NUREMBERG LAWS

NUREMBERG LAWS, anti-Jewish statutes enacted by Germany on September 15, 1935, marking a major step in clarifying racial policy and removing Jewish influences from Aryan society. These laws, on which the rest of Nazi racial policy hung, were written hastily. In September 1935, Hitler decided that the time was ripe for more restrictions on Germany's Jews, especially since many Party militants had expressed their disappointment with the Arierparagraph. He outlined new laws for the protection of German blood and honor. These laws would "regulate the problems of marriage between 'Aryans' and 'non-Aryans.'" On September 13, 1935, he called on the desk officer for racial law, Bernhard Loesener, in the Reich Ministry of the Interior (RMI), and on others, among them state secretaries Hans Pfundtner and Dr. Wilhelm Stuckart, to formulate the legal language. Hitler wanted to present these new laws at the Nuremberg Party rally on September 15, leaving only two short days to write them. During these two days, several of the men involved in the drafting process did not sleep. Much preliminary work had been done for the drafting of such laws prior to September 13, but they still had to agree on their severity and language. They wrote notes at mealtimes on menu cards as they threw together the laws that would decide the fate of millions. Hitler had asked these men to translate racial ideology into law. Remarkably, the head of Reich Office for Genealogy Research, Dr. Kurt Mayer, heard about these new laws for the first time when they were officially announced. He openly expressed his anger, humiliation, and surprise at not having been consulted during the drafting process. Hitler made no pretense of basing these laws on any "scientific truths" discovered by his "racial scientists." His driving force was not reason but rather the need for an enemy. Hitler had said that if the Nazis had not had Jews, they would have had to invent them. Since Hitler believed he was the sole authority on racial policy, he had the final say about what the law stated.

The laws issued on September 15, 1935, approved by Hitler personally, deprived Jews of citizenship, prohibited Jewish households from having German maids under the age of 45, prohibited any non-Jewish German from marrying a Jew, and outlawed sexual relations between Jews and Germans. These laws enforced a new morality on Germans. Hitler claimed during a Reichstag session that the Nuremberg Laws would actually help the Jews by creating "a level ground on which the German people may find a tolerable relation with the Jewish people." Hitler's statement was a "blatant deception, aimed at the outside world." Regardless of what Hitler said, he implemented these laws to ostracize, discriminate, and expel Jews from society. This was quickly gleaned from his speech when he next said that if this "tolerable situation" was not found and if the Jewish agitation both within Germany and abroad continued, then the position must be reexamined. In other words, Hitler would then implement further laws and policies to persecute the Jews. The Nuremberg Laws, according to Hitler, were just a precursor to other more degrading decrees. To create his homogeneous and harmonious Aryan society, Hitler had first to discard the Jews, a "people" incompatible with "true Germans." The Nuremberg Laws helped Hitler take the first step toward getting rid of "these parasites" and imposing racial conformity on society.
The Nuremberg Laws issued on September 15, 1935 prohibited marriages between Jews and Germans but failed to specify who counted as a Jew. Years of German-Jewish assimilation made this a difficult question to answer. The debate raged for the next several months. Hitler waivered between declaring half-Jews the same as Jews or keeping them separate as half-Jews. Many issues about Mischlinge (partial Jews) and intermarriage were discussed. For example, Nazi hard-liners thought the Arierparagraph had been too lenient. Dr. Gerhard Wagner, Reichsaerztefuehrer (Reich doctors' leader) and a fanatical antisemite, had many talks with Hitler during the drafting of the racial laws. He wanted to equate all half-, quarter-, and even one-eighth-Jews with full Jews. Such extremists argued that partial Jews were more dangerous than full Jews because their mix of German and Jewish blood would enable them to lead the state's enemies with the skill of Aryans.

The racial theorist Dr. Achim Gercke in the RMI introduced another argument when he wrote in September 1935 that Mischlinge could really be disguised Jews. Anyone who mathematically defined "50 percent, 25 percent, 12.5 percent, 6.25 percent, etc., Mischlinge" had not understood Mendel's laws of genetics, Gercke maintained. Gercke warned that Mischlinge could also "mendel out pure Jews." At this time, Hitler refused to give his decision on whether to declare half-Jews as Jews. Hitler's waivering was typical of his style of rule. He often avoided giving a final decision that involved choosing different options proposed by two or more of his trusted underlings. And being the good politician that he was, Hitler probably did not declare half-Jews as Jews because he did not want to alienate the Aryan families of Mischlinge too much.

The Nazis not only persecuted people of Jewish descent, but Aryan Germans with Jewish spouses as well. Stuckart in the RMI argued that anyone who married a Jew was an inferior German. Any children born to such parents did not deserve any better treatment than Jews, since their German half was not really worth protecting. Julius *Streicher, the editor of the notoriously antisemitic and vulgar newspaper Der *Stuermer, tried to convince Frick that Jewish semen permanently polluted an Aryan woman to such an extent that later, although married to an Aryan, she could not bear "pure-blooded Aryan babies." Men like Loesener, who were responsible for drafting these laws, did not take Gercke's or Streicher's beliefs too seriously.

Throughout this process of defining Jewishness, Loesener realized the problems inherent in labeling as un-German people who felt German, thereby marking them for persecution. Loesener feared the disastrous social repercussions that would result from branding as Jews several highly decorated half-Jewish World War I veterans (one a Pour le Mérite recipient) and distinguished supporters of the Nazi movement. Loesener argued that since most felt German and rejected Judaism, their suicide rate would climb dramatically if the government labeled them as Jews. Loesener also cautioned that if they treated half-Jews as Jews, the armed forces would probably lose 45,000 soldiers. He felt that the "laws transformed dissimulation into an established fact [and] would minimize racial hatred," and he "stressed that legal segregation meant legal protection." After the war, Loesener explained his reasoning: "One could no more achieve any movement on the Jewish question in the narrow sense, i.e., the full-Jews, than one could move a
mountain. It would also have been tactically the most stupid thing I could possibly have done because it would have removed any further possibility of making use of my position [in helping half-Jews]." He knew the Jews were doomed but felt that he could save the *Mischlinge* from meeting the same fate if he could prevent the authorities from labeling them as Jews. In this battle between the Party, led primarily by Wagner, and the RMI, led by Stuckart and Loesener, the RMI won. Hitler had been content to let these two factions fight it out. Hitler apparently allowed the RMI to enact its version of the law because he feared the unrest in society that the harsh law of the Party fanatics would cause. According to historian Nathan Stoltzfus, Hitler was only concerned "for his popularity" in permitting RMI to get its way.

As Raul Hilberg pointed out, the task of explaining the laws and fully articulating them was left to the bureaucracy. On November 14, 1935, the RMI issued a supplement to the Nuremberg Laws of September 15, 1935, which created the racial categories of German, Jew, half-Jew (Jewish *Mischling* first degree), and quarter-Jew (Jewish *Mischling* second degree), each with its own regulations. Apparently, Hitler decided for the time being to keep half-Jews as such rather than treating them as full Jews. Full Jews had three to four Jewish grandparents. According to Hitler, when someone was more than 50 percent Jewish, he was beyond the point of saving and was evil (*uebel*). Half-Jews had two Jewish grandparents, and quarter-Jews had one Jewish grandparent. The Nazis had to resort to religious criteria to define these racial categories, ultimately determined by birth, baptismal, marriage, and death certificates. Often stored in churches and courthouses, these records indicated what religion one adhered to or had left. When a *Mischling* belonged to the Jewish religion or was married to a Jew, the Nazis counted him as a full Jew. Jews could only marry Jews or half-Jews, and half-Jews could only marry Jews or other half-Jews. Quarter-Jews could only marry Aryans, although in practice they experienced difficulties in doing so. Marriages between a Jew and an Aryan that had occurred before 1935 were called "privileged mixed marriages" and provided some protection for the Jewish spouse. Most Jews who survived the Holocaust in Germany were married to non-Jews. At the same time, Hitler allowed some *Mischlinge* to apply for exemptions under section 7 of the supplementary decrees of November 1935. In some cases, if Hitler approved, the *Mischling* was allowed to call himself or herself an Aryan.

The Nuremberg Laws of 1935 laid the foundation for the next 10 years of racial policy. Subsequent official documents usually replaced the term non-Aryan with the more specific "Jewish *Mischling* first or second degree" and Jew. Although by 1938 Hitler felt the Nuremberg Laws had been too "humane," he never changed them.

As Loesener had predicted, these laws calmed many individuals of Jewish descent by clarifying their situation somewhat. Half-Jew Peter Gaupp, who called the time from 1933 until the racial laws of 1935 the "lawless years," said:

In 1935, the laws came out, the Nuremberg Laws. That was the first time you knew where you stood legally.... Before it was all guesswork. You could meet a Nazi in some office and he could exterminate you or you could meet a Nazi that was very human and he could help you.... Before 1935, before the laws came out of Nuremberg, you swam your
way through…. You know, there was no regulations. The laws of Nuremberg was the first, ah, form, legal shape where you knew where you stood.

*Mischlinge* felt oppressed, but at least they knew where they belonged. Some Jews welcomed the laws because they felt that now they could live an "orderly existence." Moreover, for a few years after these laws, most *Mischlinge* continued to live fairly "normal" lives – that is, they were able to study, date, serve in the armed forces, and so on. Most felt pleasantly surprised that the majority of their Aryan friends and acquaintances did not treat them differently after the issuance of these laws. Ian Kershaw wrote, "Between the promulgation of the Nuremberg Laws and the summer of 1938, it would not be going too far to suggest that the 'Jewish Question' was almost totally irrelevant to the formation of opinion among the majority of the German people." Many people did not take the new laws seriously. "[The Nuremberg Laws] appear to have passed by much of the population almost unnoticed." It seems that those who did know about these laws, including *Mischlinge*, accepted them without objection.

Stuckart and his assistant, Dr. Hans Globke, in the RMI claimed that Nazi racial laws differed little from Jewish law: "The German people want to keep their blood pure and their culture together just like the Jews have done since the prophet Ezra ordered them to do so." Regardless of what Nazi officials said, these laws inflicted humiliation and suffering on Jews and *Mischlinge*. Quarter-Jew Hans Ranke said, "I was shocked [by these laws]. I no longer felt like a worthy German." The Reichstag felt it had secured the purity of blood essential for the German people's future existence. Lammers wrote Frick on February 20, 1936, that Hitler's goal in *Mischling* politics was to make the "mixed race disappear" and to force *Mischlinge* to lose their citizenship rights. The Nazis used these Nuremberg Laws to define, control, and dehumanize Jews and *Mischlinge* and eventually to expel them from "Aryan" society.

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Write an article about The Nuremberg Laws

Use your book pages 451-452 and the article to do the following
Pretend you were a reporter who lived during this time period
Be sure to answer the 5 W’s and the H questions Who, What, Where, When, Why, and How
Be sure to discuss the main points of these laws
Be creative in your writing, but also be ACCURATE!
The article you create must be original
Limit your article to only 150 words

Create your headline (title) for your article: