

Week One—The Holocaust and The Rule by Law

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While not common knowledge, the Holocaust started with a series of incremental laws from 1933 to 1935, later known as the Nuremberg Laws, which systematically separated German Jews from society. The initial step was the staging of boycotts against Jewish merchants, doctors, and lawyers, exhorting Germans to avoid them. In short order, government authorities enacted laws forcing non-Aryan civil servants into retirement (i.e., those with Jewish parents or grandparents). Next, proof of Aryan-descent documentation became necessary for artists seeking work in the arts, and this soon applied to other occupational fields. Finally, the Reich promulgated the purity laws to protect German “blood and honor.” Here, the regime went into meticulous detail, delineating the degrees of Jewishness (i.e., full, half, and quarter). Accordingly, Jews were not only prohibited from intermarriage with Aryans, they also lost their German citizenship, with Jewish badges on clothing serving as the symbol of ostracism. Now all these measures were perfectly legal under the Third Reich, which no doubt appealed to the German sense of law and order.



Such extreme measures defied rational justification. Approximately 500,000 Jews lived in Germany in 1933, amounting to .75 percent of the total population. It is doubtful the average German had any association with a Jewish person, so the hysteria surrounding the alleged threat to German culture must be attributed to centuries of anti-Semitic propaganda. Ironically, the small size of the Jewish population made forced emigration to Eastern Europe feasible, with only half remaining in Germany by 1939.

Kristallnacht, the infamous 9-10 November 1938 pogrom, resulted in the destruction of Jewish synagogues, homes and businesses throughout Germany and Austria, and punctuated what the Nuremberg Laws had started—the complete disassociation of Jews from German society. But this was not enough in the eyes of the regime.

The 20 January 1942 Wannsee Conference, hosted by Reinhard Heydrich and attended by Reich plenipotentiaries and mid-level bureaucrats, grappled with the question of some 11 million European Jews—The Final Solution. The resulting Wannsee Protocol set the wheels in motion for the systematic eradication of Jews.



Acting on the likely complicity of axis and German occupied governments, the plan was to systematically deport all Jews into Eastern Europe—sweeping from west to east. Here, Jews would be assembled into ghettos awaiting transportation into satellite, labor and death camps. The European rail system would be incorporated into the deportation system, and the costs would be partially defrayed by international Jewish organizations naïvely providing funds for humanitarian assistance as well as “emigration taxes” exacted on wealthy Jewish victims. For those people of mixed Jewish blood and not earmarked for deportation, forced sterilization would be their fate. What is astounding about the Wannsee Conference was the business-like approach to genocide, and all the participants were eager to do their share in making the enterprise succeed.

Thus, the implementation of regime initiatives leading up to the Holocaust was methodical . . . incremental . . . and inexorable. What it represented—in the most evil sense—was the organizational genius of German hierarchy.

Next Week: The Holocaust—The System of Systems.

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