

The experiences of the House of Wannsee conference in training lawyers, civil-servants and policeman about the Holocaust'

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Gedenk- und Bildungsstätte
Haus der Wannsee-Konferenz



The Memorial and Educational Center House of the Wannsee-Conference



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What was the Wannsee-Conference about and why is its history relevant for lawyers, civil-servants and police:

I. a. The “legal” context of the Genocide: Defining Jews and ostracizing them from majority-society and the legal framework for the deportations



I.1. Defining Jews and Depriving them of their Rights- The « cleansing » of the civil service in April 1933



First Ordinance on the Implementation of the Law for the Restoration of the Professional Civil Service [April 11, 1933]

RGBl. I, 1933, p. 195.

Pursuant to § 17 of the Law for the Restoration of the Professional Civil Service of the 7th of April, 1933 (RGBl. I, p. 175) the following is ruled:[]

[...]

2. In re § 3 (1) Anyone descended from non-Aryan, and in particular Jewish, parents or grandparents, is considered non-Aryan. It is sufficient that one parent or one grandparent be non-Aryari. This is to be assumed especially when one parent or one grandparent has practiced the Jewish faith. [...]



I.2. Defining Jews and ostracizing them from German society- The Nuremberg Laws of 1935: “Protection of Blood and Honour”

Law for the Protection of German Blood and German Honor of September 15, 1935 (RGBl. I, 1935, pp. 1146-7.)

Moved by the understanding that purity of German blood is the essential condition for the continued existence of the German people, and inspired by the inflexible determination to ensure the existence of the German nation for all time, the Reichstag has unanimously adopted the following law, which is promulgated herewith:

Article 1

1. Marriages between Jews and subjects of the state of German or related blood are forbidden. Marriages nevertheless concluded are invalid, even if concluded abroad to circumvent this law.

[...]

Article 2

Extramarital relations between Jews and subjects of the state of German or related blood are forbidden.

Article 3

Jews may not employ in their households female subjects of the state of German or related blood who are under 45 years old. [...]

Article 6

The Reich Minister of the Interior, in coordination with the Deputy of the Führer and the Reich Minister of Justice, will issue the legal and administrative regulations required to implement and complete this law.

[...]



I.3.1. Defining Jews and ostracizing them from German society- The Nuremberg Laws of 1935: The new concept of citizenship “The Reichsbürger”

Reich Citizenship Law of September 15, 1935 (RGBl.I, 1935, p. 1146.)

The Reichstag has unanimously enacted the following law, which is promulgated herewith:

Article 1

1. A subject of the state is a person who enjoys the protection of the German Reich and who in consequence has specific obligations toward it.
2. The status of subject of the state is acquired in accordance with the provisions of the Reich and the Reich Citizenship Law.

Article 2

1. A Reich citizen is a subject of the state **who is of German or related blood, and proves by his conduct that he is willing and fit to faithfully serve the German people and Reich.**
2. Reich citizenship is acquired through the granting of a Reich citizenship certificate.
- 3. The Reich citizen is the sole bearer of full political rights in accordance with the law.**

Article 3

The Reich Minister of the Interior, in coordination with the Deputy of the Führer, will issue the legal and administrative orders required to implement and complete this law.



I.3.2. Defining Jews and ostracizing them from German society- The Nuremberg Laws of 1935: The new concept of citizenship “The Reichsbürger”

First regulation to Reich citizenship law (Erste Verordnung zum Reichsbürgergesetz, RGBI.I, p.1333)

On the basis of Article 3, Reichs Citizenship Law, of 15 Sept. 1935 (RGB1 I, page 146) the following is ordered: [...]

Article 2 .2. An individual of mixed Jewish blood, is one who descended from one or two grandparents who were racially full Jews, [...]. One grandparent shall be considered as full-blooded if he or she belonged to the Jewish religious community.

Article 4.1. A Jew cannot be a citizen of the Reich. He has no right to vote in political affairs, he cannot occupy a public office. [...]

Article 5 .1. A Jew is anyone who descended from at least three grand-parents who were racially full Jews. [...].

2. A Jew is also one who descended from two full Jewish parents, if : (a) he belonged to the Jewish religious community at the time this law was issued, or who joined the community later; (b) he was married to a Jewish person, at the time the law was issued, or married one subsequently; (c) he is the offspring from a marriage with a Jew, in the sense of Section 1, which was contracted after the Law for the protection of German blood and German honor became effective (RGB1. I, page 1146 of 15 Sept 1935); (d) he is the offspring of an extramarital relationship, with a Jew, according to Section 1, and will be born out of wedlock after July 31, 1936. [...]

Article 7. The Fuehrer and Reichs Chancellor can grant exemptions from the regulations laid down in the law.



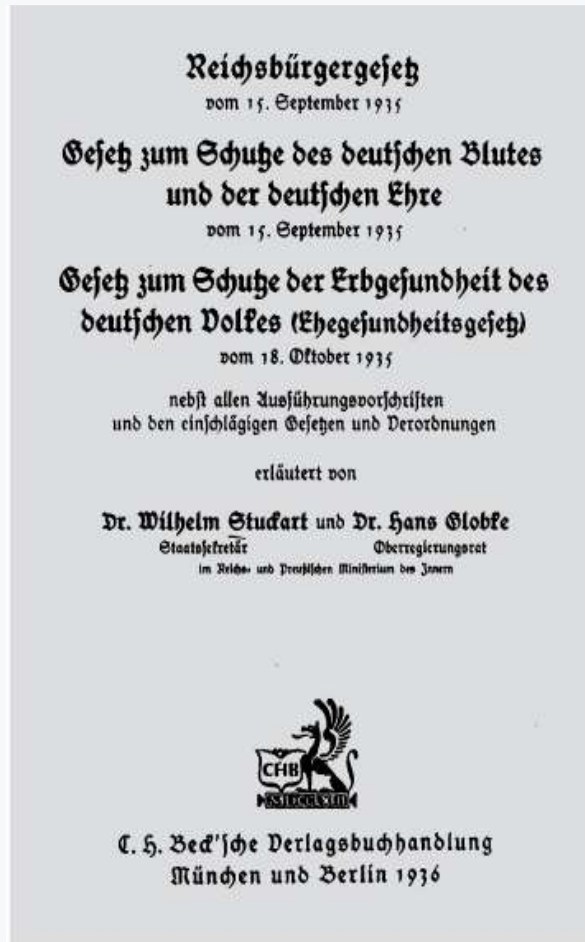
I.3.3.: Defining Jews and ostracizing them from German society- The Nuremberg Laws of 1935: Classifications



Schautafel: Die Nürnberger Gesetze, Herausgeber: Reichsausschuß für Volksgesundheit
30 x 41,2 cm, Berlin, 1935 DHM, Berlin, DG 90/6011



I.3.4.: Defining Jews and ostracizing them from German society- The interpretation of the Law



Titelblatt des »Eutschutzgesetzes«. Mitkommentator war der im Reichsinnenministerium tätige Jurist Hans Globke, der nach dem Krieg eine neue Karriere zunächst als Ministerialdirektor und später als Staatssekretär Adenauers machte, während er in der DDR 1963 – in Abwesenheit – zu lebenslanger Haft verurteilt wurde



Dr. Wilhelm Stuckart, 2. von links, im Reichsinnenministerium
Foto: Tübinger, München 1935



I.4.1. Solving the Jewish Question: Forced Emigration



30 26

**Zentralstelle für
jüdische Auswanderung**
Am IV. Ring Eugenstraße 22

G1-Bbr. 952/78
Ech/R

Wien, am **21. Okt. 1938**

An das
SD-Hauptamt
II 112,
Berlin, SW 78
Wilhelmstrasse 102

SD-Hauptamt	28. Okt. 1938
159943	28. Okt. 1938
Bearbeiter:	Stempel:
1112	


28. Okt. 1938

Betrifft: Abwanderung der Juden aus Österreich.
Vorgang: Ohne

Zur dortigen Kenntnisnahme wird mitgeteilt,
dass die Zahl der durch die Zentralstelle für jüdische
Auswanderung gebrachten Juden sich auf täglich 350 erhöht
hat.

Die genaue Zahl der bis zum 30.9.38 aus Öster-
reich abgewanderten Glaubensjuden beträgt 38.000. (In die-
ser Zahl sind jedoch nicht eingeschlossen die illegal
abgewanderten Juden, sodass hier insgesamt mit einer mit
erreichbarer Genauigkeit geschätzten Zahl von 50.000 zu
rechnen ist.)

Von diesen 38.000 Juden sind in europäische Länder
rund 15.000, nach Palästina 2103, nach Südamerika 3220, in
die anderen überseeischen Länder 18.500 abgewandert.



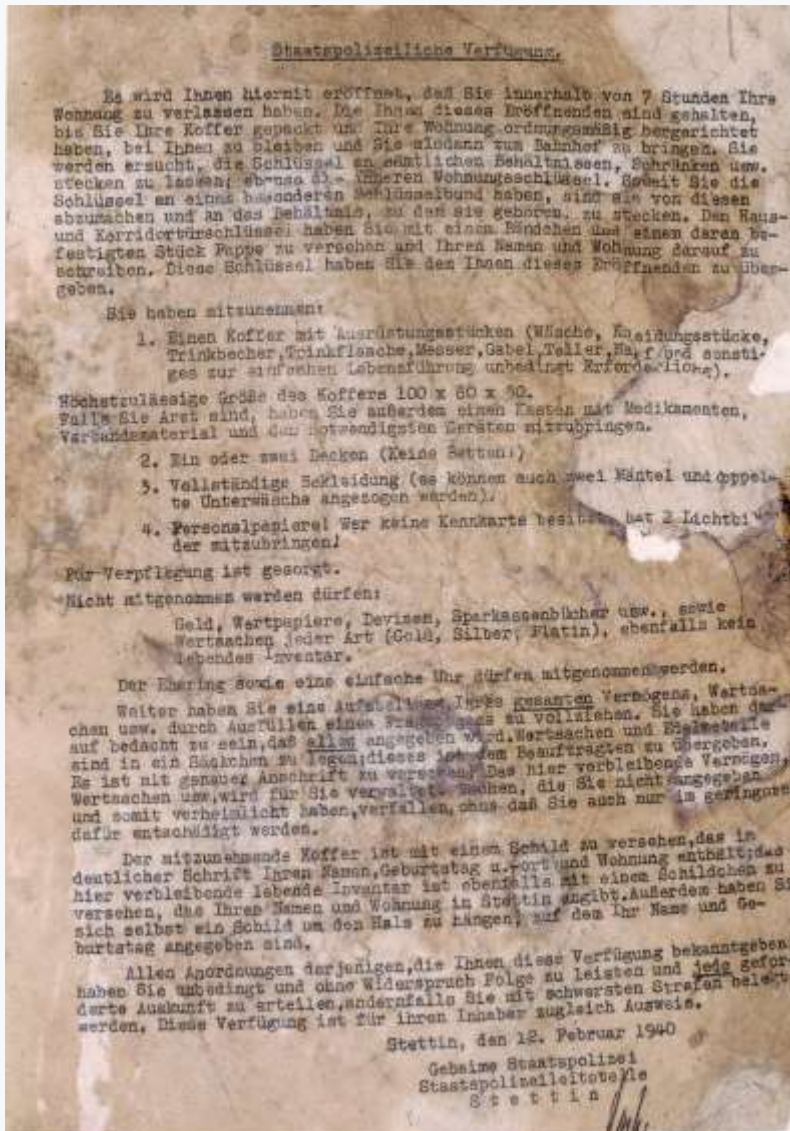
Der Leiter der Zentralstelle
für jüdische Auswanderung:

W. H. ...

1938. 10. 21.
1. - Kopie an ...
2. - Kopie an ...
3. - Kopie an ...
4. - Original ...



I.4.3. Solving the Jewish Question: the beginning of deportations



I.4.4. The legal framework for the deportations from Germany: The 11. Decree on the Reich Citizenship Law of Nov 25, 1941

Elfte Verordnung zum Reichsbürgergesetz. Vom 25. November 1941.

Auf Grund des § 3 des Reichsbürgergesetzes vom 15. September 1935 (Reichsgesetzbl. I S. 1146) wird folgendes verordnet:

§ 1

Ein Jude, der seinen gewöhnlichen Aufenthalt im Ausland hat, kann nicht deutscher Staatsangehöriger sein. Der gewöhnliche Aufenthalt im Ausland ist dann gegeben, wenn sich ein Jude im Ausland unter Umständen aufhält, die erkennen lassen, daß er dort nicht nur vorübergehend verweilt.

§ 3

(1) Das Vermögen des Juden, der die deutsche Staatsangehörigkeit auf Grund dieser Verordnung verliert, verfällt mit dem Verlust der Staatsangehörigkeit dem Reich. Dem Reich verfällt ferner das Vermögen der Juden, die bei dem Inkrafttreten dieser Verordnung staatenlos sind und zuletzt die deutsche Staatsangehörigkeit besessen haben, wenn sie ihren gewöhnlichen Aufenthalt im Ausland haben oder nehmen.

(2) Das verfallene Vermögen soll zur Förderung aller mit der Lösung der Judenfrage im Zusammenhang stehenden Zwecke dienen.

§ 2

Ein Jude verliert die deutsche Staatsangehörigkeit

- a) wenn er beim Inkrafttreten dieser Verordnung seinen gewöhnlichen Aufenthalt im Ausland hat, mit dem Inkrafttreten der Verordnung,
- b) wenn er seinen gewöhnlichen Aufenthalt später im Ausland nimmt, mit der Verlegung des gewöhnlichen Aufenthalts ins Ausland.

§ 1: A Jew who has his ordinary residence abroad cannot be a member of the German State.
[...]

§ 3 (1) The assets of the Jew who loses his German Nationality by virtue of this decree are expropriated by the Reich when the loss of nationality occurs. Furthermore, the Reich expropriates the assets of those Jews who, at the day this decree comes into force, are stateless but who have last possessed German nationality, if and when they take or have taken their ordinary residence abroad.

(2) Assets thus expropriated shall serve to further all purposes connected with the solution of the Jewish question.



III. The “legal” framework for the deportations from Germany: the 11th Decree on the Reich Citizenship Law of November 25, 1941

§ 1

A Jew who has his **ordinary residence abroad cannot be a member of the German State**. [...]

§ 3

(1) The **assets of the Jew who loses his German Nationality** by virtue of this decree are **expropriated by the Reich when the loss of nationality occurs**.

(...)

(2) **Assets thus expropriated** shall **serve** to further all **purposes connected** with the **solution of the Jewish question**.

Berlin Power and Light Cooperation

Claim concerning evacuated Jews

Berliner Kraft- und Licht (Bewag) - Aktiengesellschaft
Hauptverwaltung der Bewag
Berlin NW 7, Schiffbauerdamm 22
Fonier: 42 00 11, Apparat 203
Postfachkonto: Berlin 381 22

Meldung über evakuierte Juden

Rechnungsbüro Südwest
Buchzeichen: 4205/173
Aktenz.d.K/R: 00204
Aktenz.d.Finanzamtes: **Chief Finance President**

Unser früherer Abnehmer Sarah Geis
in der Anlage Merseburgerstr. 13
mit der jetzigen Anschrift evakuiert
hat eine Rest-Schuld für Stromverbrauch
lt. untenstehender Aufstellung, von dem Konto 3000/20/554

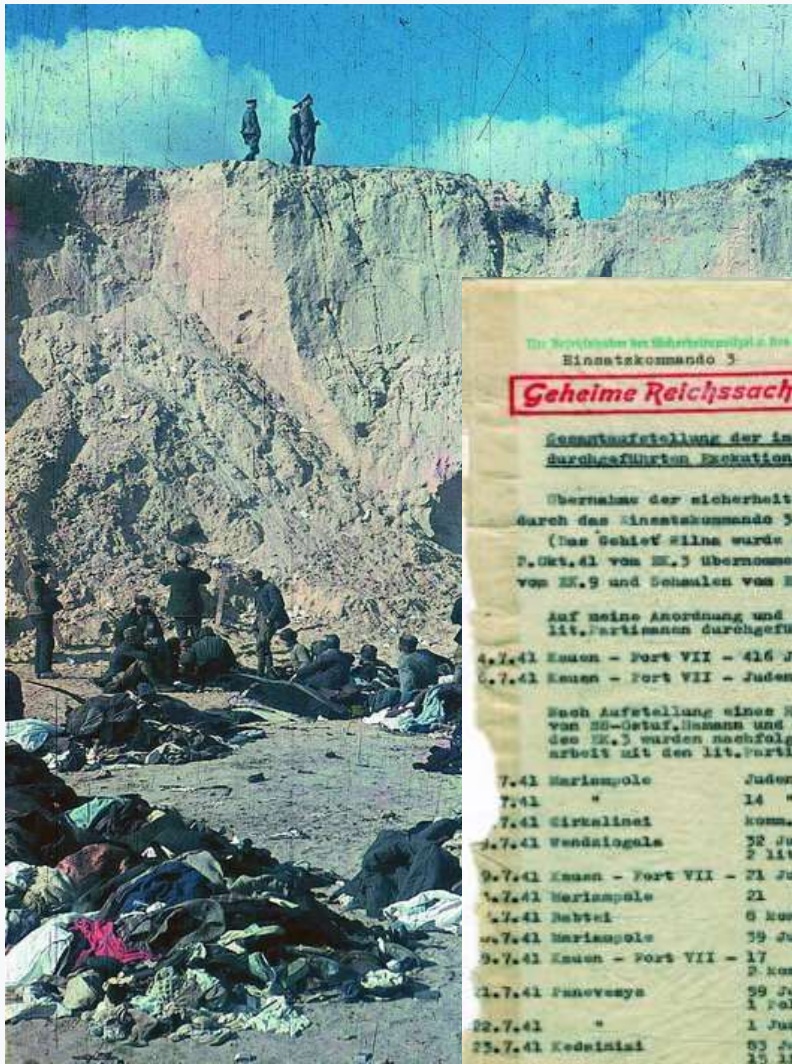
Schuld f. Stromverbrauch lt. Rechng. v. 26.1.43 RM 3.40
„ aus dem E³-Geschäft lt. Geschäfts-Nr. RM -
„ für Gebühren und Unkostenbeitrag RM - RM 3.40
Forderung aus der hinterlegten Stromsicherheit RM -
Zinsengutschrift bis RM -
Es bleibt eine Rest-Schuld / Forderung auf dem Konto 3000/20/554 von RM 3.40

Rechnungsbüro
ausgeschrieben Discontostellen
8.1.43
Datum Datum Datum Datum Datum Datum Datum Datum Datum Datum
R/JFA
eingetragen

Claim: 3 RM 40



I.4.5. Solving the Jewish Question: the beginning of the genocide – mass-executions in the “East”



Die Nachrichten im Sicherheitspolizei des NS
Einsatzkommando 3

Geheime Reichssache!

Kraus, am 1. November 1941

5 Ausfertigungen
4 Ausfertigung.

Gesamtaufstellung der in Bereich des EK.3 bis zum 1. Dez. 1941 durchgeführten Exekutionen.

Übernahme der sicherheitspolizeilichen Aufgaben in Litauen durch das Einsatzkommando 3 am 2. Juli 1941.
(Das Gebiet Vilna wurde am 9. Aug. 41, das Gebiet Schaul- 7. Okt. 41 vom EK.3 übernommen. Vilna wurde bis zu diesem Zeitpunkt vom EK.9 und Schaulen vom EK.2 bearbeitet.)

Auf meine Anordnung und meinen Befehl durch die lit. Partisanen durchgeführten Exekutionen:

4.7.41 Kaunas - Fort VII - 416 Juden, 47 Jüdinnen	465
6.7.41 Kaunas - Fort VII - Juden	2 514

Nach Aufstellung eines Volkskommandos unter Führung von 20-Jahrlingen und 8 - 10 bewaffneten Männern des EK.3 wurden nachfolgende Aktionen in Zusammenarbeit mit den lit. Partisanen durchgeführt:

7.41 Marienpole	Juden	32
7.41 "	14 " und 5 komm. Funktionäre	19
7.41 Karkelnei	komm. Funktionäre	6
7.41 Wendogala	22 Juden, 2 Jüdinnen, 1 Litauerin, 2 lit. Komm., 1 russ. Kommunist	30
9.7.41 Kaunas - Fort VII -	21 Juden, 3 Jüdinnen	24
11.7.41 Marienpole	21 " , 1 russ. 9 lit. Komm.	31
11.7.41 Rastai	6 komm. Funktionäre (6 davon Juden)	8
11.7.41 Marienpole	39 Juden, 14 Jüdinnen	53
11.7.41 Kaunas - Fort VII -	17 " , 2 " , 4 lit. Komm., 2 komm. Litauerinnen, 1 deutsch. F.	26
11.7.41 Panevėžys	59 Juden, 11 Jüdinnen, 1 Litauerin, 1 Pole, 22 lit. Komm., 9 russ. Komm.	103
22.7.41 "	1 Jude	1
23.7.41 Kedainiai	83 Juden, 12 Jüdinnen, 14 russ. Komm., 15 lit. Komm., 1 russ. O-politruk.	125
25.7.41 Marienpole	90 Juden, 13 Jüdinnen	103
28.7.41 Panevėžys	234 " , 15 " , 19 russ. Komm., 20 lit. Kommunisten	286

-Übertrag-

3 834



What was the Wannsee-Conference about and why is its history relevant for lawyers, civil-servants and police?:

I. b. Administrative coordination at the Wannsee-Conference and the European Dimension of the Holocaust



I.b.1. The decision for the final solution

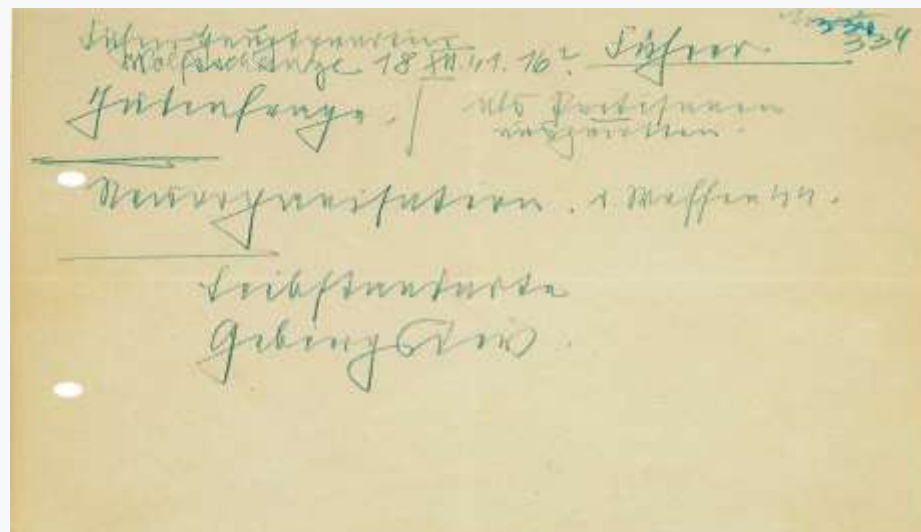
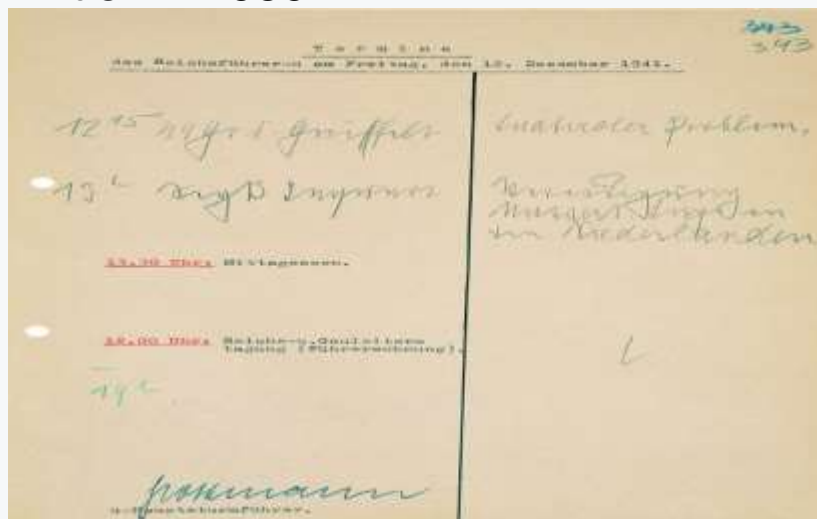
- "If, at the start of the war and during the war, twelve or fifteen thousand of these Hebrew corrupters of the nation had been subjected to poison gas as hundreds of thousands of our very best German workers from all levels of society and professions had to endure in the field, then the millions of frontline victims would not have been in vain. On the contrary, if twelve thousand villains had been eliminated at the right time then perhaps the lives of a million.

Hitler in "Mein Kampf" 1925

decent Germans, valuable for the future, would have perhaps been saved."

- "Other nations soon will recognize the peacefull attitude of NS Germany. (...) Today I'll be a prophet again: If the International Jewish financiers in and outside Europe again succeed in plunging the nations into a world war, the result will not be Jewish victory but the annihilation of the Jewish race in Europe."

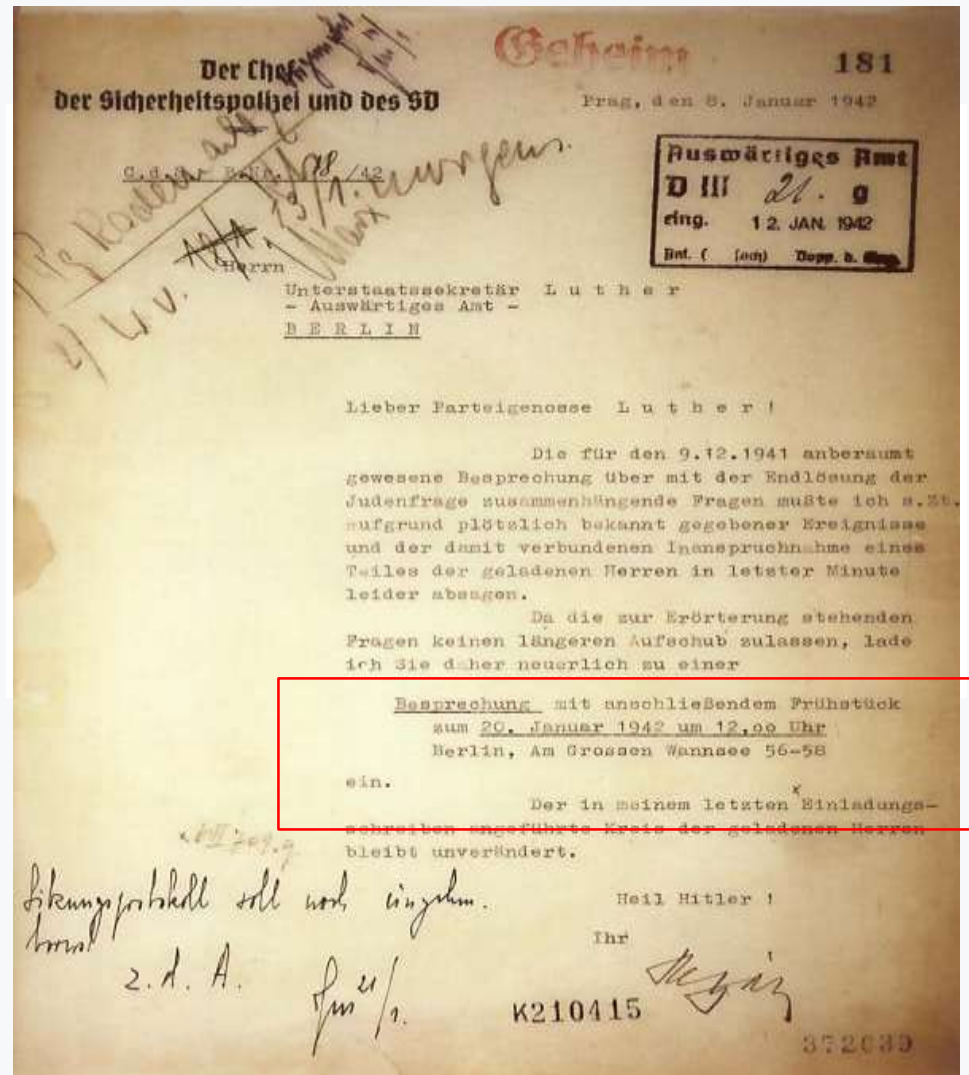
Hitler in 1939



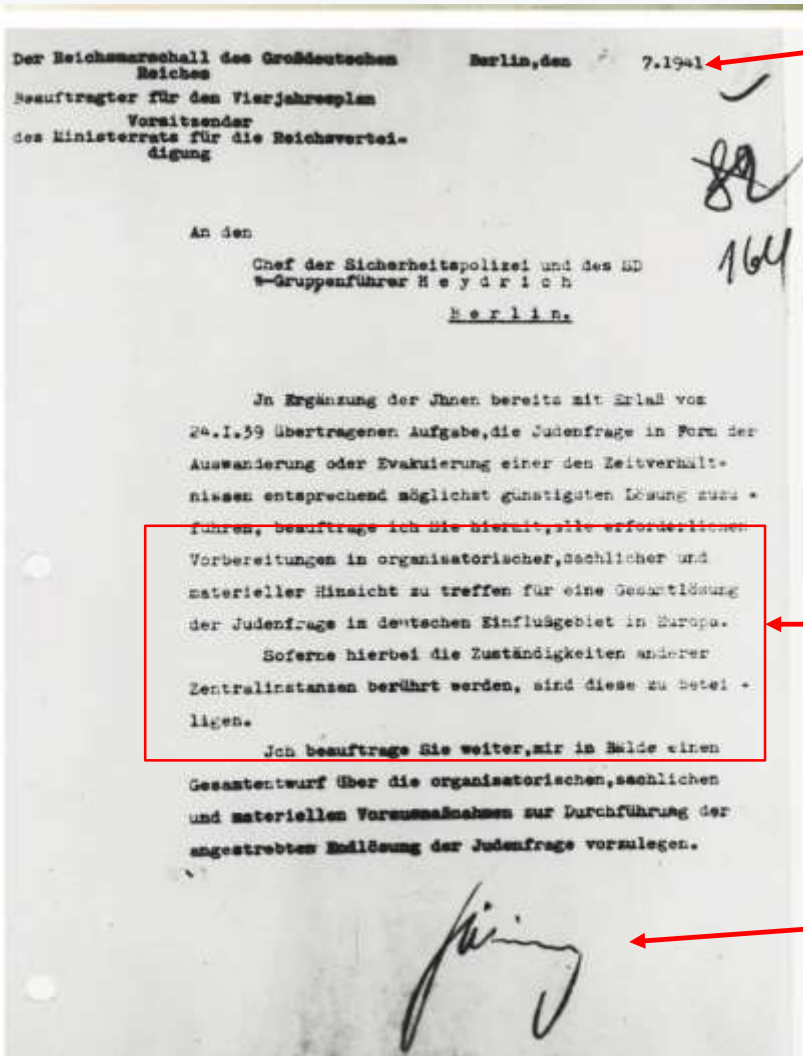
1.b.2. Administrative coordination at the Wannsee-Conference: Police and Administration -Heydrich's agenda



Reinhard Heydrich and
Adolf Eichmann



I.b.3. Administrative coordination at the Wannsee-Conference: Heydrich's "mandate"



31 July 1941

(...) to take all the necessary preparations in terms of organization, to **bring about a total solution of the Jewish Question** in the **German sphere of influence in Europe**.

Where **other leading governmental agencies** are involved, these are **to be involved**.

Göring



I.b.4. Administrative coordination at the Wannsee-Conference- The participants

Der Chef
Der Sicherheitspolizei und des SD

IV B 4 - 1456/42 ghs. (1344)

Handwritten: *Hy. Kammay...*

Stamp: **Russwärtiges Amt**
D. 11/29. g. H. 165
2. MRZ 1942
Hilf. (fach) Dopp. d. Einp.

Handwritten: *2. März 1942*

Stamp: **Geheime Reichssache**

An den
Herrn Unterstaatssekretär Lohmeyer
im Auswärtigen Amt
Berlin 116
Wilhelmstr. 74/76

Handwritten: *hinter Hand...*

Lieber Parteigenosse Luthard!

Als Anlage übersende ich das Protokoll über die am 20.1.1942 stattgefundene Absprache. Da nunmehr erfreulicherweise die Grundlinie hinsichtlich der praktischen Durchführung der Endlösung der Judenfrage festgelegt ist und seitens der hieran beteiligten Stellen völlige Übereinstimmung herrscht, darf ich Sie bitten, Ihren Sachbearbeiter zwecks Fertigstellung der vom Reichsmarschall gewünschten Vorlage, in der die organisatorischen, technischen und materiellen Voraussetzungen zur praktischen Inangriffnahme der Lösungsarbeiten aufgesetzt werden sollen, zu den hierfür notwendigen Detailbesprechungen abzustellen.

Die erste Besprechung dieser Art beabsichtige ich am 6. März 1942, 10.30 Uhr, in Berlin, Kurfürstendamm 116, abhalten zu lassen. Ich darf Sie bitten, Ihren Sachbearbeiter zu veranlassen, sich dieserhalb mit meinem zuständigen Referenten, dem W-Übersturmbannführer Siehmann, ins Benehmen zu setzen.

Heil Hitler!

K210399

Ihr
372023

Handwritten: *Handwritten signature*

1 Anlage!

Geheime Reichsache

166

50 Ausfertigungen

16. Ausfertigung

Besprechungsprotokoll.

I. An der am 20.1.1942 in Berlin, Am Großen Wannsee Nr. 56/58, stattgefundenen Besprechung über die Endlösung der Judenfrage nahmen teil:

Gauleiter Dr. Meyer und Reichsamtaleiter Dr. Leibbrandt	Reichsministerium für die besetzten Ostgebiete
Staatssekretär Dr. Stuckart	Reichsministerium des Innern
Staatssekretär Neumann	Beauftragter für den Vierjahresplan
Staatssekretär Dr. Freisler	Reichsjustizmini- sterium
Staatssekretär Dr. Bühler	Amt des General- gouverneurs
Unterstaatssekretär Luther	Auswärtiges Amt
H-Oberführer Klopfer	Partei-Kanzlei
Ministerialdirektor Kritzsinger	Reichskanzlei

K210400

372024

A. I. 29. 9. 42.

I.b.5. Administrative coordination at the Wannsee-Conference and the European Dimension

9.2.2
Organization Chart: Offices and Hierarchy

ADOLF HITLER
FUEHRER AND REICH CHANCELLOR

HERMANN GÖRING – Reichsmarschall
Coordinator of all anti-Jewish Measures

Heinrich Himmler Reichsfuehrer SS and Head of the German Police	Martin Bormann Party Chancellery	Dr Hans Heinrich Lammers Reich Chancellery	Dr Hans Frank Gouvernement (Poland)	Alfred Rosenberg Reich Ministry for the occupied Eastern Territories	Hermann Goring Plenipotentiary for the Four Year Plan	Jochim von Ribbentrop Foreign Office	Dr Wilhelm Frick Reich Ministry of the Interior	Dr Dr Franz Schlegelberger Reich Ministry of Justice
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Otto Hofmann
Head of the SS Race and Settlement Main Office



Reinhard Heydrich
Head of the Security Police and SD
Head of RSHA
Acting Reich Protector of Bohemia and Moravia



Dr Gerhard Klopfer
Party Chancellery
Permanent Secretary



Wilhelm Kintzinger
Reich Chancellery
Permanent Secretary



Dr Josef Buhler
Administration of the Governor General in Ciscow
State Secretary



Dr Alfred Mayer
Reich Ministry for the Occupied Eastern Territories
State Secretary



Erich Neumann
Office of the Plenipotentiary for the Four Year Plan
State Secretary



Martin Luther
Foreign Office
Undersecretary of State



Dr Wilhelm Stuckart
Reich Ministry of the Interior
State Secretary



Dr Roland Freisler
Reich Ministry of Justice
State Secretary



Heinrich Müller
Reich Security Main Office (RSHA)
Head of Department IV: Gestapo



Dr Eberhard Schöngarth
RSHA
Commander in Chief of the Security Police and Security Service (BdS)



Dr Rudolf Lange
RSHA
Commander of the Security Police and Security Service (KdS)



Adolf Eichmann
Reich Security Main Office (RSHA)
Director of Section IV B4: Jewish Affairs and Expulsions



Dr Georg Leisbbrandt
Reich Ministry for the Occupied Eastern Territories
Permanent Secretary

I.b.6. Administrative coordination at the Wannsee-Conference: the European dimension

III. Anstelle der Auswanderung ist nunmehr als weitere Lösungsmöglichkeit nach entsprechender vorheriger Genehmigung durch den Führer die Evakuierung der Juden nach dem Osten getreten.

Diese Aktionen sind jedoch lediglich als Ausweichmöglichkeiten anzusprechen, doch werden hier bereits jene praktischen Erfahrungen gesammelt, die im Hinblick auf die kommende Endlösung der Judenfrage von wichtiger Bedeutung sind.

Im Zuge dieser Endlösung der europäischen Judenfrage kommen rund 11 Millionen Juden in Betracht, die sich wie folgt auf die einzelnen Länder verteilen:

III. (...)

In the course of this final solution of the European Jewish question approximately 11 million Jews may be taken into consideration, distributed over the individual countries as follows:

171

- 6 -

Land	Zahl
A. Altreich	131.800
Ostmark	43.700
Ostgebiete	420.000
Generalgouvernement	2.284.000
Bialystok	400.000
Protektorat Böhmen und Mähren	74.200
Estland	- judenfrei -
Lettland	3.500
Litauen	34.000
Belgien	43.000
Dänemark	5.600
Frankreich / Besetztes Gebiet	165.000
Unbesetztes Gebiet	700.000
Griechenland	69.600
Niederlande	160.800
Norwegen	1.300
B. Bulgarien	48.000
England	330.000
Finnland	2.300
Irland	4.000
Italien einschl. Sardinien	58.000
Albanien	200
Kroatien	40.000
Portugal	3.000
Rumänien einschl. Bessarabien	342.000
Schweden	8.000
Schweiz	18.000
Serbien	10.000
Slowakei	88.000
Spanien	6.000
Türkei (europ. Teil)	55.500
Ungarn	742.800
UdSSR	5.000.000
Ukraine	2.994.684
Weißrussland einschl. Bialystok	446.484
Zusammen: über	11.000.000

W210405 372029



I.b.7. Administrative coordination at the Wannsee-Conference: the wording of the minutes

Unter entsprechender Leitung sollen nun
im Zuge der Endlösung die Juden in geeigneter Wei-
se in Osten zum Arbeitseinsatz kommen. In großen
Arbeitskolonnen, unter Trennung der Geschlechter,
werden die arbeitsfähigen Juden straßenbauend in
diese Gebiete geführt, wobei zweifellos ein Groß-
teil durch natürliche Verminderung ausfallen wird.

Under appropriate direction the Jews are to be **utilized for work in the East** in an expedient manner in the course of the final solution. In large labor columns, with the sexes separated, Jews capable of work will be moved into these areas as they build roads, during which **a large proportion will no doubt drop out through natural reduction.**

Der allfällig endlich verbleibende Rest-
bestand wird, da es sich bei diesen zweifellos um
den widerstandsfähigsten Teil handelt, entsprechend
behandelt werden müssen, da dieser, eine natürliche
Auslese darstellend, bei Freilassung als Keimzelle
eines neuen jüdischen Aufbaues anzusprechen ist.
(Siehe die Erfahrung der Geschichte.)

The **remnant that eventually remains will require suitable treatment**; because it will undoubtedly represent the most [physically] resistant part, it consists of a natural selection that **could, on its release, become the germcell of a new Jewish revival**. (Witness the experience of history.)



I.b.9. Administrative coordination at the Wannsee-Conference-Who will be subjected to the final solution? The legal definition of the victims.

Wichtige Voraussetzung, so führte SS-Obergruppenführer H e y d r i c h weiter aus, für die Durchführung der Evakuierung überhaupt, ist die genaue Festlegung des in Betracht kommenden Personenkreises.

An important precondition, SS-Obergruppenführer H e y d r i c h noted further, for the carrying out of the evacuation in general is the precise determination of the groups of persons involved. [...]

IV. In the implementation of the plan for the final solution, the Nuremberg Laws are to form the basis, as it were; a precondition for the total clearing up of the problem will also require solutions for the question of mixed marriages and Mischlinge.

The Chief of the Security Police and the SD then discussed the following points, theoretically for the time being, in connection with a letter from the Chief of the Reich Chancellery:

1) Behandlung der Mischlinge 1. Grades.

Mischlinge 1. Grades sind im Hinblick auf die Endlösung der Judenfrage den Juden gleichgestellt.

- 1) Treatment of first-degree Mischlinge
First-degree Mischlinge are in the same position as Jews with respect to the final solution of the Jewish question.

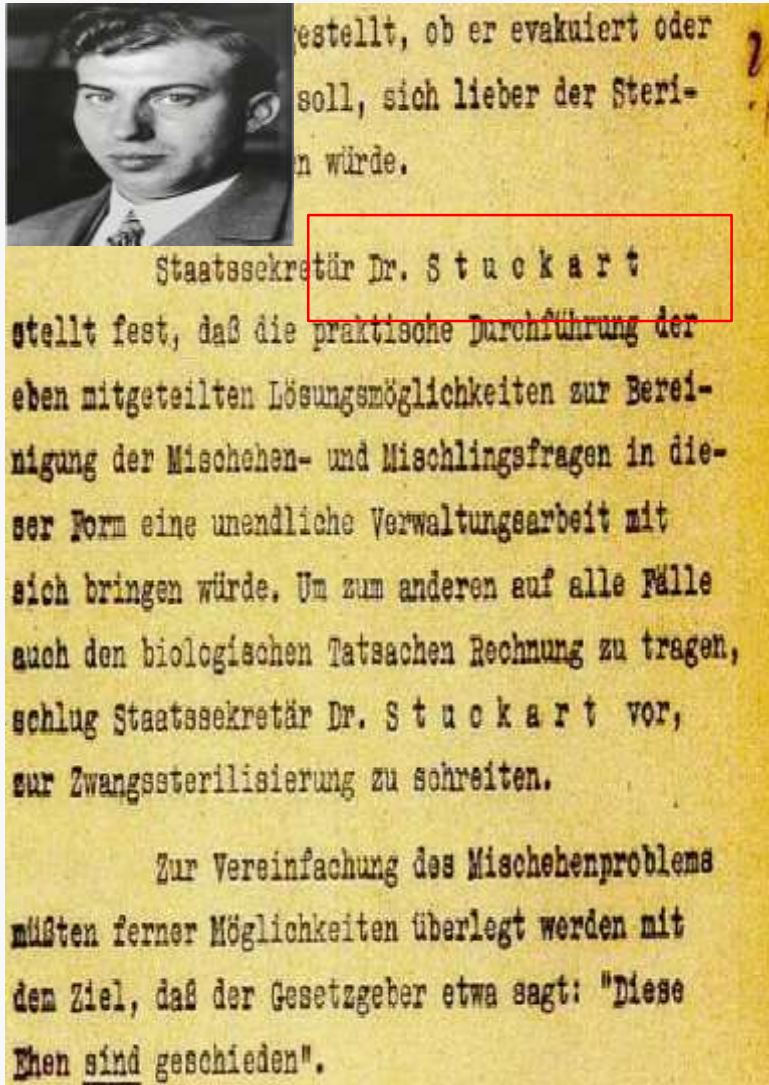


What was the Wannsee-Conference about and why is its history relevant for lawyers, civil-servants and police?:

**I.c. The participants at the conference:
actors and their scope of action:
Working towards the “Führer” and
cautious dissent**



I.c.1. Administrative coordination at the Wannsee-Conference: the “legal” definition of the victims



Discussion about so called
“Mischlinge” and “mixed marriages”:

Dr. S t u c k a r t:

“...**settling of the problems of mixed marriages and Mischlinge** would entail **endless administrative work**. In order to take the biological realities into account, at any rate, he proposed a move in the direction of **compulsory sterilization**.”

“To simplify the problem of **mixed marriages** further possibilities should be considered, with the aim that the **Legislator should rule** something like:
“These **marriages are dissolved**.”



VI. The actors and their scope of action: Working towards the Führer and cautious dissent



Stuckart



Lösener

Dr. Bernahrd Lösener as an example:

- Dec 1941: **heard about** the **execution of Jews** from Berlin and asked to be transferred to a less “political” post
- **Stuckart granted** the **transfer** (took place in 1943)

Conversation between Stuckart – Lösener:

- **Stuckart:** “procedure against the evacuated Jews” based on a decision at highest level, Lösener would have to accept this.
- **Lösener:** „***I have an internal juche who tells me what to do.***“
- **Stuckart:**
 - In the last weeks **50.000 German soldiers have been killed** on the Eastern front (...)
 - This is **the fault** of **the Jews who caused the war** in the first place
 - If Germany answers this with harshness one needs to comprehend the **historical necessity of this harshness** and not ask anxiously whether this or that Jew who was struck by his destiny would be personally responsible for it



What was the Wannsee-Conference about and why is its history relevant for lawyers, civil-servants and police?:

1.d. The legacy: The minutes of the Wannsee-Conference in Nuremberg and Jerusalem



1.d.1. The Wannsee-Conference on trial: The “Wilhelmstrassen- “ and the Eichmann-trial



Handwritten file number: 72-846

Städtisches Amt
Inland II g 177

der Judenfrage

VON 19 39
bis 19 43

Forts. Band:

1. Band, 2. Band bis 2. Band, 3. Band



I.d.2.1. Stuckart on trial in Nuremberg:

Indictment Count V: *War Crimes and Crimes against Humanity: Atrocities and Offenses committed against the Civilian Population*



Stuckart and Lammers (Chancellery of the Reich) were accused to have been “*principally connected with the formulation of the genocidal policy*“ leading to the murder of millions of Jews.

Stuckarts role as a state-secretary in the Mol and his participation in the preparation of Nazi-legislation used to implement the racial policy of the state and to frame the holocaust were violations of international conventions and international customary law but also of the „*general principles of criminal law, as derived from the criminal laws of all civilized nations; of the internal penal laws of the countries in which such crimes were committed; and of Article II of Control Council Law No. 10.*“



I.d.2.2. Stuckart on trial in Nuremberg:

Indictment Count V: *War Crimes and Crimes against Humanity: Atrocities and Offenses committed against the Civilian Population*

Section 46 of the Indictment: „A program for the extermination of all surviving European Jews was set up by the defendants in the winter of 1941-42 and organized and systematically carried out during the following period. (...) During interdepartemental conferences on the ‚Final Solution of the Jewish Question‘ which took place in Berlin on 20 January 1942, 6 March 1942, and 27 October 1942, the policy and techniques for the ‚Final Solution of the Jewish Question‘ were established. The policy-making session of 20 January included the state secretaries or representatives of the ministries and agencies concerned; the defendant Stuckart participated in the conference, the defendant Lammers was represented by his Ministerialdirektor Kritzinger, and the German Foreign Office was represented by Under State Secretary Luther, who reported the results of the conference to his State Secretary, the defendant von Weizsäcker immediately after the conference. In the two other conferences the details were arranged. They were attended by the representatives of the departments of which the defendants were policy makers or leading officials. The previous program for driving out the Jews as pauper émigrés was now supplanted by a program for the evacuation of eleven million European Jews to camps in eastern Europe for ultimate extermination.”



I.d.3. Eichmann in Jerusalem



Eichmann Interrogated by Police Investigator Captain Less, 1 June 1960 The Trial of Adolf Eichmann , vol . I, pp . 138-140.

“Eichmann: The Conference of Wannsee was very important, for here Heydrich received his authority as the person in charge of the solution, or the Final Solution of the Jewish Question. From this point he regarded himself as having the authority in all these matters. [...]

Adolf Eichmann Interrogated by Defence Counsel Dr Servatius, Trial in Jerusalem, 23 June 1961, The Trial of Adolf Eichmann , vol . IV, p. 1421f.

Dr Servatius: Is the record a correct report of the contents of the deliberations?

Eichmann: The record of proceedings correctly reflects the substance of the main points, but it is, of course, not a verbatim record, since – how shall I put it – certain over-plain talk and jargon expressions had to be rendered into office language by me, and Heydrich corrected the record three or four times, [...]

Adolf Eichmann Interrogated by Defence Counsel Dr Servatius, Trial in Jerusalem, 26 June 1961, The Trial of Adolf Eichmann , vol . IV, p. 1423f.

Dr Servatius: Witness, the point is what the other participants in the conference expressed.

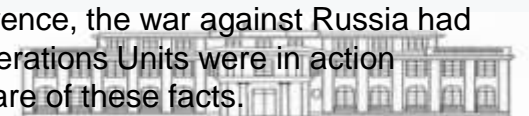
Eichmann: Yes, of course. Not only did everyone willingly indicate agreement, but there was something else, entirely unexpected, when they outdid and outbid each other, as regards the demand for a Final Solution to the Jewish Question. The biggest surprise, as far as I remember, was not only Bühler, but above all Stuckart, who was always cautious and hesitant, but who suddenly behaved there with unaccustomed enthusiasm. [...]

Dr Servatius: Witness, before this conference, you yourself saw something of the preparations being made in the East for these extermination measures. Is that correct?

Eichmann: Yes.

Dr Servatius: Did the conference participants also already know something about this form of the Final Solution?

Eichmann: I must assume that this was known, since, at the time of the Wannsee Conference, the war against Russia had been going on for six months and, as we have seen from the documents, the Special Operations Units were in action in these areas. And, of course, the central key figures in the Reich Government were aware of these facts.



II. Our educational activities with “functional elites”:

Aims:

- **Educate**
- **Provide a forum for reflection on ethical issues**
- **Sensitise to problematic present-day developments against the background of historical developments**

Questions:

- **How was it possible that lawyers, the justice system and the civil service were coopted/corrupted by Nazism? Which role did they play? Why did law still matter? Why did the Nazis bother to create a legislative framework for the Holocaust?**
- **Was there a specific national-socialist law? Is law which is devoid of its ethical context still law?**
- **What was the role of public Administration in the Holocaust? Why did civil servants participate in the implementation of the Holocaust?**
- **What could have been done by them to prevent/hinder it? Scope of action/alternatives for lawyers, policemen, civil-servants?**



Thank you for your interest?

Questions?

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