Public Welfare and the German Jews under National Socialism

On Anti-Jewish Policies of the Municipal Administrations, the German Council of Municipalities and the Reich Ministry of the Interior (1933 - 1942)\(^1\)

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Our historical understanding of the situation of German Jews during the first years of National Socialist rule is influenced by the image of emigrating attorneys, physicians, civil servants and academicians who, as a result of the ensuing persecution, closed down their chancelleries and practices or were compelled to give up their positions in government or the universities. In fact, they comprised the first groups that were removed from their professional positions by, for example, the Law for the Reestablishment of the Professional Civil Service. Yet the myth that was behind it all, that of the well-to-do German Jews - which even appears to be untenable prior to 1933 - remains.

In reality, the world economic crisis and the exclusionary measures that began in 1933 set into motion a massive process of impoverishment within the Jewish population which very rapidly outpaced the proportion of the unemployed and dispossessed.\(^2\) In 1936, in spite of the economic upward trend and a significant decrease in the population as a result of emigration, over 37,000 German Jews were unemployed - far more than at the beginning of the Nazi dictatorship which continued to be overshadowed by the world economic crisis.\(^3\)

How did German society react to this social problem which increasingly intensified with each new measure of discrimination? From the vantage point of their ideology it was unthinkable for the National Socialists to expend government resources for the Jews. Yet at the same time, all needy Germans

\(^{1}\) Germany without annexed Territories.


had a legal right to social services in accordance with the Public Welfare Ordinance (Reichsfuersorgeverordnung). At first, public welfare could not and was not to be refused since abject poverty hindered emigration efforts of individuals, and in the eyes of the National Socialists emigration meant successful expulsion. Moreover, a situation where tens of thousands of people were forced to live without money and work over long periods also meant an internal political risk for the Nazi leadership.

The increased economic dependency of thousands of Jews subjected the overall National Socialist plan to unanticipated contradictions precisely within the framework of this explosive social sphere. For this reason, the process of impoverishment - a fact rarely been appreciated until now – played an increasingly significant role in the strategy discussions within the National Socialist leadership and at the ministerial level. Hitler, in contrast to other authorities, calculated precisely the negative social ramifications of his policy from the very beginning, issuing a directive in 1935 that new measures should be avoided were they to result in “Jews burdening the public sector.”

However, this was only intended to apply to the central levels. The contradiction between the duty to provide public welfare and an overriding will to exclude the Jews was increasingly settled by the cities and municipalities to the disadvantage of the needy. Jewish welfare recipients apparently suffered discrimination and isolation at the hands of welfare offices long before there were centralized regulations. Clear developments, mechanisms and contradictions in the politics of persecution can be demonstrated by the study of the sociopolitical treatment of the Jewish needy. In this regard, diverse institutional interests appear to have influenced such policy, more seldom to have acted as a hindrance to it than to hinder it. Exclusion was not - as shall be demonstrated - simply implemented from above, but rather developed as the result of a process that involved an interplay between local and central levels; a process one might call “trial and error”.

A more precise analysis of policy creation under National Socialism may be made based on the extensive source materials available for both the

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federal and the municipal levels which deal with operations within the public welfare apparatus - at least in the sphere of social policy. In the following, I will sketch the process leading to the exclusion of German Jews from government welfare programs, focusing on the responsible institutions - namely, the cities and their public welfare administrations and the Ministry of the Interior. Secondly, I will illustrate the significance and function of the German Council of Municipalities (Deutscher Gemeindetag), for planning this persecution. Finally, I will summarize the questions regarding the persecution of Jews between 1933 and 1942 that arose out of the events thus presented.

The First Local Exclusionary Measures in Public Welfare (1933-Summer 1937)

Although some researchers in the 1980s equated Nazi social policy with racist policy, opinions up to now have generally put social and political treatment of Jewish and non-Jewish Germans on an equal footing until November 1938. For example, in their three-volume history of public welfare for the poor in Germany, Sachsse and Tennstedt claim that only from 1938 did racial criteria “seep into” all sectors of social security. This in no way corresponds to the facts discovered years ago from the studies done on Frankfurt am Main, Munich and Hamburg, and recently on Berlin and


9 Peter Hanke, Zur Geschichte der Juden in Muenchen zwischen 1933 und 1945, Munich 1967.


other cities in the Third Reich.\textsuperscript{12} Racism and antisemitism in many areas had resulted in unequal treatment of German Jews by government welfare organizations long before the 1938 pogrom.

Shortly after Hitler became Chancellor first municipal initiatives to target Jewish personnel were in the field of welfare. In Berlin, civil servants and doctors were being dismissed or relieved of their duties even weeks before the notorious Law for the Reestablishment of the Professional Civil Service on 7 April 1933. Following the dismissals entailed by this law, the municipal administration in 1933 and 1934 was above all concerned with cutting subventions made to the welfare activities of Jewish homes and institutions.\textsuperscript{13}

In 1935, well in advance of federal legislation, measures had already been taken in some cities to remove certain supplemental benefits from the Jewish poor who should have been fully supported through the public welfare system. In this context, non-local Jewish residents were one of the first groups targeted by the municipal administrations. Up to 1935 the high unemployment and the economic pressures that this created, together with the prospect of better chances of emigration, intensified the migration of Jewish families from the country into the cities as well as from smaller to larger towns. Jews who moved to Frankfurt am Main only received seventy percent of public welfare benefits,\textsuperscript{14} and in Berlin, in contrast to “Aryan” immigrants, they were principally assigned to asylums for the homeless.\textsuperscript{15}

Though the National Socialists used the Nuremberg Laws to relegate German Jews to second-class citizens in the fall of 1935, there were no further regulations in the social sphere. Although Jews were not yet entirely excluded from public welfare, they were being increasingly separated. In October 1935 Erich Hilgenfeldt, the official representative of the Winter Relief Organization, used the new political situation to exclude Jews from their list of the needy, there being no individual legal entitlement to the benefits provided


\textsuperscript{13} Gruner, \textit{Judenverfolgung}, pp. 17-33.

\textsuperscript{14} \textit{Dokumente zur Geschichte der Frankfurter Juden}, VIII 3, p. 372: Wohlfahrtsamt an Burgermeister Frankfurt am Main, 12 December 1935.

\textsuperscript{15} Landesarchiv Berlin, Rep 214, Acc. 794, no. 13, unnumbered: Verfuegung Spiewok (OB/Landeswohlfahrts-und-jugendamt), 17 July 1935.
by this organization. Hilgenfeldt forced the Jewish welfare institutions to establish a separate and controlled system of relief assistance.\textsuperscript{16}

In the meantime, those cities responsible for social welfare had to expend more and more welfare resources for the rapidly growing number of unemployed and impoverished Jews. Individual welfare offices reacted to this new reality by proposing that this group be generally disadvantaged within the scope of the welfare program.\textsuperscript{17} In summer 1935,\textsuperscript{18} Berlin demanded from the German Council of Municipalities for all Jewish welfare offices to be placed under official control in order to prevent “a misuse of public welfare funds” through their activities.\textsuperscript{19} In October, at the insistence of the local Gauleiter, the town of Koenigsberg urged the German Council of Municipalities to impose stricter standards in assessing the neediness of Jews entitled to support.\textsuperscript{20}

In order to find a way to limit the number of Jewish applicants for welfare support, the Reich Ministry of the Interior at the end of 1935 implemented a suggestion made by the Council of Municipalities: namely, to instruct the welfare associations that henceforward social support for the Jewish poor will be dependent upon supplementary support being granted by Jewish welfare offices.\textsuperscript{21} This provided local offices with the possibility of denying assistance if other forms of support were not declared. In addition they were provided with the means to control Jewish facilities. But except for individual sociopolitical provisions - Jews still had to pay radio license fees and no longer received marriage loans - there was no centralized regulation for the next one and a half years.

For this reason, some of the municipal administrations launched their own initiatives. In May 1937 Karl Fiehler,\textsuperscript{22} the Mayor of Munich, announced that

\textsuperscript{16} Vollnhals, “Selbsthilfe,” pp. 399-406; Barkai, Boykott, pp. 107-111.
\textsuperscript{17} Uwe-Dietrich Adam, Judenpolitik im Dritten Reich, Duesseldorf, 1972, pp. 191-192.
\textsuperscript{19} Oberbuergermeister Berlin an Deutscher Gemeindetag (DGT), 17 July 1935, and DGT an Reichsinnenministerium (RMDI), 25 July 1935; cited by Adam, Judenpolitik, p. 191.
\textsuperscript{20} Oberbuergermeister Koenigsberg an DGT, 15 October 1935; cited ibid. , p. 191.
\textsuperscript{22} Born 31 August 1895, following a commercial apprenticeship, he did military service in the First World War. And after 1919 was employed in the Munich Municipality. From 1924 to 1933.
Jews were to be assisted in accordance with the laws, but under no circumstances was it necessary to put Jews “on an equal footing with Aryan comrades at all levels of social security.” Voluntary services provided by welfare offices, such as loans, credit assistance and convalescence support, should be “refused on principle.”\(^{23}\) Since Mayor Fiehler (who participated in 1923 in the Hitler putsch in Munich), served also as the chairman of the German Council of Municipalities and head of the NSDAP-\textit{Hauptamt fuer Kommunalpolitik} (Main Office for Municipal Policy), from 1933, his opinion not only carried a certain weight, its influence extended to other cities as well.\(^{24}\)

**A Discussion in the German Council of Municipalities (June 1937)**

In November 1935 and in April 1936 also the welfare associations that formed the Northwestern German Committee for Welfare discussed the discrimination topic.\(^{25}\) The common demand for new guidelines for the “treatment of non-Aryans” was finally brought to the German Council of Municipalities. Its functionaries were instructed to ensure that the Ministry of the Interior come up with a corresponding regulation.\(^{26}\)

The social plight of tens of thousands of Jews, until then considered acceptable, was now also being discussed in the ministries, although at first exclusively as a possible hindrance to their expulsion. At a meeting in the Reich Ministry of the Interior on 29 September 1936, by way of preparation for a ministerial conference, it was agreed that the ultimate goal of the \textit{Judenpolitik} would be reached “when there are no longer any Jews in Germany.” It was a matter of determining the pace and extent of the individual measures. Also considered was the issue of “implementing the emigration compulsorily.” Despite a basic consensus, there were some voices among the

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\(^{23}\) Yad Vashem Archive, Jerusalem (hereafter YV), M1DN, no. 85, fol. 63: Verfuegung Oberbuergermeister Muenchen, (Wohlfahrts- und Stiftungsreferat), 23 May 1937.


\(^{26}\) Ibid., p. 507.
higher ministry officials that warned against “the formation of a Jewish proletariat" and the consignment of Jews to assistance for the poor.  

In view of the demands made on the Reich Ministry of the Interior via the German Council of Municipalities in 1936, the ministerial department responsible for municipal interests suggested in May 1937, on the basis of the growing discrepancy between the acute consequences of the persecution of the Jews and the interests of the cities themselves, that “the future treatment of the Jews in the public welfare system" be put as a question of general principle on the agenda of the next meeting of the German Council of Municipalities and its responsible Welfare Committee.

The internal political role played by the German Council of Municipalities during the period of National Socialism has been underestimated until now. In research accounts of the history of the German Council of Municipalities under National Socialism, there has been an overemphasis on both the reduction of municipal self-administration functions after 1933 and minimization of the political and legal latitude granted to the towns and municipalities represented in this institution. The consensus until now has been that with the help of the Reich Ministry of the Interior the state virtually put the Council of Municipalities out of action. However, a thorough examination of social policies under National Socialism shows that the Gleichschaltung of leading organizations in the German Council of Municipalities created a body that played an active part in the development of policies which were related to domestic affairs and persecution under National Socialism. This applies in particular to welfare, the labor market and the housing market, as well as to the anti-Jewish policy in these sectors, which is of primary interest here.

The mayors and municipal civil servants of the communities and cities represented in the German Council of Municipalities and its specialized committees discussed the implementation of decisions made by the central government as well as persecutory initiatives developed at the local level. The

28 Staatsarchiv Hamburg, 351-10 Sozialbehoerde I, VT 12.25, unnumbered: RMdl an Martini, 24 May 1937.
The Reich Ministry of the Interior, which also acted as a supervisory organ for the German Council of Municipalities as it had done for the municipalities since 1935, could support or, if necessary, curtail the latter through the German Council of Municipalities.

Taking part in the meeting of the German Council of Municipalities on 10 June 1937 in Heidelberg, at which the treatment of Jews in the welfare system was discussed, were not only the vice president Ralf Zeitler and other functionaries from the Council of Municipalities, the representatives of various towns and municipalities, but also Ministerial Counsel Fritz Ruppert of the Reich Ministry of the Interior. Brief accounts of the session have already been provided by research articles, but without an analysis of its significance and context. Oskar Martini, the main speaker and vice president of the Social Services Administration in Hamburg, was thoroughly prepared. Not only had he acquired material from other cities on their welfare practices, but he had also met with Loesener, head of the section on Jews at the Reich Ministry of the Interior, who intimated to him the intentions of his ministry. Martini first provided an overview of the current legal status of the Jews and of the so-called *Mischlinge*. He then stated that although many aspects of the welfare system could be regulated in accordance with the spirit of National Socialism, "a series of questions" remained open "which could only be regulated by means of federal legislation." Based on the demand to place Jews within the framework of legislation regarding foreigners, as it was expressed in the party program of the NSDAP, it followed that "Jews [would have to] be equated with foreigners in the welfare system." Monthly cash supports should be calculated

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30 Born 7 October 1903 in St. Petersburg. Studied economics and law; from 1931 was a member of the SA, from May 1932 a member of the NSDAP, and from June 1933 vice-manager, and later vice-president of the German Council of Municipalities, from 1945 he was the director manager of a hospital in Hamburg; he died in Hamburg in 1953.

31 These included city councillors: Dr. Fischer-Defoy (Frankfurt am Main), Plath (Nuremberg), Spiewok (Berlin), and guests Claes (Mayor of Braunschweig), Dr. Conti (Berlin), and Duntze (Ministry of the Interior in Baden).


33 Sta Hamburg, 351-10 Sozialbehoerde I, VT 12.25, unnumbered: Stadtrat Plank (Nuremberg), an DGT, 24 May 1937; Ibid., Bericht aus Muenchen (undated), Ruppert (RMdI), an Martini, 24 May 1937.

34 StadtA Goettingen, Sozialamt, Acc. no. 407/77, no. 47/1, unnumbered: Bericht ueber die Konferenz des DGT-Wohlfahrtsausschusses, 10 June 1937 in Heidelberg, p. 13; compare Adam, *Judenpolitik*, pp. 190-191.
“based on the standards which apply to public welfare for foreigners.” Hence, supplementary welfare categories, such as Gehobene Fuersorge, would also be eliminated in addition to voluntary welfare services. Moreover, it was demanded that all Jewish recipients of welfare benefits be required to do Pflichtarbeit (unpaid mandatory labor). With regard to the housing of the handicapped and mentally ill in nursing homes and mental homes (so-called closed welfare), in the future Jews would be segregated from the others. Similarly, Jewish children in need of special education were to be accommodated separately in Jewish institutions.

The conference discussion revealed that, in fact, diverse discriminatory tactics had been employed by the various municipal welfare authorities up to this point. The welfare office in Nuremberg was already paying twenty percent less in benefits and services to its Jewish inhabitants, similar to the practice in Frankfurt am Main. On the other hand, Berlin and Munich had eliminated all the “supplementary,” i.e., non-obligatory, welfare services. The Leipzig authorities made cuts by reducing public services when supplementary aid was given by Jewish support centers to Jews in need. Forced compensation of benefits to Jewish public welfare recipients in isolated groups through Pflichtarbeit was a customary practice in Duisburg, Hamburg, Berlin, Goettingen and Leipzig. These different approaches, which became clear in the course of the discussion, prompted Ministerial Counsel Ruppert to call for a collection of material and ideas in order to draft a uniform legislation, which the conference participants from all the institutions considered

35 “Kriegesbeschaedigte” and “Kleinrentner” within this privileged class received higher welfare benefits than the average recipient in the “Allgemeine Fuersorge.”

36 On Pflichtarbeit as an instrument of persecution see Gruner, Geschlossener Arbeitseinsatz, pp. 34-37.

37 StadtA Goettingen, Sozialamt, Acc. no. 407/77, no. 47/1, unnumbered: Bericht ueber die Konferenz des DGT-Wohlfahrtsausschusses, 10 June 1937 in Heidelberg, pp. 13-16.

38 Ibid., pp. 22-23. StaA Hamburg, 351-10 Sozialbehoerde I, VT 12.25, unnumbered: Stadtrat Plank (Nueernberg) an DGT, 24 May 1937; Ibid., Bericht aus Muenchen (undated); Ibid., Vorlage fuer Martini, 4 June 1937.


41 StadtA Goettingen, Sozialamt, Acc. no. 407/77, no. 47/1, unnumbered: Konferenz, 10 June 1937, pp. 22-23.

Ibid., p. 16 (handwritten note).

necessary. A year later the municipal representatives provided this material to the Reich Ministry of the Interior to draft the ordinance designed to exclude Jews from the social welfare system.

The procedure described here certainly characterizes more than an individual case, as evidenced by debates of this type that took place at the central administration of the German Council of Municipalities in Berlin, its provincial bodies or specialized committees. In addition to the discussions which will be described in the following, the municipalities also discussed after 1933 the separation of Jewish scholars in public schools, in 1939 the “eviction” of Jews, and in 1942 the wage rates for compulsory labor performed by German Jews in public sector companies. In all these cases city mayors with the help of the German Council of Municipalities used this opportunity to coordinate their own practices with procedures elsewhere at very little expense. Functionaries from the Council of Municipalities presented themselves at the Reich Ministry of the Interior as advocates of the cities with the result that local opinions acquired real weight in the shaping of central policy.

The Preparation for a Central Exclusionary Regulation (Autumn 1937 - Summer 1938)

In spite of the discussion described above and the interests of the Reich Ministry of the Interior that were expressed, nothing happened in fact because the exclusionary measures were supposed to be incorporated into a comprehensive National Socialist restructuring of the welfare system. Only in 1938, as Hamburg began to restructure the guideline rate for the welfare

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44 StadtA Goettingen, Sozialamt, Acc. no. 407/77, no. 47/1, unnumbered: Konferenz, 10 June 1937, pp. 20-24.
46 Bundesarchiv Berlin, formerly in Koblenz (hereafter BAK), R 36 DGT, no. 902, unnumbered: Protokoll der 6. Tagung der Sueddeutschen Arbeitsgemeinschaft fuer Wohlfahrtspflege am 27. 1. 1939 in Bad Duerkheim, p. 3.
47 Gruner, Geschlossener Arbeitseinsatz, pp. 297-298.
system in its region, did the Reich Ministry of the Interior recommend that Jews be excluded from the progressive levels of welfare support in order to prevent them from benefiting from the planned improvements in service.\(^{49}\)

This meant *de facto* that for the first time Jews were not only disadvantaged, but their social status was diminished by a federal instruction.

Shortly afterwards, the Reich Ministry of the Interior announced that for the time being there would not be a uniform regulation for Jews at the national level. However, local welfare authorities could take informal measures themselves.\(^{50}\) On 24 March the Reich Ministry thus granted the district welfare associations permission to reduce the level of welfare payments to Jews when supplementary support was given by Jewish welfare offices by exactly the amounts of the latter,\(^{51}\) as Leipzig was in fact already doing. In general, at this time the welfare practices with regard to German Jews in many cities were characterized by increasingly stringent criteria and by isolation. The Jewish homeless were by now either being handed straight over to the local Jewish communities for support (in Chemnitz, Dresden, Munich and Nuremberg), or accommodated away from “Aryans” in municipal shelters on separate premises (Cologne, Leipzig).\(^{52}\)

In order to introduce separation in the treatment of the needy, the Berlin welfare offices from April 1938 started keeping records as to which of their current claimants were Jewish. For the separate medical treatment of the more than 10,000 Jewish men and women receiving social support, the Berlin authorities at first admitted just twenty Jewish doctors, who were also required to take on all manner of special duties.\(^{53}\) Roma and Sinti, so-called wanderers, or others alleged to shy away from work were discriminated against in the same fashion and often together with the Jews.\(^{54}\)

At a meeting of the East German Committee for Welfare in Koenigsberg on 23 April 1938, once again the complaint was voiced about the

\(^{49}\) Geheimes StA Preussischer Kulturbesitz Berlin-Dahlem, I. HA, Rep. 151, no. 2311, fol. 242: RMd an Reichsstatthalter Hamburg, 5 February 1938.

\(^{50}\) Adam, *Judenpolitik*, p. 192.


\(^{52}\) LA Berlin, Rep. 142 DGT, no. 1-2-6-1, unnumbered: DGT-Umfrage, 5 February 1938, pp. 1-7.


lack of a legal foundation for the “elimination of non-Aryans from higher-level welfare.” One month later the German Council of Municipalities at the meeting of its Welfare Committee in Wuerzburg on 25 May presented its own guidelines. On the one hand, the support for “Aryans” was to be lifted. On the other, individual support for Jews and foreigners - as in the city-state of Hamburg since the beginning of the current year - was to be restricted to the level of Allgemeine Fuersorge (general welfare).

As the Reich Ministry of the Interior informed the Ministry of Labor and the Fuehrer's Deputy towards the end of July 1938, the new guidelines developed by the German Council of Municipalities served a public welfare system that was run on the principles of National Socialism. According to Secretary of State Pfundtnert, the Reich Ministry of the Interior supported the suggestion in particular “from the sociopolitical perspective.” However, owing to the heavy financial burden that it would place on the town and municipal authorities, the Reich Ministry would be publishing the directive requested by the Council of Municipalities solely as a recommendation, especially a centralized anti-Jewish regulation was now imminent anyway.

The number of dispossessed Jews increased more rapidly than ever as a result of measures taken in the economic sector at the beginning of 1938. Consequently, the prevailing stance at the Reich Ministry of the Interior shifted accordingly; and in August the Reich Ministry together with the Council of Municipalities drafted an ordinance designed to exclude Jews entirely from the national social welfare system. Only in “emergency cases,” for instance if benefits could not be assured through Jewish voluntary welfare work, were German Jews to receive state benefits at a much reduced level by being equated in the future with foreigners. This draft went much further than the previous demands of reduced payments to Jews made by the various local authorities. A central decision taken within the context of a generally radicalized persecution.

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56 BAK, R 36, no. 933, fol. 146, 146 B: Niederschrift zur Sitzung am 25. 5. 1938, Anlage A: Richtlinien fuer die Bemessung der Leistungen der oeffentlichen Fuersorge.
57 Ibid., no. 1118, unnumbered: RMdl an Reichsarbeitsministerium, 27 July 1938.
The Anti-Jewish Welfare Ordinance and its Application by German Cities (Autumn 1938 - Summer 1939)

After the November pogrom in 1938, which did not succeed in accelerating the expulsion of German Jews to the extent desired, the Nazi leadership began to reorient and pursue a new parallel strategy of persecution – namely forced emigration, and forced separation of those remaining. In the long run, as predicted by Heydrich at the first central strategy session on 12 November, after the pogrom, “countless Jews” would remain in the country anyway. As a result of the many measures discussed and decided by the ministers at this conference - especially expropriation, special taxes and a prohibition on trading - Jews who remained behind would be among the long-term unemployed and thus be “proletarianized.”59 The new dependence on the welfare system of the Third Reich by rapidly growing numbers of Jews who were unable to emigrate, was to be countered with all-encompassing isolation. This new radical strategy to separate German Jews in the areas of education, economy, labor, the housing market, and public welfare was served by numerous ordinances published by the Nazi authorities until the summer of 1939. As a result, a mandatory Jewish organization was founded to create a separate school and welfare system. Thus for the Jews, this policy meant not only separation from German society but a further upheaval - living in a controlled and isolated “forced community” (Zwangsgemeinschaft).60

A few days later Minister of the Interior Frick, Minister of Labor Seldte and Minister of Finance Graf Schwerin von Krosigk issued the long-discussed decree pertaining to welfare. Based on the Ordinance on Social Welfare for Jews issued on 19 November 1938, German Jews were allowed the welfare resources of exclusively Jewish institutions. Jews were to be granted public benefits only in the most extreme emergencies, and even then only the

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60 For the first description and analysis of this complex anti-Jewish policy after 1938 see Gruner, Geschlossener Arbeitseinsatz, pp. 58-62 and 334-335.
“barest necessities.”61 For the implementation of this decree a special apparatus was set up. The public welfare system was instructed jointly by the Ministries of Labor and the Interior that from January 1939 it would be responsible for keeping a statistical record of Jews in the whole of Germany. The local and district welfare associations supplied the pertinent data to the Reich Department of Statistics, according to which Jewish Germans were identified from 1939 as a separate group by the “Reich Welfare Statistics Express Service” (Schnelldienst der Reichsfuersorgestatistik), to be issued on a quarterly basis.62 At the local level, welfare offices segregated Jewish welfare recipients systematically in special offices or at specific hours. In Berlin at the beginning of December 1938, Mayor Lippert personally demanded the establishment of special consultation days and departments for Jews.63 And following the pogrom, Hamburg’s welfare authorities introduced special hours for dealing with Jews, but towards the end of December 1938 the decision was made to set up a separate department, the Sonderdienststelle B fuer Juden, which opened in February 1939.64

Separate offices were also set up by employment authorities. Following the new persecution strategy after the pogrom these offices organized segregated compulsory labor (Geschlossener Arbeitseinsatz) not only for Jews who were unemployed but also for those who claimed welfare support. The Reich Institute for Employment and Unemployment Insurance (Reichsanstalt fuer Arbeitsvermittlung und Arbeitslosenversicherung) had ordered this measure on 20 December 1938, as the National Socialist state had “no interest” in supporting Jews who were fit for work “from public funds without receiving anything in return.”65 This step had its origins in the policy of separate mandatory labor that had been applied to Jews by welfare offices since the mid-1930s.

63 Gruner, Judenverfolgung, p. 61: Entry 3 December 1938.
65 See in general, Wolf Gruner, Der Geschlossene.
It was as if the anti-Jewish welfare ordinance was a long-awaited start signal - a whole series of city administrations (Breslau, Chemnitz, Duesseldorf, Cologne and Munich), stopped providing welfare assistance to Jews.\(^{66}\) As for Berlin, the German capital, even though ordered by Mayor Lippert as early as the beginning of December 1938, the exclusion of Jews from public welfare was not immediately put into practice. The reason for this lag was that the Jewish community would have been overwhelmed if it had to provide for such a large number of dependants, as was officially confirmed by a trustee specially appointed by the capital after the pogrom.\(^{67}\) In other towns as well, for example Frankfurt am Main, Jewish welfare was now controlled by local authorities.\(^{68}\) Whether public welfare still intervened on behalf of Jews in need was determined by the local authority, as well as by the financial situation of the local Jewish community.

Also in December 1938, the municipal welfare office in Munich proposed to Fiehler, Mayor of Munich and Chairman of the German Council of Municipalities, that the ruling whereby the support of local Jewish residents is the responsibility of the voluntary Jewish welfare organizations also be applied to “Jews by race.”\(^{69}\) On 7 January 1939 Munich decreed that on principle all the Jewish poor - including non-members - were to be referred to the Jewish community.\(^{70}\) The outcome of such severe measures was the subject at the South German Welfare Committee meeting of the German Council of Municipalities on 27 January 1939 in Bad Duerkheim. The members discussed how the town authorities were to behave when Jewish offices asked for help in meeting the costs they could not cover themselves.\(^{71}\) The chairman of the association, a councillor from Nuremberg, maintained that on no account should the solvency of the local office be allowed to serve as a


\(^{68}\) *Dokumente Frankfurter Juden*, p. 323, VI 46: Bericht Rechnungspruefungsamt, 23 June 1939.

\(^{69}\) YV, M1DN, no. 109, fol. 157-161: Vorlage Dezernat 6 fuer OB Muenchen, 13 December 1938.

\(^{70}\) Ibid., no. 121, fol. 30-31: Rundschreiben OB/Dezernat 6 Muenchen, 7 January 1939.

\(^{71}\) BAK, R 36, no. 902, unnumbered: Protokoll der 6. Tagung der Sueddeutschen Arbeitsgemeinschaft fuer Wohlfahrtspefe am 27. 1. 1939 in Bad Duerkheim, pp. 1-6.
gauge. The central leadership of the Jewish welfare system, he claimed, would have to secure the support through a redistribution of funds or, if necessary, through aid from abroad. In order to get this point across on a national scale, a report was to be given at the German Council of Municipalities in Berlin.\textsuperscript{72}

Along with the exclusion of Jewish Germans from the so-called “open welfare” system, which provided regular support to those who were in need but were not independent, there was much discussion on the treatment of Jewish Germans in the “closed welfare” system, which provided for the ill and handicapped in nursing and mental homes. Based on a survey conducted in Prussia, where the majority of those responsible for welfare declared themselves in favor of physical segregation of patients, the executive president of the German Council of Municipalities, Jeserich, asked the Minister of the Interior on 26 January 1939 for a ruling on what direction regional welfare associations should follow with regard to Jews who were mentally ill.\textsuperscript{73} In the journal \textit{Volksgesundheit}, the managing director of the Hamburg-Langenhorn Institution publicly demanded that “all mentally ill Jews” be concentrated in an institution for which the “Jewish community in Germany” was to take financial responsibility.\textsuperscript{74}

The exclusionary process, which was considerably accelerated as the result of constant communication among the members of the German Council of Municipalities, took on new dimensions in the spring of 1939. In Berlin the regional welfare office, together with its trustee, decided that from May the Jewish community would have to take responsibility for the costs and organization of “closed welfare” in its entirety and for the feeding and clothing aid given in “open welfare,” not only for its own community members, but also for “all Jews in need (Jews by race),” of both German and foreign nationality as well as all stateless Jews. The regional welfare office would, for the time being, continue to make cash payments for “open welfare,” but these would be reduced to thirty Reichsmarks, including thirty percent for rent costs that


\textsuperscript{73} BAK, R 36, no. 1842, fol. 32-33 and 39: DGT Berlin an RMdl, 26 January and 23 February 1939.

\textsuperscript{74} Ibid., fol. 37: Vermerk Zengerling (DGT Berlin), 27 February 1939.
had previously been paid additionally. 75 As early as the Bad Duerkheim meeting of the South German Welfare Committee of the German Council of Municipalities on 27 January, a representative of the city of Munich had called for the general introduction of “special reduced rates for Jews,” as practiced in his own city. 76

Municipal authorities that still had to provide funds for the Jewish poor because of the financial difficulties of their Jewish communities increasingly demanded compensation payments from other Jewish communities in the Reich. 77 At the beginning of June 1939, the German Council of Municipalities implemented a regulation pertaining to the joint liability of all Jews in Germany for those Jews who required social support, such that in the event of local Jewish welfare institutions running out of funds they could “fall back upon the umbrella organization.” 78 The formal establishment of such an institution, the Reich Association of Jews in Germany (Reichsvereinigung), on 4 July 1939 had the effect of a catalyst; this mandatory organization was obliged to organize and finance a separate Jewish welfare system. 79

This fact was used by many cities and municipal authorities, such as Essen and Wuppertal, as the last pretext in order to discontinue providing any kind of support. 80 A survey by the German Council of Municipalities in the Rhineland gives a clear picture of the process of exclusion in “open welfare” during the first six months of 1939. Of sixteen town boroughs in the region only a single welfare office was still paying its regular allowance to Jews, and this only if the local Jewish community was not able to meet the costs itself. 81 Things were not all that different in the large local districts of Thuringia and

77 BAK, R 36, no. 1022, fol. 26, 26 B: DGT Sachsen an DGT Berlin, 17 May 1939.
78 Ibid., fol. 29: DGT Berlin an DGT Westfalen/Lippe, 9 June 1939.
79 Compare Barkai, Boykott, pp. 171-172.
Saxony: Erfurt had stopped making the payments, and in Leipzig only a few districts were still paying. Only Dresden was still providing support.\(^\text{82}\) The number of Jewish families receiving public assistance fell from over 10,000 in March 1939 to 6,500 in September.\(^\text{83}\)

Shortly before the war began the German Council of Municipalities announced to its members, in conjunction with the Reich Ministry of the Interior, that public welfare should now “be freed of supporting the Jews without further delay.”\(^\text{84}\)

Welfare Associations, the German Council of Municipalities and the Reich Security Main Office in Conflict (Autumn 1939-End of 1942)

Apparently, the pressure exerted by the municipalities increased after Poland was overrun. Several weeks later the Reichsvereinigung was obliged to assume the costs after November 1939 for any Jews in need of nursing care who were still in public clinics and institutions (i.e. closed welfare).\(^\text{85}\) Although this was still not the case with open welfare, as the Reich Ministry of the Interior informed the German Council of Municipalities the beginning of December,\(^\text{86}\) the few welfare offices still making payments to Jews were applying even more rigid criteria in assessing the neediness of the Jewish poor. By the end of December 1939 the district welfare associations were making regular support payments to just 5,192 Jewish families, of whom four-fifths lived in Berlin.\(^\text{87}\) By contrast, the Reichsvereinigung counted a total of


\(^{84}\) BAK, R 36 DGT, no. 1022, fol. 50: DGT Berlin Brief auf Anfrage DGT Dresden, 25 August 1939.

\(^{85}\) Enacted since 1 November 1939; Bundesarchiv, Abt. Potsdam (hereafter BAP), 75 C Re 1, no. 761, fol. 138-140: Cohn (RV/Fuersorge), an Oberpraesident/Landesfuersorgeverband Breslau, 18 April 1940. Compare Nordrhein-Westfaelisches Hauptstaatsarchiv Duesseldorf, RW 53, no. 413, unnumbered Rundschreiben Oberpraesident/Rheinprovinz, 23 September 1940.

\(^{86}\) BAK, R 36, no. 1022, fol. 66: RMdl-Brief vom 4. 12. 1939 mit Erlass.

52,000 Jews in need of support in Germany. In other words, almost one in three Jewish Germans by this stage required support, which now had to be raised predominantly by the Reichsvereinigung and its district offices.

As early as spring 1940 the local authorities began a new round of discussions on the exclusion of Jews. At issue was whether - once the Jewish welfare offices completely take over the responsibility for social costs - they would provide for all Jews or only for members of the Reichsvereinigung. On 10 April 1940 Fiehler, head of the German Council of Municipalities, appealed to the staff of the deputy of the Fuehrer for a “satisfactory legal clarification” of this question. In addition he asked that Rudolf Hess use his influence to assign the same treatment to “persons in any way interrelated to Jews (at least if they belong to the Jewish religious community!), that Jews were receiving with regards to their legal entitlement to welfare.”

Thus, in the summer of 1940, before the Reichsvereinigung took over full responsibility for supporting the Jews, the Rhineland regional department of the German Council of Municipalities claimed that “radical help can only be given if the solvency of the Reichsvereinigung is established by the German Council of Municipalities in Berlin or the Reich Ministry of the Interior.”

Yet it was neither the German Council of Municipalities nor the Reich Ministry of the Interior that had the authority at the time, but rather the RSHA. On 12 September 1940 at a Berlin meeting of the chairmen of the German Committees for Welfare, Ministerial Counsel Ruppert of the Reich Ministry of the Interior announced:

It has not yet been possible to order a complete exclusion in accord with the office for the supervision of Jewish wealth as the financial solvency of

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88 Arbeitsbericht der Reichsvereinigung der Juden in Deutschland fuer das Jahr 1939, (Berlin 1940), p. 32.
89 On the change of conditions based on the war reform of labor legislation see Gruner, Geschlossener Arbeitseinsatz, pp. 113-116.
90 YV, M1DN, no. 109, fol. 34: Fiehler (OB Muenchen), an Stab StdF Muenchen, 10 April 1940.
91 BAK, R 36, no. 1022, fol. 79: 2. Brief Fiehler (OB Muenchen), an Stab StdF Muenchen, 10 April 1940; compare YV, M1DN, no. 109, fol. 30-33.
92 NW-HStA Duesseldorf, RW 53, no. 413, unnumbered: Vermerk DGT Duesseldorf, 7 September 1940.
93 Compare NW-HStA Duesseldorf, RW 53, no. 413, unnumbered: Vermerk DGT Duesseldorf, 7 September 1940.
the Reichsvereinigung has not yet been clarified. As regards this point, however, an investigation is in progress. Should the complete solvency of the Reichsvereinigung be established, then a tightening of the measures decreed is envisioned, entitling the welfare associations to discontinue all support to Jews immediately. Up until this point, however, the current regulation will have to stay in force.94

This clear statement, however, was contradicted by Preiser, representing the German Council of Municipalities, who publicly told the Rhineland regional department in Duesseldorf that he believed the Reichsvereinigung to be capable of payment not only for closed welfare but also open welfare.95

At the same time, welfare associations in the Rhineland and Silesia were now pressuring the Reichsvereinigung to backdate their payments for the housing of Jews in public nursing and mental homes to as far back as the beginning of 1939. In Silesia, at least, they were successful.96 It was only on 12 December 1940 that the Reich Ministry of the Interior ordered the isolation of mentally impaired Jews in the Bendorf-Sayn institution in the district of Koblenz.97 According to demands by various welfare associations and cities in the German Council of Municipalities since 1938, all Jewish patients had to be isolated in that single facility maintained by the Reichsvereinigung.

While all the large cities had handed over the entire responsibility for welfare to the Jewish agencies by the end of 1939, this only took place in the capital one year later. By the end of 1940, Berlin too joined the fray, and the city welfare administration reneged on its obligation to provide support for over

94 BAK, R 36, no. 1023, fol. 17-18: Vermerk DGT Berlin, 10 October 1940.
95 NW-HStA Duesseldorf, RW 53, no. 413, unnumbered: Vermerk DGT Duesseldorf, 17 September 1940; compare BAK, R 36, no. 1022, fol. 124: DGT Duesseldorf an DGT Berlin, 8 January 1941.
97 Reichsministerialblatt der inneren Verwaltung, 1940, p. 2261.
3,000 needy Jewish families. After this it became the exception in Germany for Jewish families to take advantage of public welfare services.

But the success of the exclusionary measures taken since 1933 was not enough for the welfare associations. Now attention focused on the Jewish partners in “privileged mixed marriages.” Since these individuals were not members of the Reichsvereinigung, they had to be supported by the state welfare associations. In addition, the welfare authorities started to increasingly train their sights on the “German-blooded” partners in these mixed marriages. In early 1941 the German Council of Municipalities was in agreement with the town authorities that both groups should be induced to join the Reichsvereinigung. On 9 May 1941 the Munich welfare office appealed to the Reich Ministry of the Interior to come to a decision as to whether German Jews could be forced into membership of the Reichsvereinigung by denying them all financial support. Mayor Karl Fiehler also brought his full weight to bear as head of the Council of Municipalities and likewise pressed the Ministry for a verdict on the matter. Although the RSHA could have blocked such new initiatives out of concern for the Reichsvereinigung’s budget and ability to operate, it had already lost the battle. By summer 1941 no more than 250 Jewish families were still being supported by German state welfare associations - so few that once the deportations had begun in autumn 1941 the quarterly Reich Welfare Statistics discontinued its “Jew Category” both in the big cities and in the separate German states.

For Jews, this meant that their welfare offices were in need of funds to an unprecedented degree in order to be able to finance both closed and now also open welfare. Along with the increased funds given to the Jewish communities

98 Gruner, “Reichshauptstadt,” p. 245
99 YV, M1DN, no. 109, fol. 242: Schlueter (DGT), an OB/Wohlfahrtsamt Muenchen, 2 April 1941.
100 BAK, R 36, no. 1022, fol. 150-151: OB/Wohlfahrtsamt Muenchen an RMdl, 9 May 1941; compare YV, M1DN, no. 109, fol. 90: OB/Wohlfahrtsamt Muenchen an Ruppert (RMdl), 9 May 1941.
101 BAK, R 36, no. 1022, fol. 149: Vorsitzender des DGT und OB Muenchen an DGT Berlin, 22 May 1941; Ibid., fol. 150-151: OB Muenchen/Wohlfahrtsamt an RMdl, 9 May 1941 (draft); Ibid., fol. 154-155: DGT an RMdl, 10 June 1941.
102 Until October the Ministry of the Interior made no decisions on this matter; BAK, R 36, no. 1022, fol. 149: OB Muenchen an DGT Berlin, 22 May 1941; Ibid., fol. 150: Vorsitzender des DGT und OB Muenchen an DGT Berlin, 22 May 1941; Ibid., fol. 150: OB Muenchen/Wohlfahrtsamt an RMdl, 9 May 1941 (draft)
and district offices by the Reichsvereinigung, funds were also taken from the so-called “Emigration Contribution” which was actually earmarked for helping Jews leave the country. Financial restrictions were certainly also a reason for a new general regulation on welfare guidelines, passed by the Ministries of Labor and the Interior on 31 October 1941, instructing the Reichsvereinigung to reduce the allowances made by Jewish welfare institutions to twenty percent below the local level for general welfare. In Berlin as a result, the community was only permitted to pay an average of RM 24 to the needy instead of the previous RM 30. Nonetheless, following the deportations that had begun in autumn 1941, the number of people receiving welfare benefits from the Reichsvereinigung declined at an ever-quickening rate. From autumn 1942 onwards, the receiving of welfare benefits from Jewish offices even became one of the Gestapo’s criteria in its selection of Jews for deportation.

Finally, in December 1942 the Reich Ministry of the Interior forbade government welfare associations from providing social services to Jews. By this stage there was no longer any state support necessary or possible - even in emergency cases. The exclusion of Jews in the welfare sector was formally completed with this act, even though this could hardly have any further effect since this goal had largely been attained by the welfare authorities years before.

Exclusion from Public Welfare Services as a Dynamic Process - Initial Conclusions

A few months after the pogrom in November 1938 the chairman of one of the district committees responsible for public welfare recommended to all

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106 BAP, 75 C Re 1, no. 759, fol. 2: Tabelle mit Richtsaetzen der RV- Bezirksstellen als Anlage zum Vermerk (19 August 1942).
107 BAP, 75 C Re 1, Film 52407-23, fol. 83: Notiz Henschel (RV), ueber Ruecksprache bei Gestapo Berlin, 28 September 1942.
108 Reichsministerialblatt der inneren Verwaltung, 1942, p. 2377.
109 The decree affected only the group of “Geltungsjuden.”
mayors in the Idar-Oberstein district that public assistance services to German Jews be terminated with the following justification:

I have become familiar with a number of cases where public welfare has been terminated by the administrative authorities months ago. Nevertheless, I have not learned of any case where a Jew has starved to death. In local mayors’ reports I have read that they continue to be well-dressed and appear to be well-nourished.\footnote{NW-HStA Duesseldorf, RW 53, no. 413, unnumbered: Rundschreiben Kreisausschuss, 1 April 1939.}

In light of the foregoing descriptions, the attitude of this civil servant cannot be regarded as an isolated incidence but rather has to be seen as a more or less institutionalized rule. The frequent efforts by local welfare offices to treat the Jewish poor worse than “Aryan needy” can be traced back to the mid-1930s. Scarce evidence of resistance can be found to these efforts. This behavior may be seen as part of a general sociopolitical reorientation. The public welfare associations gradually abandoned the principle of “care for the individual”\footnote{On the principles of the “Reichsfuersorgeverordnung” (1923), see Schoen, Armenfuersorge, pp. 28-31.} which originated in the period of the Weimar Republic, and reorganized their policies based on racist criteria into National Socialist “care for people” (Volkspflege), from which German Jews and other groups were excluded.\footnote{See on a similar thesis Schoen, Armenfuersorge, p. 96. For an analysis of the ‘Volkspflege’ concept see Hans-Uwe Otto and Heinz Soenker, ‘Volksgemeinschaft als Formierungsидеologie des Nationalsocialismus,’ in: Politische Formierung und soziale Erziehung im Nationalsozialismus, Hans-Uwe Otto and Heinz Soenker, eds., Frankfurt am Main, 1991, pp. 50-77.} The antisemitic exclusionary process continued until the November 1938 pogrom, without ever having been sanctioned by law from the Reich government or covered by ministerial decree. Moreover, the cities and their respective welfare offices, in carrying out their practices, did not even cause a conflict of interests between the local and federal levels.

The municipalities not only planned how exclusion from public welfare services would be carried out, they also discussed the social and political ramifications of such measures. The German Council of Municipalities served as the forum for these questions, all of which were relevant for municipal
authorities throughout the country. This is where local exclusionary plans and ideas could be presented by local mayors and were coordinated by the German Council of Municipalities. With the aid of the communication and coordination that existed within the German Council of Municipalities, the National Socialist administration was able to break through the traditional vertically structured hierarchy of the civil service apparatus in order to realize their political strategy for domestic policy. The Reich Ministry of the Interior thus made direct studies of the locally developed models of discrimination and their practical application. The Reich Ministry developed its Exclusionary Ordinance of November 1938 based on this experience and later groundwork. After antisemitic policy on the state level was thoroughly redefined following the pogrom in 1938 and the complete isolation of the remaining Jews in a “forced community” was achieved, the significance of the German Council of Municipalities as a source of ideas and proposals for the government waned considerably but, nonetheless, remained relevant for certain issues.

As the “legal” attempt by many cities to unload their responsibility for welfare services failed in 1939-40 due to the financial problems of Jewish welfare institutions and the veto powers exercised by the then controlling Gestapo, the Council of Municipalities coordinated local initiatives after the anti-Jewish ordinance was passed. However, from the end of 1938 the weight of the Council of Municipalities had shifted with regard to centralized discrimination in the social sphere, just as the fronts between the institutions that were involved. At this point, the Reich Ministry of the Interior, the German Council of Municipalities, and the municipalities with their respective welfare associations were commonly opposed to the RSHA and the Gestapo. The latter controlled the separate Jewish welfare system. The former not only pressed for a quick take over of welfare organization and costs through the *Reichsvereinigung*, but also insisted on rapid exclusion of other groups such as Jews in “mixed marriages.” The RSHA was reticent on this point due to its more general view of the persecution policy. It was interested in the functioning of the Jewish mandatory organization and wanted to avoid any financial or organizational encumbrance to the *Reichsvereinigung*. This selective conflict of interests led to absurd reproaches - seen from today’s
vantage point - such as that expressed by the leadership of the German Council of Municipalities. It was said that Reinhard Heydrich “apparently was interested in securing the greatest possible protection of the privileged Jews.” The German Council of Municipalities as an institution may thus be described as a functional relay between local and state persecution planning in the social sphere.

The above description of the development of persecutory strategies in the social welfare system provokes a rethinking of “familiar” topographies such as the often stated difference between the NSDAP and the rest of society, or that of a quasi natural distance between the administrative authorities of the old school and the prevailing ideology, or even the conception that local authorities were only involved in passive implementation of decisions made by the Nazi leadership. Thus several questions arise: How can the often-observed precursory activism on the part of individual civil servants be explained? What is actually reflected here - radical ideology, bureaucratic estrangement or simply zeal? Clearly, several factors played a role - the forced antisemitism that derived from the new social reality after 1933, new concepts of racism, and traditional authoritarian views of the relationship between the state and the individual. Not to be underestimated is also the internalization of administrative interests in the behavior of their members of staff.

At the same time the Nazi party positioned its personnel. A key figure in this regard was the chairman of the German Council of Municipalities. Functionaries like Karl Fiehler who occupied multiple positions incorporated varying group interests in one person, such as those of the cities, the state and the party. Thus the NSDAP was able to target its discriminatory intentions much more effectively to municipal affairs; at the same time municipal interests could influence central policy creation within the leading committees of the NSDAP than was possible via a local NSDAP organizational group.

It is clear from the developments presented here that the process of exclusion in the area of public welfare services cannot be explained in terms

113 YV, M1DN, no. 109, fol. 118: DGT Berlin Zeitler an Fiehler, 13 October 1941.
of exclusive state orchestration nor spontaneous local developments. It would be more accurate to speak about a mutual dynamic interaction. An increasingly radical public consensus developed in favor of the exclusion from German society of the weakest section of the Jewish population - the Jewish poor. It was precisely this rapidly growing group, created as a result of persecution and consequently dependent on the Nazi regime, and unable to emigrate because of the lack of financial resources, that constituted an essential hindrance to the policy of expulsion. This development was one of the cardinal reasons for the National Socialist leadership's decision of a new double strategy of persecution in 1938 - forced expulsion and isolation of the remaining Jews in a "forced community."