From Article 6 of the Charter of the International Military Tribunal it follows unequivocally that "crimes against humanity" include not only acts of violence, mentioned in the above article, which were perpetrated against the civilian population "before or during the war," but also "persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated."

Persecutions of political, racial or religious minorities were carried out by Nazis not only by means of acts of violence (boycotts, pogroms, privation of liberty without due process, etc.), but also by means of special laws which by their very content, form and purpose were both unlawful (unconstitutional) and criminal.

The Purpose of Anti-Semitic Legislation

Hitler's legislation of the earlier period up to the Nuremberg laws was designed mainly to alter the spiritual, cultural and economic life of the Jews, and to segregate them from the people among whom they lived for generations.

The defendant Prinz, former Reich Minister of the Interior, wrote in 1996: "Die Antijudenmassenverfolgung ordnet sich in der politischen Ebene, die Emanzipation in der sozialhistorischen" (Zeitschrift der Vereine des deutschen Sprachraumes, 1996, p. 1 ff.)

The second period of Nazi legislation can be characterized at the final destruction of the economic life and the beginning of successive extermination. The third period consisted in the physical extermination of Jews. In every one of these phases the law gave willing and eager cooperation and collaboration.
On the day of boycott (April 1, 1933) the "Kulturkampf" agitated with this headline: "War at the Jewish World Power," and the defendant Rabbi Hirsch, official boycott leader, began his article with the following words: "In this hour the greatest war of all time is being declared."

Moreover, government officials were afraid of the reaction which measures of violence against Jews might provoke in Europe and America and preferred so-called anti-Semitic legislation to direct action. The answer given by Gen. Wernher, Chief of the Police in Frankfurt-on-the-Main, to the terrorized Jews clearly illustrates the method the Nazis had chosen in the earlier period in order to exterminate them. "You, Jew, need not tremble. We will be legal, as legal as you can become, ask of our legality," (Kurt Schumacher, Reich, Berlin, 1934, p. 1). These words show that the Nazis used law to oppress and exterminate the Jewish people.

The purpose of this legislation was threefold:

1. To create a monocentric German Volksstaat by eliminating the Jewish element which by its very nature was the bearer of democratic ideas and, therefore, the stumbling block for a war-ready Germany, morally, spiritually and materially.

2. To use anti-Semitic propaganda as a powerful means for the disintegration of national unity and for the weakening of the morale and the will of resistance of the prospective enemies in the planned war of aggression.

3. To use Jewish wealth and Jewish scientific labor up to the last ounce of energy for the German state and the German war machine.

The Jews were eliminated from the economic, military, cultural and social life because the Nazis wanted to create a monocentric state composed of elements blindly obeying Hitler and sharing Nazi ideology. Hitler stated that National Socialists fight with such fanaticism against the Jews because it is a desire to establish in Germany a true community of the people (Hitler Speech, p. 1).
This idea is most clearly expressed in the preamble to the Civil Servants Law of January 21, 1937. Hitler demanded "a professional body of officials rooted in the common people and3 connected with the National Socialist Volksgemeinschaft, which is loyal to the Fatherland, the German Nation and People." (Gest. I, 1937, p. 3).

The violent anti-Jewish crusade in the racial legislation was an explosive weapon of deadly efficiency used by the Nazis in all foreign countries in the hope of preventing serious internal disorder, creating political discord, and corrupting the state apparatus, thereby undermining the strength of the country and seriously compromising its power or resistance in case of an armed conflict planned by the Nazis. As Walter H. Stoe put it: "The Jewish question is the dynamic with which we exploit the forces where the last liberalist utopists have their former justified way of living with the false ideals of liberalism." (Mittelschule, September 21, 1942).

The real purpose of the racial legislation was that it might change the situation among their enemies in their favor: "It is an iron law that a trend... implying as it does moral danger to the Jews can never be turned back once the people begin to feel the bite of Jewry in their own body." (Der Deutsche Roman, May 27, 1942). Anti-Semitism paved the way into foreign domination, opened a powerful Fifth Column, prepared the ground for future collaborationists and undermined the national spirit of resistance. Anti-Semitism was to serve as a great factor of disunity in the international life of Europe. The adoption of racial legislation became compulsory for futureなんです of Hitler. In a conversation with the Czechoslovak Ambassador, after the annexation of Czechoslovakia, Hitler declared:

Other wars must be destroyed. The Jews are our most annoying and by the end of this year there will not be a Jew left in Germany... We will give similar edicts to Austria, Hungary, etc. Germany will seek to form a block of anti-Semitic states, as she would not be able to treat as friend states in which the Jews, either through their economic activity or through their high positions, could exercise any kind of influence." (Der deutsche Sache, p. 32).
The same idea was expressed by the defendant Alfred Rosenberg:

"The Jewish question has never been confined to one country or one nation and one to those who failed to realize the international character." (Goldberg: Nov. 11, 1921, p. 28).

Anti-Semitic legislation before and during the war was one of the "tragic prophecies" of Nazi Germany for preparing and waging an aggressive war. It was directed not only against Jews, but also against democratic associations which Germany wanted to conquer. The form and subject of anti-Semitic legislation were also useful.

Hitler and his gang were afraid that some of the socialists and all communists would be against the Great Power war which he introduced at the Reichstag, at that time functioning on the basis of the Weimar Constitution.

This measure was promulgated. As early as March 9, 1933, former Reich Minister of the Interior, the defendant Frick, made the following threatening statements:

"When the new Reichstag convenes on March 23, the communists will be prevented, by useful and urgent means, from taking part; they should again become accustomed to productive labor. The concentration camps will provide ample opportunity for that."

Arbitrary coalition of legally elected candidates violated the rights of both the democracy and the Constitution itself. Democracy represented the state nation and not individual parties. The Grant of Power was an emergency measure designed to combat the state of anarchy. Only the Frankfurter was entitled and legally entitled to the fundamental law of the Constitution.

Negro legislation — contrary to the Constitution — could not be promulgated in the form of the Grant of Power. The Nazis used this unlawful means for the preparation of an aggressive war. This war had been waged, among other things, for the destruction of democracy. Consequently, the war has been directed not only negatively but also positively against sections of the population which were regarded as enemies of the ideas of democracy.
The Jewish people and Judaism were regarded by the Nazis as the best target for the destruction of democracy. The defendant Alfred Rosenberg wrote in "The Birth of the 20th Century" (p. 136) that "Freedom, Liberty, Liberalism, Jews" are the "modern synonyms of Jewish God," and in his speech on February 15, 1941, Goebbels said that Jews are the glue which held the anti-Semite coalition together."

Early in January, 1944, the personnel office of the German Army published a guide for the officers' corps, entitled "Toward National Unity," with produce by Alfred Rosenberg. This pamphlet proclaims as a proud and blind obligation for each National Socialist and soldier of the German Army "to defend it in common against the enemies of the Eternal Heilfheil" (pp. 2-3). Among those enemies the first place is assigned to Jews which "struggle to attain world domination." The pamphlet states that this war is "a world conflict of Jewry against the liberation of the Jewish population from the spiritual and material domination of Jewry. The spiritual domination of Jewry is manifested in the theory of human rights in detriment of the old German principle advocating collectivity," not democracy, but only the Führer represents the people. Democratic principles exist thanks to the "false Jewish doctrine and were created solely in the interest of Jewry itself" (p. 1). Nationalist and internationalist ideas live of Jewish origin. Thereby bolshevism serves as "an instrument in the hands of world Jewry by means of which the latter, together with the Jewish liberal Anglo-American plutocracy, wants to realize the promise of the Old Testament of world domination by the Jews." (p. 21). "The United States and Great Britain," continues the pamphlet, "fight against Germany because the Jew is the chief war-crusader, and the fighting slogan of these countries is the fighting slogan of Jewry." (p. 24). In conclusion, this official guidebook declares that "this war is an ideological one. Two worlds have met, one, brought up on Judeo-Christian, liberal and democratic principles, the other, an old German tradition of leadership and totalitarian regime." (p. 136).
These allegations are not new. They are a restatement of what Hitler wrote in his book and stated in his numerous speeches. For Hitler it was impossible to live together with Jews. "The opinion that it would be possible to live together peacefully and even to live in harmony with these enemies of decomposition is nothing but the belief that the body in time will reach a state in which it will assimilate the cholera bacillus" (The New York Times, January 31, 1944). In Hitler's opinion, the Jewish people is not only the enemy of liberalism, pacifism, internationalism, balladeering and photojournalism, but it has specific aims, that is, to extend its invisible state of oppression over all other states in the world. The most decisive cause of the German collapse in World War I was the failure to recognize the Jewish menace. This insinuation was directed not against a particular strata or class in one country, but against entire Jewry as an indivisible body from whose undiminished guilt there could be neither exculpation nor redemption.

The Nazis pictured the survival of the German people as dependent upon the extermination of Jews. "This war," said the defendant Goering, "is a war of reparation. It is to decide whether the German, the Aryan race or the Jews shall rule the world. That is what we are fighting for."

In his Political Testament on the eve of his suicide, Hitler declared once more that this war was enacted and provoked exclusively by those international schemers who either were of Jewish origin or worked for Jewish interests...and that the Jews, the race that is the real guilty party in this monstrous struggle...must be saddled with the responsibility for it" (The New York Times, December 23, 1945).

The primitive conception of the enemy as an outlaw guided the Germans in all relations with Jews not only during the war but in the pre-war period, too.
The expression "We are our enemies" was not merely rhetorical to express their feelings of hostility. Far from it. The Germans interpreted it as a definite legal authorization and from the logical conclusions from it, Jews could not defend their civil rights because "Germans and Jews are hostile to each other"; this in turn more true now that Germany is engaged in a war which was imposed upon her in considerable measure by Jews abroad (Decision of the International Berlin, *Deutsch-Jüdisches Verhältnis* 1910, pp. 357-360). In conformity with instructions issued by the Ministry of Justice on December 22, 1915, Jews were to be regarded as enemies, according to Par. 3 of the ordinance concerning the treatment of enemy property *(Deutsch-Jüdisches Verhältnis* 1910, p. 321). By this ordinance Jews were regarded as enemies, as understood by international law, and their property — still remaining to that after confiscation and expropriation — shared the fate of the property of enemy aliens.