup>14</sup> See the convincing analysis by Klaus Michael Mallmann, *Kommunisten in der Weimarer Republik. Sozialgeschichte einer revolutionären Bewegung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996), pp. 304-394.

<sup>15</sup> I disagree with Andreas Wirsching, *Vom Weltkrieg zum Bürgerkrieg? Politischer Extremismus in Deutschland und Frankreich 1918-1933/39. Berlin und Paris im Vergleich* (Munich: Oldenbourg, 1999), pp. 1-23 and 437-467, who interprets the NSDAP as a total organization by constructing an ideal type of a totalitarian party.

Michael Wildt has made an important contribution to the topic of anti-Jewish violence in Nazi Germany in general.<sup>16</sup> His empirical analysis primarily evaluates anti-Jewish violence in the middle Franconian town of Treuchtlingen, looking for the prerequisites for the disintegration of civil values and legal norms that led to violent actions against the Jews. Wildt is interested in how violent actions against Jews spread and in how bystanders were transformed into perpetrators. He thoroughly describes the different forms of violent actions against the Jews in Treuchtlingen, mainly promoted by local SA and SS activists. As far as his questionnaire is concerned, Wildt remains rather vague; nor does he explore the genesis of violent acts against the Jews or offer explanations of the functions of anti-Jewish violence for the Nazi party. Both aspects are a consequence of Wildt's failure to contextualize anti-Jewish violence within the Nazi party's policies in general. Wildt tends to treat the Nazi party as a monolithic entity that encouraged anti-Jewish violence almost automatically and to neglect the functions of these violent acts within the party itself. It is, however, vital to analyze both forms and functions of the Nazi party's anti-Jewish violence. Otherwise, the functional aspects of violence might be overlooked.<sup>17</sup>

### **The April Boycott and the Party Revolution from Below, 1933-1935**

The first wave of anti-Jewish violence by the Nazi party, its divisions and affiliates, was launched right after the elections of March 5, 1933. This violence was part of a broader impact on German banks, department stores, and chambers of trade and commerce and belonged to the massive "Party revolution from below" with which the Nazi Party began its metamorphosis into the Third Reich.<sup>18</sup> It was promoted by the NS-Hago (Nationalsozialistische

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<sup>16</sup> Michael Wildt, "Violence Against the Jews in Germany 1933-1939," in David Bankier, ed., *Probing the Depths of German Antisemitism: German Society and the Persecution of the Jews, 1933-1941* (Jerusalem: Yad Vashem, 2000), pp. 181-209. Wildt is currently preparing a monographic study on street violence against the Jews in Germany between 1930 and 1939.

<sup>17</sup> The following remarks are based on my Ph.D. dissertation, *Rudolf Hess, Martin Bormann und die Geschichte der NSDAP, 1933-1945*, under the supervision of Prof. Dr. Hans Mommsen (Ruhr-University, Bochum) to be completed this year. For this article, I used all the files of the Nazi party, its divisions and affiliated organizations in the Bundesarchiv Berlin (BA), and regional party sources on the Rhine-Ruhr-Region, Lower Bavaria, Upper Silesia, and Austria.

<sup>18</sup> Martin Broszat, *The Hitler State: The Foundation and Development of the Internal Structure of the Third Reich* (London: Longman House, 1981), pp. 191-240, especially pp. 195-201. For

Handwerks-, Handels- und Gewerbe-Organisation), a radical antisemitic association representing the German middle class. Other participating Nazi party agencies were, of course, the SA, SS, and NSBO (Nationalsozialistische Betriebszellenorganisation), a trade-union-like Nazi association with nearly 300,000 members, mainly white-collar employees and manual workers.<sup>19</sup> Last but not least, the BNSDJ (Bund Nationalsozialistischer Deutscher Juristen), in the early days of the regime, strove violently to exclude Jewish judges and lawyers from jurisprudence and jurisdiction.<sup>20</sup>

The March 1933 anti-Jewish riots started in the Ruhr district and immediately spread all over the Reich. Everywhere the performance was the same: party activists and divisions marched in front of Jewish-owned business and enterprises, distributed handbills with the slogan “Germans, don’t buy at Jewish shops,” and photographed “Aryan” customers.<sup>21</sup> SA activists broke into Jewish lodgings, carried out “house searches,” maltreated Jews and arrested them. There were also killings. In Straubing, Bavaria, on March 15, 1933, a Jewish businessman was shot by unidentified uniformed men. After a decree prohibiting “encroachments against the economy” drafted by the Reich Minister of the Interior a few days later, the Nazi party’s violent action against the Jews almost entirely ceased. But at the end of March 1933, anti-Jewish violence was activated again. This time Hitler himself decided to launch a nationwide boycott against Jewish enterprises, physicians, and lawyers to be

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Broszat’s model of the party revolution from below, see my own article, “Martin Broszat, der ‘Staat Hitlers’ und die NSDAP. Einige Bemerkungen zur ‘funktionalistischen’ Interpretation des ‘Dritten Reiches’,” *Revue d’Allemagne et des Pays de langue allemande*, vol. 32 (2000), pp. 433-450.

<sup>19</sup> The study by Volker Kratzenberg, *Arbeiter auf dem Weg zu Hitler? Die nationalsozialistische Betriebszellen-Organisation. Ihre Entstehung, ihre Programmatik, ihr Scheitern 1927-1934* (Frankfurt am Main: Peter Lang, 1987), pp. 123-142 and 149-167, pays little attention to the NSBO’s anti-Jewish actions.

<sup>20</sup> Ludwig Foerder, “Der erste Pogrom auf ein deutsches Gericht,” Yad Vashem Archives (YVA), O.2/130. See Lothar Gruchmann, *Justiz im Dritten Reich 1933-1940. Anpassung und Unterwerfung in der Ära Gürtner*, 2<sup>nd</sup> ed. (Munich: Oldenbourg, 1990), pp. 124-168, especially pp. 125-127. Michael Sunnus, *Der NS-Rechtswahrerbund (1928-1945). Zur Geschichte der nationalsozialistischen Juristenorganisation* (Frankfurt am Main: Peter Lang, 1990), pp. 55-63, is rather fragmentary.

<sup>21</sup> Documentary evidence is in Hauptstaatsarchiv Düsseldorf, Regierung Düsseldorf, No. 23883. See Uwe Dietrich Adam, *Judenpolitik im Dritten Reich* (Düsseldorf: Droste, 1972), pp. 46-48; Friedländer, *Nazi Germany*, vol. I, pp. 18-19; Longerich, *Politik der Vernichtung*, pp. 26-30.

organized by the Nazi party.<sup>22</sup> This boycott was to begin on Saturday morning, April 1, 1933, and was aimed at stopping the anti-Nazi campaign in the United States. German Jews were to be blamed for the so-called Jewish atrocity propaganda by boycotting their businesses. Therefore, Hitler, other Nazi leaders, and even the conservative ministers held the German Jews as hostages in order to “fight” against this “atrocity propaganda”.

Within the Nazi party, the boycott of Jewish enterprises and professional businesses was prepared by a new “action committee” presided over by the Upper Franconian *Gauleiter* Julius Streicher, a radical antisemite. On the regional and local level, it was organized by other “action committees” led by the NS-Hago’s regional and local branches. They were to mobilize the entire Nazi party, primarily local SA and SS activists, to participate in the boycott. On Friday evening, March 31, 1933, the NSDAP held mass meetings all over the Reich to prepare the propaganda for this boycott. At these meetings the Nazi party’s *Hoheitsträger* – the *Gauleiter*, the district leaders (*Kreisleiter*) and the local leaders (*Ortsgruppenleiter*) –, and the branch leaders of the NS-Hago agitated against Jews and the “Jewish economy” that should be smashed.<sup>23</sup> All Nazi party members living in the *Gaus*, districts, and local branches had to attend to act on these appeals. This was of major importance for the success of the boycott. The boycott was primarily aimed at demonstrating abroad that “German people” were against the Jews but were acting “legally” against them. The party activists were ordered not to be violent.

The boycott began throughout the Reich on the morning of April 1, 1933, at 10 A.M. SA and SS activists blocked the entrances to “Jewish” enterprises, doctors’ practices, and lawyers’ offices.<sup>24</sup> According to a radio

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<sup>22</sup> See the Nazi party’s proclamation, *Völkischer Beobachter*, March 29, 1933; Hitler’s statement at the cabinet meeting, March 29, 1933, *Akten der Reichskanzlei. Die Regierung Hitler 1933-1938*, Part 1: 1933/34, 2 vols., ed. by Karl-Heinz Minuth (Boppard am Rhein: Harald Boldt, 1983), vol. I, pp. 270-274, especially p. 271; Longerich, *Politik der Vernichtung*, p. 35.

<sup>23</sup> See proceedings in the *Gaus* of Lower Franconia and Cologne-Aachen in Herbert Schultheis, *Juden in Mainfranken 1933-1945 unter besonderer Berücksichtigung der Deportation der Würzburger Juden* (Neustadt an der Saale: Selbstverlag, 1980), pp. 43-46; and Ralp J. Jaud, *Der Landkreis Aachen in der NS-Zeit. Politik, Wirtschaft und Gesellschaft in einem katholischen Grenzgebiet 1929-1944* (Frankfurt am Main: Peter Lang, 1997), p. 661.

<sup>24</sup> The most comprehensive study on the April boycott is Kurt Pätzold, *Faschismus, Rassenwahn, Judenverfolgung. Eine Studie zur politischen Strategie und Taktik des*

message by the Prussian Ministry of the Interior, the police authorities did not intervene.<sup>25</sup> In spite of the “action committee’s” order not to act violently against Jews, party activists mistreated Jews, daubed Jewish businesses with antisemitic graffiti, and smashed the windows of Jewish houses and offices. But to a larger extent, the boycott action seems to have followed the orders of Streicher’s action committee. As a result of the Nazi party’s boycott action, many Jewish businesses had to close. At the same time, Hitler decided to interrupt the Nazi party’s boycott against the Jews and to wait for the reaction of the foreign press.<sup>26</sup> On Tuesday, April 4, 1933, he finally ordered all boycott actions to cease. However, the Nazi party was prepared to resume its violence against the Jews if the anti-Nazi campaign from abroad would start up again.

The success of the April 1, 1933 anti-Jewish boycott cannot be determined without taking its goals into account.<sup>27</sup> Hitler and the cabinet members were intent on stopping “Jewish atrocity propaganda” from abroad by using the Jews as hostages. From this point of view, the April boycott was successful, because the anti-Nazi campaign in the United States and other countries immediately ceased. In addition, Hitler strove to restore the Nazi party’s discipline. Even this aim seems to have been temporarily reached.

Besides this, the Nazi party had an additional goal – to mobilize German society to boycott Jews and Jewish business. The party wanted to increase the “popular anger” (*Volkszorn*) against Jews by acting violently and by mobilizing the masses to anti-Jewish action.<sup>28</sup> Violence was to serve as a

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*fascistischen deutschen Imperialismus* (East-Berlin: Deutscher Verlag der Wissenschaften, 1975), pp. 53-76. See also Avraham Barkai, *From Boycott to Annihilation. The Economic Struggle of German Jews, 1933-1943* (Hanover and London: University Press of New England, 1989), pp. 26-35; Friedländer, *Nazi Germany*, vol. I, pp. 17-25, and Longerich, *Politik der Vernichtung*, pp. 34-39.

<sup>25</sup> *Dokumente zur Geschichte der Frankfurter Juden 1933-1945*, ed. by the Kommission zur Erforschung der Geschichte der Frankfurter Juden (Frankfurt am Main: Kramer, 1963), pp. 20-21.

<sup>26</sup> Elke Fröhlich, ed., *Die Tagebücher von Joseph Goebbels. Sämtliche Fragmente*, Part I: *Aufzeichnungen 1924-1941*, 4 vols. (Munich: Saur, 1987), vol. 2, pp. 400-401 (April 1, 1933).

<sup>27</sup> See, for example, Barkai, *Boycott*, pp. 21-23, and Longerich, *Politik der Vernichtung*, pp. 30-33, who see the boycott as a deliberately planned strategy to start anti-Jewish policies by legislation and, therefore, consider it to be successful. Friedländer, *Nazi Germany*, vol. I, p. 23, sees the boycott as an “improvised action” that failed completely. Both assumptions are plausible if one makes a clear distinction between Hitler’s and the Reich cabinet’s goals and those of the Nazi party.

<sup>28</sup> Richard J. Bessel, *Political Violence and the Rise of Nazism. The Storm Troopers in Eastern Germany 1925-1934* (New Haven: Yale University Press, 1984), pp. 75-94; Peter Longerich, *Die braunen Bataillone. Geschichte der SA* (Munich: Beck, 1989), pp. 93-126.

means of propaganda. With this, the party also continued its tactics from the *Kampfzeit*; however, according to various state administration and police reports, these efforts failed.<sup>29</sup>

Following the April 1 boycott, the Nazi party, its divisions and affiliated organizations, soon instigated a new wave of violence against the Jews that has often been neglected by scholars evaluating the anti-Jewish policies of the Third Reich.<sup>30</sup> This violence resulted from the “Coordination” (*Gleichschaltung*) of associations from April/May 1933.<sup>31</sup> It aimed at a total segregation of the Jews from their social environments. Everywhere this *Gleichschaltung* followed the same path: Nazi party activists and non-party members forced the associations' executive boards to retreat, assumed power personally, and introduced the *Führerprinzip* of the NSDAP. Then an “Aryan paragraph” was installed, and all Jews and even “non-Aryans” were expelled. The most notable organizations that had to follow this procedure were the trade unions, the leagues of commerce, and the employers' organizations that were incorporated into Robert Ley's DAF (Deutsche Arbeitsfront).<sup>32</sup> The youth, women's and teachers' associations, the leagues for Germans living abroad, and the sports clubs suffered the same fate.<sup>33</sup> Frequently, executive boards tried to “prevent” their own associations from *Gleichschaltung* by personally introducing the *Führerprinzip* and the “Aryan Paragraph” into them. After 1933, this process was widespread. It expressed the longing of the German

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<sup>29</sup> Ian Kershaw, *Popular Opinion and Political Dissent in the Third Reich: Bavaria 1933-1945* (Oxford: Oxford University Press, 1983), pp. 224-277, especially p. 232.

<sup>30</sup> Only Longerich, *Politik der Vernichtung*, p. 40, refers marginally to that aspect.

<sup>31</sup> In a general way, the history of the Nazi party's “coordination” is treated by Broszat, *The Hitler State*, pp. 133-192, and Norbert Frei, *National Socialist Rule in Germany: The Führer State 1933-1945* (Oxford: Blackwell, 1993), pp. 57-69, both concentrating on the alteration of the political and social system.

<sup>32</sup> Matthias Frese, *Betriebspolitik im 'Dritten Reich'. Deutsche Arbeitsfront, Unternehmer und Staatsbürokratie in der westdeutschen Grossindustrie 1933-1939* (Paderborn: Schoeningh, 1991); Michael Schneider, *Unterm Hakenkreuz. Arbeiter und Arbeiterbewegung 1933 bis 1939* (Bonn: Dietz, 1999).

<sup>33</sup> Hans-Adolf Jacobsen, *Nationalsozialistische Aussenpolitik 1933-1938* (Berlin: Alfred Metzner, 1968); Jill Stephenson, *The Nazi Organisation of Women* (Totowa: Barnes & Noble Books, 1981); Willi Feiten, *Der Nationalsozialistische Lehrerbund. Entwicklung und Organisation. Ein Beitrag zum Aufbau und zur Organisationsstruktur des nationalsozialistischen Herrschaftssystems* (Weinheim: Beltz Verlag, 1981); Hajo Bernett, *Der Weg des Sports in die nationalsozialistische Diktatur. Der Deutsche (Nationalsozialistische) Reichsbund für Leibesübungen* (Schorndorf: Hofmann, 1983), and Matthias von Hellfeld, *Bündische Jugend und Hitlerjugend. Zur Geschichte von Anpassung und Widerstand 1930-1939* (Köln: Verlag Wissenschaft und Politik, 1987).



population for “national unity,” which should be fulfilled by Hitler and the Nazi party.

Regarding the Jews, the consequences of the *Gleichschaltung* of associations by the Nazi party and by “ordinary Germans” seemed to be serious, although further research is needed.<sup>34</sup> By this, many Jews and “non-Aryans” were isolated from their friends and from former circles of acquaintance.<sup>35</sup> It is surprising that most regional accounts on the history of Nazi Germany fail to analyze this topic of isolating the Jews socially by “coordinating” formerly pluralist associations. Neither the Bavaria project by Martin Broszat nor the fruitful account on the Saar region by Gerhard Paul and Klaus-Michael Mallmann have evaluated these acts with which the Nazi party diminished the possibilities of social participation for Jews and even “non-Aryans.”<sup>36</sup> Most local studies treating the history of the Third Reich are silent on this subject, except the masterly book by Lawrence D. Stokes on *Gleichschaltung* in Eutin, and the studies by William Sheridan Allen and Rudy Koshar.<sup>37</sup> This seems to be connected to the latent apologetic tradition inherent to most of these local studies, which often describe Nazism and the Nazi party as phenomena that occupied idyllic villages like Eutin from without. As far as violence against Jews is concerned, this often serves as an exculpation of those “ordinary Germans” living in these villages.

While the Nazi party “coordinated” German society and excluded the Jews from the “coordinated” associations, its anti-Jewish boycott propaganda also continued. In reality, boycotts of Jewish businesses never ceased after

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<sup>34</sup> Little is known about Jews as members of non-Jewish organizations throughout the Weimar Republic. Jacob Borut, “‘Bin Ich doch ein Israelit, ehre Ich auch den Bischof mit.’ Village and Small-Town Jews within the Social Spheres of Western German Communities during the Weimar Period,” in Wolfgang Benz, et al., eds., *Jüdisches Leben in der Weimarer Republik / Jews in the Weimar Republic* (Tübingen: Mohr Siebeck, 1998), pp. 117-133, especially pp. 119-125, offers a useful overview of this topic.

<sup>35</sup> Jürgen Matthäus, “Antisemitic Symbolism in Early Nazi Germany 1933-1935,” *Leo Baeck Institute Year Book*, vol. XLV (2000), pp. 183-203, especially pp. 187, 196.

<sup>36</sup> Martin Broszat, et al., eds., *Bayern in der NS-Zeit*, 6 vols. (Munich: Oldenbourg, 1979-1984); Klaus-Michael Mallmann and Gerhard Paul, *Widerstand und Verweigerung im Saarland, 1935-1945*, 3 vols. (Bonn: Dietz, 1989-1995).

<sup>37</sup> Lawrence D. Stokes, *Kleinstadt und Nationalsozialismus. Ausgewählte Dokumente zur Geschichte von Eutin 1918-1945* (Neumünster: Karl Wachholtz, 1984), pp. 371-509; William Sheridan Allen, *The Nazi Seizure of Power. The Experience of a Single German Town 1930-1935*, 2<sup>nd</sup>, revised ed. (New York: Franklin Watts, 1984), pp. 217-232; Rudy Koshar, *Social Life, Local Politics and Nazism. Marburg 1880-1935* (Chapel Hill: University of North Carolina Press, 1986), pp. 251-263.

April 1, 1933. In 1934, the Nazi party's boycott propaganda was mainly organized by local activists of the NS-Hago.<sup>38</sup> One of the most intense boycotts against Jewish businesses took place on Saturday, March 24, 1934, when the NS-Hago tried to disturb the last-minute shopping expected the day before Palm Sunday.<sup>39</sup> Generally, NS-Hago activists, mostly business owners, trades people, or manufacturers, saw the Jews as competitors and strove to push them out of their business in order to maximize their own profits. They publicly blamed Jewish business owners of selling articles of inferior quality, forced suppliers to boycott Jews, and denounced Jewish business owners for "unfair business policy." NS-Hago members tried to instigate "popular anger" against the Jews to encourage the customers not to buy at Jewish shops any longer.<sup>40</sup> To this end, they even cooperated with the local activists of the SA and the SS, who organized street rallies against Jewish businesses, maltreated and blackmailed Jewish trades people, and daubed enterprises with swastikas. Sometimes SA and SS activists acted violently against the Jews only because they were paid by NS-Hago members or middle-class "Aryan" business owners.

In the spring of 1935, the Nazi party's boycott propaganda against Jewish businesses and its anti-Jewish violence intensified again. This was connected to a campaign against the so-called "reactionaries"--mainly the Catholic Church and the Stahlhelm.<sup>41</sup> At that time, the Nazi party wanted to kill two birds with one stone and to eliminate all "enemies of the State," even the Jews. A detailed report by the Sopade, the organization of the exiled German

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<sup>38</sup> See the documentation in Brandenburgisches Landeshauptarchiv Potsdam, Rep. 2 A, Regierung Potsdam, No. I/916, fols. 13-22 and 115-124, and Niedersächsisches Hauptstaatsarchiv Hannover, 310 I, NSDAP-Gauleitung Süd-Hannover-Braunschweig, No. B 3/1. See also Longerich, *Politik der Vernichtung*, pp. 53-56.

<sup>39</sup> This boycott had explicitly been prohibited by Hitler. See the circular of Deputy *Führer* Hess, March 19, 1934, BA, NS 6 Stellvertreter des Führers/Partei-Kanzlei, No. 216, fol. 43. In some *Gaus*, the party did not follow this directive; see Schultheis, *Juden in Mainfranken*, pp. 95-97.

<sup>40</sup> In the years 1934/35, the department stores and consumer co-operatives were at the core of the NS-Hago's campaigns; see documents in BA, R 2 Reichsfinanzministerium, No. 4863, and BA, NS 22, Reichsorganisationsleiter, No. 673. See Heinrich Uhlig, *Die Warenhäuser im Dritten Reich* (Köln: Westdeutscher Verlag, 1956), and Simone Ladwig-Winters, *Wertheim - ein Warenhausunternehmen und seine Eigentümer. Ein Beispiel der Entwicklung der Berliner Warenhäuser bis zur 'Arisierung'* (Münster: LIT-Verlag, 1997).

<sup>41</sup> BA, Sammlung Schumacher, No. 470, and Staatsarchiv Münster (StAM), Gauinspekteure, No. 6. See Volker R. Berghahn, *Der Stahlhelm. Bund der Frontsoldaten 1918-1935* (Düsseldorf: Droste, 1966), pp. 263-274, and Ulrich von Hehl, *Katholische Kirche und Nationalsozialismus im Erzbistum Köln 1933-1945* (Mainz: Matthias-Grünwald-Verlag, 1977), pp. 92-113.

Social Democrats, for July 1935, reveals much about the party's anti-Jewish violence:

Berlin. 1st report: Anti-Jewish propaganda rallies even outside the Kurfürstendamm were intense. Mainly in Neukölln, Moabit and Pankow many shop-windows were daubed and pasted with bills. At the Hermannplatz, hundreds of people rioted in front of an ice confectionery. The pavements are daubed all over with the inscription "Slave of a Jew" (*Judenknecht*) .... In southern Germany, primarily in Baden, anti-Jewish riots headed by Reich Governor Wagner are in full swing. On the 4th of July the District Leader of Mannheim organized the control of Jewish business. The customers were molested and urged not to buy at Jews .... The Mannheim indoor swimming pool, which had been dubbed "Herschelpool" because of its Jewish sponsor, was Aryanized. As of July 10, to it is forbidden for non-Aryans to use it.<sup>42</sup>

This wave of violence against Jews instigated by the Nazi party was similar to the April boycott in 1933, but there were also some new noteworthy components.<sup>43</sup> Now, in small towns and villages, the presence of Jews was no longer allowed. The Nazi party publicly humiliated Jews, thrashing and spitting at them. Sometimes party activists cut the beards and shaved the heads of orthodox Jews. This violence had nothing to do with the elimination of Jewish business. It aimed at hurting Jews, humiliating them, and expelling them from public places. In the summer of 1935, the Nazi party had considerably expanded its repertoire of anti-Jewish violence.

Concerning the riots against the Jews that summer, the Nazi party's major goal was to push forward anti-Jewish legislation in the economy. This became quite clear when Hjalmar Schacht, Reich Minister of Economics, on

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<sup>42</sup> Klaus Behnken, ed., *Deutschland-Berichte der Sozialdemokratischen Partei Deutschlands (Sopade) 1934-1940*, 7 vols. (Salzhausen: Verlag Petra Nettelbeck, 3<sup>rd</sup> ed., 1980), vol. II (1935), pp. 755-892, especially pp. 800-814, quotation pp. 800-801 (my translation).

<sup>43</sup> The best accounts of the party's summer riots against the Jews are to be found in Friedländer, *Nazi Germany*, vol. I, pp. 113-141, and Longerich, *Politik der Vernichtung*, pp. 70-94.

August 20, 1935, called for a conference to stop the Nazi party's riots.<sup>44</sup> At this conference the representative for the party leadership, Upper Bavarian *Gauleiter* Adolf Wagner, demanded the immediate "solution to the Jewish Question." He proposed to ban Jews from public contracts and to forbid them to found enterprises and businesses. Although Schacht agreed to Wagner's proposals, the Nazi party's violence against the Jews continued. At that time Jews from abroad who were in business in the Third Reich were the Nazi party's main targets. In August/September 1935, the Foreign Ministry sent numerous complaints against party activists to Deputy *Führer* Rudolf Hess demanding an end to the maltreatment of foreign Jews in Germany in order to avoid further disturbances in international relations.<sup>45</sup> To appease the Nazi party activists, Hess encouraged Hitler to act. During his final speech at the Nuremberg party congress on September 15, 1935, Hitler announced the "Nuremberg Laws," which deprived the Jews of their citizenship and aimed at their virtual elimination from social life in Nazi Germany.<sup>46</sup>

### Party Bureaucracy and Violence Against the Jews, 1936-1937

After the party congress of 1935, the Nazi party's anti-Jewish violence concentrated on excluding Jews from economic life. These efforts encompassed the destruction of the so-called "Jewish Economy" and the "Aryanization" of Jewish-owned businesses and enterprises.<sup>47</sup> Both efforts were carried out primarily by Nazi party functionaries. The *Gauleiter* and their

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<sup>44</sup> Record by an official in charge of the Ministry for Foreign Affairs, August 21, 1935, *Akten zur Deutschen Auswärtigen Politik, Serie C: 1933-1937* (Göttingen: Vandenhoeck & Ruprecht, 1975), vol. IV/1, pp. 559-561, and record by Bernhard Lösener of the Reich Ministry of the Interior, August 22, 1935, BA, R 1501 Reichsministerium des Innern, No. 5513, fols. 3-4, as printed in *Akten der Reichskanzlei. Die Regierung Hitler 1933-1938*, Part II: 1934/35, 2 vols., ed. by Friedrich Hartmannsgruber (Munich: Oldenbourg, 1999), vol. II/2, pp. 742-746. Interpretations by Barkai, *Boycott*, pp. 57-63; Friedländer, *Nazi Germany*, vol. I, pp. 139-141; and Longerich, *Politik der Vernichtung*, pp. 97-101.

<sup>45</sup> Auswärtiges Amt, Politisches Archiv Berlin (AA/PA), Inland II A/B, Nos. 321/3, 327/2 and 335/1; see also Orlow, *History*, vol. II, pp. 163-165.

<sup>46</sup> The genesis of the "Nuremberg Laws" is best analyzed by Günther Neliba, *Wilhelm Frick. Der Legalist des Unrechtsstaates. Eine politische Biographie* (Paderborn: Schoeningh, 1992), pp. 198-221, and by Gruchmann, *Justiz*, pp. 864-879.

<sup>47</sup> Frank Bajohr, *'Aryanisation' in Hamburg: The Economic Exclusion of Jews and the Confiscation of their Property in Nazi Germany* (New York: Berghahn, 2002); Angela Verse-Herrmann, *Die 'Arisierungen' in der Land- und Forstwirtschaft 1938-1943* (Stuttgart: Steiner, 1997). For a good local example of "Aryanization" policies, see Monica Kingreen, "Raubzüge einer Stadtverwaltung. Frankfurt am Main und die Aneignung 'jüdischen Besitzes'," *Beiträge zur Geschichte des Nationalsozialismus*, vol. 17 (2001), pp. 17-50.

staffs, particularly the *Gau* economic advisors (*Gauwirtschaftsberater*), generally tried to coordinate the “de-Judaization” (*Entjudung*) of the economy.<sup>48</sup>

The *Gau* economic advisors looked after the distribution of “Aryanization” spoils to the “old fighters” (*Alte Kämpfer*) and to lower party functionaries. They also communicated with the ministerial bureaucracy in order to legalize the Nazi party’s illegal acts of “Aryanization” post facto. Beginning in November 1937, they kept lists for the Reich Economics Ministry detailing which enterprises should be considered “Jewish.” The party’s *Gau* bureaucracy was responsible for “moderating” the radical anti-Jewish violence of the party’s lower echelons, but, in reality, it encouraged this violence in order to put pressure on state authorities to advance anti-Jewish legislation. For example, in the autumn of 1937, the *Gau* economic advisors organized a campaign against Jewish agents, itinerant trade and trade agencies and pressed enterprises to dismiss Jewish agents. In Jewish-owned enterprises, they often planted company spies to control business transactions. The *Gau* economic advisors also aspired to exclude Jews and “non-Aryans” from foreign-exchange operations and control over foreign exchange in general. All in all, they tried to restrain Jewish business activities as far as possible.

Within the Nazi party, the district leaders and their staffs also formed an essential part of the anti-Jewish violence.<sup>49</sup> They coordinated the violence against the Jews within the party bureaucracy, maintained contact with lower Nazi party levels, and implemented the antisemitic orders of the *Gau* staffs. The district leaders encouraged denunciations originating from party functionaries and the population with regard to “relating with Jews.” They were the Nazi party’s main informers for the regional Gestapo and could even

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<sup>48</sup> There is much documentary evidence in StAM, *Gauwirtschaftsberater Westfalen-Süd*. See Gerhard Kratzsch, *Der Gauwirtschaftsapparat der NSDAP: Menschenführung - 'Arisierung' - Wehrwirtschaft im Gau Westfalen-Süd. Eine Studie zur Herrschaftspraxis im totalitären Staat* (Münster: Aschendorffsche Verlagsbuchhandlung, 1989), pp. 112-310.

<sup>49</sup> The district leaders have been evaluated by Claudia Roth, *Parteikreis und Kreisleiter der NSDAP unter besonderer Berücksichtigung Bayerns* (Munich: Beck, 1997), pp. 269-333; Christine Arbogast, *Herrschaftsinstanzen der württembergischen NSDAP. Funktion, Sozialprofil und Lebenswege einer regionalen NS-Elite, 1920-1960* (Munich: Oldenbourg, 1998), pp. 37-73, and Andreas Ruppert / Hansjörg Riechert, *Herrschaft und Akzeptanz. Der Nationalsozialismus in Lippe während der Kriegsjahre. Analyse und Dokumentation* (Opladen: Leske & Budrich, 1998), pp. 17-70.

arrange for the “protective custody.”<sup>50</sup> The district economic advisors (*Kreiswirtschaftsberater*) mainly acted as the executive agencies of the Gau economic advisors, but were the most important informers when it came to Jewish businesses. In the effort to boycott Jewish enterprises and business, the Nazi Women’s Organization district leaders (*Kreisfrauenschaftsleiterinnen*) also played an essential role. “Educating” German women not to buy at Jewish-owned shops or not to “relate with Jews” were two of their main objectives.<sup>51</sup>

The district leaders and their functionaries coordinated the Nazi party’s “popular anger” against Jews. They engineered propaganda campaigns in the press, called divisions and affiliated organizations to party parades and rallies against the Jews, and provided these party groups with detailed timetables of propaganda meetings and violent actions.

In a certain way, these local leaders were the core of the Nazi party’s violence against the Jews. They mobilized the entire Nazi party apparatus at the local level to acts of violence against Jews. All over the Reich more than 20,000 local leaders were active in carrying out the Nazi party’s tasks.<sup>52</sup> All of them were honorary functionaries. They collected information about Jewish businesses, leisure-time activities, and Jewish associations and handed the data over to the district leaders.<sup>53</sup> Many local leaders also were informers for the SD (*Sicherheitsdienst*).<sup>54</sup> They maintained a card index of households in which all the residents in Nazi Germany were registered. The local leaders used it to decide who had to be considered a Jew or even a “non-Aryan.”

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<sup>50</sup> Documents in Staatsarchiv Detmold, L 113, NSDAP in Lippe, Nos. 961 and 962. See Gisela Diewald-Kerkmann, *Politische Denunziationen im NS-Regime oder Die kleine Macht des 'Volksgenossen'* (Bonn: Dietz, 1995); with focus on anti-Jewish violence, John Connelly, “The Uses of Volksgemeinschaft: Letters to the NSDAP-Kreisleitung Eisenach, 1939-1940,” *Journal of Modern History*, vol. 68 (1996), pp. 899-930, especially pp. 923-928.

<sup>51</sup> Arbogast, *Herrschaftsinstanzen*, pp. 85-97 and 145-156.

<sup>52</sup> See the important study by Carl-Wilhelm Reibel, *Das Fundament der Diktatur. Die NSDAP-Ortsgruppen, 1932-1945* (Paderborn: Schoeningh, 2002).

<sup>53</sup> “Monatsbericht der Ortsgruppe Herne-Mitte für den Monat Februar 1936. Abschnitt 5 (Judenfragen),” StAM, NSDAP-Kreis- und Ortsgruppenleitungen, No. 60, and several documents in Wolfgang Wippermann, *Das Leben in Frankfurt zur NS-Zeit*, 4 vols. (Frankfurt am Main: Kramer, 1986), vol. 1, pp. 157-221. See also Arbogast, *Herrschaftsinstanzen*, pp. 74-84, especially pp. 80-81, and Carl-Wilhelm Reibel, “Die NSDAP-Ortsgruppen Dornbusch und Oberrad 1933-1945,” *Archiv für Frankfurts Geschichte und Kunst*, vol. 65 (1999), pp. 53-120, especially pp. 93-101.

<sup>54</sup> On SD informers see Wolfgang Dierker, *Himmlers Glaubenskrieger. Der Sicherheitsdienst der SS und seine Religionspolitik* (Paderborn: Schoeningh, 2002), pp. 246-260.

In 1936/37, the anti-Jewish violence of the local leaders took on two main directions--they forced landlords to break their leases with all Jews and “non-Aryans” regarding lodgings and business premises; and they pushed ahead the illegal identification of Jewish business.<sup>55</sup>[

However, the local leaders did not only oversee violent acts against Jews. They also maintained party discipline and “educated” party comrades to boycott the Jews. The local leaders converted the Nazi party’s violence against Jews into action by cadres. This is demonstrated by the Sopade report for February 1938:

According to the *Gauleiter’s* plan, the local branches were obliged to assign sentries [to boycott Jewish enterprises--A. N.]. The local leaders appealed to the people who had just joined the Nazi party and urged them to demonstrate their new conviction. These new members stood guard in front of Jewish enterprises from 8 A.M. until the evening ... The sentries were changed every three hours and had to act honorably. Some party members ... slipped away with the argument that they would return from work too late. It would be impossible for them to attend to the boycott for three hours. In many cases, their Aryan bosses dismissed them without docking their salaries. In nearly all cases the people were exempt from work when they informed their bosses and said, “We have to attend to the boycott.”<sup>56</sup>

At the local level, cadre politics were also implemented by the cell and block leaders (*Zellen- und Blockleiter*). These were the lowest ranks within the NSDAP and were held honorary positions. More than 55,000 cell leaders and 205,000 block leaders collected data for the card indexes of German households and provided the local leaders with all relevant information. With

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<sup>55</sup> Documentation in AA/PA, Inland II A/B, No. 307/2; and Paul Sauer, ed., *Dokumente über die Verfolgung der jüdischen Bürger in Baden-Württemberg durch das nationalsozialistische Regime 1933-1945*, 2 vols. (Stuttgart: Kohlhammer, 1966), vol. 1, pp. 190-192. See also Beate Meyer, *'Goldfasane' und 'Nazissen'. Die NSDAP im ehemals 'roten' Stadtteil Hamburg-Eimsbüttel* (Hamburg: Selbstverlag, 2002), pp. 73-104, especially pp. 97-104.

<sup>56</sup> *Deutschland-Berichte der Sozialdemokratischen Partei Deutschlands*, vol. V (1938), pp. 135-249, especially pp. 176-206, quotation pp. 204-205 (my translation). The Nazi party membership rolls had been reopened in May 1937; see Orlow, *History*, vol. II, pp. 202-208.

regard to Jews and “non-Aryans,” the block leaders were aware of all their patterns of behavior, because controlling everyday life had become their main objective.<sup>57</sup> These functionaries also played a major part in anti-Jewish violence, supported boycotts, and were eager to profiteer personally from “Aryanizations.” They organized the so-called block and cell speaking evenings, which were also designed to encourage the party members to anti-Jewish actions.<sup>58</sup> Regarding “popular anger,” the cell and block leaders were responsible for mobilizing party members on the local level for so-called punitive expeditions (*Strafexpeditionen*) against Jews and even against “Aryan” people “relating with Jews.”

Between 1936 and 1938, the Nazi party's functionaries made constant efforts to instigate “popular anger” against Jews. They tried to increase the number of party members taking part in anti-Jewish actions, including violent acts. Interestingly, the Nazi party's anti-Jewish policies during these two years were more effective than ever before. This was connected to the intensifying division of labor within the state bureaucracy that developed from 1935/36, as part of the consolidation of the Nazi regime and the economic war preparations forced by Hermann Göring's Four-Year Plan Agency (*Vierjahresplanbehörde*). Some Nazi party institutions like the *Gau* and district economic advisors acted as executive agencies for the Four-Year Plan. The second reason for this intensified division of labor was the increasing party-state consensus on anti-Jewish policies; it was agreed that the Jews should be expelled from Nazi Germany by “legal,” or even illegal, acts of expropriation. State, party and, later on, the police forces stopped at nothing to reach this goal. From 1936/37, there was no longer any difference between harming Jews physically and the “legal” destruction of Jewish businesses.

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<sup>57</sup> See the short accounts of Aryeh L. Unger, *The Totalitarian Party: Party and People in Nazi Germany and Soviet Russia* (Cambridge: Cambridge University Press, 1974), pp. 83-104; Reinhard Mann, *Protest und Kontrolle im Dritten Reich. Nationalsozialistische Herrschaft im Alltag einer rheinischen Grossstadt* (Frankfurt am Main: Campus, 1987), pp. 163-172; Detlef Schmiechen-Ackermann, “Der ‘Blockwart’. Die unteren Parteifunktionäre im nationalsozialistischen Terror- und Überwachungsapparat,” *Vierteljahrshefte für Zeitgeschichte*, vol. 48 (2000), pp. 575-602.

<sup>58</sup> See the example given by Holger Berschel, *Bürokratie und Terror. Das Judenreferat der Gestapo Düsseldorf 1935-1945* (Essen: Klartext, 2001), pp. 243-248.



## The Fateful Year--1938

In 1938, the Nazi party's anti-Jewish violence escalated unprecedentedly. It started with the *Anschluss* of Austria to the Third Reich on March 12, 1938. While the German army was invading Austria, the Austrian Nazi party went into action.<sup>59</sup> It set in motion a unique wave of anti-Jewish violence, which was aimed directly at the Austrian Jews.<sup>60</sup> "Aryanizations," confiscations, arrests, and physical maltreatments of Jews were now the new policy.<sup>61</sup> The terrorist pressure of the Austrian Nazi party, SA and SS activists caused a large number of Jewish suicides. From March to May 1938, 219 Jews killed themselves in Vienna, compared to nineteen in the same period the previous year. Yet the pogrom in Austria seems to have arisen quite spontaneously. It had not been planned by the Austrian Nazi party leaders. However, even this pogrom had an early history that was connected to Austrian antisemitism and violent acts that had been perpetrated against Jews during Austria's authoritarian phase, from 1934 to 1938.

With the *Anschluss* of Austria, the "fateful year" for the Jews in Germany began. The Austrian events formed a prelude to the intensification of anti-Jewish policies in the so-called "Old Reich" (*Altreich*).<sup>62</sup> Götz Aly and Susanne Heim have argued that, in Nazi anti-Jewish politics, a "Viennese model" emerged that was copied in the "Old Reich" and, later, in most of the Nazi-occupied territories. According to Aly and Heim, this model consisted of an intended rationalization of the economy by eliminating virtually all the "unproductive" Jewish businesses. This argument, however, is unconvincing, because efforts to liquidate Jewish business had been at the core of Nazi anti-

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<sup>59</sup> On the history of the Austrian Nazi see Bruce F. Pauley, *Hitler and the Forgotten Nazis: A History of Austrian National Socialism* (Chapel Hill: University of North Carolina Press, 1981).

<sup>60</sup> Herbert Rosenkranz, *Verfolgung und Selbstbehauptung. Die Juden in Österreich 1938-1945* (Vienna: Herald, 1978), pp. 22-47; and Wolf Gruner, *Zwangsarbeit und Verfolgung. Österreichische Juden im NS-Staat 1938-45* (Innsbruck: StudienVerlag, 2000), pp. 23-31.

<sup>61</sup> For Vienna, see *Widerstand und Verfolgung in Wien 1934-1945. Eine Dokumentation. Wissenschaftliche Beratung von Wolfgang Neugebauer*, ed. by Dokumentationsarchiv des Österreichischen Widerstandes, 3 vols. (Vienna: Österreichischer Bundesverlag, 1984), vol. III, pp. 204-206 and 228-229. See also Gerhard Botz, *Wien vom 'Anschluss' zum Krieg. Nationalsozialistische Herrschaftsübernahme und politisch-soziale Umgestaltung am Beispiel der Stadt Wien 1938/1939* (Vienna: Jugend und Volk, 1978), pp. 93-105.

<sup>62</sup> Meanwhile, the Nazi party's violence against the Jews in Austria went on; see the documents in YVA, M.38, Dokumentationsarchiv des Österreichischen Widerstandes, No. 53-55. The most authoritative study on the persecution of the Jews in Vienna is Doron Rabinovici, *Instanzen der Ohnmacht. Wien 1938-1945. Der Weg zum Judenrat* (Frankfurt am Main: Jüdischer Verlag Suhrkamp, 2000).

Jewish policies since 1935.<sup>63</sup> If there was any Viennese model, then it was manifested in the radicalization of the Nazi party's violence against the Jews in the "Old Reich." Peter Longerich has shown that, from June to October 1938, the Nazi party in the "Old Reich" organized an intense wave of violence against Jews that caused an atmosphere of pogrom within the party.<sup>64</sup> On November 9, 1938, this pogrom atmosphere came to a bitter head.

The genesis, proceedings, and consequences of the *Kristallnacht* pogrom organized by the Nazi party on November 9, 1938, have been described by many scholars. By now, there are detailed accounts of the decision-making process within the party elite, the violence following the instigation of *Kristallnacht*, and the consequences for Nazi anti-Jewish policies in general.<sup>65</sup> Much is known about local proceedings and the reactions of the German population.<sup>66</sup> Far less is known about the perpetrators, who were often described as *Alte Kämpfer*, or "party radicals." Dieter Obst has pointed out that most of the perpetrators did indeed belong to the Nazi party, its divisions and affiliations, but most of them joined after 1933!<sup>67</sup> They were neither *Alte Kämpfer* nor "party radicals." They seemed to be individuals who were "educated" within the Nazi party. To a certain degree, these perpetrators were socialized by the Nazi party's violence against Jews. They were accustomed to using violence against Jews or, at least, saw anti Jewish-violence as a legitimate act.

The *Kristallnacht* pogrom was incited by Hitler and by Joseph Goebbels, the Reich Minister of Propaganda, Reich Propaganda Leader of the

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<sup>63</sup> Götz Aly and Susanne Heim, *Vordenker der Vernichtung. Auschwitz und die deutschen Pläne für eine neue europäische Ordnung* (Frankfurt am Main: Fischer, 1993), pp. 33-49. See the criticism by Friedländer, *Nazi Germany*, vol. I, pp. 247-248.

<sup>64</sup> Longerich, *Politik der Vernichtung*, pp. 172-185 and 190-195.

<sup>65</sup> See, for example, Hermann Graml, *Reichskristallnacht. Antisemitismus und Judenverfolgung im Dritten Reich* (Munich: dtv, 1988); Kurt Pätzold and Irene Runge, *Pogromnacht 1938* (East-Berlin: Pahl-Rugenstein, 1988); and Dieter Obst, *Reichskristallnacht'. Ursachen und Verlauf des antisemitischen Pogroms vom November 1938* (Frankfurt am Main: Peter Lang, 1991).

<sup>66</sup> Anselm Faust, *Die 'Kristallnacht' im Rheinland. Dokumente zum Judenpogrom im November 1938* (Düsseldorf: Schwann, 1988); Wolf-Arno Kropat, *'Reichskristallnacht'. Der Judenpogrom vom 07. bis 10. November 1938: Urheber, Täter, Hintergründe. Mit ausgewählten Dokumenten* (Wiesbaden: Kommission für die Geschichte der Juden in Hessen, 1997); Andreas Heusler and Tobias Weger, *'Kristallnacht'. Gewalt gegen die Münchner Juden im November 1938* (Munich: Buchendorfer Verlag, 1998).

<sup>67</sup> Obst, *'Reichskristallnacht'*, pp. 349-355. Obst's analysis of the perpetrators' motives is somewhat apologetic because he denies antisemitism as a driving force.

Nazi Party and *Gauleiter* for Berlin.<sup>68</sup> Hitler and Goebbels exploited the extraordinary situation caused by the attempted assassination of the German diplomat Ernst vom Rath in Paris, on November 7, 1938, by seventeen-year-old Herschel Grynszpan. The next day the Nazi press organ *Völkischer Beobachter* published a threatening editorial against the Jews in which Grynszpan's attempted assassination was condemned. Following this, Nazi party activists in Kassel and Dessau organized violent riots against Jews and Jewish business owners. The traditional November 9 party celebration was to be held all over the Reich the next day. A few hours before the official dinner in Munich was about to begin, Goebbels got the news of the party riots, and, a bit later, he heard about vom Rath's death. Goebbels went to the dinner, informed Hitler about the ongoing party riots and the German diplomat's death, and the *Führer* decided to act. Following is the pertinent excerpt from the Goebbels' diaries:

I report the matter to the *Führer*. He decides: demonstrations [referring to Kassel and Dessau--A. N.] should be allowed to continue. The police should be withdrawn. For once the Jews should get the feel of popular anger. That is right. I immediately give the necessary instructions to the police and the party. Then I briefly speak in that vein to the party leadership. Stormy applause. All are instantly at the phones. Now the people will act. A few slackers break down. But I raise all. We mustn't let this cowardly murder go unanswered. Let things take their course. The Stormtroop Hitler starts to put Munich in order. This happens immediately. A synagogue is smashed up. I try to save it before it burns down. In vain.<sup>69</sup>

From this we learn that, after talking to Hitler, Goebbels immediately

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<sup>68</sup> Barkai, *Boycott*, pp. 132-139; Friedländer, *Nazi Germany*, vol. I, pp. 269-279; Longerich, *Politik der Vernichtung*, pp. 198-207.

<sup>69</sup> Elke Fröhlich, ed., *Die Tagebücher von Joseph Goebbels. Part I: Aufzeichnungen 1923-1941*, 9 vols. (Munich: Saur, 1998-2002), vol. 6, pp. 179-181 (November 10, 1938), especially p. 180 (the first part has been translated by Friedländer, *Nazi Germany*, vol. I, pp. 272, the second part is my translation). See also Stefan Kley, "Hitler and the Pogrom of November 9-10, 1938," *Yad Vashem Studies*, vol. XXVIII (2000), pp. 87-112.

“gave orders” to the Nazi party in Berlin and, afterward, he spoke to the party’s Reich and *Gau* leaders who were attending the meeting.<sup>70</sup> In his speech Goebbels did not call for a pogrom directly, but obviously mentioned the Kassel and Dessau riots and talked of retribution. The *Gauleiters* knew what they had to do and informed their staffs to organize “popular anger” against the Jews immediately. It was of major importance that that evening the Nazi party all over the Reich was holding the “traditional” November 9 meetings. Party activists were celebrating together and, thus, the whole Nazi party could be mobilized by one telephone call. Indeed, after the *Gauleiters* had called from Munich all over the Reich, the “popular anger” against the Jews started. As a result, the whole party apparatus was involved in this barbaric act of anti-Jewish violence.

Between November 9 and 11, 1938, a new group of perpetrators of anti-Jewish violence emerged--male youths organized in the HJ (Hitlerjugend).<sup>71</sup> From 1933, violence had been an important principle of socialization within the male HJ.<sup>72</sup> HJ activists had also committed violent acts, primarily against practicing Catholics and Catholic and Protestant youth organizations.<sup>73</sup> In Danzig, the HJ violence was directed against Poles.<sup>74</sup> From 1935, HJ activists also joined in the Nazi party’s violence against Jews and were integrated systematically into organized anti-Jewish rallies. In addition, HJ activists organized their own violence against Jewish youths and property; for example, vandalizing Jewish graveyards and synagogues, or destroying the windows of Jewish enterprises and houses. Legally, these violent acts were considered juvenile delinquency and were judged in juvenile courts.

<sup>70</sup> See Martin Moll, “Steuerungsinstrument im ‘Ämterchaos’? Die Tagungen der Reichs- und Gauleiter der NSDAP,” *Vierteljahrshefte für Zeitgeschichte*, vol. 49 (2001), pp. 215-273.

<sup>71</sup> Arno Klönne, *Jugend im Dritten Reich. Die Hitler-Jugend und ihre Gegner* (Düsseldorf: Eugen Diederichs Verlag, 1982); Michael Buddrus, *Zur Geschichte der Hitler-Jugend (1922-1939)*, 2 vols., Ph.D. dissertation, Rostock, 1989; Peter Pahmeyer and Lutz van Spankeren, *Die Hitlerjugend in Lippe (1933-1939). Totalitäre Erziehung zwischen Anspruch und Wirklichkeit* (Bielefeld: Aisthesis, 1998), and the important biography by Torsten Schaar, *Artur Axmann - Vom Hitlerjungen zum Reichsjugendführer der NSDAP. Eine nationalsozialistische Karriere*, 2 vols. (Rostock: Universitätsdruckerei, 1998).

<sup>72</sup> See my own study, “Der Streifendienst der Hitlerjugend und die ‘Überwachung der Jugend’, 1934-1945,” *Beiträge zur Geschichte des Nationalsozialismus*, vol. 16 (2000), pp. 13-51.

<sup>73</sup> Michael Burleigh, *The Third Reich. A New History* (Basingstoke and Oxford: Pan Books, 2001), pp. 237-238 and 261-263.

<sup>74</sup> See Christoph Pallaske, *Die Hitlerjugend der Freien Stadt Danzig 1926-1939* (Münster: Waxmann, 1999), pp. 166-178.

From 1936/37, however, the HJ had certain possibilities to influence the rulings of the juvenile courts.<sup>75</sup> Further research has to be done into whether this influence resulted in the exception of HJ activists from juvenile law as far as anti-Jewish violence was concerned.

On November 9 and 10, 1938, in most of Germany's towns, and even villages, HJ activists contributed to locking synagogues, looting Jewish enterprises, harassing and blackmailing Jews.<sup>76</sup> Unlike in the SA, this violence within the HJ primarily was set into motion by the equivalents of majors (*Bannführer*), lieutenants and second lieutenants (*Stammführer* and *Gefolgschaftsführer*), and, to a lesser degree, by sergeants (*Scharführer*). The violence of HJ activists was normally instigated from above and was planned more centrally than in the SA.

The importance of the chain of command within the HJ with regard to acts of violence can be seen from the incidents that transpired in Munich on November 9. Major General for the HJ in Bavaria, Emil Klein, had convened a meeting there of HJ leaders from all over Bavaria. Soon after he heard about vom Rath's death, he called for a "punitive expedition" by HJ activists. Klein immediately arranged a "special force," consisting of some of the available HJ activists, burgled more than twenty Jewish-owned homes, robbed the owners of their money, and forced them to hand the houses over to the HJ. The next day these illegal confiscations were notarized by one of Klein's friends, who granted the HJ a thirty-year right of residence.

A couple of weeks later, however, the Nazi party courts began legal proceedings against Klein and other HJ activists.<sup>77</sup> Nevertheless, the final conclusion of these party courts was that, while Klein and the others from the HJ indeed had committed a crime, they had been led by "decent motives." The

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<sup>75</sup> Jörg Wolff, *Jugendliche vor Gericht im Dritten Reich. Nationalsozialistische Jugendstrafrechtspolitik und Justizalltag* (Munich: Beck, 1992).

<sup>76</sup> Michael Buddrus, "Wir fahren zum Juden Geld holen!'. Hitlerjugend, Antisemitismus, Reichskristallnacht," *Jahrbuch des Archivs der deutschen Jugendbewegung*, vol. 18 (1999), pp. 13-156.

<sup>77</sup> Karl Heinz Jahnke and Michael Buddrus, eds., *Deutsche Jugend 1933-1945. Eine Dokumentation* (Hamburg: VSA-Verlag, 1989), pp. 148-153; Donald M. McKale, *The Nazi Party Courts. Hitler's Management of Conflict in his Movement, 1921-1945* (Lawrence: University Press of Kansas, 1974); and idem, "Der öffentliche Dienst und die Parteigerichtbarkeit der NSDAP," in Dieter Rebenitsch and Karl Teppe, eds., *Verwaltung contra Menschenführung im Staat Hitlers. Studien zum politisch-administrativen System* (Göttingen: Vandenhoeck & Ruprecht, 1986), pp. 237-254.

case was therefore dismissed and not passed over to the juvenile courts. In the next few weeks, all other “legal rulings” on Nazi party activists’ *Kristallnacht* crimes received similar treatment.<sup>78</sup>

Regarding the German and Austrian Jews, the consequences of the *Kristallnacht* pogrom were devastating: more than 680 Jews were killed or committed suicide; nearly 30,000 were interned in concentration camps. Nearly 200 synagogues were set on fire or devastated; and more than 7,500 Jewish-owned enterprises were destroyed.<sup>79</sup> This had all happened within hours. Even though, this pogrom had not been planned long in advance, this was not necessary, because, since 1933/34, the Nazi party had gained considerable experience in organizing anti-Jewish violence. All the party needed was a free hand to instigate a pogrom against the Jews. On November 9, 1938, this was guaranteed by Goebbels and Hitler themselves. After that, the entire Nazi party participated in one way or another in the *Kristallnacht* pogrom. For the first time since April 1933, therefore, it proved to be an organization that could be activated at the touch of a button. By a single instruction party activists knew what they had to do. In this respect the pogrom was not an uncontrolled outbreak of violence. It was an improvised but well-thought-out action serving two main goals: to hurt Jews physically; and to destroy their property. At that time both aims were seen even by party activists as a precondition to force Jews to emigrate.

Immediately after the pogrom, the ministerial bureaucracy and the Gestapo intensified their policies of enforcing Jewish emigration.<sup>80</sup> Simultaneously, these institutions pressed forward with radical legal initiatives that had less to do with Jewish emigration, but aimed at a total separation between Jews and the “Aryan” population. It was the Nazi party’s “success” to have caused this radicalization in anti-Jewish policies.

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<sup>78</sup> Donald M. McKale, “A Case of Nazi ‘Justice’. The Punishment of Members Involved in the *Kristallnacht*,” *Jewish Social Studies*, vol. 35 (1973), pp. 228-238; Gruchmann, *Justiz*, pp. 484-496; Berschel, *Bürokratie*, pp. 337-350.

<sup>79</sup> Barkai, *Boycott*, p. 133-134; Friedländer, *Nazi Germany*, vol. I, p. 276; and Longerich, *Politik der Vernichtung*, p. 204.

<sup>80</sup> Herbert A. Strauss, “Jewish Emigration from Germany: Nazi Politics and Jewish Response,” *Leo Baeck Institute Yearbook*, vol. XXV (1980), pp. 313-361, and vol. XXVI (1981), pp. 343-409.

Antisemitism formed a necessary precondition for any violent acts against the Jews until 1938/39, and, in the years to come, for the Holocaust all over Europe. Without it, there would not have been anti-Jewish violence. This antisemitism was not as specific as scholars normally assume. In German society and Austria, antisemitism was latent and widespread among the general population and later influenced the perpetrators of the Holocaust. Future research has to pay more careful attention to the spread of this latent antisemitism and to examine antisemitic mentality.<sup>81</sup> A history of antisemitic mentality in Germany and Austria in the nineteenth and twentieth centuries is desperately needed.<sup>82</sup>

### **Forms and Functions of the Nazi Party's Anti-Jewish Violence, 1933-1939**

The anti-Jewish violence of the Nazi party after 1933 was directed to four different types of actions: the direct physical maltreatment of Jews and “non-Aryans”; the damage of Jewish property; the boycott of Jewish enterprises; and the appropriation of Jewish possessions. Formally, these violent acts were liable to legal punishment until the end of the Nazi regime. However, from 1935/36, the Nazi party succeeded in the courts to represent the violence against the Jews as the “official duties” of its members. As a result, violent acts against Jews were excepted from the rule of the law.<sup>83</sup> Proceedings against any acts of anti-Jewish violence committed by members of the Nazi party, its divisions, or affiliated organizations were either stopped or not followed up by the criminal courts. From 1935/36, the courts got involved in cases of anti-Jewish violence only when party members raped Jewish women.

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<sup>81</sup> The history of mentalities evaluates collective attitudes toward living conditions, institutions and power relations, conscious and unconscious views of life, and patterns of collective behavior as phenomena of long duration. See Volker Sellin, “Mentalität und Mentalitätsgeschichte,” *Historische Zeitschrift*, vol. 241 (1985), pp. 554-598. Regarding anti-Jewish violence, see Werner Bergmann, et al., eds., *Exclusionary Violence: Antisemitic Violence in Modern German History* (Ann Arbor: University of Michigan, 2002).

<sup>82</sup> See Reinhard Rürup’s pathbreaking study, “Der Fortschritt und seine Grenzen. Die Revolution von 1848 und die europäischen Juden,” in Dieter Dowe, et al., eds., *Europa 1848. Revolution und Reform* (Bonn: Dietz, 1998), pp. 985-1005.

<sup>83</sup> On the exception of the party from regular law, see Ernst Fraenkel, *The Dual State: A Contribution to the Theory of Dictatorship* (New York: Oxford University Press, 1941), pp. 34-37; and Gruchmann, *Justiz*, pp. 433-534. In some cases, the Gestapo tried to punish party activists who rioted against Jews; see Berschel, *Bürokratie*, pp. 234-248.

In that case, the perpetrators were not accused of rape, but of “race defilement” (*Rassenschande*).<sup>84</sup>

The four types of Nazi party anti-Jewish violence had four functions. First, Jews and “non-Aryans” should be physically hurt. Deliberate injury marked the central point of the Nazi party’s violence against the Jews. By this deliberate use of violence, the party not only wanted to isolate the Jews from German society, but also to break down their personalities. The perpetrators were aware of this aim, and, therefore, this is a strong counter-argument to the functionalists, who seem, erroneously, to emphasize the lack of purpose of the Nazi party’s anti-Jewish violence.<sup>85</sup> Violent acts against Jews were meant to cause them physical injury.

Mostly, this violence by party members was instigated as “popular anger” but was planned deliberately. Relating to the victims, it always assumed concrete forms. In this respect, the Nazi party’s violence against Jews was rational, according to Weber’s definition. It did not arise from a system-determined radicalization, or from irrational dynamics. It seems misleading to interpret the Third Reich, as the functionalists tend to do, as a power system in which rational political planning did not exist.<sup>86</sup> During the Third Reich, the deliberate implementation of ideological goals was a constant phenomenon. The Nazi party’s violence against the Jews served both

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<sup>84</sup> The courts’ rulings on cases of “race defilement” are analyzed by Hans Robinsohn, *Justiz als politische Verfolgung. Die Rechtssprechung in ‘Rassenschandefällen’ beim Landgericht Hamburg 1936-1943* (Stuttgart: Deutsche Verlagsanstalt, 1977). The forthcoming Ph.D. dissertation by Alexandra Pzyrembel will deal with the history of this stereotype in Germany between 1900 and 1945.

<sup>85</sup> Hans Mommsen, “Der nationalsozialistische Polizeistaat und die Judenverfolgung vor 1938,” *Vierteljahrshefte für Zeitgeschichte*, vol. 10 (1962), pp. 68-87, especially p. 69; idem and Dieter Obst, “Die Reaktion der deutschen Bevölkerung auf die Verfolgung der Juden 1933-1943,” in Hans Mommsen and Susanne Willems, ed., *Herrschaftsalltag im Dritten Reich. Studien und Texte* (Düsseldorf: Schwann, 1988), pp. 374-485, especially p. 381; and idem, “The Realization of the Unthinkable: The ‘Final Solution’ of the ‘Jewish Question’ in the Third Reich,” in Gerhard Hirschfeld, ed., *The Policies of Genocide. Jews and Soviet Prisoners of War in Nazi Germany* (London: Allen & Unwin, 1986), pp. 93-144, especially p. 116.

<sup>86</sup> For this approach see Martin Broszat, “Soziale Motivation und Führer-Bindung des Nationalsozialismus,” *Vierteljahrshefte für Zeitgeschichte*, vol. 18 (1970), pp. 392-409, especially p. 405; Hans Mommsen, “Cumulative Radicalisation and Progressive Self-destruction as Structural Determinants of the Nazi Dictatorship,” in Ian Kershaw and Moshe Lewin, eds., *Stalinism and Nazism: Dictatorships in Comparison* (Cambridge: Cambridge University Press, 1997), pp. 75-87, especially pp. 81-82; Ian Kershaw, *Hitler. 1889-1936: Hubris*, and idem, *Hitler: 1936-1945: Nemesis* (London: Allen Lane and The Penguin Press, 1998-2000).



purposes--the realization of ideological goals and the creation of a mass basis for anti-Jewish policies in general.

**Phenomenology of the Nazi Party's Violence Against the Jews (1933-1939)<sup>87</sup>**

<p><b>Type of Contents</b></p> <p><b>Violent Action</b></p>	
<p><b>Physical Mistreatment</b></p>	<p>Murder, manslaughter, assassination attempts, rape and sexual assault</p> <p>Organizing pogroms and “popular anger,” public humiliation (cutting beards and shaving heads), thrashing and spitting</p>
<p><b>Damage to Jewish Property</b></p>	<p>Vandalizing synagogues and Jewish graveyards, burning enterprises and houses, throwing things into windows, painting swastikas and antisemitic graffiti, killing Jewish-</p>

<sup>87</sup> Based on various state and police authorities' reports in: Peter Brommer, ed., *Die Partei hört mit*, vol. 1: *Lageberichte und andere Meldungen des Sicherheitsdienstes der SS aus dem Grossraum Koblenz 1937-1941* (Koblenz: Verlag der Landesarchivverwaltung Rheinland-Pfalz, 1988); Thomas Klein, ed., *Die Lageberichte der Geheimen Staatspolizei über die Provinz Hessen-Nassau 1933-1936*, 2 vols. (Köln: Böhlau, 1986); Joachim Kuroпка, ed., *Meldungen aus Münster 1924-1944. Geheime und vertrauliche Berichte von Polizei, Gestapo, NSDAP und ihren Gliederungen, staatlicher Verwaltung, Gerichtsbarkeit und Wehrmacht über die gesellschaftliche Situation in Münster* (Münster: Verlag Regensberg, 1992); Klaus Mlynek, ed., *Gestapo Hannover meldet ... Polizei- und Regierungsberichte für das mittlere und südliche Niedersachsen zwischen 1933 und 1937* (Hildesheim: Verlag August Lax, 1986); Robert Thévoz, Hans Branig and Cécile Lowenthal-Hensel, eds., *Pommern 1934/35 im Spiegel von Gestapo-Lageberichten und Sachakten*, 2 vols. (Köln: Grote'sche Verlagsbuchhandlung, 1974); Wolfgang Ribbe, ed., *Die Lageberichte der Geheimen Staatspolizei über die Provinz Brandenburg und die Reichshauptstadt Berlin 1933 bis 1936*, vol. 1: *Der Regierungsbezirk Potsdam* (Köln: Böhlau, 1998); Gerd Steinwascher, ed., *Gestapo Osnabrück meldet ... Polizei- und Regierungsberichte aus dem Regierungsbezirk Osnabrück aus den Jahren 1933 bis 1936* (Osnabrück: Privately published, 1995), and the *Deutschland-Berichte der Sozialdemokratischen Partei Deutschlands*.

	owned cattle
<b>Boycott of Jewish Businesses and “de-Judaization”</b>	Boycotting and labeling Jewish enterprises; excluding Jews from “coordinated” associations, spying and denouncing, “de-leasing” of Jewish enterprises, printing and publishing antisemitic propaganda
<b>Seizure of Jewish Possessions</b>	Forcing “Aryanization” of Jewish businesses, confiscations and robberies, thefts and embezzlements, looting Jewish-owned enterprises

Propaganda was the second function of the anti-Jewish violence. “Popular anger” was feigned by the party as an integral part of the propagandistic mobilization of German society. The aim of the violence was to increase the consent to violent actions against Jews and to encourage larger parts of the German population to participate in such acts.<sup>88</sup> As Ian Kershaw has shown, the overall effects of these appeals on the German population remained insignificant.<sup>89</sup> Participation in violence against Jews was usually demonstratively declined. This, however, had an unintended consequence. It seems to have strengthened the German population’s consensus with the “legal” discrimination against the Jews enforced by the ministerial bureaucracy and by the state administration on the regional and local level.<sup>90</sup>

In his studies on “public opinion” during the Third Reich, Otto Dov Kulka has pointed out this consensus.<sup>91</sup> My hypothesis, which requires further

<sup>88</sup> Frei, *The Führer State*, pp. 128-136, especially p. 129, calls Nazi antisemitism in general “an instrument of ideological mobilization and negative integration.”

<sup>89</sup> Ian Kershaw, “Antisemitismus und Volksmeinung. Reaktionen auf die Judenverfolgung,” *Bayern in der NS-Zeit*, vol. II, pp. 281-348; idem, “The Persecution of the Jews and German Popular Opinion in the Third Reich,” *Leo Baeck Institute Year Book*, vol. XXVI (1981), pp. 261-289; and idem, “German Popular Opinion and the ‘Jewish Question’, 1939-1943: Some Further Reflections,” in Arnold Paucker, ed., *Die Juden im nationalsozialistischen Deutschland / The Jews in Nazi Germany 1933-45* (Tübingen: Mohr Siebeck, 1986), pp. 365-385.

<sup>90</sup> On this phenomenon in general, see Robert K. Merton, “The Unanticipated Consequences of Purposive Social Action,” *American Sociological Review*, vol. 1 (1936), pp. 894-904; and idem, *Social Theory and Social Structure* (New York: Free Press, 2<sup>nd</sup>, revised ed., 1968).

<sup>91</sup> Otto Dov Kulka and Aron Rodrigue, “The German Population and the Jews in the Third Reich: Recent Publications and Trends in Research on German Society and the ‘Jewish Question’,” *Yad Vashem Studies*, vol. XVI (1984), pp. 421-435; Otto Dov Kulka, “‘Public Opinion’ in Nazi Germany and the ‘Jewish Question’,” *Jerusalem Quarterly*, vol. 25 (1982), pp. 121-144; and idem, “Die Nürnberger Rassengesetze und die deutsche Bevölkerung im Lichte

examination, is: The more intense the Nazi party's anti-Jewish violence became, the higher was the degree of acceptance of "legal" anti-Jewish measures within the German population. It might be possible to establish a connection between this assumption and Kershaw's and Kulka's complementary hypotheses concerning "public opinion" in Nazi Germany.

The third function of the Nazi party's anti-Jewish violence was generally to pressure the ministerial bureaucracy and state administration. In this context it should be borne in mind that, from 1933, the decision-making process in Nazi politics was mainly determined by the state authorities and not by the party. The party leadership believed the state administration should put the antisemitic goals of the Nazi party program into practice. The simulation of "popular anger" against Jews primarily served to adjust the "will" of the "people" to government authorities.

The Nazi party had a specific "logic": the more intense the "popular anger" against the Jews, the sooner the bureaucracy would have to act. However, this does not mean that anti-Jewish policies in general were arranged between party and state authorities. The state administration tried to integrate the party into the "legal" actions against Jews. Deputy *Führer* Hess's staff tried to limit the party's violence against Jews and to push forward anti-Jewish legislation.<sup>92</sup> From 1935/36, these initiatives led to a division of labor in anti-Jewish policies, particularly between party and state administration.

The anti-Jewish policies of the state administration and the Nazi party, however, followed two identical goals: separating "Aryans" and "non-Aryans" and excluding the latter from all possibilities of social and economic participation. Without the pressure of the party and its permanent violence against the Jews, the realization of these two goals would certainly have been slower. The pressure exerted by the Nazi party obliged the state administration to coordinate anti-Jewish policies.

As Wolf Gruner has shown, the cooperation among the state authorities regarding anti-Jewish policies became more intense particularly after the

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geheimer NS-Lage- und Stimmungsberichte," *Vierteljahrshefte für Zeitgeschichte*, vol. 32 (1984), pp. 582-624.

<sup>92</sup> Peter Longerich, *Hitlers Stellvertreter. Führung der Partei und Kontrolle des Staatsapparates durch den Stab Hess und die Partei-Kanzlei Bormann* (Munich: Saur, 1992), pp. 210-225.

“Nuremberg Laws.”<sup>93</sup> This applied both to the government level and to municipal agencies, whose different anti-Jewish actions now were coordinated by the German Council of Municipalities (Deutscher Gemeindetag). This development was not only a consequence of party functionaries holding state offices at the municipal level. The municipal and local authorities also felt compelled by “popular anger” and enforced anti-Jewish politics in their own fields. Further research can shed light upon the complex decision-making process between party and state, which not only determined anti-Jewish policies but was characteristic of Nazi Germany in general.

The fourth function of the anti-Jewish violence was to transform party members into a “sworn community.”<sup>94</sup> By exercising collective violence, inactive or “indifferent” party members would be integrated into the party apparatus. During the Weimar period, this had been a well-calculated effect of the street fights against Communists and Social Democrats staged by the SA.<sup>95</sup> After 1933, this function of violence was taken over by the party as a whole, because, in the course of the *Gleichschaltung*, the unity of the party apparatus was totally destroyed.<sup>96</sup> Within a few weeks the Nazi party, including its divisions and affiliated organizations, grew into a political body of almost 30 million members. It was extremely difficult to keep this mass organization together. The anti-Jewish violence, especially the organization of “popular anger,” gave the party leadership the opportunity to coordinate the activities of the local cadres even better than before.

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<sup>93</sup> Wolf Gruner, “Die NS-Judenverfolgung und die Kommunen. Zur wechselseitigen Dynamisierung von zentraler und lokaler Politik 1933-1941,” *Vierteljahrshefte für Zeitgeschichte*, vol. 48 (2000), pp. 75-126; idem, *Öffentliche Wohlfahrt und Judenverfolgung. Wechselwirkungen lokaler und zentraler Politik im NS-Staat (1933-1942)* (Munich: Oldenbourg 2002).

<sup>94</sup> David Bankier, *The Germans and the Final Solution: Public Opinion under Nazism* (Oxford: Blackwell, 1992), p. 155.

<sup>95</sup> Sven Reichardt, “Formen faschistischer Gewalt. Faschistische Kampfbünde in Italien und Deutschland nach dem Ersten Weltkrieg. Eine typologische Deutung ihrer Gewaltpropaganda während der Bewegungsphase des Faschismus,” *Sociologus. Zeitschrift für empirische Ethnosoziologie und Ethnopsychologie*, vol. 51 (2001), pp. 55-88, especially pp. 79-81.

<sup>96</sup> Jeremy Noakes, “The Nazi Party and the Third Reich: The Myth and Reality of the One-Party State,” in idem, ed., *Government, Party and People in Nazi Germany*, 2<sup>nd</sup> ed. (Exeter: Wheaton & Co., 1981), pp. 11-33, especially pp. 11-13; Hans Mommsen, “Die NSDAP als faschistische Partei,” in Richard Saage, ed., *Das Scheitern diktatorischer Legitimationsmuster und die Zukunftsfähigkeit der Demokratie. Festschrift für Walter Euchner* (Berlin: Duncker & Humblot, 1995), pp. 257-271, especially pp. 269-270.

Nearly 95 percent of the Nazi party members, its divisions and affiliations, joined only after 1933. According to the party leadership, these new members had to be “taught” how to “behave” against “non-Aryans.” This could be achieved by permanent antisemitic indoctrination.<sup>97</sup> Another possibility was to simulate “popular anger” and to engage these members in acts of anti-Jewish violence through party discipline. Both methods of antisemitic “education” were practiced constantly.

In this respect, Nazi party anti-Jewish violence was nearly congruent with the intention of mobilizing party activists and members.<sup>98</sup> Within the party apparatus, the simulation of “popular anger” was very important for activating local cadres. Concerning the “Jewish Question,” the mobilization efforts failed, at least until 1935/36, because the social and material interests represented in the NSDAP were too heterogeneous. Party leaders complained constantly about functionaries, activists, and members “relating with Jews,” or not participating in violent actions against Jews.<sup>99</sup> However, these complaints should not be interpreted as a complete failure of the party’s inner anti-Jewish policy.

Regarding “relating with Jews” within the party, the medium-term developments of this form of “crime” or divergent behavior are informative. “Relating with Jews” within the Nazi party seems to have decreased drastically between 1935/36 and 1938/39. In the same period, party membership nearly doubled. Taking these two different developments into account, efforts to prevent party members from “relating with Jews” were successful. In addition, the increase of the Nazi party’s anti-Jewish violence in 1937 and 1938, also points to a certain success of the party leadership in bringing party activists and members into line with regard to the “Jewish Question.”

## Conclusions

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<sup>97</sup> Antisemitic indoctrination in the Third Reich is generally *terra incognita*. See Jürgen Matthäus, “Ausbildungsziel Judenmord? Zum Stellenwert ‘weltanschaulicher Schulung’ im SS- und Polizeiapparat,” *Zeitschrift für Geschichtswissenschaft*, vol. 47 (1999), pp. 677-699; idem, “Warum wird über das Judentum geschult? Die ideologische Vorbereitung der deutschen Polizei auf den Holocaust,” in Mallmann and Paul, eds., *‘Heimatfront’*, pp. 100-124.

<sup>98</sup> Hans Mommsen, *Auschwitz, 17. Juli 1942. Der Weg zur europäischen “Endlösung der Judenfrage“*, Munich 2002, pp. 28-40.

<sup>99</sup> See my article, “Parteigerichtsbarkeit und Parteiausschlüsse in der NSDAP, 1921-1945,” *Zeitschrift für Geschichtswissenschaft*, vol. 48 (2000), pp. 965-989, especially pp. 977-979.

The following are some tentative comments on the social profile of the perpetrators and their motives. Both – profiles and motives – defy simplistic answers and require explanation. Between 1933 and 1939, the whole apparatus of the Nazi party and its affiliated organizations was involved in anti-Jewish violence. The party's violent acts were set into motion mostly by activists and members living next door to the victims. It is very important to note that these perpetrators in the Nazi party held only honorary offices. The great extent of the party's anti-Jewish violence that was organized by honorary functionaries or average party members living in the same social environment as the victims suggests that the opportunity to profit personally played a major role in the motivation for these perpetrators to engage in violence against Jews and Jewish property. Regarding the Nazi party, economic profiteering at the expense of the Jewish population became a mass phenomenon from 1935.

In his recent studies, Frank Bajohr has shown that “ordinary Germans” competed heavily in the take-over of Jewish property for their personal enrichment, particularly in “Aryanizing” Jewish enterprises and other possessions. This competition encompassed all of German society, and it was Nazi party activists who played the most active role.<sup>100</sup>

Beyond this, the above discussion of the Nazi party's anti-Jewish violence suggests that there was no definite social profile of the perpetrators. Violence against the Jews was not a marginal phenomenon of some “Nazi party radicals” whose social composition can be analyzed by traditional methods of empirical research. It was a mass phenomenon mainly put into practice by the party functionaries and members. After 1933, anti-Jewish violence increased drastically. This increase was a consequence of certain developments within the Nazi party and, therefore, resulted directly from the party's internal structure. Here I have tried to develop an argument by Michael H. Kater, put

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<sup>100</sup> Frank Bajohr, “Verfolgung aus gesellschaftsgeschichtlicher Perspektive. Die wirtschaftliche Existenzvernichtung der Juden und die deutsche Gesellschaft,” *Geschichte und Gesellschaft*, vol. 26 (2000), pp. 629-652; idem, “‘Arisierung’ als gesellschaftlicher Prozess. Verhalten, Strategien und Handlungsspielräume jüdischer Eigentümer und ‘arischer’ Erwerber,” in Irmtrud Wojak and Peter Hayes, eds., *‘Arisierung’ im Nationalsozialismus. Volksgemeinschaft, Raub und Gedächtnis, Fritz Bauer Institute Year Book* (Frankfurt am Main: Campus, 2000), pp. 15-30; and Frank Bajohr, *Parvenüs und Profiteure. Korruption in der NS-Zeit* (Frankfurt am Main: Fischer, 2000), pp. 99-136.

forward in an article evaluating the popular bases of everyday antisemitism in pre-war Nazi Germany. Analyzing the violence of the SA, he concluded, “in the early summer of 1933 every tenth male adult German was inimically disposed toward Jews.”<sup>101</sup> My argument goes further and takes into account the Nazi party as a whole. It is my opinion that the party as a whole was inimically disposed toward Jews. Since we are speaking about a mass movement that included all social groups and all conceivable material interests, we should not make too sharp a distinction between “German society” and the “Nazi party.”

Surely, many of the Nazi party’s organizations were coercive. Still, the different social actions of its activists and members concerning the Jews have to be evaluated. In analyzing the emergence of patterns of action, whether the members of these organizations joined willingly or unwillingly is of limited relevance. Compulsory integration in the party, its divisions and affiliated organizations, cannot always be interpreted as non-conformity, and voluntary engagement in these organizations was not always equivalent to blind support. Individual and collective behavior, even in dictatorial regimes or authoritarian and hierarchical apparatuses like the Nazi party, tends to follow political norms and cultural values set by the ruling administrative bodies or religious authorities. From a sociological perspective, conformity to norms cannot be absolutely equated with a declared belief in the values underlying these norms. The degree of conformity to norms arises from individual social contexts.<sup>102</sup> Even if people were forced to join the Nazi party or its organizations, this did not automatically mean that they would not make use of the various opportunities this membership offered them. One of these opportunities was enrichment from Jewish property.

German society after 1933 represented a *Volksgemeinschaft* organized by the Nazi party. Like this *Volksgemeinschaft*, “popular anger” against the Jews was feigned by the party. This concurs with Hannah Arendt’s observation that the Nazi party’s character was generally a simulating one,

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<sup>101</sup> Michael H. Kater, “Everyday Anti-Semitism in Prewar Nazi Germany: The Popular Bases,” *Yad Vashem Studies*, XVI (1984), pp. 138-168, especially pp. 151-152.

<sup>102</sup> Rainer Maria Lepsius, “Plädoyer für eine Sozialisierung der beiden deutschen Diktaturen,” in Christian Jansen, et al., eds., *Von der Aufgabe der Freiheit. Politische Verantwortung und bürgerliche Gesellschaft im 19. und 20. Jahrhundert. Festschrift für Hans Mommsen zum 5. November 1995* (Berlin: Akademie-Verlag, 1995), pp. 609-615, especially p. 614.

pretending to represent the whole German society.<sup>103</sup> Paradoxically (and with destructive consequences for the victims, of course), the simulation of “popular anger” against Jews after 1933 became a self-fulfilling prophecy. The more intense anti-Jewish violence became, the more perpetrators were ready to take part in these acts. The more the Nazi party’s membership grew, the more (potential) perpetrators were available.

It seems strange that a growing number of perpetrators was recruited out of the average population, even though mass mobilization against the Jews obviously did not occur publicly. The recruitment of perpetrators apparently did not take place in public, but as a distribution fight within the Nazi party itself. Regarding the “Jewish Question,” “ordinary Germans” did not act violently against the Jews in public, but used the party’s institutional framework to promote their own interests.

Finally, we might ask where analyzing the anti-Jewish violence of the Nazi party during the Third Reich might lead. In my opinion, it could generally lead us to a renewal of historical research on Nazi Germany’s anti-Jewish policies. Regarding this violence, it is possible to question once again the social origins and the popular basis of all anti-Jewish policies. This is vital in order to understand the genesis of the Holocaust between 1941 and 1945. On the eve of World War II, German society had become accustomed to violence against Jews, with a significant part being perpetrated collectively. We need to know more about the forms, functions, and effects of this socialization.<sup>104</sup> In addition, research is needed into elements of continuity concerning anti-Jewish violence from 1933 to 1945. To what extent were the perpetrators of the Holocaust socialized by anti-Jewish violence in the years after 1933? And what were the destructive influences of violence on German society throughout Imperial Germany and the Weimar Republic?

With a detailed analysis of acts of anti-Jewish violence, it is possible to connect the perspective of the perpetrators with the perspective of the victims.

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<sup>103</sup> Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt Brace, 1951), pp. 341-388, especially pp. 371-372.

<sup>104</sup> See Thomas Kühne, “Der nationalsozialistische Vernichtungskrieg im kulturellen Kontinuum des Zwanzigsten Jahrhunderts. Forschungsprobleme und Forschungstendenzen der Gesellschaftsgeschichte des Zweiten Weltkrieges. Zweiter Teil,” *Archiv für Sozialgeschichte*, vol. 40 (2000), pp. 440-486. Kühne demands a long-term perspective concerning historical research on the Nazi extermination policies and the Holocaust.



The connecting link is the category of pain. The perpetrator causes pain; the victim suffers. Causing pain belongs to the perpetrators' experience of violence; imagining and suffering the pain is the victims' lot. The imagination of pain causes fear. Without considering fear and the experience of suffered pain, it is almost impossible to understand the German Jews' behavior from 1933 onward.

In the last decade, historical research on the persecution of the Jews until 1941 has concentrated too much on the perpetrators of violent acts and their motives. The debate about the perpetrators' motives seems to have reached a dead end, and a certain change of perspective is needed. Scholars should analyze more the different acts of violence against German Jews and look for their immediate consequences as far as the victims were concerned.<sup>105</sup> Historical research should emphasize the individual responsibility of perpetrators, profiteers, and bystanders. Beyond this, it is necessary to remind the future generations of the enormous suffering German and, later, European Jews had to face under Nazi rule. Both aspects have to be connected analytically. I agree with Saul Friedländer, who concludes: "Establishing a historical account of the Holocaust in which the policies of the perpetrators, the attitudes of surrounding society, and the world of the victims could be addressed within an integrated framework remains a major challenge."<sup>106</sup> It is our task to accept this challenge.

**Source: *Yad Vashem Studies*, XXXI, Jerusalem 2003, 245-286.**

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<sup>105</sup> See the brilliant studies by Marion Kaplan, *Between Dignity and Despair: Jewish Life in Nazi Germany* (Oxford: Oxford University Press, 1998), and Mark Roseman, *A Past in Hiding. Memory and Survival in Nazi Germany* (New York: Metropolitan Books, 2001).

<sup>106</sup> Friedländer, *Nazi Germany*, vol. I, p. 1.

Updated: Mar 30, 2020. Original: Nov 9, 2009. Nazi Party. Author: History.com Editors. Contents. Nazi Party Origins. Beer Hall Putsch Sends Hitler to Prison. Hitler and the Nazis Come to Power: 1933. Nazi Foreign Policy: 1933-39. Nazis Fight to Dominate Europe: 1939-45. The Holocaust. Denazification. The National Socialist German Workers' Party, or Nazi Party, grew into a mass movement and ruled Germany through totalitarian means from 1933 to 1945 under the leadership of Adolf Hitler (1889-1945). Founded in 1919 as the German Workers' Party, the group promoted German pride and anti-Semitism, a Sporadic anti-Jewish violence flares up across Germany. 20/03/1933 - Nazis build first concentration camp at Dachau. Dachau, the first of Germany's concentration camps, is established near Munich. As an alternative way of dealing with the Jews, the Nazis set about eliminating them from state employment and public life. 07/04/1933 - Jews and dissenters purged from Civil Service. The Law for the Restoration of the Professional Civil Service serves as a pretext for purging the civil service of political opponents and Jews. President Paul von Hindenburg, who led Germany during World War One, nevertheless insists on an exemption for Jews who fought in the trenches, were wounded or lost sons for the fatherland.