

Exclusion as a Stage in Persecution The Jewish Situation in Germany, 1933-1941

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In the history of National Socialist persecution of the Jews, the years 1933 to 1941 constitute the stage of economic and social exclusion and deprivation of individual and political rights.¹ This period can be looked at in terms of three aspects: the first – the time between the ascension of the Nazis to power and the beginning of WW II is characterized as a period of mental preparation and shaping of German (non-Jewish) society to accept Jewish persecution. The second – Boycott Day on 1 April 1933 and the “Reichskristallnacht” on November 9, 1938 mark the period in which the emancipation of the German Jews was dismantled and rescinded by means of an extended battery of measures whose later juridical high point was the placing of all Jews still living in Germany under police law. With this act, formally instituted by the 13th Ordinance of the Reich Citizenship Law, there were, after 1 July 1943, no legal institutions to which the Jews could appeal for redress. By this juncture, they were thus not only excluded from society but totally bereft of all rights. The third aspect – following the deprivation of rights and annulment of emancipation – is the exclusion from economic and social life through “Aryanization” and robbery of Jewish property.

The years of exclusion and the deprivation of rights were characterized by verbal and brutal physical excesses of anti-Jewish violence and psychological terror. However, down to the November pogroms, that terror was sometimes interpreted even by those who were its targets as the extreme acts of individual fanatics. Given much good will, they believed it did not necessarily have to be viewed as official

1. Comprehensive presentations: Wolfgang Benz (ed.), *Die Juden in Deutschland 1933-1945*, Munich, 1993³; Saul Friedländer, *Nazi Germany and the Jews*, vol. 1: *The Years of Persecution, 1933-1939*, New York, 1998.

violence sanctioned or even ordered from above by the government or the party.

This period of exclusion of the Jews (1933-1938) is simultaneously the same span of time, which historians of foreign and social policy euphemistically dub as the "good years" of National Socialism. On the other hand, following Raul Hilberg's scheme of a formative phase with the stages of "definition – expropriation – concentration – annihilation,"² it is also described, though in an overly highly deterministic manner, as the ineluctable path to genocide. It is not necessary here to address the question of how purposive and goal-oriented Nazi Jewish policy was, and whether it aimed from the outset at the physical destruction of the Jews. The present paper focuses on the living conditions of the Jews in Germany as a frame for interaction with non-Jews, with special attention given to individual reactions and the participation of non-Jewish Germans in the exclusion of the Jews, the destruction of their bases for existence and the possibilities and limits of solidarity and assistance.³

The years 1933-1941 are most usefully defined as a phase of latency that preceded the physical destruction, the Holocaust. First, this period is characterized by the massive barrage of antisemitic propaganda of the NSDAP and second, by repeated violence, initially against individual Jews by individual perpetrators and then as a concerted pogrom, ordered by the authorities, in November 1938. Third, juridical and bureaucratic procedures form the framework of exclusion by means of a spate of laws, decrees and ordinances. Fourth, this created the psychological and social climate which enabled the majoritarian society to accept the deportation and destruction of the Jews.

After all, the fact that in principle it was still possible for Jews down to 1941 to leave Germany and thus escape from the ever more tightening noose of persecution had an important direct and indirect effect on their situation. Yet it should not be forgotten that for

2. Raul Hilberg, *The Destruction of the European Jews*, New York, 1985, vol. I, pp. 53ff.

3. See Otto Dov Kulka (ed.), *Deutsches Judentum unter dem Nationalsozialismus*, vol. 1: *Dokumente zur Geschichte der Reichsvertretung der deutschen Juden 1933-1939*, Tübingen, 1997.

emotional, bureaucratic, foreign policy and other reasons, for many in actual practice the scope of this possibility was extremely restricted.⁴

The exclusion of the Jews was a successive process, the product of the interplay between government measures and social reactions. Thus, the Law for the Restoration of the Professional Civil Service promulgated in the spring of 1933 did not only have the effect of clamping an immediate ban on employment for certain categories of civil servants. With the "Aryan paragraph," voluntarily adopted and practiced by various associations and federations, Jews were largely excluded from social life without a specific decree by the state. In all spheres of life, the "Aryan paragraph" served as a basis and tool for excluding Jews. Thus, from September 1933, Jews were no longer admitted as members in the German Automobile Club. From January 1934, the voluntary fire brigades in Prussia were no longer allowed to have any Jewish fire fighters. In February 1934, Jews were excluded from the Wehrmacht. The exclusions generally meant a ban on Jews to practice in that profession, i.e. *Berufsverbot*. Already in September 1933, the General Synode of the Prussian Union of the Protestant Church had ruled that "non-Aryans" could not be appointed as pastors and officials in the church administration. That restriction also held for the husbands of "non-Aryan women." "Aryan" officials who married a person of "non-Aryan descent" were also to be dismissed from church service. In October 1933, the Law on Editors removed Jewish journalists from editorial boards; a decree by the Prussian interior minister banned Jewish gentlemen riders and jockeys; in March 1935, a ban on performing in public left Jewish actors unemployed.

From March 1936, there was no longer any social welfare for Jewish families with large numbers of children. In October 1936, Jewish teachers were prohibited from giving private lessons to non-Jews. Generally, those affected by this were stripped of the last source of income they still had after their exclusion from civil service. After April 1937, universities were forbidden to grant candidates of Jewish extraction a doctoral degree. In September 1937, the licensing was revoked of all Jewish physicians to practice in the *Krankenkasse*, the state medical insurance scheme. The Fourth Ordinance of the Reich

4 See Wolfgang Benz (ed.), *Das Exil der kleinen Leute. Alltagserfahrung deutscher Juden in der Emigration*, Munich, 1991.

Citizenship Law of 25 July 1938 rescinded the licenses of all still practicing Jewish doctors. Shortly later, the remaining Jewish practicing attorneys and other professional groups suffered the same fate.⁵

Likewise, due to the violent methods it employed, the boycott on 1 April 1933 was a failure for the NSDAP, since many in the population visibly abhorred this mode of exclusion utilizing SA sentries as guards before shops and raucous Nazis rioting in the streets. By contrast, the Nuremberg Laws in the autumn of 1935 were accepted by the majority, because the deprivation of Jewish citizens of their rights was effected by means of publicly acceptable forms (decision in the Reichstag, a formal law properly prepared and proclaimed).

In September 1935, the "Reich Party Convention of Freedom" issued the Nuremberg Laws, a battery of legislation which degraded the German Jews into second-class citizens. The Reich Citizenship Law now distinguished between "Aryan" full-fledged citizens with political rights and "non-Aryan" so-called members of the state ("*Staatsangehörige*") without any political rights. The Law on the Protection of German Blood and Honor banned marriages between Jews and non-Jews, introducing draconian penalties for sexual relations between "persons of German blood" and Jews in accordance with the newly introduced felony of *Rassenschande* ("race defilement"). The Nuremberg Laws abrogated the Jewish Emancipation, paving the way to the physical destruction of the Jewish minority. Of course, the murderous implications were still not readily recognizable, even by those affected. They were now treated exclusively in accordance with racial categories – quite apart from whether they viewed themselves as

5 Joseph Walk (ed.), *Das Sonderrecht für die Juden im NS-Staat. Eine Sammlung der gesetzlichen Massnahmen und Richtlinien - Inhalt und Bedeutung*, Heidelberg, 1981; Bruno Blau, *Das Ausnahmerecht für die Juden in Deutschland 1933-1945*, Düsseldorf, 1954². See also Avraham Barkai, *From Boycott to Annihilation: The Economic Struggle of the German Jews 1933-1943*, trans. W. Templer, Hanover/N.H., 1989, esp. pp 121-124; originally published as *Vom Boykott zur "Entjudung". Der wirtschaftliche Existenzkampf der Juden im Dritten Reich 1933-1943*, Frankfurt am Main, 1987; Jonny Moser, "Depriving Jews of Their Legal Rights," in: Walter H. Pehle (ed.), *November 1938. From 'Kristallnacht' to Genocide*, trans. W. Templer, New York, 1991, pp. 123-138, here esp. 125 f.; originally published as *Der Judenpogrom 1938. Von der "Reichskristallnacht" zum Völkermord*, Frankfurt am Main, 1988.

Jews, formally belonged to a Jewish community or even knew anything about their Jewish descent. The everyday existence of the minority was determined by a set of complicated definitions of who was a Jew in the sense of the new laws, who was classified as a *Mischling* first degree or second degree, who was declared a *Geltungsjude*,⁶ who was branded as someone –with Jewish relatives, who was protected from persecution (not from discrimination) by living in a “privileged mixed marriage.” By means of “proof of ancestry,” most were able to avoid the nasty consequences of the “Aryan paragraph.”⁷

Signs at the entrance to towns and prominent public squares proclaiming derisive, threatening anti-Jewish messages were now part of everyday life. Near Berlin, a sign advised: “Jew of all nations, unite! But not in Birkenwerder.” Notices turning away Jews with the words “*Juden unerwünscht*” were pasted at the entrance of restaurants and shops across the country. At the entrance to the town of Buckow in Brandenburg there was a sign stating “The air in Buckow is unhealthy for Jews.” Yet such openly demonstrative contempt did not necessarily have to be interpreted by the Jews it targeted as an expression of the will of the majority, especially since this propaganda was scaled down in 1936 due to the Berlin Olympics, a respite which awakened false hopes.⁸

Beginning in 1938, the Jews were pushed from professions and social positions with a new tempo and intensity. The legal measures ran parallel with antisemitic propaganda and their consequences were often not properly recognized by the majority. In November 1938, the National Socialist leadership found a welcome occasion for synchronizing propaganda and legal measures, engaging in massive public violence against the Jewish minority. The pogrom on 9 November

6 Namely “half-Jews or quarter-Jews” married to Jews or themselves members of the Jewish faith; for more on the Nuremberg laws, see Michael A. Meyer (ed.), *German-Jewish History in Modern Times*, vol. 4: *Renewal and Destruction: 1918-1945*, New York, 1998, pp. 210 ff.

7 Andreas Rethmeier, “*Nürnberger Rassegesetze*” und *Entrechtung der Juden im Zivilrecht*, Frankfurt am Main, 1995; Lothar Gruchmann, “‘Blutschutzgesetz’ und Justiz. Entstehung und Anwendung des Nürnberger Gesetzes vom 15. September 1935,” *Vierteljahrshefte für Zeitgeschichte*, 31 (1983), pp. 418-442.

8 By no means was all antisemitic propaganda stopped, see Reinhard Rürup (ed.), *1936. Die Olympischen Spiele und der Nationalsozialismus*, Berlin, 1996, p. 138; Meyer, *Renewal and Destruction*, p. 214.

1938, declared a "spontaneous uprising of the German people" in response to the assassination attempt by the 17-year-old Herschel Grynszpan on an official of the German embassy in Paris, became the turning point in National Socialist policy, ushering in definitive persecution.⁹

There is evidence that many Germans in November 1938 felt shame, that they were alarmed at what they considered a relapse into barbarism. The public humiliation, maltreatment and robbing of a minority long since stripped of its rights was certainly not applauded by the majority. Some moved beyond their sense of shame and also became involved in action ranging from active solidarity with the persecuted minority to resistance against the regime. Three examples of civil courage, decency and protest against the authorities can serve to illustrate the possibilities and consequences.

SA men had also appeared in the new synagogue at Oranienburger Strasse 30 in central Berlin, setting fire to the foyer. The synagogue, dedicated in 1866, with room for 3,000 worshippers and a magnificent interior, was one of the most splendid Jewish places of worship in Germany. The ornate facade and golden cupola visible from a distance were also an external demonstration of the building's importance and claim to eminence. The arsonists were indifferent to that, but they were prevented from causing further damage by the superintendent of the local police precinct station at no. 16 am Hackeschen Markt, Wilhelm Krützelfeld, who rushed to the scene. He appeared in the synagogue accompanied by several other police officers brandishing a document that showed the building was a protected monument. He chased the SA men from the spot and called the fire department, which actually came and put out the blaze. On 11 November, superintendent Krützelfeld was summoned by the police chief and asked to explain his behavior, but was not punished. At his own request, by then long since an opponent of the regime, he was retired in 1942.¹⁰

⁹ Pehle, *November 1938*; Hermann Graml, *Reichskristallnacht. Antisemitismus und Judenverfolgung im Dritten Reich*, Munich, 1998³; "Novemberpogrom 1938. Reaktionen und Wirkungen," *Zeitschrift für Geschichtswissenschaft* (special November-pogrom issue) 46 (1998), pp. 963-1045.

¹⁰ Heinz Knobloch, *Der beherzte Reviervorsteher. Ungewöhnliche Zivilcourage am Hackeschen Markt*, Berlin, 1990.

The director of the district court in the Bavarian town of Landshut, Dr. Ignaz Tischler, was hardly what could be termed a man of the opposition. A judge with conservative views, he was 62 at the time of the pogrom. From 1918 to 1933, Tischler had been a member of the DNVP (German National People's Party) and had joined the NSDAP in 1935 in a bid to help further his career. But Dr. Tischler had retained his sense of justice, putting it to the test on the morning of 10 November 1938, when a court employee began to boast how, together with a band of other SA men, he had trashed the apartment of a Jewish merchant the preceding night. The district court director expressly condemned the act, declaring that if he had to pass judgment on it, he would recognize a claim for damages and possibly hand down a jail sentence. The evening of the following day, Tischler was attacked in a speech by the NSDAP district head, a story that was in all the local papers on 12 November. That afternoon, the judge was dragged by a group of some 50 young people, led by a Nazi functionary, through the town, derided as a "lackey of the Jews" and "bastard," abused and kicked. The raucous crowd forced him to hold up a poster declaring: "Tischler is a traitor of the people, he belongs in Dachau."

Decisive in this case is that aside from public derision, nothing else untoward happened to Tischler. In the subsequent administrative proceedings on the affair, his superior, the superintendent of the Landshut district court, managed very adroitly to counter and disprove the official version of purported "spontaneous popular anger" which led to the pogrom by pointing to the actual steering of events by the NSDAP. In the event Tischler survived all hurdles, from the threatened law suit to a party disciplinary procedure, unscathed. His request to be retired was no longer necessary, and was disregarded. During de-Nazification proceedings in 1947, his rehabilitation ran into certain difficulties, but these were likewise cleared up on appeal in 1948.¹¹

Julius von Jan, a pastor in Oberlenningen in Württemberg, did not fare quite so well. In his repentance day sermon in November 1938 he had minced few words in condemning the pogrom:

11 Alfons Beckenbauer, "Das mutige Wort des Dr. Tischler zur Kristallnacht in Landshut," *Verhandlungen des historischen Vereins für Niederbayern*, 98 (1972), pp. 21-36.

A crime has been committed in Paris. The murderer will receive his just punishment because he has violated God's law. We mourn with our people for the victim of this criminal act. But who would have believed that this single crime in Paris could have led as a consequence to so many crimes in Germany? Here we have reaped the penalty for the great falling away from God and Jesus Christ, for organized anti-Christianity. Passions have been unleashed, God's commandments ignored, places of worship holy to others have been burned to the ground with impunity, the property of strangers has been robbed or destroyed. Men who served our people faithfully and fulfilled their duty conscientiously have been thrown into concentration camps simply because they belonged to another race! Though the injustice has not been acknowledged by those above, popular sentiment feels it keenly, even where people do not dare to speak about it.

The sermon was given on November 16. Nine days later, a formation of 200 Nazis marched up to the vicarage in Oberlenningen and attacked the pastor, dragging him off to the jail in Kirchheim/Teck. After four months in custody he was expelled from Württemberg and was then active in a church in Bavaria as a substitute pastor. The following year, he was sentenced to 16 months in prison for violating the "Law on Treacherous Conduct" (*Heimtücke Gesetz*). He was later released on probation and finally inducted into the Wehrmacht. In September 1945, Julius von Jan returned to his vicarage in Oberlenningen. Pastor von Jan and his family were given care and encouragement by members of the Confessional Church, while the official church was more reserved in its position. A decree issued by the church board in Württemberg on 6 December 1938 referred to the sermon in question by noting that it was "self-evident that a servant of the church ... must avoid anything tantamount to inadmissible criticism of concrete political events." Whatever their misgivings regarding National Socialism, the church executive was principally interested in maintaining the peace with the state authorities.¹²

Generally and in respect to the interaction between Jews and non-Jews, of especial interest in this regard is the role of the population. Did it acquiesce in the violence against the Jewish minority, rejecting and condemning it, but in quiet anger? Or did at least a fairly appreciable proportion of the people act out their aggressions against the victims of

¹² Georg Denzler and Volker Fabricius, *Christen und Nationalsozialisten. Darstellung und Dokumente*, Frankfurt am Main, 1993, pp. 161 f. and 340 f.

the vandalism officially ordered from above? If yes, was the motive manifest antisemitism or atavistic brutality, unleashed and goaded by the state authorities? The popular reactions to the pogrom were dependent on the specific milieu. All sources indicate that the basic pattern – disapproval of the events by onlookers and passersby often mentioned in official descriptions of the mood, reports by victims and sympathizers or the solidarity of a silent majority manifested in acts of assistance – was at best a limited phenomenon associated with larger urban areas and was not openly expressed. In smaller localities, the transitions between activists as ringleaders – functionaries of the NSDAP and its formations – and the public were fluid.

Persons initially uninvolved were quickly sucked into the vortex of the Nazi horde, the curious mingled with the rabid fanatics, congealing into a marauding, howling violent mob that surged through the streets of the town. Women, children and teenagers were also part of that riotous throng. Sensationalism drove the people into the street where, in the swirl of events, neighbors became plundering intruders and individual citizens were swept up as particles into a collective frenzy. The ranks of the perpetrators included fanatic Nazis as well as those who had been seduced by the madness, those who had chanced upon the scene, and women, children and youths who were as a rule motivated very little or not at all by National Socialist ideology or manifest antisemitism.¹³

Foreign observers were astounded by the disregard demonstrated for elementary German virtues such as respect for private property, thrift, respect for places of religious worship and neighborliness. The everyday norms of bourgeois behavior in a constitutional state appeared to have been suspended for the duration of the November pogrom. Such suspicions voiced in the columns of the international press¹⁴ were

13 See Wolfgang Benz, "Applaus, Beteiligung, Missbilligung. Zum Verhalten des Publikums in der 'Reichskristallnacht,'" *Zeitschrift für Geschichtswissenschaft*, 46 (1998), pp. 963-970; see also idem, "The Relapse into Barbarism," in Pehle, *November 1938*, pp. 1-43.

14 Regina M. Delacor, "Die Reaktionen Frankreichs auf den Novemberpogrom 1938," *Zeitschrift für Geschichtswissenschaft*, 46 (1998), pp. 998-1006; Daniel Gerson, "Zwischen Antinazismus und Antisemitismus: Schweizer Reaktionen auf den Novemberpogrom," *ibid.*, pp. 1014-1027; Beate Kosmala, "Pressereaktionen in Polen auf den Novemberpogrom 1938 in Deutschland und die Lage der polnischen Juden," *ibid.*, pp. 1034-1045.

accurate in their assessment: the German Reich had demonstrated to all the world that it was no longer a state based on the rule of law and order. Bourgeois conventions were still valid, but were tossed aside when it came to the Jews in Germany and, depending on whim and desire, when it came to other minorities as well.

The November pogrom can be interpreted as a ritual of public humiliation, as a staged disgracing and degradation of a minority against which latent feelings of hatred and envy could be mobilized. There are evidential examples reported for almost every locality. In Dinslaken, a middle-sized town on the lower Rhine located between Duisburg and Oberhausen, there were 146 Jews at the beginning of 1938. By the end of the year, only 72 were left. Dinslaken had been home since 1885 to a Jewish orphanage which was of central importance for the entire Rhenish province. On the morning of 10 November, about 20 men forced their way into the orphanage and destroyed everything. The 32 Jewish orphans, between six and sixteen years of age, fled through the windows into the garden. While the synagogue and several houses belonging to Jews were ablaze, the police chief in Dinslaken decided to hold a "Jews' parade": the young and staff of the orphanage were herded onto a cart and then, to the amusement of curious onlookers, were driven through town to the courtyard of the Jewish school, where the members of the Jewish community had already been confined. For the length of an entire week, all Jewish residents in the town were kept prisoners in a public building, crowded together in cramped quarters on straw mats. The situation was quite similar in many other localities across the German Reich.¹⁵

The ritual of humiliating the Jewish minority was served not only by the destruction of their property, their taunting and physical abuse that night and the following day. The purpose of the subsequent order to arrest and detain some 30,000 Jewish men in the three concentration camps Dachau, Buchenwald and Sachsenhausen was dual. First, to heighten the pressure to emigrate, which is why the well-to-do were incarcerated and then released when their relatives could present a visa and tickets to some country abroad. Second, to inflict physical and

¹⁵ Kurt Tohermes and Jürgen Grafen, *Leben und Untergang der Synagogengemeinde Dinslaken*, Dinslaken, 1988, pp. 73 f.; on the trashing of a Jewish orphanage in Esslingen near Stuttgart, see my "The Relapse into Barbarism," p. 25.

mental pain and injury on the person and personality of the prisoners by forcing them to stand in formation hours on end, by beatings, senseless menial labor, mortal dread and calculated degradation.¹⁶ Such indignities were easily instituted by the deprivatizing of all aspects of personal privacy under the camp conditions, degrading sanitary conditions and the unbridled sadism of the guards. Jewish prisoners experienced the introduction to the concentration camp in gymnasias, schools and ballrooms in their home towns, where they were held, harassed and insulted for days on end. When Jewish communities were presented with the bill for the vandalism against their own property, that often still did not spell an end to the surfeit of cynicism. In Erfurt, the Jewish community had to cover the costs not only for the removal of the rubble of the destroyed synagogue but were also asked to pay for two barrels of gasoline (!) that had been used to set fire to the building.¹⁷

The burning brand of nation-wide pogroms marked the beginning of the final, brutal phase in Jewish persecution. The "atonement fine" (*Sühneleistung*), a tax of one billion Reichsmarks levied on the German Jews as a collective penalty immediately after the pogrom on November 12, 1938, constituted the transition to their total fleecing by the program of "Aryanization." In the autumn of 1938, some 40,000 of the former approximately 100,000 Jewish-owned businesses and factories in Germany were still in the hands of their lawful owners. Hardest hit by "Aryanization" had been the retail trade sector, where only 9,000 stores remained out of a previous 50,000 shops. The number of the Jewish unemployed had risen steadily. Bans on practicing one's profession and forced sell-offs of property had led to massive mass pauperization. The First Ordinance on the Exclusion of the Jews from German Economic Life of 12 November 1938 destroyed whatever basis for livelihood still remained.¹⁸ The deepening impoverishment of the

16 Heiko Pollmeier, "Inhaftierung und Lagererfahrung deutscher Juden im November 1938," *Jahrbuch für Antisemitismusforschung*, 8 (1999), pp. 107-130; for some first-hand descriptions of internment, see Benz, "The Relapse into Barbarism," pp. 30 ff.

17 "Bericht Harry Stern über den Pogrom in Erfurt, 31.10.1954," Wiener Library London / Tel Aviv, P II d (on microfilm in Archive of the Center for the Study of Antisemitism, Technical University, Berlin).

18 Barkai, *From Boycott to Annihilation*, pp. 136 ff.

German Jews was utilized by the authorities to order forced labor. Beginning on 20 December 1938, all Jews fit for conscripted labor were exploited under discriminatory conditions ("segregated from the other workers") in "projects vital to the national interest" (in the main plants in the arms industry).¹⁹

After the November pogrom, Jewish public and cultural life also came to a standstill. Plundered and reduced to penury, they had only their private lives, subject to ever new harrows and harassment. On 30 April 1939, a new Law on Renting to Jews introduced preparatory steps to concentrate all Jewish families in so-called "Jews' houses" (*Judenhäuser*). The purpose of this ghettoization plan was to gather the Jewish population together in order to facilitate surveillance and later deportation. The official rationale was that "Aryans" could not be expected to have to live together with Jews in the same building.²⁰

The outbreak of the war on 1 September 1939 brought a curfew restriction: Jews were not permitted to leave their homes after 9 p.m. in the summer months and 8 p.m. in the winter. On 20 September Jews were prohibited from owning radios, explained as a necessary wartime measure, as was the decree that following summer prohibiting Jews from having telephones. From early December 1938, Jews were prohibited from driving and owning automobiles. Beginning in September 1939, they were ordered to shop at specially designated stores. Starting in July 1940, Jews in Berlin were only allowed to shop for food between 4 and 5 p.m., and the rations allotted to them were far less than those of the "Aryans."

The inventive bureaucrats devised ever new nasty tricks and forms of chicanery, such as the ban on household pets for Jews or the prohibition on their using public libraries. The police Decree on the Marking of Jews was issued on 1 September 1941: effective from 15 September 1941, every Jew from the age on six on had to display a yellow star sewn as a badge on their clothing. The public humiliation and

19. Wolf Gruner, *Der geschlossene Arbeitseinsatz deutscher Juden. Zur Zwangsarbeit als Element der Verfolgung 1938-1943*, Berlin, 1997.

20. Marlis Buchholz, *Die hannoverschen Judenhäuser. Zur Situation der Juden in der Zeit der Ghettoisierung und Verfolgung 1941 bis 1945*, Hildesheim, 1987; Meyer, *Renewal and Destruction*, "The *Judenhäuser*," pp. 343-346; for more on the Law on Renting to Jews, see Moser, "Depriving Jews," p. 131.

stigmatization was now total, the possibility for surveillance of the persecuted minority perfect. In the autumn of 1941, the mass deportations to the East commenced, along with a simultaneous ban on emigration. From 1 July 1943, the Thirteenth Ordinance to the Reich Citizenship Law placed the Jews in Germany under police criminal law, but by this point in time the number still living in Germany was quite small.

Officially Germany was now "*judenfrei*." Some had disappeared into hiding, others survived in the fragile shell of protection offered by the "mixed marriages" with non-Jewish spouses, constantly fearing they might share the fate of the majority of the German Jews. Their numbers were not insignificant, especially if the so-called *Mischlinge* are added, a category of persons of "mixed racial extraction" whose fate was still undecided in the framework of NS racial policy. Several thousand Jews were still living in Germany. In order to survive, all were dependent on the solidarity of non-Jews, or if they lived in hiding, on helpers and rescuers from the non-Jewish population. Yet acceptance of the demands of the regime, belief in NS ideology, a readiness to conform, faint-heartedness and fear in the face of the system were of course more powerful motives in the case of most rather than any mustering of solidarity with the persecuted minority. Which explains why so few Jews were rescued.²¹

Translated by Bill Templer

21 There are two research projects currently in progress at the Center for the Study of Antisemitism at the Technical University, Berlin. On the documentation of rescue cases, see the chapter by Beate Kosmala in this volume; on the project of a general comprehensive presentation, see Wolfgang Benz and Juliane Wetzel (eds.), *Solidarität und Hilfe für Juden während der NS-Zeit*, Berlin, 1996 ff., to date 5 vols.