

## The Nuremberg Laws and the Wannsee Conference

### By Walter S. Zapotoczny

In September 1935, Adolf Hitler decided that the time was ripe for more restrictions on Germany's Jews. He outlined new laws for the protection of German blood and honor. On 13 September 1935, he called on Bernard Losener in the Reich Ministry of the Interior (RMI) and others, among them state secretaries Hans Pfundtner and Dr. William Stuckart, to formulate the legal language. The Nuremberg Laws were adopted by the Reichstag at the Nazi Party Day of September 15, 1935. There were essentially two laws and a decree (adopted in November) that are of importance. The first of these was the *Reich Citizenship Law*. Among other things, it stated that a Reich citizen was a person who was of German or related blood and was the "sole bearer of full political rights in accordance with the Law." Subjects, on the other hand, were people who enjoyed "the protection of the German Reich and who in consequence had specific obligations towards it." Since Jews were not considered by the Nazis to be of German blood, this law effectively ended their status as citizens of the Reich and reduced them to subjects. The second law was the *Law for the Protection of German Blood and German Honor*. It forbade marriages between Germans and Jews, outlawed extramarital sexual relations between Germans and Jews, prohibited Jews from employing Germans under the age of 45 in their household and denied Jews the right to fly the German flag. In case there was any ambiguity about the meaning of the first law, it was cleared up in a decree issued on November 14, 1938. The so-called First Regulation to the Reich Citizenship Law stated bluntly that no Jew could be a Reich citizen. He has no voting rights in political matters and he cannot occupy a public office." This set of laws obliged the Nazis to do something they had not done before, define what a Jew was. Now, the Reich had laws that used the words "Germans" and "Jews." and definitions were therefore required. The laws created the racial categories of German Jew, half-Jew (Jewish *Mischlinge* first degree), and quarter-Jew (Jewish *Mischlinge* second degree), each with its own regulations. That this was a difficult job is evidenced by the fact that the Nazis were still debating it at the Wannsee Conference in 1942.

The Wannsee Conference was held on 20 January 1942, in a villa owned by the SS-Nordhav Foundation in the attractive Berlin lakeside suburb of Wannsee. It was presided over by SS-Lieutenant General Reinhard Heydrich, Chief of the Security Police and Security Service. Heydrich summoned fourteen men representing the governmental and military branches most involved in implementing the practical aspects of the Final Solution. Reichsmarschall Hermann Goring had charged him with arranging all practical matters concerning the implementation of the Final Solution of the Jewish question. One of Heydrich's foremost intentions was to make sure that all these men understood perfectly what duties and responsibilities their office was expected to fulfill. In the years leading up to World War II, the phrase "Final Solution of the Jewish Problem" had taken on a series of increasingly ominous meanings in the Nazi vocabulary. The various implications had included voluntary emigration, confinement to ghettos in cities referred specifically to the murder of all European Jews. Heydrich's assistant, SS Lt-Colonel Adolf Eichmann tells us in testimony at his trial in 1961 that the meeting was relatively located along rail lines, forced removal to concentration camps, and finally, extermination. Heydrich wanted to be certain there was no confusion among the group that, now, the term brief, lasting only an hour to an hour and a half, and that the atmosphere of the meeting was one filled of cooperation and agreement. Those attending the conference were:

- Gauleiter Dr. Alfred Meyer and Reichamtsleiter (Chief Officer)
- Dr. Georg Leibbrandt - Reich Ministry for the Occupied Eastern Territories
- State Secretary Dr. Wilhelm Stuckart - Reich Ministry of the Interior
- State Secretary Dr. Erich Neumann - Office of the Plenipotentiary of the Four Year Plan
- State Secretary Dr. Roland Freisler - Reich Justice Ministry
- State Secretary Dr. Josef Buhler - Office of Governor General [Poland] representing Hans Frank
- Under State Secretary Martin Luther - Foreign Office
- SS Senior-Colonel Gerhard Klopfer - Party Chancellery representing Martin Bormann
- Ministerial Director Friedrich Kritzinger - Reich Chancellery
- SS Major-General Otto Hofmann - Race and Resettlement Main Office
- SS Major-General Heinrich Muller - Reich Security Main Office

- SS Lt-Colonel Adolf Eichmann - Reich Security Main Office
- SS Senior-Colonel Dr. Eberhard Schongarth - Commander of the Security Police and the SD in the General Government [Poland]
- SS Major Dr. Rudolf Lange - Commander of Security Police and Security Service for General Commissariat Latvia, as Deputy of Commanding Officer of Security Police and Security Service for Reich Commissariat Ostland [Baltic States and White Russia] Security Police and Security Service.

These high-ranking members of the Nazi government met at mid-day over a buffet luncheon to discuss the annihilation of an entire people. Heydrich began the meeting by establishing the primacy of his authority. This authority transcended geographical boundaries. He briefly described the recent history of Nazi action against the Jews. The goals had been to remove Jews from different sectors of German society and then from German soil. The Reich Central Office for Jewish Emigration had been established to facilitate and encourage Jewish emigration and through its offices, those who could afford it were allowed to leave the country. This process proved to be too slow and too limited in scope. At the time of this meeting, Reichsführer-SS Heinrich Himmler had already stopped emigration. The Fuehrer had approved a new solution: the evacuation of the Jews to the East. The Protocol states, "These actions are nevertheless to be seen only as temporary relief but they are providing the practical experience that is of great significance for the coming final solution of the Jewish question." Heydrich continues by enumerating the number of Jews in each country and observes, "Approximately eleven million Jews will be involved..." He further states in the Protocol, "In large, single-sex labor columns, Jews fit to work will work their way eastward constructing roads. Doubtless, the large majority will be eliminated by natural causes. Any final remnant that survives will doubtless consist of the most resistant elements. They will have to be dealt with appropriately because otherwise, by natural selection, they would form the germ cell of a new Jewish revival." In other words, none would be allowed to survive. Beginning with Germany proper and the Protectorate of Bohemia and Moravia, Europe was to be cleared of Jews from west to east. This brought up a number of difficult questions to be resolved. First, who was a Jew? Would any Jews be exempt? Jewish Veterans who served Germany and were decorated in WWI? Jews married to Germans? Those of mixed blood (Mischlinge) married to Germans? Would sterilization be an alternative? Would those Jews be spared whose labor was necessary for the war effort? Nearly one third of the Protocol is devoted to these complicated matters, not all of which were resolved at this meeting. A number of those gathered at the conference table had already been actively engaged in the extermination of Jews and Bolsheviks since the summer of 1941. Lange and Schongarth commanded *Einsatzgruppen* activities in the Riga District and in Polish Galicia. Heydrich and Müller directed the killing operations of the *Einsatzgruppen* and Muller forwarded the "Incident Reports" to the Foreign Office. The Wannsee Conference was not called to decide the fate of European Jews but to clarify all points regarding their demise.

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