The Greater German Reich and the Jews

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Nazi Persecution Policies in the Annexed Territories 1935–1945

Edited by

Wolf Gruner and Jörg Osterloh

Translated by Bernard Heise

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Introduction

Wolf Gruner and Jörg Osterloh

In early 2005 the President of the EU Commission, José Manuel Barroso, referred in an essay to "Auschwitz-Birkenau in Poland" but failed to mention Nazi Germany's responsibility for the camp, sparking fierce protests in Poland.[1] Polish reactions looked very much the same when the President of the United States, Barack Obama, in a speech honoring Jan Karski in May 2012, described Auschwitz as a "Polish death camp."[2] Of course, Barroso and Obama can hardly be suspected of harboring revisionist tendencies; even so, these examples reveal how references to the extermination camp have been beset by increasingly common and gravely misleading linguistic imprecisions, reflecting the steadily fading public awareness of the dimensions attained by the "Greater German Reich" during the Second World War. At its height, the "Greater German Reich" included the border regions of France and Belgium, all of Luxembourg and Austria, the Bohemian and Moravian parts of Czechoslovakia, western Poland, and the northern Slovenian territories. To be sure, from today's perspective, the town of Oświęcim—named Auschwitz[3] during the Nazi period—correctly lies in Poland; but from fall 1939 to early 1945, the National Socialist state had appropriated and annexed the region of East Upper Silesia, including the town. Thus the SS established the Auschwitz concentration—and later extermination—camp on the territory of the Third Reich.

The influence of the German Reich's territorial expansion on the persecution of the Jews—that is, on the policies of the perpetrators,

the situation of the respective Jewish populations, and the behavior of the other inhabitants—has thus far hardly been systematically explored. Yet more or less each time the German Reich annexed another territory, the various architects of the Nazi regime's policies of racial persecution confronted new questions.[4] While between 1933 and 1938, the Nazis had managed to reduce the number of Jewish Germans[5] in the "Old Reich" from 520,000 to 240,000 by expelling them or inducing them to flee, in 1938/39 the annexations of Austria and the Sudetenland respectively brought an additional 190,000 and 29,000 religious Jews into the Reich, and the founding of the Protectorate of Bohemia and Moravia further increased their number by 118,000. The conquest of large parts of Poland created an entirely new situation; now more than 2 million Polish Jews found themselves under German dominion, 600,000 of them living in regions directly incorporated by the Reich. By comparison, only a few Jews lived in the territories annexed in the West in 1940.[6]

Updated and expanded for the English version, this volume for the first time systematically assembles the most important facts regarding the persecution of Jewish populations in the context of Nazi occupation policy with respect to the territories "annexed" or "incorporated"[7] by Germany. Each chapter is organized into three sections. The first section focuses on the situation prior to the territory's annexation, assessing the situation of both the Jews and non-Jews and elucidating the social, demographic, economic, political, and governmental circumstances after the First World War. The second section addresses the immediate German military occupation, the persecutions during the first weeks, and the initial constitutional measures implemented under Nazi rule. The authors investigate—among others—the following questions: Did violent actions occur during the first phase? What German and/or indigenous institutions initiated persecutory measures? What role did local ethnic Germans play in the respective region? How did the non-German/non-Jewish parts of the population behave? The third section deals with the territory's integration into the German Reich, the establishment of its most important administrative institutions, and the anti-Jewish policies implemented in the region until the end of the Nazi regime. The key questions for this section include: Which individuals and institutions advanced anti-Jewish policies in the annexed territory? When did jurisdictional competencies emerge, and what kind of breaks and shifts can be identified? What impact did Nazi ethnic policies—toward ethnic Germans, but also toward Czechs, Poles, and the French, for example—have on the persecution of the

Jews? In light of the demographic realities—for example in Poland—to what extent did the Nazis successfully create a National Socialist *Volksgemeinschaft* in the annexed territories?

The authors have all approached these questions on the basis of the most recent scholarship and—in most cases—their own primary research.[8] In a few instances, the lack of adequate sources or an insufficient level of preexisting research has led authors to adjust their focus. Whereas Andreas Schulz and Ruth Leiserowitz primarily elucidate the prehistory of the annexations in the Regierungsbezirk (government district) of Zichenau (Ciechanów) and the Memel Territories (Klaipėda Region), respectively, Ingo Loose and Sybille Steinbacher, in their respective chapters about the Warthegau and East Upper Silesia, concentrate on the history of the occupation. Most of the chapters, however, foreground the period until 1941, since afterward—except for the Warthegau, East Upper Silesia, Austria, and the Protectorate—few Jewish inhabitants remained in the annexed regions, due to the expulsions and deportations.

For a long time historians in Germany and in the countries affected by the Nazi annexations almost unanimously assumed that, as a rule, German occupying authorities simply transferred existing anti-Jewish policies as developed at the time of each respective annexation from Germany to the annexed territory. Exemplifying this view, Eva Schmidt-Hartmann's thesis regarding the Protectorate of Bohemia and Moravia maintains that the Protectorate featured "similar and basically the same arrangements" that obtained "in all of the other countries occupied by Germany."[9] The chapters presented here, however, show that certain measures were introduced in various territories at very different times (in some cases they were not even implemented at all) and adjusted in accordance with regional circumstances, the international situation, and Germany's changing interests.

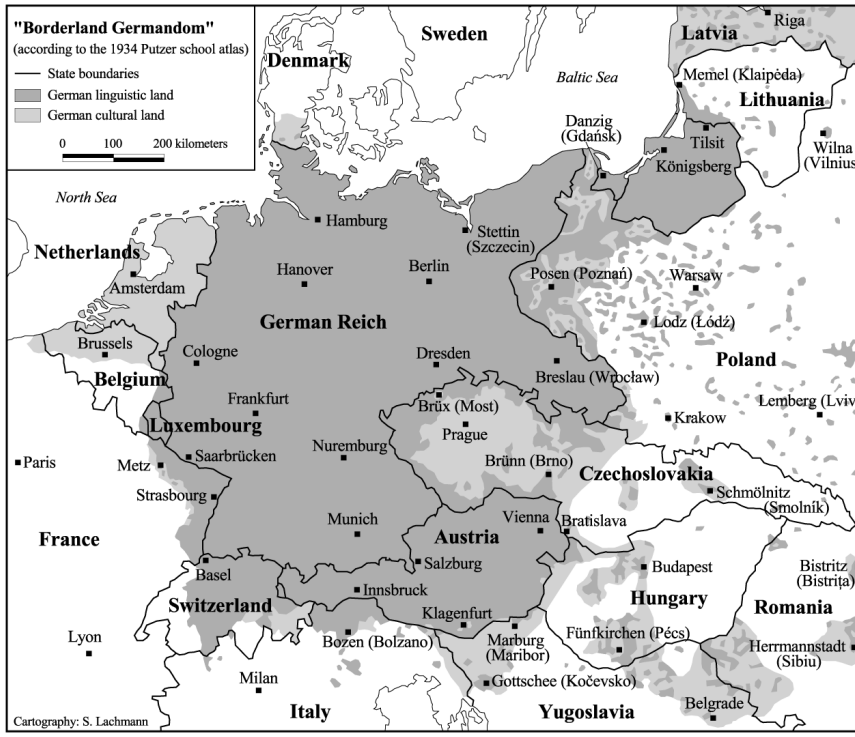
Previous scholarship has almost completely ignored questions regarding the possibility that the persecution of the Jews underwent independent developments in the annexed territories, whether at the hands of occupying Germans or indigenous neighbors. At the same time it is obvious that the population's complex constellation—Jewish and non-Jewish inhabitants, resident ethnic Germans, newly arriving Reich Germans—in most of the annexed territories must have had consequences. An analysis of the occupation, the competent authorities, and the individuals they employed reveals as untenable any assumption that Berlin or even the NSDAP solely determined the lines of action in the annexed regions.[10] In March 1939, for example, Hitler

decided to leave the development of anti-Jewish policy in the Protectorate of Bohemia and Moravia to the Czech government. Indeed, local and regional conditions, constellations, institutions, and players shaped anti-Jewish policies—and thus at the same also their impact on the respective Jewish populations—far more pervasively than previously assumed.[11]

As the book will show, the persecution of the Jews did not continuously become more radical from one annexation to the next—from Austria through the Protectorate and Poland, to the territories in the West.[12] Anti-Jewish policy did not, in fact, result solely from ideological directives centrally issued from Berlin; rather, local players—Germans and non-Germans—reacted to specific economic, social, demographic, and political constellations. Thus in Vienna the "Aryanization" of Jewish property degenerated into a race among Nazi party members for personal enrichment; in response, Austrian Minister Hans Fischböck developed government expropriation plans for Austria, which were subsequently adapted by Göring for the entire Reich.[13] In our opinion, the key to understanding the intensification of anti-Jewish policy in the course of the Nazi regime's annexations, on the one hand, and the inconsistency of regional measures, on the other, lies precisely in these mutual actions between local, regional, and central persecutory measures.

Twentieth-century Europe was marked by shifting boundaries, transitions of power, changing political systems, and the creation of new states. For countless numbers of people this meant forced emigrations, the loss of homelands, and changing national citizenships. After the First World War, the peace negotiations in Paris and the resulting "Paris Peace Treaties" of 1919/20 fundamentally reconfigured the political map of Central and Eastern Europe, and as such they are considered one of the twentieth century's key events. As a result of the Versailles Treaty of 28 June 1919, the German Reich had to cede extensive territories in the North, West, and especially in the East, as well as acquiesce to restrictions of its sovereignty and pay reparations. Concluded on 10 September 1919, the Treaty of Saint-Germain-en-Laye prohibited the Austrian Republic, which emerged from the remains of the Habsburg Danubian Monarchy, from unifying with Germany; Austria also had to acknowledge the now independent states of Czechoslovakia, Poland, Hungary, and Yugoslavia and concede the associated territorial losses.[14]

The National Socialists made the revision of these treaties—which they referred to as the "shameful peace"—one of their major objectives.



Map 0.1. "Borderland Germandom" in a 1934 school atlas

Already in its "Twenty-Five Point Program" of 1920, the NSDAP prominently called for "the consolidation of all Germans into a Greater Germany on the basis of the peoples' [*Völker*] right to self-determination," demanding "equal rights of the German Reich vis-à-vis the other nations and the repeal of the Treaties of Versailles and St. Germain."[15] In making such demands, the NSDAP in Germany—and Austria—did not stand alone; rather, these demands reflected widespread sentiments within the population.

Two years after the National Socialists assumed power in the Reich in 1933, the opportunity arose for the first time to revise borders and repatriate Germans (see map 0.1). A plebiscite was supposed to help resolve the future of the Saar region, which, in accordance with the Versailles Treaty, stood under the League of Nations' supervision for fifteen years. In 1935, Germany—and thus the Nazi regime—emerged from the plebiscite as the triumphant victor and took over the territory. Two years later in November 1937, Hitler instructed the Wehrmacht to

prepare for an invasion of Austria and Czechoslovakia. In the process, he was pursuing long-term goals: along with strategic gains of space and resources, millions of people were supposed to be expelled and the territories slated for annexation were to be extensively Germanized.[16]

The "Greater German Reich"—de facto and in terms of self-perception, but by no means de jure—emerged in 1938 as a result of the annexations of Austria in the spring and the Sudetenland in the fall, both carried out "peacefully" in the end. For Hitler, however, the Munich Agreement signed on 30 September 1938, through which Great Britain, France, Italy, and Germany forced Czechoslovakia to cede the Sudetenland, also involved bitter disappointment, for he had been counting on a military destruction of the ČSR. On 15 March 1939, the Wehrmacht finally marched into the *Resttschechei* (Nazi jargon for the rump Czech state) and Hitler proclaimed the newly created Protectorate of Bohemia and Moravia to be a part of the Reich. In so doing, the Third Reich for the first time raised a claim to a territory where most of the population did not consist of Germans.[17] Just one week later, Lithuania had to surrender the Memel Territory, an event largely overlooked due to the developments in Prague. These constituted the last "peaceful" conquests of the German Reich, although in all of these cases—with the exception of the Saar—Berlin had exerted immense political pressure and threatened the deployment of military means.

The Nazi regime created the preconditions for territorial expansion by force of arms with the surprising German-Soviet Nonaggression Pact of 23 August 1939 and the associated additional secret protocol.[18] Only a few days later, on 1 September, with its invasion of Poland, the German Reich began pursuing its further territorial objectives through violence. After the Polish military's quick defeat, Hitler dismembered the conquered country. The Reich annexed West Prussia, the "Free City" of Danzig (which had been under the protection and supervision of the League of Nations), the Wartheland, and East Upper Silesia, and also parts of Northern Mazovia as the Regierungsbezirk of Zichenau. Starting on 17 September, the Soviet Union occupied eastern Poland within days, and on 28 September the two conquering states agreed on the course of their new common border in Poland.[19] The Nazi regime consolidated the rest of the former Polish state under its control into the General Government for the Occupied Polish Territories (Generalgouvernement für die besetzten polnischen Gebiete), which neither de facto nor in terms of constitutional or international law belonged to the German Reich.[20] This is why this book does not deal with the districts in the General Government, even though many of the authors refer

in their chapters to the numerous connections between the annexed regions and the other Polish territories.

The next annexations would expand the German Reich westward. After the Wehrmacht conquered the Netherlands, Belgium, Luxembourg, and large parts of France within a span of only a few weeks in May/June 1940, the Nazi state annexed—de jure or de facto—Eupen-Malmedy, Luxembourg, and Alsace and Lorraine. The last annexations occurred in 1941. Within just a few days after the German attack on Yugoslavia and Greece on 6 April 1941, northeastern Slovenia came under German administration. On 26 April, Hitler directed Maribor (Marburg an der Drau) to "make [the country] German again."[21] However, by the end of the war the planned constitutional integration into the German Reich had still not taken place. After the invasion of the Soviet Union in June 1941, the Nazis formed the Bezirk (district) of Białystok from parts of the former Polish territory.[22]

After the tide turned against the Germans in the Second World War, the Allies began reconquering the annexed regions from the German Reich. First, American and British troops liberated the Grand Duchy of Luxembourg in fall 1944, as well as Alsace-Lorraine and Eupen-Malmedy, which were reintegrated into the French and Belgian states, respectively. In the East, the Red Army captured the town of Memel (Klaipėda) in early 1945 and in the following weeks quickly overran the annexed regions of western Poland and the eastern parts of Germany. In the beginning of May 1945, only Prague (Prag, Praha), along with parts of the Protectorate and the Sudetengau, still remained in the hands of the German occupiers, who soon officially capitulated.[23]

Scholarship in both parts of Germany as well as in the countries affected by the Nazi annexations has neglected most of the regions assimilated by the Reich, along with the history of their annexations. Smaller annexations in particular, such as those of the Memel Territory or Eupen-Malmedy, have receded from view as a result of the focus on the Wehrmacht's military campaigns in the East. In a striking contrast to these scholarly omissions, in 1944 Raphael Lemkin developed his still influential definition of genocide as a punishable international crime on the basis of an analysis of the history of Nazi occupation and persecution in both the eastern and western parts of the German Reich.[24] Referring to the Nazi state's long-term interest in systematically Germanizing these territories, Lemkin soberly maintained that it had destroyed the local and/or national institutions and traditions in the annexed regions, introducing German administrative structures in their stead. He noted that in western Poland the population had to

abandon its homes to make room for Germans from the Baltic, other parts of Poland, Bessarabia, and last but not least from the Reich itself; in Alsace-Lorraine and Luxembourg, on the other hand, persecution policies developed along different lines, since the Nazis viewed Luxembourgers as people with "related" blood.[25]

Even more than a modern comparative history of Nazi occupations,[26] we still today lack comparative studies of persecution and extermination in the "annexed" territories. In fact, studies on this topic are not even available for all the individual territories. While more or less comprehensive studies exist for Austria, the Sudetenland, the Protectorate of Bohemia and Moravia, East Upper Silesia, and the Warthegau, gaps still remain above all for the annexed regions in the West and Southeast.[27] During the Second World War and its immediate aftermath, these developments still garnered attention, particularly from the respective governments in exile and Jewish organizations in the United States. Along with Lemkin's study, other books also appeared that first documented Nazi persecution in individual annexed countries and throughout Europe, concentrating either on anti-Jewish policies or on "racial policy" as an element in "greater German" expansion and Germanization.[28]

After the Second World War, in the individual countries that had been occupied by the German Reich, interest focused more on the fate of the majority population and its resistance, in order to stabilize societies shaken by the war and occupation. Remarkably, in this respect it is difficult to distinguish between the policies of (non)commemoration in Western states—for example, Austria, France, and Belgium—and in Socialist countries such as Poland and Czechoslovakia. The same applies to the cultivation of national victimhood myths.[29] While scholarship in each respective nation joined to unanimously condemn Germany as an occupying power, it ignored the participation of indigenous persons in the persecution of the Jewish minority—this against its better judgment, for in the first postwar phase, most countries had implemented proceedings against collaborators, which often ended with drastic sentences. Thus the first to tread the minefield-riddled terrain of persecution and collaboration were often the survivors of the mass murder themselves.[30] In the 1990s, however, this situation finally changed in almost all of these countries.[31] Within a decade the research landscapes in the formerly occupied countries had dramatically altered, transformed by a new generation of frequently multilingual historians (insufficient language skills had also previously hindered the international reception of national scholarship), the opening of

archives in the states of the former "Eastern Bloc," international discussions about restitution and compensation for the victims of Nazi rule in Europe, and changing political and academic interests. The transformation occurred against a background largely formed by the redefinition of many former Socialist countries after the end of the Cold War, the rising importance of the European Union in the West and the fundamental efforts by scholarly communities to find a place for their own nations within an integrating Europe. In this connection, the Holocaust acquired a major role in European commemoration policies, which strongly influenced most national historiographies.[32]

The systematic and comparative survey offered in this volume—in numerous cases, given the absence of preliminary work, made possible only as a result of the authors' own primary research—for the first time provides insights into the similarities and differences between anti-Jewish policies in the various regions of the "Greater German Reich" that were annexed or incorporated by the Nazi regime. In the conclusion that follows the chapters, the editors discuss and weigh these new findings. In addition, they analyze the continuities and discontinuities, as well as the social, political, and economic conditions of the surprisingly frequent autonomous local, regional, and national developments. They assess the interactions between the annexed territories and the previously often overlooked influence of these regional initiatives on the overall policies of the regime in Berlin, the transfer and development of persecutory knowledge by individual persons and institutions from one annexation to the next, as well as the establishment of regional authorities. Finally, the editors identify unresolved questions and outline key issues and areas for future research into anti-Jewish policy and its impact on the persecuted groups and overall societies in the annexed regions of the "Greater German Reich."

Los Angeles/Frankfurt, August 2014

Notes

1. José M. Barroso, "A United Europe Can Heal the Holocaust Wounds," *European Voice* (27 January 2005); Maciej Gertych, "Barroso Prompts Auschwitz Row," *European Voice* (3 February 2005).
2. See, for example, "Obama Angers Poles with 'Death Camp' Remark," *BBC News Europe* (30 May 2012), http://www.bbc.co.uk/news/world-europe-18264036.
3. The chapters in this anthology will initially refer to places commonly referenced in English—Prague, for example—by their English names, followed by their German and indigenous names enclosed in parentheses. When first mentioned, all other

places will generally be referred to by their names prior to the occupation and then their German name in parentheses. In other respects, depending on the context, the text usually uses the English or German name.

4. Mark Mazower, *Hitler's Empire: How the Nazis Ruled Europe* (New York, 2008), 83.
5. The introduction and the individual chapters frequently use generalized terms such as Germans, Jews, Poles, Czechs, the French, and Austrians. The editors and authors are very much aware of the problems associated with such usage but see no practical alternatives, even though these collectives were usually very heterogeneous and moreover often resorted to using religion, nationality, native language, and state citizenship merely as ethnic features. For the National Socialists the term "Pole," for example, usually referred to state citizenship during the initial occupation phase; only later did it refer increasingly to the racial categories of the Deutsche Volksliste (German People's List); in contrast, within the borders of the Reich, the designation "Jew" was based on the Nuremberg Race Laws. Thus when the following texts refer to Jews, the authors consequently always mean those people who fell under these laws, regardless of whether they viewed themselves as Jews or not.
6. On these figures, see Wolfgang Benz, ed., *Dimension des Völkermords: Die Zahl der jüdischen Opfer des Nationalsozialismus* (Munich, 1991).
7. The terms "annexation," "incorporation," and "integration" are used synonymously throughout this volume. They refer to the constitutional integration of the respective occupied territories into the German Reich through the introduction and application of Reich laws and the establishment of an administrative structure identical to the Reich's. This occurred as a process and was implemented in the individual regions in various forms and periods, but was basically distinguished from the "mere" occupation of territories like France, which remained under military administration, and the creation of the Generalgouvernement, which had its own specific administration and where the laws of the German Reich did not apply. When the following texts refer to "annexed" regions, they therefore mean both territories that de jure became Reich territory as well those that the Reich de facto annexed.
8. A survey of the current state of research with respect to individual countries and territories can be found at the end of the volume.
9. Eva Schmidt-Hartmann, "Tschechoslowakei," in *Dimension des Völkermords*, ed. Benz, 353–379, here 359.
10. As, for example, with Diemut Majer, *"Non-Germans" under the Third Reich: The Nazi Judicial and Administrative System in Germany and Occupied Eastern Europe with Special Regard to Occupied Poland, 1939–1945* (Baltimore, 2003) (German original: Boppard am Rhein, 1981).
11. The existence of significant local and regional differences in the development of Jewish policy within the Old Reich has since been sufficiently proven. Frank Bajohr has impressively demonstrated how foreign-trade concerns in Hamburg for a long time mitigated local "Aryanizations." Frank Bajohr, *"Aryanisation" in Hamburg: The Economic Exclusion of Jews and the Confiscation of their Property in Nazi Germany* (New York, 2002) (German original: Hamburg, 1997). And Wolf Gruner has demonstrated that the degree of pressure on Jewish populations depended on the initiative of the municipalities. Idem, *Öffentliche Wohlfahrt und Judenverfolgung: Wechselwirkung lokaler und zentraler Politik im NS-Staat (1933–1942)* (Munich, 2002).
12. On this, see the chapters in this volume.
13. Hans Safrian, "Expediting Expropriation and Expulsion: The Impact of the 'Vienna Model' on Anti-Jewish Policies in Nazi Germany 1938," *Holocaust and Genocide Studies* 14, no. 3 (2000): 390–414.

14. The Treaty of Trianon of 4 June 1920 also stipulated the separation of Slovakia and Croatia-Slavonia from Hungary. A concise overview is provided by Eberhard Kolb, *Der Frieden von Versailles* (Munich, 2005); see also Gerd Krumeich, ed., *Versailles 1919: Ziele—Wirkung—Wahrnehmung* (Essen, 2001); Magda Adám, *The Versailles System and Central Europe* (Aldershot, 2004); Alan Sharp, *The Versailles Settlement: Peacemaking in Paris, 1919* (New York, 1991).
15. Gottfried Feder, *Das Programm der NSDAP und seine weltanschaulichen Grundlagen*, 22nd printing (Munich, 1930), 8.
16. Oberst Hoßbach, "Niederschrift über die Besprechung in der Reichskanzlei am 5.11.1937 vom 10.11.1937," in *Der Prozeß gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof Nürnberg 14.11.1945–1.10.1946*, 42 vols. (Nuremburg, 1947–1949), here vol. 25, doc. 386-PS, pp. 402–413, here p. 410.
17. Thus rendering obsolete the legitimation of the annexations by the right of the Germans to self-determination as invoked by Hitler; Mazower, *Hitler's Empire,* 53.
18. Jan Lipinsky, *Das Geheime Zusatzprotokoll zum deutsch-sowjetischen Nichtangriffsvertrag vom 23. August 1939 und seine Entstehungs- und Rezeptionsgeschichte von 1939 bis 1999* (Frankfurt, 2004); Manfred Sapper and Volker Weichsel, eds., *Der Hitler-Stalin-Pakt: Der Krieg und die europäische Erinnerung: Osteuropa* 59, no. 7–8 (2009).
19. Through an exchange of territories, Germany subsequently acquired the district of Suwałki (as of 1939, Suwalken; as of 1941, Sudauen), integrating it into the East Prussian Regierungsbezirk of Gumbinnen. Unfortunately, a chapter on this region could not be acquired for this volume.
20. According to Martin Broszat, the Generalgouvernement was an "ad hoc constructed German 'Nebenland' [Nazi term for a directly dependent land], lacking the quality of a state, [and] with stateless inhabitants of Polish ethnicity." On the status of the Generalgouvernement, see Martin Broszat, *Nationalsozialistische Polenpolitik 1939–1945* (Stuttgart, 1961), 68–70, quote on 70.
21. Joachim Hösler, "Sloweniens historische Bürde," *Aus Politik und Zeitgeschichte,* no. 46 (2006), 31–38, here 32f. On Slovenia see also Holm Sundhaussen, *Geschichte Jugoslawiens 1918–1990* (Stuttgart, 1982); Rolf Wörsdörfer, *Krisenherd Adria 1915–1955* (Paderborn, 2004); Tamara Griesser-Pecar, *Das zerrissene Volk: Slowenien 1941–1946* (Vienna, 2003).
22. Unfortunately, chapters on the regions of Lower Styria (Untersteiermark), Upper Carniola (German: Oberkrain; Slovene: Gorenjska), and Białystok could not be recruited for this volume.
23. After the war, the occupied Polish regions were allocated to the Polish state, which at Stalin's behest was shifted substantially westward and now integrated former German regions. The Sudeten regions as well as Bohemia and Moravia were returned to Czechoslovakia. In 1948, the Memel Territory was constitutionally integrated into the Lithuanian Soviet Republic.
24. Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*, reprint of the original 1944 edition, 2nd edition (Clark, NJ, 2008), especially 79–95. On Lemkin and his importance to scholarship, "Raphael Lemkin: The 'Founder of the United Nation's Genocide Convention' as a Historian of Mass Violence," special issue*, Journal of Genocide Research* 7, no. 4 (2005).
25. Lemkin, *Axis Rule,* 82 f., 86.
26. The most recent general overview on this topic, Mark Mazower's *Hitler's Empire*, likewise fails to offer any systematic comparison of the occupation regimes.
27. On the research situation with respect to the individual regions, see the literature review at the end of the volume.

28. See, for example, Institute of Jewish Affairs of the American Jewish Congress, World Jewish Congress, *Hitler's Ten-Year War on the Jews* (New York, 1943); Gerhard Jacoby, *Racial State: The German Nationalities Policy in the Protectorate of Bohemia-Moravia* (New York, 1944); The Jewish Black Book Committee, *The Black Book: The Nazi Crime against the Jewish People* (New York, 1946).
29. On this, see Gerhard Paul, "Von Psychopathen, Technokraten des Terrors und 'ganz gewöhnlichen Deutschen': Die Täter der Shoah im Spiegel der Forschung," in *Die Täter der Shoah. Fanatische Nationalsozialisten oder ganz normale Deutsche*, ed. Gerhard Paul (Göttingen, 2002), 13–90, here 14; Mazower, *Hitler's Empire*, 6f. See also the individual chapters in Jan Eckel and Claudia Moisel, eds., *Universalisierung des Holocaust? Erinnerungskultur und Geschichtspolitik in internationaler Perspektive*, Beiträge zur Geschichte des Nationalsozialismus, vol. 24 (Göttingen, 2008).
30. On the historiography, see Dieter Pohl, "Die Holocaust-Forschung und Goldhagens Thesen," *Vierteljahrshefte für Zeitgeschichte* 45 (1997): 1–48, here 3f.; Christoph Dieckmann and Babette Quinkert, "Einleitung," in *Kooperation und Verbrechen: Formen der 'Kollaboration' im östlichen Europa 1939–1945*, ed. Babette Quinkert et al., Beiträge zur Geschichte des Nationalsozialismus, vol. 19 (Göttingen, 2003), 9–21.
31. On the historiographical developments in the respective countries, see the literature review at the end of this volume.
32. On this, see Eckel and Moisel, *Universalisierung des Holocaust?*

Chapter 1

Saar Region

Gerhard J. Teschner

Prior to Reintegration into the German Reich

The territory designated as the Saar Region or Saarland after the end of the First World War did not previously exist as a political administrative unit. Most of the so-called Saar Basin had belonged to Rhenish Prussia and a smaller portion to the Bavarian Palatinate. Based on the supra-regional economic importance of the local coal mining and steel industries, the 1919 Peace Treaty of Versailles, which imposed a number of territorial losses on the German Reich, created the Saar Region as a territory with a special status. It consisted, on the one hand, of parts of the Prussian Regierungsbezirk (government district) of Trier—namely, the city of Saarbrücken, the Landkreise (rural districts) of Saarbrücken, Saarlouis, and Ottweiler, and sections of the Kreise (districts) of Merzig and Wendel—and, on the other hand, parts of the Bavarian Palatinate, namely, the Bezirksamt (district) of St. Ingbert and sections of the Bezirksämter of Homburg and Zweibrücken.[1]

A Government Commission controlled by the newly created League of Nations henceforth administrated the Saar Region.[2] The League of Nations had appointed the Frenchman Victor Rault as the commission's president, and he received support from the commissioners

Adam Gottlob Carl Moltke-Hvitfeldt from Denmark, Jacques Lambert from Belgium, Richard Deans Waugh from Canada, and Alfred von Boch from the Saarland.[3] France tried to use the formation of the Saar Region to secure an unlimited influence on the aforementioned industrial sectors, in large part because of the extensive destruction of the industrial region in northern France, where most of the fighting between the Germans and the French had occurred.[4] In accordance with the new Saar Statute, France took over the sixty-six coal mines and their operations.[5] The Saar Statute in the Versailles Treaty stipulated that, after fifteen years (thus, in 1935), the region's population was supposed to participate in a plebiscite to decide its political future, namely, whether to retain the status quo, join France, or reintegrate with the German Reich.[6]

During the League of Nations' fiduciary administration, German jurisprudence and legislation[7]—respectively, their Prussian or Bavarian embodiments—remained in effect in the former Prussian and Bavarian-Palatine regions. Notwithstanding its economic incorporation with France, which for all citizens manifested itself in the introduction of French currency as of May 1921,[8] the Saar Region's purely German population remained bound to the German Reich in many respects: through the bureaucracy, for instance, which remained in the region and was taken over by the Government Commission; through the continued existence of ecclesiastical connections with the Catholic bishoprics of Speyer and Trier; and through the school system, because the Saar Region did not have its own university, which meant that high school graduates had to study at universities in Germany. The Saar Region's citizens also retained their German nationality.[9]

The Reich's Foreign Office was officially responsible for Germany's relations with the Government Commission, but the Reich as well as the states of Prussia and Bavaria had a number of additional individual bodies that maintained connections with the Saar Region.[10] In turn, a Landesrat (parliament) represented the population vis-à-vis the Government Commission, but only in an advisory capacity, not a legislative one. Initially, the parliament's members consisted chiefly of representatives from the liberal German-Saarland People's Party (Deutsch-Saarländische Volkspartei; DSVP), the Catholic Center Party, the Social Democratic Party, and the Communist Party. These parties unequivocally defined themselves by virtue of their close relationship with the German Reich and their parent parties operating in Germany. In contrast, until the end of the 1920s, radical right-wing parties, as well as Francophile groups, were irrelevant.[11]

In 1919, 705,445 people lived in the Saar Region, including 3,933 members of the Jewish faith. By 1927, the population had increased to 770,030, including 4,038 religious Jews. The Jewish portion of the population thus decreased slightly from 0.56 percent to 0.52 percent; compared to the rural districts, the city of Saarbrücken stood out, with 1,721 Jewish residents in 1927, which corresponded to 42 percent of the Saar Region's entire Jewish population.[12]

Jews had lived in the Saar Region as early as the Middle Ages. In 1935, the region featured seventy-two Jewish communities, organized into eighteen synagogue communities, namely, eleven corporations under public law and seven associations. Predominantly middle-class, the Jewish population contributed strongly to the liberal professions and commerce. Jews played an important role in the wholesale and retail textile and footwear trade and the livestock and grain trade. Jewish entrepreneurs operated in paper and metal processing, engineering, and the textile and chemical industries. Within the liberal professions, many Jews practiced medicine and law, whereas fewer worked for the civil service. Jewish businesspeople and entrepreneurs employed approximately 7,000 people.[13] The 1920s did not feature any noticeable tensions between Jews and Christians. Jews actively participated in public life as delegates from various political parties and as mandated representatives of associations and federations.[14]

After its appointment by the League of Nations, the Government Commission set up an administration independent of Germany. Its sometimes discordant relations with the Saar Region's population precipitated a large strike in 1923, resulting in an investigation by the League of Nations. Consequently, the Government Commission adopted a less pro-France course; in 1926, the French Chairman Victor Rault was replaced by the Canadian George Washington Stephens, who by 1935 had been followed by two Britons, Ernest C. Wilton and Sir Geoffrey George Knox.[15]

Despite the fifteen-year waiting period—stipulated in the Treaty of Versailles—until the plebiscite regarding the Saar Region's future, discussions about an earlier return of the Saar to the German Reich without a plebiscite had already begun in 1926 after a meeting in Thoiry between German Foreign Minister Gustav Stresemann and his French counterpart Aristide Briand, but these deliberations ended without any results due to France's opposition.[16] A renewed round of French-German negotiations regarding an early reintegration occurred between November 1929 and July 1930, but remained unsuccessful. Discussions focused primarily on the repurchase price for the

coal mines as well as customs matters. The 1930 world economic crisis also discouraged further negotiations.[17] Notwithstanding a few other contacts with the French that failed, however, to produce any progress (through Reich Chancellor Franz von Papen, for example, in 1932), the German government and diplomatic corps henceforth prepared for the plebiscite anticipated in 1935.[18]

Adolf Hitler's appointment as Reich Chancellor on 30 January 1933 profoundly affected Germany's Saarland policies—not surprisingly, since the National Socialists had made revising the Versailles Treaty a primary political objective (see figure 1.1). In addition, after the Nazi seizure of power in the Reich, efforts also predominated to invigorate the NSDAP in the Saar Region, since prior to 1933 it had played only an extremely minor role in the region, despite having already been mentioned for the first time in 1923.[19] On 1 January 1927, with the Government Commission's approval, the NSDAP founded the Saarland Gau under the first Gauleiter Jakob Jung. The party had acquired 261 members by 1930,[20] but its membership then increased to more than 2,550 by the end of 1932. During the 1932 parliamentary elections, the NSDAP obtained 6.7 percent of the votes, thus winning two parliamentary seats.[21] On 8 November 1932, however, the Government Commission, which felt obligated to maintain law and order, banned all Nazi organizations in the Saar Region.[22] Consisting at the time of the British Knox (as President), the Finn Leo Ehrnrooth, the Frenchman Jean Morize, the Saarlander Bartholomäus Koßmann, and the Yugoslav Milovan Zoricic, the commission also rejected the application by the Saar Region's NSDAP on 20 February 1933 to have the ban revoked.[23]

Along with Knox, Koßmann played an important role in the Government Commission's relations with the German Reich. From the opposite direction, connections with the Saar Region were maintained by Heinrich Schneider as the Prussian and Reich Interior Ministry's Saar advisor and, on the part of the Bavarian Palatinate, initially by Heinrich Jolas (retired in 1932) as the Bavarian Staatskommissar (State Commissioner) for the Palatinate and subsequently by Richard Binder, who would also act as an advisor to the Palatinate's NSDAP Gauleiter Josef Bürckel. Karl Barth, a former member of the High Consistory of the established regional Church of the Palatinate, also worked for Bürckel, becoming his personal advisor as well in August 1934. In order to bring the Saar policies of Reich-German agencies together under one roof, on 14 November 1933 the Reich Chancellor created the Office of the Saarbevollmächtigte (Saar Commissioner), appointing Vice

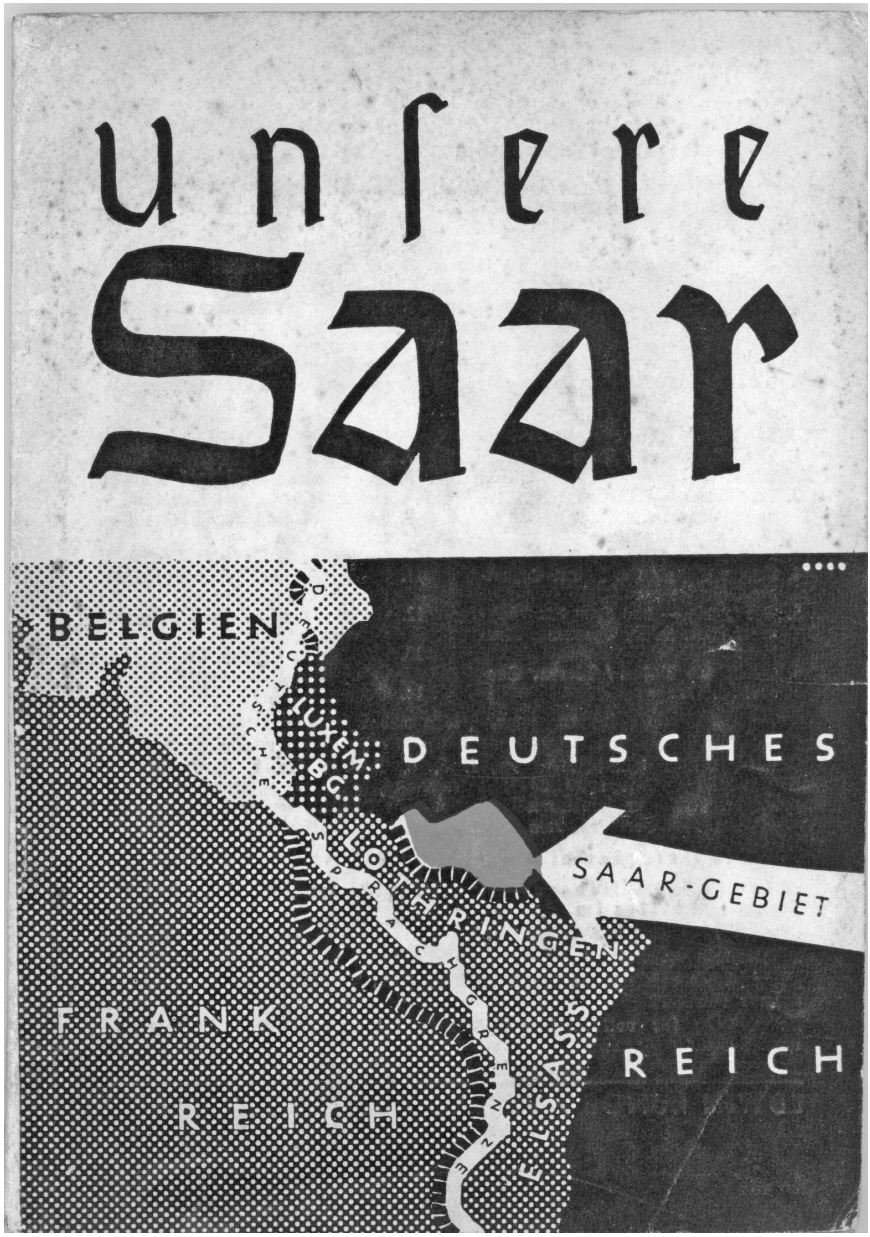


Figure 1.1. *Our Saar*—A propagandistic text regarding the Saarland plebiscite (so-called *Grenzkampf-Schrift*) by Heinrich Schneider, 1934. *Source:* Archive Wolf Gruner.

Chancellor von Papen to the position. Bürckel took over the office less than a year later, on 7 August 1934: a half a year before the Saar plebiscite, the stage was set for the Gauleiter's ever increasing influence.[24]

Hitler's appointment as Reich Chancellor tremendously boosted the NSDAP in the Saar Region itself. Since people generally anticipated the Saar's return to the Reich after the 1935 plebiscite, the party's influence grew not only in professional organizations and associations but also directly in politics.[25] Thus during municipal by-elections in July 1933, the NSDAP attained an increase in votes in Ludweiler from 50 to 786 (now 31 percent of all votes) and in Nalbach from 83 to 601 (46.4 percent of all votes).[26] After 30 January 1933, the influence of NSDAP supporters and members in many organizations and associations soon led to a situation referred to by the Government Commission as an *administration clandestine*.[27] In the process, the NSDAP exploited two methods for its advance. On the one hand, it deftly equated the national idea with Nazi ideology; on the other hand, it intimidated the population with references to the period after the Saar's return to the Reich.[28] The Government Commission responded to such intimidation by issuing various ordinances that subjected those engaging in threats, boycotts, and terror to severe punishment—to the disapproval, however, of a large part of the population and almost all of the political parties.[29]

On 14 July 1933, the NSDAP, DSVP, German National People's Party (Deutschnationale Volkspartei; DNVP), and the Catholic Center Party came together to form the "German Front" to jointly prepare for the 1935 plebiscite and at the same time enable the continued existence of the non-Nazi parties.[30] However, this objective was rendered obsolete just a few months later, since the DNVP dissolved on 20 September 1933, the DSVP on 6 October, and the Center Party—after harsh internal conflict—on 13 October 1933. The Center Party's demise was especially important for the National Socialists, for it bereft the Catholic portion of the population of political representation.[31] At the instigation of the Palatinate's Gauleiter Bürckel, the Saar NSDAP disbanded in spring 1934 so that, at least outwardly, the former parties and their representatives appeared as equal participants in the German Front. Jakob Pirro from Homburg, one of Bürckel's confidants, was elected as the German Front's regional leader.[32] By dissolving, the Saarland's nationalist parties followed the example set a few months earlier by their parent/affiliated parties in the Reich, which had admittedly approved the Enabling Act on 27 March 1933 but without managing to win any gratitude from the new Nazi rulers.[33]

As the sole remaining democratic party, the Social Democratic Party sought a five- or ten-year postponement of the Saar Region's impending plebiscite, since the guarantees for a free vote and for the personal freedom of opponents after the return to the German Reich seemed insufficient. Neither wanting nor able to amend the provisions of the Treaty of Versailles, the German Front as well as the Council of the League of Nations, the Government Commission, and France opposed the Social Democratic Party's recommendation. On 4 June 1934, the Council of the League of Nations scheduled the plebiscite regarding the Saar Region's future for 13 January 1935.[34]

So on 6 June 1934, the Social Democratic Party exhorted the population to retain the status quo "until the day on which a Germany, having become free again, in an honest and sustained willingness to communicate with a similar such France, makes possible a final political and economic allocation of the Saar between the two peoples [*Völker*]."[35] The Communist Party had issued the same appeal regarding the plebiscite on 2 June 1934 in the *Arbeiterzeitung*. On 4 July 1934, both parties, as a "Freedom Front," published an exhortation signed by their two respective chairmen.[36]

Since spring 1933, the Jews in the Saar Region had also found themselves exposed to increasing anti-Semitic pressure, even though the German Front, largely to avoid giving the Government Commission any reason to intervene, exercised restraint. The Nazi newspaper *Saardeutsche Volksstimme* stood at the forefront of the anti-Semitic agitation, writing in an extremely insulting manner about Jewish influence at the Saarbrücken theater, for example.[37]

The anti-Jewish laws in the Reich also directly affected a number of Jews in the Saar Region. For example, they now applied to the region's Jewish legal professionals who were completing part of their training at the Oberlandesgericht (Higher Regional Court) of Cologne; they could only finish their training by means of a special arrangement through the Reich Ministry of Justice.[38] The persecution of Jews in the Reich as of February 1933 also led to an increase in the number of Jewish emigrants in the Saar Region, who had to be cared for by the Jewish religious communities. Reports by these people, notably by a number of journalists and authors, provided Jewish Saarlanders with authentic knowledge regarding conditions in the German Reich.[39]

The Committee of Jewish Delegations in Paris also performed critically important work during the period both immediately before and after the plebiscite. In a memorandum to the League of Nations on 6 February 1934, the Committee requested guarantees for the

implementation of a free plebiscite without any impediments for those who sympathized with retaining the status quo or joining France. And, more importantly, it demanded that the Reich's anti-Jewish laws not be introduced in the event that Germany annexed the Saar, insisting instead that the rules established by the League of Nations on 21 September 1922 for the protection of minorities be applied to the Saar Region's Jews. Citing numerous examples, the memorandum documented the preexisting anti-Semitic attitudes and practices that prevailed both in part of the population and in the Saar Region's administration.[40] This memorandum was joined in support by a petition in the same tone signed by the chairpersons of the Joint Foreign Committee of the Board of Deputies of British Jews and the Anglo-Jewish Association and submitted to the British government.[41]

In two expert reports written for the Council of the League of Nations, the American Manley O. Hudson and the Swiss citizen Maurice Bourquin emphasized the League of Nations' obligation under § 34 of the Appendix to Article 50 of the Treaty of Versailles to ensure a "free, secret, and independent plebiscite."[42] Both experts also pointed out that, according to § 35 of the Appendix, the "League of Nations shall decide under which state sovereignty the territory would be placed, taking into consideration the desire expressed through the plebiscite."[43] Thus, the course of action after the plebiscite did not automatically proceed from the plebiscite's results; rather, the League of Nations made the final decision, which could also be subject to conditions, such as protections for minorities. This had been standard practice since the end of the war for other regions, such as in the territories ceded by Germany to Poland.[44]

On 1 September 1934, in a new memorandum, the Committee of Jewish Delegations recommended areas to the League of Nations where the latter could impose conditions on the respective state that would take over the Saar Region after the plebiscite, suggesting among other things a guarantee for one's free choice of nationality, the freedom to leave the country with one's possessions, the right to freely pursue one's profession and continue an already initiated school or university education, and the prohibition of legislation banning Jewish kosher slaughter (*shechita*).[45]

The League of Nations had already deployed a three-person committee chaired by the Italian diplomat Baron Pompeo Aloisi for the Saar plebiscite on 20 January 1934. During the course of 1934, this committee dealt with the demands for a guarantee declaration, negotiating repeatedly with the German and French governments with

such guarantees in mind. Following two declarations—the first by the Reich Foreign Minister Konstantin Freiherr von Neurath on 2 June and the second by him on 3 December after Hitler's personal decision on 27 November—the German Reich approved a special regulation for the Saar Region's Jews that for the period of one year after reintegration—that is, until 29 February 1936—exempted the Saar Region from German "Aryan" legislation and allowed Saarland Jews to emigrate freely with their assets. In the Rome Agreement of 3 December 1934, Germany also concluded arrangements with France regarding the future of the Saar Region's mines.[46] Even though the Agreement failed to meet the full approval of the Committee of Jewish Delegates,[47] it substantially helped create the conditions that allowed many of the Saar Region's Jews to escape the Nazi regime.

The First Year of the Reintegration

On 13 January 1935, with a voter participation rate of 97.88 percent, the people of the Saar Region voted 90.53 percent for reunifying the Saar Region with Germany, 8.83 percent for retaining the status quo, and 0.40 percent for unifying with France.[48] Many observers viewed these results as an unexpectedly broad approval for reunification with the German Reich. People had generally anticipated a higher percentage of votes in favor of retaining the status quo, largely because even though many voters wanted the region to return to Germany, they did not want it to return to Hitler's German Reich. Assessed against the allocation of seats resulting from the last parliamentary election, in which the parties advocating the retention of the status quo (Social Democrats and Communists) had managed to win 37 percent of the seats, the approximately 9 percent of the votes for retaining the existing status proved bitterly disappointing.[49] We can assume that most Jews voted to retain the status quo, but this cannot be documented.[50] In light of the plebiscite's results, on 17 January 1935 the Council of the League of Nations approved the reunification of the Saar Region with the German Reich, stipulating 1 March as the designated date.[51]

Notwithstanding Bavarian and Prussian efforts to reinstate the status that existed prior to the Saar Region's creation, the Law on the Preliminary Administration of the Saarland retained the Saarland's integrity.[52] Bürckel had already received a commitment from Hitler in December 1934 that he would be given control of the Saar Region after the plebiscite victory. When the law went into force on 1 March 1935,

Bürckel was appointed as the Reich Commissioner for the Reintegration of the Saarland (Reichskommissar für die Rückgliederung des Saarlandes) and the Saarland—even though not expressly designated as such—became a state of the Reich. A number of Bürckel's confidants from the Palatinate obtained good posts—the aforementioned Binder and Barth, for example, as Regierungsdirektoren (government directors)—in the leading sections of his commissarial office (in a certain sense, the Saarland's government), which was not always well received in the Saarland itself.[53]

On 23 March 1935, Reich Interior Minister Frick informed the highest Reich and state authorities about the guarantees provided by the Reich in the Rome Agreement to protect minorities, but in particular about the right of persons residing in the Saarland on 3 December 1934 to leave the Saarland with their assets without incurring any levies if they registered their emigration in writing with the Reich Commissioner by 31 August 1935 and emigrated by 29 February 1936.[54] The Würzburg state revenue office, responsible for the former Bavarian part of the Saarland, had already informed the Saarland revenue offices on 5 March 1935 that the Reich Flight Tax could not be imposed on this specific group of people until February 1936.[55] The Supreme Plebiscite Court in Saarbrücken, a League of Nations institution, monitored compliance with the guarantees until the transitional period expired in spring 1936.[56]

How, then, did the Saarland's Jews react to the reintegration? Rabbi Dr. Lothar Rothschild, a Saarlander originally from Basel, presented his views on the situation of the Jews along the Saar in a Viennese newspaper on 21 January 1935, anticipating difficult times above all for poor Jews, because the wealthy could emigrate more easily, as could young people, who would go to Palestine. The community had to get ready for a large-scale welfare operation in order to help those "who today . . . as employees and workers live from their salaries, from hand to mouth, and who one day, bereft of all employment opportunities, will stand baffled and helpless in the street."[57]

Officials complied in various ways with the guarantees provided by the German Reich, as shown by the appeals submitted to the Supreme Plebiscite Court against the German authorities, especially at lower administrative levels.[58] Already on 2 April 1935, Reich Commissioner Bürckel issued an order requiring Saarland officials to substantiate their "Aryan" lineage. This order had to be rescinded on 20 May, however, after the Foreign Office and the Reich Ministry of Justice intervened, seeing here a violation of Rome Agreement. Consequently,

Bürckel no longer demanded any formal "Aryan certification" through birth or baptism certificates, but he still had all officials fill out a general questionnaire that also solicited information regarding their "Aryan" lineage.[59]

The number of appeals to the Supreme Plebiscite Court sheds light on the treatment of protected groups of people during the period after reintegration. By 29 February 1936, 371 appeals were submitted to the court, including 366 directed against German authorities or private individuals. In an additional ninety-four cases, the German state representative Heinrich Welsch, director of the Trier Gestapo, managed to thwart an official appeal. Only forty-one people who raised an appeal still lived in the country. The number of Jewish claimants amounted to seventy-seven, approximately 20 percent of the plaintiffs. The many complaints brought before the court demonstrate that the admonishments issued by various Reich German authorities to local agencies did not always ensure compliance with the Rome Agreement at the local level.[60]

The facts listed in a 21 September 1935 petition submitted to the Council of the League Nations in Geneva by Reich-German emigrants illustrate the conduct of the Saarland authorities and NSDAP organizations. The petition was formulated by the Saarland Social Democrat Max Braun, the authors Heinrich Mann, Lion Feuchtwanger, and Ernst Toller, the former floor leader of the SPD in the Reichstag Rudolf Breitscheid, as well as various emigrant organizations in Paris. Regarding the treatment of the Jewish population, explicitly protected by the Rome Agreement, they reported on the incarceration of a Jewish businessman, Erich Oppenheimer, for "racial defilement," and the ejection of thirty Jews from the Deutschmühlen municipal swimming pool, specifically mentioning a businessman named Kahn; in Saarbrücken, the windows of a Jewish hairdresser on Ludwigstraße were broken, patrons at the Café Assmann were hassled because they were suspected to be Jews, and customers of Jewish stores that had been posted with signs had been insulted and photographed.[61] Even though the Foreign Office and the Ministries of Justice and the Interior urged scrupulous compliance with the guarantees provided in the Rome Agreement, everyday life for the Jewish population in the Saarland now hardly differed from that of the Jews in the Reich. Even Reich Commissioner Bürckel did not strongly oppose such activities.

Quite the contrary: the Reich Commissioner's administration very quickly took action in another area, namely, the school system. Adopting a decree by the Reich and Prussian Minister for Science, Education,

and National Culture on 10 September 1935, the Reich Commissioner pointed out to Saarland authorities on 23 September 1935 that "children of Jewish descent form a strong impediment to the unity of the classroom community and the undisrupted implementation of a National Socialist youth education," therefore making it necessary to think about establishing Jewish schools.[62] Responses from the individual school boards drew attention to the statutory basis—existing in part since the nineteenth century—for founding and maintaining Jewish elementary schools. The statement by the Saarbrücken II School District concluded: "They [the Jews] are obligated to set up Jewish elementary schools in centrally situated localities in accordance with actual needs," but that in the event of insufficient finances these schools could be supported by the respective municipalities or by the state.[63] In another circular to the Saarland's school directors and school district administrators from 11 November 1935, the Reich Commissioner demanded that "in all schools particular attention [was] to be given to racial-political enlightenment." The "fateful significance of race," he insisted, must be handled in the entire curriculum and not only in special classes.[64]

According to the census on 1 January 1933, 4,638 Jews lived in the Saar Region, corresponding to 0.56 percent of the entire population.[65] On 25 June 1935 in the first census after reintegration with the German Reich, the number of Jews had already declined to 3,117 persons,[66] leading to the conclusion that a significant portion of the Jewish population living in the Saar Region had emigrated not only during the first four months after reintegration but also earlier. Josef Bürckel took stock of the emigration declarations in a report written to the Reich Interior Ministry dated 25 May 1936—thus after the Rome Agreement's one-year guarantee period had expired. His office had received 2,350 such declarations, accepting 2,225 of them. By the expiration of the deadline on 29 February 1936, 317 were withdrawn, including 265 from Saarland Jews. The remaining 1,908 valid declarations, however, pertained to a far larger number of emigrants, since only one declaration had to be made per family.[67] Another survey of police authorities arranged by Bürckel tallied a total of 4,644 emigrating persons, including 2,014 Jews.[68]

However much the emigration of Jews conformed with the Reich government's desire to render the Reich "Jew free" as quickly as possible,[69] the fiscal authorities faced the problem of procuring foreign currency for Jews emigrating from the Saarland, because, on the one hand, these Jews were exempt from the Reich Flight Tax and, on the

other hand, they could transfer their personal assets abroad without incurring any deductions. The authorities carefully ensured that the assets registered by emigrants actually belonged to their personal property and were not being moved abroad by third parties using this method. Since the Nazi seizure of power, the scarcity of foreign currency constituted a constant problem for the Nazi economy, which was dependent on imports.[70]

Overall, the Saarland's population benefited from the guarantees issued for the first year, especially if we compare the reintegration of the Saar Region into the German Reich with later annexations. Above all, the activities of the Supreme Plebiscite Court during this period must have had a positive impact, particularly since, as a result of the existing legal situation, its decisions were rarely appealed.[71]

The Saar Region as a Fully Integrated Part of the German Reich

As of 1 March 1936, the Jews in the Saar Region received the same treatment as Jews in the rest of the Reich, that is, they faced the same degree of discrimination and persecution. The so-called Nuremberg Laws—namely, the Law for the Protection of German Blood and German Honor (Gesetz zum Schutze des deutschen Blutes und der deutschen Ehre), enacted on 15 September 1935 at the Nuremberg Rally, and the Reich Citizen Law (Reichsbürgergesetz) from that same date——now also applied to the Saarland's Jews.[72] A confidential circular order from the Reich Commissioner on 20 January 1936 drew attention to the application of the provisions. In the same order, however, Bürckel reminded officials that, even after 29 February, persecuting or retaliating against persons who had adopted a different political stance during the League of Nations' administration of the Saar Region would not be permitted.[73]

Naturally, Saarland authorities now applied all of the other laws and ordinances enacted in the Reich since 1933 to exclude the Jews from public service and certain professions. These laws and ordinances included the Law for the Restoration of the Professional Civil Service (Gesetz zur Wiederherstellung des Berufsbeamtentums) and the Law on the Admission to the Legal Profession (Gesetz über die Zulassung zur Rechtsanwaltschaft) of 7 April 1933, and the Ordinance on the Admission of Doctors for Work at Healthcare Funds (Verordnung über die Zulassung von Ärzten zur Tätigkeit bei den Krankenkassen) of

22 April 1933, as well as regulations governing school and university attendance and religious practices like the slaughtering of animals. For example, on 15 June 1936 the Reich Ministry of Justice issued an ordinance for the Saarland that—applying the corresponding law of 1933—revoked the admission of "non-privileged non-Aryan legal attorneys to the legal profession by 30 September 1936."[74] Because the Rome Agreement's guarantees had expired during preparations for the August 1936 Olympics in Berlin, Reich authorities made an effort to prevent extreme attacks against German Jews in order to avoid creating the impression that Jews suffered discrimination in Germany.[75]

The facts verify the predictions made in 1935 by Rabbi Rothschild from Saarbrücken.[76] A substantial number of Jews emigrated from the Saarland, even after 29 February 1936. This weakened the Jewish communities, which in many cases could no longer economically sustain their synagogues or appoint enough board members to comply with legal standards, which in the Prussian part of the Saarland were still based on a law from 23 July 1847. Thus the synagogue community in Saarwellingen requested permission to sell a schoolhouse,[77] and the Jewish communities in the Kreis of Saarbrücken and the community in Merzig applied to the Office of the Reich Commissioner to request the appointment of a commissioner because they could no longer fill their board positions.[78] By 30 October 1936, state commissioners had to be appointed for a large number of communities—Saarbrücken, Neunkirchen, Illingen, Saarwellingen, Saarlautern (Saarlouis), Dillingen, Merzig, Schönbruch, Rehlingen, and Wallerfangen—which affected virtually all of the former Prussian parts of the Saarland with largest Jewish populations.[79] Just a few months later, on 4 April 1937, the Jewish communities in Illingen, Neunkirchen, and Merzig merged,[80] while in March 1937 St. Wendel's synagogue community still existed but with only nineteen members.[81] The Law on the Legal Status of Jewish Religious Associations was issued on 28 March 1938, which revoked the status of Jewish communities as corporations under public law, halting the activities of state commissioners on their behalf.[82] Henceforth these communities had to be registered as associations under civil law.[83]

Meanwhile, the German Reich's Anschluss of Austria had changed Germany's political landscape. On 12 March 1938, German troops advanced into Austria, and the Law on the Reunification of Austria with the German Reich entered into force on 13 March.[84] A plebiscite on 10 August 1938 sanctioned the Anschluss with 99.7 percent of the votes. The Anschluss of Austria advanced Josef Bürckel's career,

leading to his appointment on 13 March 1938 as the Reich Commissioner for Austria's Reunification with the Reich (Reichskommissar für die Wiedervereinigung Österreichs mit dem Reich). As a result of his activities as the Reich Commissioner in the Saarland and the region's successful reintegration, he seemed predestined for this new assignment. A number of his staff from the Saarland accompanied him to Vienna, including the aforementioned Regierungsdirektor Karl Barth.[85]

Apart from his other activities, Bürckel founded the Central Office of Jewish Emigration (Zentralstelle für jüdische Auswanderung) in Vienna on 20 August 1938, led by SS-Standartenführer Dr. Walter Stahlecker and also employing Adolf Eichmann. The so-called Nisko operation in October 1939, involving the deportation of approximately 5,000 Czech and Austrian Jews to the eastern part of the General Government, created after the occupation of Poland, occurred during the tenures of Bürckel in Vienna and Eichmann in Prague.[86]

On the basis of his experiences in Vienna, Bürckel later realized his idea of a political unification of the Bavarian Palatinate and the Saarland. The order to merge the two regions was issued on 8 April 1940—and Bürckel became Reich Commissioner for the Saar-Palatinate (Reichskommissar für die Saarpfalz).[87] Bürckel had ceased his work as the Reich Commissioner in Vienna on 15 March, but he remained in the city until the appointment of a Reich Governor (Reichsstatthalter) in the summer, returning to the Saarland on 4 August 1940. During his absence, Deputy Gauleiter Ernst Ludwig Leyser had been responsible for the Palatinate and Saarland.[88]

Bürckel's absence did nothing to change the fate of the Saarland's Jews, who were harassed to the same degree as Jews throughout the entire Reich and robbed of their livelihoods. During the Night of Broken Glass on 9 November 1938, synagogues also burned in the Saarland, and stores and residences were plundered. Thus SA Brigade 151 reported the next day that the synagogue in Saarbrücken had been set ablaze and the synagogues in Dillingen, Merzig, Saarlouis, Saarwellingen, and Brotdorf had been destroyed; all of the synagogues in the districts of Ottweiler and St. Wendel were damaged as well. Many Jews were taken into so-called protective custody.[89] As in the rest of the Reich, the surviving synagogue communities had to arrange and pay for the final demolition of the damaged synagogues; in Saarbrücken, municipal authorities confiscated 10,000 RM for this purpose from one of the community's bank accounts, transferring the funds to the city treasury.[90]

In particular, Nazi officials repeatedly surveyed and discussed the landed property of Jews during the period from 1938 to 1940/41. On

13 December 1938, the Reich Commissioner for the Saarland sent the Reich Minister for Nutrition and Agriculture an "Overview of the Settlement Capacity of Saarland Landed Property in Jewish Hands," which listed the corresponding communities, albeit without specifying the sizes of the properties.[91] On 6 February 1940 (thus after the start of the war) the Reich Commissioner formulated a similar report to the same ministry in far more concrete terms, specifying an agricultural area of 231 hectares for the Saarland. The report itemized the properties individually according whether their owners were from hostile countries, neutral countries, or German state subjects, as well as combinations of these three categories, noting however that "considering the predominance of non-German property, obstacles will probably continue to impede the practical exploitation of the Jewish property. . . ." According to the report, the diverse range of property relations resulted from the Agreement on the Saarland's reintegration, which had facilitated Jewish efforts to emigrate and obtain foreign citizenship.[92] On 18 October 1940, at a "Conference on the Dejudaization of Agricultural Landed Property," representatives and high officials from the Reich Ministry of Nutrition extensively discussed the issue of exploiting Jewish landed property, but without reaching any general solutions. They noted that Jewish owners were entitled to treatment in accordance with the applicable laws and, in the event of a sale, to proper proceeds, "which could be about 10 percent lower than the general market value. . . . If the Jew is not paid the market value, then, for his part, he cannot pay the Reich Flight Tax and the Jew levy. Furthermore, the opportunity to emigrate will be taken from him if he cannot retain the means to do so."[93] A document from 31 December 1941 finally recorded the 216.44 hectares of originally Jewish agricultural property in the Saarland in tabulated form, broken down according to Kreise, and an area of 10.36 hectares—thus 4.8 percent—that had since been transferred into "Aryan" ownership. For three years, and despite substantial efforts, practically no progress had been achieved—at least from the perspective of the authorities dealing with the matter.[94]

The Jews continued to emigrate. Thus the census of the "Greater German Reich" on 17 May 1939 registered only 494 persons of the Jewish faith in the Saarland.[95] Accordingly, since the census on 25 June 1935—that is, within four years—the Saarland's Jewish population had drastically decreased by more than 2,500 persons. Of these, 1,062 had emigrated between 1 January and 25 May 1936; for the second half of 1935 and after May 1936, Hans-Walter Herrmann has calculated an

additional 1,200 to 1,300 emigrations and approximately eighty deportations to Poland.[96] Just over a third of the remaining Jews—namely, 177—lived in Saarbrücken; 39 still lived in Merzig/Brotdorf, 36 in Illingen, and 34 in Saarlouis.[97]

The German invasion of Poland on 1 September 1939 and France's declaration of war against Germany two days later affected the Jewish (as well as the "Aryan") population insofar as the inhabitants of the "red zone" near the border (including the cities of Saarbrücken, Saarlouis, and Merzig) were evacuated to the German Reich's interior, primarily to Thuringia and Upper Franconia. After the success of the German military campaign in France, non-Jewish residents were able to return to their towns and villages in August 1940, but the Jews were not. At the beginning of the war the latter were housed primarily in collective quarters in Halle an der Saale and Dessau. Later they were transferred to camps in Mark Brandenburg, where they had to perform forced labor.[98] The non-evacuated remainder of the Jewish population in Saarland communities located farther from the border lived primarily in Homburg and Ottweiler, as well as in a few communities in the Kreis of Saarlouis.[99]

On 22 October 1940, the Nazis deported all of the Jews from the Gaue of Baden and the Saar-Palatinate—a total of 6,507—to unoccupied France. Even though these measures involved far more Jews from Baden than from the Palatinate and the Saarland, they were referred to as the "Bürckel Operation." According to a contemporary list, the Nazis deported 134 persons from the Saarland; Hans-Walter Herrmann has revised this figure to 145 persons.[100]

This deportation operation had been well prepared in secret. On the morning of 22 October, various police forces (Schutzpolizei, Kriminalpolizei, and the Gendarmerie) located the Jewish families (registered in lists) and notified them of the deportation order. According to the order, the deportees officially had two hours (in many cases, substantially less time) to assemble fifty kilograms of baggage per person, a complete set of clothing, one wool blanket per person, food for a number of days, eating and drinking utensils, all personal identification papers, and cash in the amount of 100 RM in preparation for the transport. They had to leave behind any cash, various valuables, and other property exceeding this amount.[101] The police forces designated for the seizures had received a sheet of printed instructions stipulating how they were to handle property that was left behind.[102] Only Jews who were married to an "Aryan" spouse or, by chance, were not found in their homes on the respective date, escaped the deportation.[103]

The Saarland Jews, who chiefly came from locations far from the border, were brought to the Gestapo office in Saarbrücken, where they signed over their real estate to the Reich Association of Jews in Germany (Reichsvereinigung der Juden in Deutschland). They were then taken to Forbach and subsequently deported by rail to southern France, probably together with Palatinate Jews in the same train.[104]

The border crossing from the occupied zone in France to the non-occupied zone occurred at the train stations of Chalon-sur-Saône and Mâcon. Eichmann, who probably organized the deportation's entire logistics, waited here in person; he was visibly relieved to have gotten rid of Germany's undesired Jews by deceiving the French authorities—for he had declared the trains Wehrmacht transports.[105]

After the trains arrived in Lyon, the French government in Vichy, the Ceasefire Commission in Wiesbaden, and the German government engaged in fierce communications—on the one hand, the unnotified French had to find accommodations for the deportees; on the other hand, they protested to the German Foreign Office against having to accept the deportees, whom they viewed as German citizens.[106] For its part, the Foreign Office first needed to make inquiries at the Reich Security Main Office (Reichssicherheitshauptamt) and received a letter from Heydrich dated 29 October 1940 that listed the number of Jews and the circumstances surrounding the deportation: "The Führer ordered the deportation of the Jews from Baden via the Alsace and Jews from the Palatinate via Lorraine. After the implementation of the operation, I can inform you that from Baden on 22 and 23/10/1940, with seven transport trains, and from the Palatinate on 22/10/1940, with two transport trains, 6,507 Jews, in agreement with local duty stations of the Wehrmacht, without previously informing the French authorities, were moved to the unoccupied part of France via Chalon-sur-Saône."[107] The French government now had to rapidly decide where to send the trains from Germany. It chose a camp at the foot of the Pyrenees—Gurs, in the Département Basses-Pyrénées (Prefecture Pau), which had been quickly built from scratch at the end of the Spanish Civil War in spring 1939 for fighters on the side of the Spanish Republic who had been interned in France. Consisting of a number of sectors separated by barbed wire, the internment camp was setup under the French army's administration. The basic component was a lightly constructed simple cabin—unheated, poorly lit, and with extremely limited space (approximately 0.75 x 2.0 meters per person)—accommodating sixty inmates.[108]

Together with deportees from Baden and the Palatinate, the 145 Saarlanders—ninety women and fifty-five men—arrived at the

Oloron-Sainte-Marie train station on 25 and 26 October. Army trucks brought them to Gurs, where the men were consigned to one block and the women and children to another. Built to provide temporary housing for young soldiers, the camp was by no means suitable for accommodating these refugees, over a third of whom were over sixty.[109] Apart from the poor accommodations (the camp did not even have enough straw mattresses for everyone), the camp lacked adequate medical services, medicine, doctors, and a sufficiently varied food supply. In the cold and damp weather during the onset of winter at the foot of Pyrenees and especially in the poor sanitary conditions, with unenclosed wash stations at each cabin and an unenclosed toilet facility for each block that often could only be reached through ankle-deep mud, the deportees found life difficult to bear. The separation of families according to gender further aggravated their situation—with very few passes that allowed people to move from block to block, married couples managed to see each other only after weeks or months.[110] Many of the deportees from Baden and the Saar-Palatinate died, starting from day one. By 18 January 1941 alone—that is, in just under three months—564 people had perished, predominantly due to old-age infirmity, intestinal infections, and heart failure, according to death certificates issued by the camp's few doctors.[111]

The arrival of the German Jews completely overwhelmed the French authorities, especially since the camp's administration was simultaneously being transferred from the army to the civil government, that is, the prefecture in Pau and the interior ministry in Vichy. During the course of the following months, the food supply improved and some of the inmates were transferred to other camps, some of them new: the elderly to Noé and Le Récébédou near Toulouse, and families to Rivesaltes in the vicinity of Perpignan.[112] At the same time, French Jews and French and international aid organizations—such as the Red Cross, the Quakers, Swiss Children's Aid, and Protestant Church relief organizations—undertook measures that brought small improvements in nutrition and medical support for the camp inmates.[113] During the course of spring 1941, these measures began having a positive effect on the lives of the deportees: during the entire month of July, "only" nine people died in Gurs. Thus for the Jews from Baden and the Saar-Palatinate, camp life assumed a certain "normality." Incidentally, the French authorities never discriminated against these Jews because of their "race"—setting aside the latter's internment in camps, which was covered by the French law on "foreign nationals of the Jewish race" of 4 October 1940 and provided for the

internment of foreign Jews in camps according the discretion of the respective department prefects.[114] Some of the deportees continued to pursue emigration efforts, in part with the support of authorities in Germany, who later, however, impeded such efforts because they wanted to reserve the few emigration opportunities during the war for Jews in the Reich.[115]

This "normality," however, came to end when the Nazis began deporting the Jews from France "to the East." At the so-called Wannsee Conference on 20 January 1942,[116] the architects of the operation made plans to comb through Europe from west to east and "evacuate" the Jews from all of the countries within the German sphere of influence. With respect to France, they assumed that there were 165,000 Jews in the occupied zone and 700,000 Jews in the unoccupied zone.[117] After the first arrests in the occupied zone, the deportations to the extermination camps began with the transport from Compiègne on 27 March 1942.[118] In summer 1942, the Gestapo headquarters in Paris expanded the arrests to the unoccupied territory with the assistance of the French police. The camps housing the Jews from Baden, the Palatinate, and the Saarland constituted a convenient reservoir from which to fill the trains destined for Auschwitz. On 6 and 8 August, two transports each with 1,000 Jews left Gurs for the Drancy collection camp near Paris, whence, just a few days later, transport numbers 17 through 21[119] left for Auschwitz with a large number of Jews from Baden and the Saar-Palatinate. In the meantime, Jews from the rest of the camps had been brought to Drancy. The transports from Gurs and the other camps continued into October. In keeping with the age distribution of the camp inmates, very few of the deportees survived their arrival at the extermination camps by being selected for forced labor—the large majority died in the gas chambers.[120]

Hans-Walter Herrmann has endeavored to discover the fate of the 145 Jews deported from the Saarland on 22 October 1940. Thirty of them died in French camps and elsewhere in France; sixty-four died or disappeared in the eastern European camps; eleven emigrated or fled; seventeen survived in France and one in Auschwitz. The fate of twenty-two people remains unknown.[121]

Without a doubt, many of the Jews from the Saarland who were evacuated from the "red zone" to central Germany at the beginning of the war shared the fate of their coreligionists who were deported to France. With the liquidation of the forced labor camps in 1942 and 1943, the Gestapo deported the younger people to Auschwitz and those over sixty-five years old to Theresienstadt (Terezin).[122] Even so,

we can assume that approximately 90 percent of the Jews living in the Saar Region in 1933 survived the Holocaust, thanks largely to the guarantees negotiated prior to the region's reintegration into the German Reich.

Conclusion

The Saar Region was formed as a distinct territory after the Treaty of Versailles in 1919 from sections of the Prussian Rhine Province and the Bavarian Palatinate and, for a period of fifteen years until 1935, was placed under the administration of the League of Nations, which appointed a Government Commission for this purpose. The main reason for the creation of the Saar Region lay in the French demand to obtain compensation for damages suffered as a result of the war by taking over the Saar mines.

The region's German population and its political representatives expected that the region would be reintegrated into the German Reich after the plebiscite planned for 1935, which also, however, included the options of joining France or maintaining the status quo. After the National Socialists seized power in Germany on 30 January 1933, the Saar Region's hitherto weak NSDAP grew vigorously and, together with other nationalist parties, conducted an intensified propaganda campaign in support of reintegration. At the same time, the Saarland exhibited continually increasing anti-Semitic tendencies. This prompted Jewish organizations to argue to the League of Nations that, in the event of the Saar's reintegration with Germany, the region's approximately 4,600 Jews needed special protection. In the Rome Agreement negotiated with the League of Nations, the German Reich declared its willingness for a period of a year—that is, until 29 February 1936—not to implement the German anti-Jewish laws in the Saar Region and to allow people the freedom to emigrate without any loss of their assets. After the plebiscite, which decided in favor of Germany with 90 percent of the vote, on 1 March 1935 the Palatinate Gauleiter Josef Bürckel assumed control the Saarland as Reich Commissioner. Despite a few violations of the Rome Agreement's guarantees, prior to and during the period from 1 March 1935 to 29 February 1936, thousands of Jews managed to leave the Saarland.

As of 1 March 1936, all of the Reich's laws that discriminated against the Jews and progressively expelled them from public life applied in the Saarland as well; and in November 1938, synagogues also burned

along the Saar. After the war broke out, the Jews from areas near the border were brought to central Germany. Following the victory over France, on 22 October 1940 the Gestapo deported the 145 Jews still remaining in the Saarland to the Gurs internment camp in southern France. Thirty of them died at the camp; sixty-five were transported to Auschwitz in summer 1942, of whom only one survived. Nothing is known about the fate of twenty-two of the deported Saarland Jews, while the rest managed to flee or belatedly emigrate.

Notes

1. *Treaty of Peace with Germany* (New York, 1919), Article 48.
2. Ibid., Article 50, Annex §§ 16 to 21, 40–41.
3. *Journal Officiel de la Société des Nations* (1920), 47ff.
4. *Treaty of Peace with Germany*, Article 45, 32–33.
5. *Treaty of Peace with Germany*, Art. 45 and Art. 50.
6. Ibid., Art. 49 and Art. 50, Annex § 34.
7. The Reich Court also remained the competent court of appeal for civil matters in the Saar Region; Fritz Jacoby, *Die nationalsozialistische Herrschaftsübernahme an der Saar: Die innenpolitischen Probleme der Rückgliederung des Saargebietes bis 1935* (Saarbrücken, 1973), 26.
8. As of 1 May 1921, miners received their wages in francs; they were followed somewhat later by steelworkers and railway and postal employees. As of 30 April 1921, the Saar Region's postage stamps were issued in French currency; Maria Zenner, *Parteien und Politik im Saargebiet unter dem Völkerbundsregime 1920–1935* (Saarbrücken, 1966), 44.
9. *Treaty of Peace with Germany,* Art. 50, Annex §§ 27 and 28.
10. Jacoby, *Herrschaftsübernahme,* 31.
11. Ibid., 38f.
12. Dieter Muskalla, *NS-Politik an der Saar unter Josef Bürckel: Gleichschaltung, Neuordnung, Verwaltung* (Saarbrücken, 1995), 614. On the demographic developments of the Saarland's Jewish population, see (with slighty different figures) Albert Marx, *Die Geschichte der Juden an der Saar: Vom Ancien Régime bis zum Zweiten Weltkrieg* (Saarbrücken, 1992), 160–162.
13. Jacoby, *Herrschaftsübernahme,* document 25, 355.
14. Hans-Walter Herrmann, "Das Schicksal der Juden im Saarland 1920 bis 1945," in *Dokumentation zur Geschichte der jüdischen Bevölkerung in Rheinland-Pfalz und im Saarland von 1800 bis 1945*, vol. 6, published by the Landesarchivverwaltung Rheinland-Pfalz in conjunction with the Landesarchiv Saarbrücken (Koblenz, 1974), 264.
15. Jacoby, *Herrschaftsübernahme,* 27.
16. Ibid., 56ff.
17. Ibid., 67–79.
18. Ibid., 80ff.
19. Zenner, *Parteien,* 251.
20. Ibid., 253, note 24.
21. Ibid., 254.