CHARGE NO. 3

ORGANIZED VIOLENCE

Over and above the eight successive charges listed above,
the Germans are also guilty of a series of crimes that were limited
to no one period or area, but were characteristic of the entire era
of Nazi dominance. These crimes, which may best be described as
organized violence, represent a unique creation of the Nazi regime.
Elaborately planned campaigns were carried out with devastating
effect upon the victims and proclaimed as spontaneous outbreaks of
just wrath. Two examples illustrative of this technique are the
boycott of 1 April 1933 and the pogroms of November 1938.

The boycott of 1 April 1933 constitutes the first overt
campaign in the German criminal conspiracy against the Jews. It
represented a preliminary test of strength in which the Nazis sought
to ascertain how far world public opinion would allow them to
proceed toward their goal of eliminating the Jews.

The overwhelming support given the Nazi Party in the March 5,
...
described as defensive struggle against a grave crime.8

The organisation and execution of the boycott was not left
to chance, and for good reason. For as much as the boycott was
intended to frighten the Jews of Germany and abroad, it aimed
equally as much to demonstrate to the world the power, discipline,
and efficiency of the Party organisation. For that reason
there was no need to feign "spontaneity," as was the case
during the 1933 pogroms. Since, further, the German leaders
decided that the boycott was not to be accompanied by violence
to Jews and their property, there was no need for secret
instructions, as was the case, again, in 1933.

Accompanying the already cited manifesto ("Reasons for
the Boycott Action"), which merely stated the reasons for the
boycott, was another proclamation entitled "Eleven Points,9"
also published on 29 March, outlining the procedures "for the
practical and systematic execution of the boycott of Jewish
places of business, Jewish merchandise, Jewish physicians and
Jewish lawyers. For added assurance that the boycott would be carried out with the necessary ruthlessness, Julius Streicher was made chairman of the Central Committee to Combat Atrocity and Boycott Agitation, and charged with the over-all execution of the boycott. Streicher, in his turn, issued eight pamphlets, each containing detailed instructions as to means and measures to be employed in enforcing the boycott.

In substance, the "Eleven Points" directed that throughout the country—even in "the smallest village"—action committees should be formed and charged with full responsibility for the execution of the boycott; that it should begin "not in a sporadic manner, but at one stroke, at 10 a.m., sharp," with 88 and 89 men stationed at all indicated places; that the workers should be told that the boycott was necessary for the "protection of German labor," while the rural elements are to be enlightened that the boycott was "forced" on Germany as a "defensive measure;" that "tens of thousands" of meetings should be held at which resolution were to
be adopted demanding, "for the present, a resumé plan for Jews in high school and universities; that no foreign businesses, including those owned by foreign Jews, should be selected, as the boycott is 'purely a defensive measure against German Jews;' that newspapers failing to publicize the boycott should in turn be boycotted thereafter; that all those are to be excluded with "complete ordinariness and the strictest discipline...not a single hair of a Jew shall be harmed,"

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Streicher's "Fourteen Points" added that converted Jews are to be considered Jews: that posters with a black background and yellow spot (reminiscent of the medieval yellow badge) should be affixed to all Jewish establishments; that a list of apostate elegors be paraded through the streets. Point 8 specified that the boycott would continue until its termination is ordered by the Party. Regulation 9, however, decreed its interruption at the end of the first day, until 8 April, in order to give the foreign press time to stop the alleged anti-German agitation. "If this, however, is not the case," Goebbels told the foreign press on 31 March, "the boycott will be resumed on Wednesday (8 April) at 10
from the standpoint of the German leaders the boycott was an
unqualified success. The chief aim of the boycott—to show to
the world the Nazi firm grip on the land, to make the boycott
a continuous process, and to strike terror in the hearts of the
Jews—have been achieved. The Togliatibor Schachter was satisfied
to note on 3 April that the boycott brought about “the humiliation
of the Jews of Germany.” The Nuremberg laws, two years later,
largely cost in legal format what had already been in operation.

The American charge d’affaires reported (on 3 April) that
“with few exceptions the boycott was carried out without disturbance.”
in Berlin proper, but that acts of violence had taken place in other
cities. Reporting on Central Germany, the American Consul in
Leipzig stated that in Leipzig the boycott was carried out on two
days, March 31 and 4 April, and was accompanied by much violence,
both to Jewish persons and property. He named many cities in
Central Germany in which the boycott was merely a culmination of
acts of physical assault, damage to goods, arrests and extortion
that had been in progress for some months. It should also be noted
that the above-quoted American diplomatic representatives con-
cluded their reports with an identical observation that, Argumentative
of the boycott, the Jews of Germany have to all intents and purposes
been deprived of "elementary civic rights," and that there was
little hope of any improvement in the future. According to the
American Consul in Leipzig, the chief purpose, and undoubtedly
achievement, of the boycott was to prevent and stigmatize
publicly all the Jews of Germany by making the people aware of
their racial and religious identity of their fellow citizens.

That acts of violence against Jews had been rampant prior to
the proclamation of the boycott with the tacit approval of the
police can be gathered from the declaration made by Göring, then
Minister of the Interior of Prussia, three weeks before the boycott
(on 13 March).
"The Police are not a defense squad for Jewish stores..."
They told me I must call out the police to protect them (the Jews). Certainly, I shall employ the police, and without mercy, wherever German people are hurt, but I refuse to turn the police into a guard for Jewish stores... The nation is aroused. Four years past we told the people: "You can settle accounts with the traitors. We stand by our word. Accounts are being settled."}

On March 21, 1933, Goring told a representative of the

*Patriot* of Hamburg:

"It is true that the department stores were attacked. I am certainly opposed to force being used in actions against these undertakings, but I do not see why it should not be permissible to warn people against buying in Jewish department stores."

Public declarations by the head of the Police in the largest
State in Germany that the Jews would receive no police protection
could only serve as a go-ahead signal for the Party's hooligans.

The American Consul in Leipzig, referring to conditions in Central
Germany, wrote that "the persecution and beating of Jews in this
region has been systematically and brutally carried out and
continued. The attacks, assuming the form of arrests, beatings,
exterminations, public degradation, desecration of synagogues and
cemeteries, while objections, still were without central direction"
and coordination. Their over-all purpose was, however, unmistakable: to make life for Jews so intolerable that they would make haste to leave Germany. Restrictive legislation, designed to harass and humiliate them, combined with physical harassment, practiced without let-up but not in an violence and concentrated form as to categorize sharply world opinion which still had to be courted, were hoped to be sufficient to cause a mass exodus.

By the fall of 1938 the world situation had changed slightly in favor of Germany. Austria had been absorbed, to the accompaniment of violence against Jews as a scale not hitherto attempted in Germany. More significantly, the rise of Czechoslovakia opened the gate for the conquest of Eastern Europe. Since, moreover, both of these events were achieved with the concurrence of those very powers whose favor had to be courted to them, no psychological barrier existed any longer to the execution of the long professed aim, namely the elimination of the Jews from Germany. Physical supremacy in the shape of territorial victories induced simultaneously a
psychological emancipation from holocaust, however ghastly, to
world opinion. On 14 November 1938, the British Consul General
in Frankfurt indeed reported to his government that "the rulers
of Germany appear at present to be contemptuous of world opinion."

For the leaders of Germany the precipitate thrust had arrived
to deliver the Jews such a massive, concentrated, violent blow,
carrying as much physical and psychological impact, as would cause
them to depart in mass flight. The necessary opportunity was
provided by the death of Max Roth, third secretary of the Paris
Embassy, on 7 November, at the hands of Berthold Heymann, a
17-year-old refugee who had become slightly unbalanced from the
tribulations he and his family had undergone. While, admittedly,
self irritating, being totally devoid of scruples, never really believ-
ing that excess are essential to their actions, hypocrisy
has long been recognized as a useful handmaiden of statecraft—
the tribute that vice pays to virtue. In 1938 the orders for
the boycott were publicly announced because no violence was to
take place, the objective being alienation of the Jews and a demonstration of Party strength and discipline. In 1938 violence was to be the supreme aim, and hence the orders had to be secret. Paying, for the last time, their respects to bourgeois virgins, the Nazi leaders determined to tell the world that the acts of arson, physical assault, property damage, wholesale arrests, that were scheduled to take place on 10 November, were all "spontaneous," the result of the pent-up but irrepressible indignation of the German masses.

The events of 10 November are well known. In a limited sense, they shook the world. Although the events that accompanied the occupation of Austria were no less violent, undoubtedly it was the burning of the synagogues, carried out simultaneously throughout the country, that gave special edge to the shock administered world opinion. An observer living at the time in Germany believed that the acts of violence were "spontaneous." The patterns was too universal, consistent, universal; burning of the synagogues with
petrol and inventory books at a specific hour; the indifference of the police; the passivity of the fire brigades, which limited their efforts to protecting non-Jewish establishments; destruction and looting of private homes; physical violence; the wholesale arrests of special-age groups and their transportation to sub-concentration camps. Ambassador Wilson (soon recalled by President Roosevelt) asked the State Department that he "feels constrained to report that evidence leads to the contrary conclusion," then the "spontaneity" theory given by Goebbels. Reporting from Brno, the American Consul General stated that there is "insufficient evidence that the destruction was not the work of a spontaneous mob enthusiasm, as claimed by some official authorities." In his lengthy report of 21 November, the American Consul in Leipzig described the atrocities in that area as

"[constituting] a devastation that very probably has had no counterpart in the course of the civilized world. As 3 a.m. November 10, 1938, was unleashed a barrage of Nazi fervour as had had no equal hitherto in Germany, or very likely anywhere else in the world since memory, if ever. The whole immediate affair was organized in such a sinister fashion as to lend credence to the theory that the execution of it had involved studied preparation. It has been assuaged by this office that the plan of 'spontaneous indignation' looked out in Leipzig several hours before news of the death of Von Rath had been broad-
Reporting from Stuttgart on 12 November 1938, the American Consul General stated that:

"The Jews of Southwest Germany have suffered vicissitudes during the last three days which would seem unreal to one living in an enlightened country during the twentieth century if one had not actually been a witness of their dreadful experience. These actions were carried out by young men and half-grown boys. It was easy to recognize under the civilian clothes of the former trained and disciplined SA or SS men, while in the cases of the latter the Hitler Youth uniform was evident in some instances. The young men acted with their arms in front manner quietly and efficiently."

The reports of the above-mentioned crimes are filled with lengthy descriptions of the outrages.

Similarly the British Consul General in Cologne reported to His Government:

"I have been much shocked by the cold-blooded and calculated manner in which action was taken than by anything else about the present events. Yes, I am inclined to think that the Führer knows the German."

Any lingering doubt that the 'spontaneous' acts of burning,...
destruction, arrests, maltreatment, deportations, were the result
of advance, elaborate, specific directions from higher instances.

is dispelled by the telegraph message cited below:

TELEGRAM

Flash Munich 47 707 101156 0120 -Chl-

TO: All Gestapo Offices, to all SD, OA, and all HA.

-Flash urgent, submit at once of the director (letter) or his deputy.

SUBJECT: Necessity against Jews this night.

On account of the attack on diplomatic secretary von Roth in
Paris demonstrations against the Jews in the entire Reich are to
be expected this night of Nov. 9/10 1938. To deal with these events
the following directives are issued:

1. The directors of the Gestapo offices or their deputies have to
contact immediately upon receipt of this telegram by telephone the
regional party office, Chancellery or Districts - and agree upon the execution
of the demonstrations. The regional inspector or head of the
Gestapo/political is to be called in for the meeting. In the course
of the conference the political leaders are to be advised, that the
German police has received from the Himmler's SS and Chief of
Police the following directives and that the measures taken by the
political agencies should be in accordance with them:

a). Only such measures are to be taken, which do not endanger German life or property (e.g. synagogues
burn only if no fire danger for the neighborhood).

b). Stores and apartments of Jews may be destroyed
but not looted. The police has been directed to
watch over the execution of this order and to
arrest plunderers.

c). In the business section particular care has to be
taken that non-Jewish stores are to be protected
from damage under all circumstances.

1). Foreigners, including foreign Jews are not to be
selected.

2). On the condition, that the directives mentioned under 1 are
complied with, the demonstrations are not to be prevented by the Police, 
but only to be watched with respect to the compliance with the directives.

4). Immediately upon receipt of this teleprint the police are to seize 
all archives in all synagogues and offices of Jewish religious organ-
izations to protect them from destruction in the course of the demon-
strations. Of interest in material of historic importance, not rec-
cent tax lists etc. The material of the archives is to be turned over 
to the regional SS agencies.

4). The direction of all safety police measures with regard to the 
demonstrations against the Jews is in the hands of the Gestapo in 
as far as orders are not issued by the Inspector of the Sicherheits-
polizei. For the execution of the police measures agents of the 
Kriminalpolizei and members of the SS and the Special Commandos 
(Verfolgungskommando) and main and field SS can be employed.

5). As soon as the events of this night make it feasible for the 
officials concerned they are to arrest in all districts as many 
Jews as especially the elderly ones or can be accommodated in places 
of arrest. For the time being only healthy, male Jews who are not 
too old are to be arrested. After the arrests the concentration 
camps in the region are to be consulted as to what arrangements 
are made for the speedy transfer of the Jews to the camps. Principal care 
should be taken that Jews arrested in accordance with this directive 
are not to be mistreated.

6). The execution of this order are to be communicated to the regional 
inspector and commanders of the Gendarmerie and the SD. Shmei 
and Underground with the statement, that the Reichsfuhrer SS and Chief 
of Police has issued these police orders. The Chief of the Ordungspolizei 
including the Fire Fighting Police has issued corresponding orders. In 
the execution of the ordered measures closest co-operation between 
Sicherheitspolizei, Gendarmerie and Ordungspolizei is to be maintained.

The receipt of this teleprint is to be confirmed by the director 
of the Gestapo or their deputy through teleprint addressed to the 
Chief of the Main Office of the Standortkommandeur Scheller.

May 15
33 Gruppenfuhrer,

Identical teleprint flashes were dispatched throughout the country.

The above documents require no commentary or elaboration.

Foreshadowing events to come in Poland, in Innsbruck the
Jews were ejected from their homes at night, made to carry straw to the synagogue, and the rabbi forced to set off the fire. In November the Jews were assembled to watch the synagogues go up in flames. Three days later they were taxed with 15,000 marks in payment for the removal of the wreckage.

The London Times stated on 11 November that almost all the synagogues in every German town - very few were overlooked - were set on fire and destroyed. On the basis of eye-witness reports alone it has been ascertained that 413 synagogues went up in flames, but that is probably an underestimate. The extent of the damage wrought to private homes and business establishments cannot be estimated.

On 12 November 1938, a special decree ordered the Jews to pay for the clearance of all damaged property and simultaneously cancelled all insurance claims.

From the viewpoint of the German leaders the November pogroms were a total success. When the pogroms started, the last of the remaining Jews became one of utter and annihilated desperation.
Their physical assets had been confiscated or destroyed and their
religious shrines consumed by fire. Worst yet, practically all
men had been transported to the concentration camp of Buchenwald,
Mauthausen, and Sachsenhausen which had then been constructed. In
fact, the worst periods in the history of the camps were the
years 1938-1940. It is in these camps that the SS executioners
and sadists received their actual experience, their real training,
with Jews as guinea pigs. They provided the facilities for the
special schools for torture that were founded later. From the ranks
of the Hitler youth who took part in the multitudinous acts of violence
and minor pogroms of the interim years emerged the huge cohorts involving
hundreds of thousands of professional killers. Without this nucleus
of trained and tried executioners and sadists the vast army needed
to exterminate the Jews of Europe could not have been formed in the
brief period preceding the attack on Poland.

Real violence had, then, from the very start been purposeful,
coordinated, planned, directed, and coordinated. The German murderers
had to learn by doing. Jews constituted their school of experience.
1. Exhibit D.3; "Volkischer Beobachter," 30 March 1933.
2. Exhibit D.3.
3. Exhibit D.3.
7. Exhibit D.3.
15. Also p. 16 on events in Vienna.
16. Exhibit D.11, ff. Also Exhibit 6120, p. 18.
19. Exhibit 6120, German No. 2 (1935).
20. Exhibit 6120, German No. 2 (1935).
21. Exhibit 6120, German No. 2 (1935).