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ENGLISH EDITION

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Hitler Germany and Problems of National Minorities.

by Andrzej Moykowski

The main outline of Germany's policy as regards minorities, before Hitler's party came to power, is well known. In order to attack the state of things as settled after the War and to safeguard the national and political interests of German minorities in Belgium, Czechoslovakia, Denmark, Estonia, France, Italy, Latvia, Lithuania, Poland and Yugoslavia, Germany took up the defence of rights of minorities, specifically interpreted, with great energy, precision, and persistence. There scarcely existed any international institution where Germany was not the prime mover of action in this sphere, demanding a far-reaching reform of the minority procedure decided upon by the League of Nations, which even in its present forms far exceeds the scope of existing minority treaties. Germany, playing with significant industry the part of defender of reportedly „oppressed“ minorities, did not however apply in its internal policy towards the Danish, Lithuanian, Polish and Wend minorities, the same principles which pro foro externo it defended so stoutly and without stooping to compromises.

Public opinion in Western Europe did not catch the false note in all this symphony of German pro-minority propaganda. It was easily detected only by those who either had occasion to observe at close quarters Germany's contemporary *internal* policy towards minorities, or those who remembered the brutally nationalist policy of extermination carried on by pre-War Germany against the Danes, the Poles, and the population of Alsace-Lorraine.

No wonder that the recent anti-Jewish excesses in Germany called forth loud reverberations everywhere, but more particularly stirred up public opinion in England which had listened with sympathy to German pro-minority propaganda, and on which little impression had been made by restrictions, even proceeding from a personage so well acquainted with European politics as the Foreign Secretary of Great Britain, Sir

Austen Chamberlain, who had demanded that the principle of „clean hands“ be respected also in the field of minority policies. Several debates took place in both Houses of Parliament on the subject of the anti-Jewish incidents in Germany. A number of speakers took up the question of protection for national and religious minorities and Lord Cecil of Chelwood drew attention i. a. to the fact that no other European country had insisted on the strict carrying out of international minority treaties as much as Germany. Although England had certainly never any intention of officially moving that the obligations of these treaties be extended to Germany all discussions in England were bound to create the impression that such an extension would meet with approval.

This is a fact which must be taken into account in considering the problem of Germany's future policy towards minorities, for German efforts to interest England's public opinion in the question of „national minorities“ in general, and the situation of German minorities in particular, are well known. They had succeeded in gaining the support of a considerable section of the English press in the second matter, so that it was systematically busy, i. a. attacking Poland for the alleged anti-minority bias of its internal policy. Until very shortly Germany's theses concerning minorities found favourable ground in the International Union of the Societies of Friends of the League of Nations, thanks to the attitude of the English Society. Before the Congresses of National Minorities organised by Germany special German emissaries used to visit England and always found a favourable hearing, particularly in the Labour Party. In consequence of the considerable ignorance which prevails in England concerning the political conditions of central and eastern Europe and of the feeling raised by any, even imaginary wrong to humanity perpetrated outside the limits of the British Empire, Germany during its pre-Hitler period came to be the defender of Europe's oppressed minorities.

The conquest of Anglosaxon public opinion by Germany's pseudo-liberal minority theses was to a certain degree facilitated by the fact that these theses were warmly supported and defended by the Jews. They, who refused even to discuss the question of the existence of any „Jewish minority“ in Germany, organised themselves as separate „minorities“ in all the States of eastern and central Europe, not excepting German Austria. In all these states, whether it be Poland, Lithuania, Czechoslovakia or Rumania, the organised Jewish minorities worked hand in hand with the German minority. This German-Jewish co-operation was particularly plain at the previously mentioned Congresses of Minorities.

When a breach took place in 1927 and all the Polish minorities in company with the Union of National Minorities in Germany seceded from the Congress, the Jews remained in it, opposing the contention that these Congresses were exclusively an instrument of official German policy and that their „international“ name was only a convenient cloak facilitating the anti-Polish work of their German stage-managers. The Jewish representatives in the Congress listened without protest to the attacks on Poland and other countries. Even last year, that is to say at a time when the increase of anti-Semitic feelings in Germany was already plain, the Jews took part in the Congress of Minorities, and this time expressed their anxiety, in an almost insignificant manner. Anti-Jewish outbreaks in Germany, an elsewhere unknown, official, systematic boycotting propaganda on a great scale, a special anti-Jewish legislation, were needful to trouble the long German-Jewish idyll of minorities. At the same time the strongest tide of anti-German propaganda swept the world coming from that same liberal England which had been the strongest support of Germany's pseudo-liberal minority policy. There does not, as yet, exist a „Jewish minority“ in Germany but it may be an unavoidable consequence of the anti-Semitic policy of Hitlerism that such a minority shall come to exist, and doubtless that is precisely one of the aims pursued by Hitlerism.

If however, a definite definition were demanded at this moment of the attitude of Hitlerism towards nationality problems in general, the answer would not be entirely plain. One thing is certain, that Hitlerism triumphant in the Reich will seek by all the means in its power to win all German minorities outside the Reich to its own ideals and to subject them to its own exclusive leadership. That the Hitler régime will keep in mind these minorities was already attested by the Chancellor's speech at the opening of the Reichstag, in which he declared that the Government of the Reich would energetically defend the international rights guaranteed to the German minorities in Europe.

One of the first symptoms of Hitlerism's tendency to subject German minorities in other countries to its own exclusive leadership was the dismissal from his post of Dr. Wertheimer, head of one of the chief institutions concerned with Germans abroad, the „Auslandsinstitut“ of Stuttgart. A more eloquent symptom of that tendency was the physical illtreatment and dismissal of the same Institute's Manager, Consul Wanner. The timid protests of the press, which recalled the services to the German cause of these two men who had for many years sought to

realise the principle of a „community of all the German-speaking peoples“ proved of no avail. In this department also Hitlerism made a demonstrative beginning immediately on coming to power.

A well-known theorist of German nationhood abroad, comparing the occurrences in the Reich which preceded Hitler's accession to power to the time of growth of the Bismarckian State, recalled the fact that this Bismarckian State although it troubled very little about the German community abroad, yet formed the foundation which enabled that community to endure. „To-day also“ declares Ullmann regretfully „the mighty struggle for power in the root State is carried on without regards for the Germans outside the frontiers“^{*)}. But perhaps this is precisely the reason why the vigorous organisations whose concern are Germans abroad in the very first weeks after Hitler's rise to power immediately took steps to stress the importance of this question. The „Society for Germans Abroad“ (VDA, Verein für das Deutschtum im Ausland) began a campaign in the daily press telling of the „work of the German community abroad“. Simultaneously the Union of German National Groups in Europe (Verband der deutschen Volksgruppen) reminded the public of its existence. Its chief, a German from Esthonia, M. Werner Hasselblatt, brought back to memory that Germans abroad have not only rights of citizenship in those states to which they belong, but also national rights as members of the entire German nation. His idea is, that every national minority within a state should form a sort of separate „estate“ (eine Art National-Stand), specifically privileged, as once were the nobility.

These public steps of the various organisations working for Germans abroad or of their heads, were prompted not only by the wish to show their positive attitude towards the new masters of the Reich, but also by misgivings concerning the fundamental views of Hitlerism on the post-War German idea of minorities.

An article in the January issue of the periodical „Volk und Reich“, by Karl von Loesch, president for many years of the „Deutscher Schutzbund“, the chief society for the interests of Germans abroad, voiced these misgivings. In this article M. Loesch, writing the so-called „Volkspolitische Umschau“ for 1932, considered his subject in the light of the influence which the increase of nationalism in Germany had had on the situation of German communities abroad. According to M. Loesch

*) „Auch heute nimmt der gewaltige Kampf um die Macht im Kernstaat keine Rücksicht auf die Deutschen ausserhalb der Grenzen“.

this review was extremely depressing. Of the new post-War States he concludes — „the tale of their transgressions has grown even longer during 1932“, — that is to say, the situation of the German minority in these states has grown worse during the last year. But M. Loesch is of opinion that it has also grown worse in other countries, in Denmark, France, in Fascist Italy, or even in Hungary, though that is bound to Germany by the similarity of their plight after the War.

The change for the worse in the situation of the German community abroad during 1932 leads M. von Loesch to conclude that the increase of nationalist feeling in Germany has not strengthened the community abroad, but has on the contrary weakened it.

Since the moment when the government of the Reich fell definitely into the hands of the „Young Right“ i. e. of the National Socialists, M. von Loesch, as several of his actions show, very swiftly ceased to have any doubts concerning the interrelation of Hitlerism reigning in the Reich and the German minorities in Europe. He, and with him the majority of German specialists in minority matters, have submitted themselves to Hitlerism and enlisted under the new Ministry „for Propaganda and National Enlightenment“, with Dr. Goebbels at its head.

This fact is severally borne out. To gain conviction it is enough to take the second April number of the Stuttgart „Ausland“ Institute's organ. Under the heading „Vom Auslanddeutschtum“ are gathered opinions on the revolution effected in the Reich, proceeding from German minorities in Czechoslovakia, Denmark, France, Rumania, opinions „which in the main show the approving attitude of the German community abroad“. (Grösstenteils die zustimmende Haltung des Auslanddeutschtums erkennen lassen) Still more eloquent proof of the acquiescence of the German minorities in the new state of things in Germany is to be found in the April number of their Union's organ „Nation und Staat“. The first thing to strike the eye is the fact that such eminent leaders of the German minority movement as MM. Bleyer (Hungary), Brandsch (Rumania), Schiemann (Latvia), Schmidt-Wodder (Denmark), have retired, or have been eliminated from the group of publishing and editorial managers, while M. Ferdinand von Uexküll, a German from the Baltikum, has remained editor, whose leading article „Das neue Deutschland“ leaves no doubt whatever as to the spirit which will animate the organ of the German minorities in Europe. M. von Uexküll in this article declares that the German community abroad particularly deeply feels the fact that at last a decisive change has been success-

fully effected in the Reich, whose purpose is to renew the internal solidarity of the people and to unify the „mother-nation“ (Muttervolk).

The German community abroad having submitted to the new Government of the Reich, National Socialism began to give it active support. Thus the Minister for the Interior, Dr. Frick, issued a circular to all the State Governments — the „Erlass über die Förderung der volksdeutschen Arbeit“ — calling particular attention to the part played by the „Verein für das Deutschtum im Auslande“ in keeping alive German civilisation and culture among the German community abroad. In this circular Dr. Frick declares that „the 30 million Germans who live outside the present narrowed limits of the Reich, form an organic part of the German nation“. The Prussian National Socialist Minister for Education, M. Rust, also pointed out these duties towards the German community abroad, demanding that the work of the VDA should find support in schools. On May 23rd a great meeting took place in Berlin, with the motto „Cultural activity for the German community outside the frontiers is a point of honour of the German nation“ (Kulturarbeit für das Deutschtum jenseits der Grenzen — eine Ehrenfrage des deutschen Volkes). The previously mentioned Minister, M. Rust, the new manager of the VDA in the entire Reich, Dr. Steinacher, and other persons active in the field of work for the German community abroad, were speakers. Judging by many other symptoms it may be assumed that the other organisations of similar character, (as for instance the „Deutscher Schutzbund“) the Union of German Minorities in Europe of course included, have also already been subjected to a unified management in the Reich, presumably that of the „Ministry for Propaganda and Enlightenment“. This being accomplished, National Socialism will endeavour by means of its party branches among the Germans abroad to gain control of all German communities living outside the Reich. Aiming at a later transformation of the National Socialist movement into a kind of „German Order“ controlling the life of the whole German nation regardless of the frontiers which divide it, the leaders of this order will aim at organizing the „brothers of the order“ in Czechoslovakia, France, Poland, or any other country so, that they shall be heads of branches which the central Order of the Reich will have in those countries. The eminent National Socialist Dr. Nicolai writes: „Citizenship of the Reich can by the nature of things come into account only for subjects of the Reich. Membership of the Order, on the contrary, passes outside the limits of state territory. It strengthens the purely individual tie between

Germans who play a leading part. It forms strong bonds which hold together the whole community of Germans".

After analysing the mutual relation of German minorities to Hitlerism and vice versâ, there remains the question of Hitlerism's attitude towards the national minorities of the Reich. The anti-Jewish campaign which has found its fundamental expression in a special legislation, only illustrates a part of the problem.

The National Socialist programme *) defines its attitude towards non-Germans as follows

„4. Rights of citizenship in the Reich can only be held by countrymen (Volksgenossen). A countryman must be of German blood, regardless of religious denomination. No Jew can therefore be a countryman.

5. Those who are not countrymen can live in Germany only as guests and must be subject to legislation for foreigners.

6. Only citizens can have the right of deciding on the government and legislation of the State. We therefore demand that all public posts in Reich, State and municipality be filled exclusively by citizens of the Reich.

7. We demand that the State should have the duty of finding means of work and subsistence in the first place for citizens. If it is not possible to support (feed) all the citizens of the Reich then all non-citizens of alien nationality should be expelled from the territory of the State“

National Socialism takes the view that of the three elements needful to form a state — authority, territory, and state-nation (Staatsvolk)— the last-named is the most important. The nation — in National Socialist language „the consanguineous People“ (das blutmässig zusammenhängende Volk) — being the „lord of the commonalty“ must consist exclusively of Germans. According to the already quoted Dr. Nicolai „a German is a person of German descent, a matter in which the blood (race) decides“. In other words, in the Hitlerite view only a person whose veins are filled by German blood can belong to the German nation. The rest they call „non-Germans“ or „aliens“ (Fremde). These aliens in their opinion should be excepted from the Constitution — „aus dem

*) Gottfried Feder: Das Programm der National-Sozialistischen Deutschen Arbeiter-Partei und seine weltanschaulichen Grundgedanken 1932.

Blutskörper des deutschen Volkes" („from the consanguineous body of the German nation") and subject to a special minority legislation. To this end special authorities should be instituted whose duty will be the keeping of registers where the „aliens" and their nationality shall be inscribed. The „aliens" thus defined shall be treated diversely, according to their nationality. It appears therefore that the National Socialists have departed from the previous German principle „Minderheit ist, wer will" (one belongs to a minority by choice). In lieu of individual decision features of blood and race, i. e. lineage, will decide and will be established by state authorities. „In practice" writes Dr. Nicolai „we shall have to discern chiefly three groups: Jews, Poles, and the rest of aliens. For each of these groups a special law shall regulate its duties and rights, among the rights being a definition of the autonomy to be enjoyed in the field of cultural development. The law for protecting the race will have to regulate the question of marriages and other relations between Germans and aliens, so as to preclude once for all any inoculation of alien blood into the German national organism and to shield the German nation from further bastardisation".

As to this practice, it has already had wide application in relation to the Jews. In the course of a few months a whole special, racial, anti-Jewish legislation has been perfected and on this basis a number of multifarious restrictions imposed upon Jews. As for the Poles and other nationalities, the law promulgated on May 4th 1933 on the rights of inheritance of farmers would appear to apply mainly to them. Its second paragraph, entitled „der Bauer" (the farmer) declares that a freehold farmstead („Erbhof") „can be owned only by a farmer who is a German citizen and of German blood". „Of German blood" the same paragraph further says" in the sense of this law is every Teuton (jeder Germane). A marriage henceforward concluded with a person who is not of German blood disables the descendants for ever for farming as owners of a freehold farmstead". This law which also contains „anti-Jewish" decrees is therefore no more a typical „Aryan" law, but also excludes from the new farming law all those in whose veins there is no „German blood", i. e. Lithuanians, Poles or Wends. More precise orders for putting the law into effect will make the matter plain and will perhaps contribute to clear up many obscure points, not only of this law, but of Hitlerism's theories of „nationality" in general.

CURRENT EVENTS

The Persecution of the Jews in Germany.

The persecution of Jews which began in Germany in March 1933 simultaneously with the so-called „National Revolution“, i. e. the accession to power of *Hitler's* National Socialist Party, transcended all similar anti-Semitic activity of the last decade in other European countries by its extent and its organised character. Its distinctive feature was the avowed and official participation of State organs in directing and managing the anti-Jewish campaign.

Terrorism and Boycotting

The first phase of the persecution consisted in *numerous acts of terrorism and an as yet unorganized economic boycott*. On March 1st a search was made in the offices of the „Zentralverein“ of German citizens of the Mosaic faith — the chief Liberal and assimilationist institution — on the pretext of alleged Communist activity. At the same time members of the „Shock Troops“ of the Hitler Party (Sturm Staffel and Sturm Abteilung, known as SS and SA) attacked Jewish shops in the Ruhr basin, forcing them to close down. Chemnitz was the scene of stormy anti-Jewish demonstrations, at Königsberg a bomb was thrown into the synagogue. During the first half of March boycott and blockading of Jewish shops spread to the whole territory of the Reich together with acts of blood and violence against the Jews.

On March 11th Dr. Wysocki, the Polish Envoy in Berlin made representations to the Auswärtiges Amt on the subject of Polish citizens of Jewish nationality who had suffered injury to their persons and property. The *aide-mémoire* presented by Dr. Wysocki contained the report of several score such cases. On March 18th Dr. Wysocki presented a list of 51 further cases.

In Munich SS and SA detachments kidnapped the rabbi Dr. Berwald and arranged a fictitious execution in consequence of which the old man died. In Frankfurt am Main a group of Jews was brought to the „Brown House“ (Head Quarters of the National Socialist Party) where they were stripped naked and ordered to flog each other. Many Jews were imprisoned or placed in concentration camps on the pretext of their belonging to parties of the Left. Searches were made in the villas of Professor Albert Einstein and the novelist Lion Feuchtwanger. „Shock Troops“ made an unauthorised search in the offices of the Zionist Union in Germany and in the house of its President, M. Kurt Blumenfeld. The Jewish economist J. Leszczyński was deported.

The attitude of the Government towards the anti-Jewish excesses was expressed in a speech which M. Goering, Minister in Prussia, held at a public meeting on March 10th:

„What harm is there if we call — Germans, do not buy from Jews but give your support to German shops! I shall order the police to take action unconditionally where the interests of the German people might suffer, but I am most determinedly opposed to their being used as a protective guard over Jewish shops. There must be an end to the licence which allowed every scoundrel caught out at his dishonourable work to call immediately for the police. The police protect all persons engaged in honest commerce, but they do not exist for the protection of scoundrels, scamps, usurers and traitors. If here and there one is caught and illtreated it should be remembered that where wood is chopped the chips must fly. We live in no ordinary times”.

After the first acts of bloodstained terrorism came the second phase of the anti-Jewish campaign — a mass expulsion of Jews from State and municipal service, from the liberal professions and from academic bodies. In Breslau the National Socialists stopped the work of the courts, demanding the removal of Jewish judges and barristers. In order to „soothe the indignant populace” the Police President's Office designated 17 barristers from among all the Jews, who will be alone permitted to appear in court on behalf of litigants. In Berlin the number of Jewish barristers was limited to 35.

Anti-Jewish Legislation

In the series of *legislative acts* destroying the civic equality of the Jews fundamental significance must be ascribed to the law „concerning the re-establishment of professional officialdom” (April 7th 1933, Reichsgesetzblatt Nr. 34) which introduces the principle of „Aryanism” into the constitutional law of Germany. All later measures serve to establish this principle in various professions and fields of social activity.

The purpose of the above-mentioned law is „the re-establishment of a national professional officialdom”. Par. 3, alinea 1 declares: „Officials of non-Aryan descent will be removed from active service; honorary officials should be released from their positions”. Exceptions to this ruling are stated in alinea 2: „Alinea 1 does not apply to officials who were in service previous to August 1st 1914, to those who fought in the front lines for the German Reich or its allies during the World War, to those whose fathers or sons fell in that War. Further exceptions may be made for officials serving abroad by the Reich's Minister for Foreign Affairs acting in concert with the Minister of the proper department, or by the supreme authorities of the States”. Furthermore the law declares that one grandparent of non-Aryan extraction suffices for an official to be considered „non-Aryan”. A scientific definition of the idea „Aryan” however, has been attempted by the society „Nordischer Ring” which affirms that it „describes in a clear, generally comprehensible manner the term „non-Jewish”.

The law on „Admittance to the Bar” (April 7th 1933, Reichsgesetzblatt Nr. 36) decrees by its par. 1: Admittance of barristers who are not of Aryan extraction in the sense of the law of April 7th 1933 concerning the re-establishment of professional officialdom can be stopped until Sept. 30th 1933”. The law provides for exceptions similar to those of the law concerning officials.

The law on patent-attorneys of April 22nd 1933 and on fiscal advisers (Steueranwaltschaft) of May 6th 1933 serve to establish the „Aryan” principle in these professions.

The law on schools and on colleges of university rank (April 25th 1933, Reichsgesetzblatt Nr. 43) introduces the „*numerus clausus*” for Jews. The fundamental pa-

paragraph (4) declares: In admitting new pupils attention should be paid that those who are of non-Aryan origin in the sense of the law of April 7th concerning the re-establishment of professional officialdom, should not exceed in proportion to the total of pupils of each school and faculty the percentage of non-Aryans among the inhabitants of the Reich. This percentage will be decreed uniformly for all the territory of the Reich". This decree does not concern — apart from the exceptions provided by the law on officialdom — „those born of marriages contracted before the promulgation of this law, if the father or both grandfathers are of Aryan lineage". Note should be taken of the fact that the definition of „Aryan" by this law is somewhat milder than that of the law of April 7th 1933.

Par. 5 of this law runs: „The obligations incumbent on Germany in consequence of international treaties shall not be infringed by the rulings of this law".

The Governments of the different States have gone still further in their restrictions on Jewish students. In Bavarian schools of university rank there is as a matter of fact a „numerus nullus" for Jews. The Minister of Education in Saxony has decreed that for five years no Jews shall be admitted to the university, so that their percentage there should become equal to the general percentage of Jewish population. Jewish professors and lecturers throughout the Reich have been excluded in masses, receiving compulsory leave.

In contrast to the formerly mentioned laws, the law „concerning the formation of student bodies (Studentenschaften) at schools of university rank (Hochschulen)" (April 22nd, Reichsgesetzblatt Nr. 40) is not directed against Jews alone but against all national minorities and foreign subjects of other than German nationality. Par. 1 decrees: „The students of German lineage and mother-tongue inscribed at a school of university rank form the student body of that school, regardless of their being German subjects or not". Par. 2 defines the important functions of this body. „The student body is an organic part of the school and the representative of all the students. Its task is to co-operate in the fulfilment by students of their duties towards the nation, the State, and the school".

The „law concerning freehold peasant farmsteads" defends even more strenuously than the former laws the „purity" and „Aryanism" of the German race. Par. 2 is stringent: „Ownership of a freehold peasant farmstead is permitted only to persons of German citizenship and blood or of the blood of a kindred race. A person having among his male ancestors or other ancestors back to the second degree a person of Jewish or coloured extraction is not of German or kindred blood. A marriage contracted in future with such a person makes the descendants permanently incapable of becoming peasant proprietors of a freehold farmstead".

In contrast to the other laws this one does not introduce the negative concept „non-Aryan", bringing in the positive term „of German blood". In its negative points the law does not use the term „non-Aryan" but says plainly „of Jewish descent". It is to be supposed that this is caused by the exceptional importance ascribed to this act by the legislator.

The campaign of extermination has gravely hit Jewish medical men who are removed in masses from positions they occupied, even persons of such eminence as for instance Professor Zondek, not being passed by.

The Government Commissioner for Berlin, Dr. Zippert declared that „the

hospitals are infested by Jews, so that the Jews should be removed". Jewish actors and stage-managers have also been dismissed.

These facts and the Government acts sanctioning them constitute de facto and de iure a deprivation of the Jews in Germany of civic and political equality.

The third phase of the persecutions was the economic boycott of the Jews formally proclaimed on April 1st by the National Socialist party and enjoying official Government support. The pretext for the begin of this action was given by the increasing tide of protest in the world and by the boycott of German goods proclaimed by the Jews. The Government declaration of March 27th announces that „none should be surprised if the German nation spontaneously rises up to a defensive battle. One of its effective means will be a propaganda of boycotting Jewish shops. The Government will observe all anti-Jewish action without taking steps and will await developments, imitating the attitude of foreign governments towards the campaign of anti-German propaganda and the announcement of alleged cruelties". In accordance with their announcements the „Shock troop" formations blockaded Jewish shops and offices throughout the whole day, carrying on a lively anti-Jewish propaganda. M. Goebbels, Minister for Propaganda, announced to the Press that after April 1st there would be a four days interval in the boycott. If by that time the anti-German campaign abroad would cease, the boycott would not continue — in the contrary event it would be carried on. The Government then declared officially that the boycott had fulfilled its purpose and would therefore be discontinued. This decision of the Government was ascribed to the extremely bad impression made abroad and to the unfavourable influence on the economic life of the Reich. This conviction was expressed by M. Streicher, Member of the Reichstag and director of the boycott campaign, who said that „if it had been necessary to continue the boycott incalculable economic consequences would have ensued".

The National Socialist campaign was not confined to economic, social, and political boycott, it extended also to the boycott of the Jewish intellect. On May 10th over 20 000 books by Jewish, Pacifist, and Socialist authors were solemnly burnt in the Belle-Alliance Square in Berlin, M. Goebbels, Minister of the Reich presiding at the ceremony.

Protest of the American Jews

The incidents in Germany evoked a violent spontaneous wave of protest in the whole civilised world. The protest was not confined to the Jews all over the world, it also swept the communities among which the Jews live, particularly in the West. The campaign showed the strong cohesion of the Jews who in a moment of national danger rose to a common effort despite their far-reaching inner party discrepancies.

The word for a protest campaign was given by the Jews of the United States and by their political representation, the Jewish-American Congress. Already on February 28th a meeting was held under the auspices of this institution in the Carnegie Hall of New York, at which the speakers beside Rabbi Dr. Stephen Wise were the highest dignitaries of the Roman Catholic and Protestant Churches in America. Father Martin Conboy declared that justice towards Jews was justice towards all humanity, while the Rev. Parkes Cadman expressed the opinion that „the struggle against the Jews was always based on lies and infamous calumnies".

The proper day of protest however, was set by the Congress Executive for March 27th, Jewish organisations the world over being asked to demonstrate simultaneously. A great meeting in Madison Square Garden in New York was preceded by a day of prayer and fasting and by a demonstration in the streets.

The representative of the Jewish-American Congress, Dr. Tenenbaum, opening the meeting defined the proper sense of the demonstration in the words: „The moral strength of the whole civilized world is behind us and 16 million Jews appeal to it from this spot to-day in the defence of our human and most elementary civic rights“.

The former Governor of New York and candidate for the Presidency *Al. Smith* said i. a. „The best thing would be to bring this matter (of persecutions) before a world forum, to air it before all eyes and to settle the Nazi theses on racial hate as we settled the Ku-Klux-Klan some years ago“.

Mayor O'Brien of New York declared: „In the name of millions of Christians, citizens of the biggest city in the world, I protest to-day against the hooliganism of the *Hitler* Government and I declare that we are all deeply shocked by the sad news arriving from Germany.“

Protest Campaigns in Other Countries

The campaign of protest initiated in America soon extended to Jewish communities in other countries and parts of the world, finding particularly strong expression in Poland, England and Palestine. In all these countries the boycott of German goods, considered as the most powerful weapon in combating the anti-Semitic tendencies of the *Hitler régime*, was taken up almost spontaneously.

At the meeting of the „Board of Deputies“ (Union of delegates of Jewish communities in England) its President, Mr. Neville Lasky, gave a clear exposition of the true character of the Jews' campaign. „Our quarrel is not with the Germans as a state. The Germans can choose such a constitution as pleases them. We are however combating the negative distinction *de iure* and *de facto* of German citizens or inhabitants of the Jewish faith. We will not tolerate that within the frontiers of Germany the Jews should be considered a class of helots. Together with our German brothers we wish prosperity to the German nation“.

On March 30th Viscount *Cecil of Chelwood* opened the debate on the persecution of Jews in Germany in the House of Lords, saying, i. a. „The whole world has been shocked by the news of violence offered to the Jewish population in Germany. The occurrences in Germany are being observed in England with great uneasiness. England's special position as mandatory Power in Palestine has bound it up with the fate and misfortunes of the Jewish people. Since more than half a century it has become the custom to regard questions of racial and religious minorities as matters of international interest, calling in case of need for intervention on the part of other countries. No country insisted so strictly on the precise execution of the minority decrees of the Treaty of Versailles as Germany. According to Germany, anti-Semitism in Germany is fair, but anti-Semitism in Poland is an act of barbarism“.

Lord Reading was of opinion „that the Government should make use of the means at its disposal to call the attention of the Germans to the indignation of the English people because of the unfair treatment of the Jewish population“.

The persecution of the Jews was also condemned by representatives of the

Anglican and of the Roman Catholic Church, by the Archbishop of Canterbury and by Lord Iddesleigh.

In the great debate on foreign affairs which took place in the House of Commons on April 13th chief representatives of all the parties in view of the present situation in Germany and of the persecution of the Jews condemned all efforts at treaty revision at the cost of Poland.

In Palestine the Waad Haleumi (National Council, the chief organ of Jewish national autonomy) on April 1st voted: „The Jewish community of Palestine joins in the elemental protest of the whole Jewish people, expressing its feeling of brotherhood to the Jews of Germany and calling upon them to fight in defence of right and honour“. The Jewish community of Palestine proclaimed a boycott of German goods.

Zionist Headquarters are working out a great plan of mass transfer of German Jews to Palestine. In connection with this plan the late Dr. Arlosoroff as Member of the Executive of the Jewish Agency made a voyage to Europe where he took up the matter with German official representatives, while pro-Zionist M. P.s in London (Col. Wedgwood) are putting pressure on the Colonial Secretary in order to render possible a mass emigration of German Jews to Palestine.

By the middle of April all Jewish communities in Europe had already joined the protest campaign, and even some outside Europe, e. g. in Turkey, Egypt, and Australia. The culminating point was the petition for intervention on behalf of the Jewish community in Germany brought before the League of Nations in May, by the Committee of Jewish Delegates in Paris, the Jewish Club of the Polish Diet, and the Jewish Party of Czechoslovakia.

Protest of the Jewish Club of the Polish Diet

The protest campaign of the Polish Jews against the persecution of Jews in Germany was initiated by the Jewish Club. At the sitting of the Diet on March 15th *M. Grünbaum* in his speech against the bill on plenipotentiary powers declared: „I take advantage of this occasion to send greetings to our ill-treated brothers in Germany“. On the same day the Jewish Club published a manifesto whose chief content was an appeal to the conscience of the civilised world to raise its voice in defence of the Jews of Germany. Further in this manifesto the Jewish Club gave the word for a protest campaign: „We call on the Jews of the whole world to unite and combine in one mind and one will to save our brothers in Germany“.

On April 13th the Club published a second manifesto to the Jews of Poland warning them against the attempts of Hitlerism to mislead the vigilance of the Jews all over the world, by spreading news reporting the cessation of the boycott and by forcing eminent Jews in Germany to deny the cruelties perpetrated there. The manifesto stresses that „not only the fate of the German Jews alone is the question but the existence of the whole Jewish nation is concerned since Hitlerism has criminally laid hands on the greatest good gained by the Jews — perhaps even by all humanity — our civic emancipation“. The manifesto calls for a continuation of the battle against Hitlerism until it is won.

Simultaneously the Jewish Club made known that it was taking over the management of the Jews' anti-Hitlerite action in Poland. In this connection a misunderstanding

ing concerning fields of competence occurred between the Club and the United Jewish Committee for Combating the Persecution of the Jews in Germany, which had been formed meanwhile. The conflict was averted by a declaration of the Club that its management would concern political matters, while all other fields, particularly the economic, should be left to the Committee.

Petition to the League of Nations

On May 12th the Club filed a *petition in the League of Nation* for intervention on behalf of the German Jews.

The petition runs:

„The German Government has promulgated laws and measures establishing the principle that German citizens of Jewish extraction cannot be employed in any public function, be attorneys or barristers, hold posts as panel docors. These laws and measures at the same time placed the Jews under exceptional legislation as regards studies at schools of university rank“.

„The Governments of the Reich's States published decrees and regulations which in part anticipated the application of those laws and in part served to carry them out“.

„Among other things the professors of Jewish origin at schools of university rank have been deprived of their chairs or suspended in the exercise of their functions. The same has taken place in regard to the Jewish judges, no heed being taken of their inamovability. In many schools Jewish pupils have been turned out“.

„On April 1st at an order proceeding from a body immediately subordinate to the Chancellor of the Reich, and with the protection of the S. A. and S. S. troops of which the Chancellor is Chief, a boycott of Jewish shops, medical men and lawyers was organised. On the same day the Jewish employees of private businesses were dismissed. The Jewish owners were forced by terror to carry out this measure“.

„As far as the German part of Upper Silesia is concerned these measures are contrary to the provisions of the convention concluded at Geneva on May 15th 1933 between Germany and Poland respecting Upper Silesia and they violate: par. 67 which establishes the principle of equality before the law of all German citizens, par. 68 which provides that all German citizens belonging to a national minority shall be treated in fact and by the law in the same manner as other German citizens, and par. 72 which says that the provisions of the afore-mentioned convention are obligations of an international character and cannot be changed without the consent of the majority of the members of the League of Nations“.

„Furthermore the laws and measures directed against the Jews are contrary to the declaration made by Germany in its „Adnotation on the conditions of peace. Appendix to the note of the German delegation of May 29th 1919“.

„It read: „For its part, Germany is determined to treat the national minorities on its territory in accordance with the same principles which she demands for the German minorities which have by the peace treaty passed under a foreign domination“.

„The Allied and Associated Powers put this declaraiion upon record in the ultimatum addressed to the German Government on June 16th 1919. („The Allied and Associated Powers place on record the declaration of the German delegates that Germany is determined to treat the national minorities on its territory in accordance with the same principles“).“.

Protest Campaign of the Jewish Community in Poland

On March 24th Dr. *Rosmarin* M. P. received the following telegram from New York: „Please join us on March 27th in the general world protest against the Nazis American-Jewish Congress: *Wise, Deutsch, Cohen*“. This was, together with the manifesto of the Jewish Club, the signal for the begin of the protest campaign of the Jewish community in Poland.

In its first phase the United National Protest Committee was formed in Warsaw by the Zionist parties while the other groupings and economic organisations at first conducted a separatist protest campaign. On March 26th the National Committee published a manifesto saying i. a. „Brother Jews! We call on you to come in crowds to protest meetings and to demonstrations on Monday, the 27th of March, which day has been designated as a day of protest of the whole Jewish world, thus showing your determined will to resist all attacks on our rights, all attempts to enslave the Jews in the countries of Golus (exile)“.

On March 27th innumerable protest meetings and demonstrations took place in all Poland. At 5 p. m. all Jewish shops were closed. The Jewish people went in masses to the demonstrations manifesting their national solidarity. The Jewish demonstrations made a strong impression.

A characteristic feature of the speeches held on that day at the mass meeting of the National Committee was the close linking of the protest against anti-Semitism with the demand for creating a Jewish National Home in Palestine. This was expressed by M. *Goldberg* who said: „The answer to the persecution of the Jews should be intensified work in building our National Home. Our protest should be an active one: in the course of the speeches stress was laid on the fact that the Jewish protest is an expression of independent Jewish national policy and can on no account become the instrument of any country's foreign policy. The protest of the Polish Jews does not signify that they are content and confident — it is only an expression of general Jewish solidarity.“

A further important fact was the stressing of the consolidation of the Polish Jews, to which Dr. *Gottlieb* called attention: „We had of late a little lost our bearings, a little fallen into groups. But these occurrences in Germany have joined us all together again. We have all assembled here — Aguda, Folk, and Zionist Parties. It is an unbroken front“.

At the public meetings called by Jewish economic circles particular attention was paid to the question of organizing a boycott of German good. Thanks were also expressed to the Government for its defence of Poland's Jewish subjects in Germany.

On April 23rd a congress of Polish Jewry called by the United Jewish Protest Committee sat in Warsaw. There were 852 delegates, representing 365 town. All political parties with the exception of some Socialist ones, economic organisations, and representatives of congregations took part in the congress. Of Jewish politicians were present: M. *Hartglas*, formerly member of the Diet (Zion. Org.), M. J. M. *Lewin* (Aguda), Rabbi *Brot* (Mizrachi), M. *Zundelewicz* and M. *Rasner*, a former member of the Diet (economic representatives), the members of the Diet M. M. Dr. *Rosmarin* and Dr. *Sommerstein* (Jewish Club), Rabbi *Lewi* (Aguda), *Jäger* and *Minzberg* (Government Party). The majority of the resolutions voted bore the character of protests. The resolutions of a positive character formulate the demand for facilitating the mass emigration

of German Jews to Palestine, declare that the boycott of German goods is an important answer to the persecutions, discountenance the demonstrations against the German population in Poland, affirming that „the Jews of Poland are only combating the Hitler régime in Germany and Hitler's agencies in other countries but not the German nation, and they expect the German minorities outside Germany to discountenance the bestial brutality of the Hitlerites“. The necessity was also voiced of calling a world council of the Jews in Geneva for the purpose of demanding legal guarantees of equality of rights for the Jews in all countries.

W. Żabotyński's Action

Independently of the consolidated action of the Jewish community in Poland and in the whole world, Wł. Żabotyński, leader of a group of Zionist Revisionists, who is at present in Poland brought forward his own idea of battle against the German Reich as such, against its industry and in the first place against its foreign policy. He is of opinion that in this battle co-operation is indicated with those Governments whose foreign policy is conducted along anti-German lines, and in return for the support of this policy by the Jews of the world support before an international forum should be demanded for the postulate of a Jewish State.

In Jewish political circles the version was current that Żabotyński was in contact with the propaganda department of the Ministry for Foreign Affairs. As a fact Żabotyński on April 28th with the knowledge of the Ministry broadcast a lecture from Warsaw on the relation of the Jews to the present international political situation. The greater part of this paper (which was broadcast in Polish and French) was devoted to an apologia of the Treaty of Versailles which had, in the light of the latest occurrences in Germany „become an indestructible monument on the strength of which none could ever call in question....“ The Jews should devote their talent for propaganda to spreading the great cry: „The Treaty of Versailles — intangible“. The lecturer decidedly condemned Germany's anti-Polish efforts at treaty revision. Żabotyński ended by putting forward the demand for a Jewish state in Palestine.

Other Zionist groups took up a negative attitude towards this conception. The Jews having no State cannot give battle to states. It is only in their power to combat some political tendencies, such as for instance Hitlerism. Also the main idea of Zionism is to carry on an independent Jewish policy — to make that policy dependent on outside factors may bring political defeat. Thus for instance now, after Hitler's speech in the Reichstag, a *détente* has ensued in foreign politics and Żabotyński's idea has by that fact lost actuality.

Occurrences in Germany and National Minorities in Poland

The persecutions of the Jews in Germany had also an indirect effect on the mutual relations of the Jewish minority with other minorities, in the first place with the German one. These relations, as is generally known, were established in 1922, in the form of a coalition list at elections and a certain co-operation in parliamentary work.

The only pronouncement of the leaders of the German minority on the occurrences in Germany was the speech of M. Pant in the Silesian Diet: „As for acts of terrorism we condemn them with the greatest severity wherever and against whomsoever they may be committed, for they are contrary to the fundamental ethics of Christianity“.

This enunciation however, remained solitary, a fact which induced *M. Hartglas*, the former member of the Diet, to publish an article in the „Hajnt” of March 31st, under the title „Where are the „Minority Germans”?” in which he puts the question: „Why are the Germans abroad silent, those Germans who shout so loudly in Poland as in Czechoslovakia and Latvia, about the rights of minorities, who are the leaders at minority congresses? They know well what it means to be deprived of rights — and precisely now their speech is checked?” „We ask plainly and clearly: are the Germans in our Diet opposed to the Hitler hooligans or do they stand with them? If they are opposed — why are they silent? If they are not — they must cease once for all to talk about the rights of minorities, they must bear the consequences of their way of thinking, they must leave the Congress of Minorities. Aut — aut, Monsieur Amende et consortes. Either you protest against Hitler, or out from the Congress of Minorities, away from the company of honest and civilised people”.

The misunderstandings between the minorities were however not confined to the press. In consequence of the action against the Polish minority in Germany a number of Polish organisation in Łódź — the Society for the Defence of the Western Borders, the Legionaries' Union, the „Strzelec” society, the „Young Legion” — came forward proposing reprisals against the German population in Poland. The leaflet published by these organisations, distributed in the streets of Łódź, in a sharp and direct manner called for anti-German action. On April 9th stormy demonstrations took place in Łódź, windows were broken in the editorial offices of a German paper, several rooms of the German High School (Gimnazjum) were wrecked, and German newspapers destroyed on stalls. Although this demonstration was the result of propaganda by Polish organisations, the „Gazeta Polska” brought a semi-official commentary addressed to the Jewish minority and accusing it of having organised the Łódź outbreak. The Jewish Protest Committee in Łódź publicly declared that neither the Committee itself nor any Jewish organisation were in any way connected with the anti-German occurrences. *M. Hartglas* in the „Hajnt” expressly stated that the Jews do not wage war on the German minority, but some invivisible hand wishes to bring about a war between the two minorities. „Whoever wishes to give the impression that the Jews are waging war on the German nation, and that against the German minority, whoever wishes to trouble in this way the mutual relations between minorities and to weaken their fight for minority rights, is a bad politician and a worse diplomat”. Dr. *Rosenblatt*, Member of the Diet, and the German Senator *Utta* conferred together in Łódź to clear up misunderstandings.

Despite the efforts of political leaders towards removing misunderstandings the Jewish-German relations continued strained for a time and in Konstancin near Łódź even led to anti-Jewish outbreaks.

The German occurrences also proved to have an indirect bearing on Jewish-Ukrainian relations. In connection with the National Socialist politician von Rosenberg's idea of an anti-Soviet intervention and the creation of an independent Ukrainian state, certain Ukrainian circles took up a sympathetic attitude towards the „national revolution” in Germany, demonstrating it by anti-Semitic action. In eastern Little Poland Ukrainian nationalist leaflets were distributed with the Swastika sign and in a number of places anti-Jewish outbreaks occurred.

In the course of a polemic against the Zionist daily „Chwila” the Ukrainian

„Dilo“ of April 19th published an article, formulating the attitude of the UNDO (Ukrainian National Democratic Org.) towards Hitlerism and anti-Semitism: „Naturally the „Dilo“ as a democratic organ cannot, for reasons of principle, acquiesce in the exclusive character of the German nationalist movement, as has already been written. It is equally clear that the fundamental attitude dictated by pan-Ukrainian anti-Moscow and anti-Communist reasons has nothing in common with anti-Semitism. We do not need to stress at every step and on every occasion that we have nothing in common with any anti-Jewish hue and cry and that we are enemies of all pogromism. This attitude of ours, sincere and dictated by ethics, ideals and political sense is known to all fair-minded people“.

Leopold Halpern.

Hitlerism in Czechoslovakia.

The notion of national socialism appeared for the first time in pre-war Austria in the 1890's. In the Sudetic Countries, at that time, German national labour leagues were formed for the fight against Czechoslovakian manufacturers as well as against German social democracy. These organisations however, did not last long. In 1904 in Moravia there appeared again the German Labour Party which already in 1911 was able to send several representatives to the Moravian Congress and also to the Austrian Parliament, among those sent being the present-day leaders of the German national socialists in Czechoslovakia, Jung and Knirsch.

At the party convention in 1913 in Iglau, Moravia, the question of farm relief and the means of fighting the rates of interest and rents were discussed. These problems are among the fundamental ones of Hitler's economic program at the present time.

Within the party itself, however, which in 1918 took the name of the German National Socialist Party, unity of opinion was lacking on cardinal points even. The Sudetic Germans were anxious to make of this party a factor in the class struggle. The failure of the party at the Convention of Salzburg in 1920, did not prevent Delegate Jung from changing the party into „The German National Socialist Labour Party“, at the international convention of party delegates at Linz. The party thus became a *class* organisation with pronounced leanings toward nationalism. The term „working class“, claims the convention is not restricted to one social group only. It includes all the people who live on the proceeds of their labour, whether physical or mental, in other words all individuals economically.

German national socialism in Czechoslovakia, was not only the beginning of the general German national socialist movement, but also had a very great influence on the latter's ideals.

The spiritual leader of the party in Bohemia, Rudolf Jung, was the first to put into the minds of the national socialists the idea of a world democracy pointing out the relationship of international Mammonism to the forms of world liberalism, and the allegedly anti-German character of the democracy of the West.

Hitler, who picks up the thread of a thought only then when it has already become tangible took over Jung's statement that nature of the Jewish race is the „judaisation“ of other nations, that Luther's reformation was only a half-measure because it did not definitely separate Christianity from the Old Testament, that Western Mammonism and Eastern Bolshevism are contradictory only on the surface, while in

reality they serve as a means of preparing the way for the Jewish race to rule the world, and that the undoing of Germany is due to her having the most powerful social democracy and the most powerful clerical party.

With the development of the idea of national socialism and the rapid rise of the German National Socialist Labour Party during the last few years in Germany, there arose and came to the fore German national socialism in Czechoslovakia. The radical economical, political and social maxims of Hitler and his followers, as well as their postulate of freeing the Germans from the yoke of reparations, from the political supremacy of the Western Powers and of restoring them to the place in world affairs to which they, because of their number, strength and vigour were entitled, and to eliminate the factors alien in race and language from deciding in matters pertaining to German culture — were hailed with joyful enthusiasm by the Germans in Czechoslovakia. The Czechoslovakian Germans felt themselves to have been doubly wronged and slighted; they suffered with the German nation because of its defeat in the War, and in addition they had to bear the grievance of being joined to Czechoslovakia.

This fact opened the way for the welcome acceptance of all the slogans of the German National Socialists of the German Republic by their friends in Czechoslovakia. As an organisation which had to develop and spread its activities in a foreign state, the German National Socialists in Czechoslovakia looked for the support of the powerful Hitler party of Germany and let themselves be swayed by the current of that party. They supplemented their program with points taken from the Hitlerites of Germany, adapting their program to that of their compatriots, imitating them in every way, even in their inner organisation. They introduced into the party the system of Hitlerite ranks and honours, created a party guard dressing them in Hitlerite uniforms, introduced army training, and Hitlerite badges and words of command. The „Volkssport“ was substituted for the Hitlerite Sturmabteilungen, whose members are bound by military discipline and as was shown by the well-known lawsuit at Bern, Moravia, were well-armed, trained in the throwing of handgrenades and in shooting, and together with the Sturmabteilungen of Germany carried out military manoeuvres very diligently on the borders of Germany. The Volkssport was prepared, at any moment when Hitler's party would gain complete control in Germany, to start corresponding action in Czechoslovakia. The German National Socialist Party has many followers in the Sudetic countries especially among the young. During the last elections to the Prague Parliament in 1929, the party received enough votes to gain eight representatives. The popularity of the party among the German non-activists may be explained by the warlike and radical slogans which sway the elements dissatisfied with the present situation.

Much has been written concerning the ideals and aims of the German National Socialist Labour Party of Czechoslovakia. The leaders of the party, Jung, Knirsch and Krebs are the authors of works presenting the political, social, cultural and economical creed of their party. Speeches by the representatives of that party in the parliament of Prague on this subject are also frequent. Much light was thrown on the methods of work used by this party by the Bern lawsuit with the members of the „Volkssport“. This case proved that a close bond existed between this apparently non-political organisation and the German National Socialist Party, showing the wide scope of the

anti-government propagaanda spread by the members of the Volkssport, who were bound to be members of the National Socialist Party as well.

In their foreign policy the German National Socialists of Czechoslovakia were guided by the aims of the Hitlerites and by the slogan of freeing the German nation from the political and economical yoke of the rapacious West, as well as by the immediate aims arising from the special needs and desires of the Germans in Czechoslovakia.

The dream of Czechoslovakian Hitlerism as regards their foreign policy is the creation of a great central European Power, which would differ from the old Austria in that besides Austria, Hungary, Czechoslovakia, Yugo-Slavia and Rumania, it would include also Germany. In this manner there would arise a powerful economic unit and an outwardly strong nation which would be in a position to dispose of all post-war difficulties.

France's project of forming a federation of the Danube countries *without* Germany is emphatically rejected by the Czechoslovakian Hitlerites as being directed clearly against Germany, and as aiming at the strengthening of French imperialism in Central Europe, with the eventual political and economical conquest of the latter by France. The value of such a federation *with* Germany is supposed to consist in the great capacity of the German market, and in the need for farm products which are plentiful in the countries of the Danube. This last argument is however not very convincing as regards industrial Czechoslovakia.

The realisation of a Central European federation with Germany would guarantee to all nations a new autonomy — political, economical and cultural. The German national socialists in Czechoslovakia pride themselves on the fact that already in the old Danube Monarchy, they were partisans of granting to all the nations of that monarchy a complete cultural autonomy.

It is clear that the formation of a „Mittel-Europa“ with Germany would make it possible for the Germans to get full advantage of their superiority in numbers, economic and culture in that territory. The creation of a Mittel-Europa is only the temporary programme of the German National Socialists of Czechoslovakia, caused by the present political situation in Europe. Their real political aim is the joining of Bohemia, Moravia and Silesia or at least their German districts to Germany and the realisation of the dreams of German nationalists — a Greater Germany. This was shown irrefutably by the Bern lawsuit, against the Hackenkreuzlers of Czechoslovakia who were sentenced to 1 to 3 years imprisonment for breaking the law relating to the defence of the Republic, for state treason by forming a conspiracy against the unity of the State, and for organizing an armed force. On the basis of the results of this suit, the public prosecutor in Prague formulated an accusation against the German National Socialists members of parliament Jung, Krebs, Schubert and Kasper and requested the parliament to deliver these men to the jurisdiction of the court. The question of delivering these men will be considered soon by the parliamentary committee.

Prior to the realisation of the dreams of the Germans for a Greater Germany the Hitlerites are working in Czechoslovakia to get for the German element there a complete political and cultural autonomy. Under the slogan of „Sudetendeutschland den Sudetendeutschen“ the German National Socialist Party is conducting an active campaign for the conceding of *those* laws to the Sudetic countries which the Czechoslovakian Constitution accedes to that part of Ruthenia which lies at the foot of the

Carpathian mountains. They demand their own legislature and governor, their own administration, the use of the German language in official matters and cultural autonomy.

The members of the German National Socialist Party in Czechoslovakia are imbued with unshaken faith that their struggle for their rights, a fight conducted in an entirely legal manner, must bring them full success in the end. Such conviction was also expressed by the accused Hackenkreuzlers appearing before the Czechoslovakian Court.

That conviction of the justice of their postulates and the belief in the success of their fight have given the German National Socialist Party great strength and secured them a strong position among the German minority in Czechoslovakia.

The Present Situation in Lusatia.

by Olgierd Szwarc.

The „national revolution“ in Germany has brought all the minorities of the German Reich heavy persecutions, but the Lusatians (Lusatians Wends, or Serbians), the smallest existing Slav people, counting according to the official statistics only 72.000 in all, are hardest hit, for the latest decrees of the German authorities destroying all their communal life seriously endanger their further existence as a nation. The Lusatian Serbians are the only Slav tribe on the banks of the Elbe which has kept its language and cultural traditions and which has not been assimilated in the course of a thousand years of pressure of Teutonic peoples towards the East, across the Elbe. They are not as fortunate as, for instance, the Poles in Germany who find a support in the existence of the Polish State, they have to rely on their own resources.

They have no political or cultural rights, no parliamentary representation or international protection such as is enjoyed by minorities in other countries. Their language is not admitted in schools, courts of Justice, offices, and of late is even being banned from churches.

Under these conditions the only prop of national life in Lusatia was work in scientific, economic, and sporting organi-

sations of which a number has arisen there, and the activity of the Press which consisted of the widely read daily „Serbskie Nowiny“ (Serbian News) which had 4.000 subscribers and of above a dozen other periodicals.

At present these functions of national life are entirely suspended.

On April 9th 1933 the pressure of the authorities brought about the dissolution of the Lusatian „Sokol“ society, the largest organisation in Lusatia, numbering about one thousand members of both sexes. On April 12th the only daily paper — „Serbskie Nowiny“ — was suspended for 8 days. After that time it appeared again, but the editorial body had been radically changed at the demand of the authorities and the articles now appearing are written in a Hitlerite spirit. Simultaneously with the suspension of the „Serbskie Nowiny“ a decree was issued on the strength of which several employees and members of the board of the „Ernest Smoler“ printing and bookselling co-operative society were ordered to leave their posts immediately and to refrain from all further work in that institution. They are: employees — Marko Smoler, editor of the „Serbskie Nowiny“ who had filled that post since 1884, Gustaw Janak, Mana-

ger of the co-operative society, Jakub Szajba, type compositor, Mina Witkojc, poetess and editor of the weekly „Serbski Časnik“, P. Grojlich. Members of the Board — the President, Lorenc-Zaleski, a well-known novelist, Marcin Nowak, painter, Paweł Lubjeński, „starosta“ of the Sokol society, Jerzy Słodenk and Jan Szeca, teachers, Ernest Bart, a former member of the Reichstag.

At the same time all the above-named persons were forbidden to occupy themselves with any work whatever, whether for earning their livelihood or for social purposes and were placed under police supervision.

On April 28th the police proceeded to a series of searches in the homes of Lusatian social workers and in the rooms of social institutions. The bookshop, printing-office, the Lusatian Bank, the rooms of the „Serbska Macica“, and even libraries and the museum were searched, Polish and Czech writings and newspapers being confiscated everywhere. In consequence of these searches the following persons were arrested: Dr. Jan Czyż, Manager of the bank, Jan Szymanek, member of its board, and of those formerly mentioned Gustaw Janak, Ernest Bart, Jerzy Słodenk, Jakub Szajba, Marcin Nowak and Paweł Lubjeński.

All of them after being examined were placed in prison at Bautzen and remain there to this day.

All contact between the Lusatians and other countries has been interrupted, national workers are forbidden to visit Poland or Czechoslovakia, foreign correspondence is under strict control. The Lusatian students have been sent down from the Paedagogic Institute of Dresden, for the sole reason of having spent the last holidays in Poland. The only periodical untouched by persecution through being printed in Prague, the monthly „Lužicko-Srbsky Vestnik“ which

appears in the Czech language, is banned by the Reich's postal authorities.

The continuity of the described actions enforces the supposition that there exists a considered campaign against the Lusatian Wends which may seriously affect the future fate of that people.

This oppression of a nation which is unable to defend itself has called forth a deep reaction in Slav countries, particularly in Czechoslovakia where public opinion has been strongly moved. A number of social organisations, i. a. the Union of Friends of Lusatia (Společnost Přatel Lužice), the Socialist National Party of Czechoslovakia, the „Sokol“, the National Union of Slav Youth (Narodni Svaz Slovanski Madeže), have voted strong protests against the behaviour of the German authorities. Voices were heard demanding that the question of Lusatia be brought to an international forum, and even suggesting immediate reprisals against the German minority in Czechoslovakia. (Meeting of the National League of Prague on April 15th, speeches by Dr. Kahanek and by Senator Trnobrany).

The matter was also brought before the Senate by Senator Havlin who affirmed that a demand for protection of the Lusatian Serbians should be raised before an international forum, and in Parliament by its member, Dr. Angelo Goldstein.

The question was also widely and energetically debated in the Czechoslovakian press.

In Poland the Society of Friends of the Lusatian People and the Students' Society of Friends of Lusatia published a resolution in the press, protesting against the action of the Germans and calling upon all social and political organisations to take action in defence of Lusatia. The matter was also raised in the press.

The Anti-Polish Terror.

The general elections to the Prussian legislature which took place on March 5th 1933 showed in almost all constituencies an increase of votes polled by the Polish lists. Although the number of these votes is not at all proportional to the number of Poles established by official census statistics, their increase was received with great clamour by the German press.

This reaction to the symptoms of vitality on the part of the Poles in Germany was to be found equally in Silesia and in the centre of Prussia, on the Pomeranian frontier, in East Prussia and in Westphalia.

Not only the increase of Polish votes however, caused anti-Polish attacks and insinuations in the press. Cause was also found in the fact itself of Polish lists being put forward for the elections to the municipal bodies (District, Town, and Parish Councils) which took place on March 12th 1933.

Thus for instance the „Ortelsburger Zeitung“ published at Szczytno in the „Masurenland“ in its issue of March 9th 1933 (Nr. 58) called the putting forward of a Polish list for the District Council „an egregious insult“ to the Germans and wrote: „We live in Prussia no longer under Braun and Severing under whose government you Poles unfortunately carried things too far. We will take note of everyone who to-day still lets himself be bought with money from Poland. After the elections are over will come the time of account. And then the same will happen to you as to the Communists. And you, German countrymen, know that you should while there is time remember those in your parishes who voted for Polish lists or kept Polish newspapers in their house“.

This enunciation of a well-known Polishphobe paper is not a solitary one. It is on a level with all press articles treating of Polish affairs in Germany and faithfully reflects the mood of the whole German community which is united and bound by the carrying out of the „Gleichschaltung“ principle possessing so much actuality in present-day Germany.

No wonder that the logical consequence of such a temper is brutal anti-Polish physical violence. In speaking of it one must not forget the moral and economic oppression of the Poles which is a black stain on the pre-War and post-War history of civilization of the German people.

It is difficult to quote all the indications of anti-Polish terrorism in the time of general excitement preceding elections. The Polish press in Germany each day brought a long list of cases of ill-treatment of Polish newspaper distributors or national workers, of searches made in their homes with the purpose of terrifying the Polish population, and such like. Bomb outrages on candidates nominated in the Polish lists also occurred. It is impossible to suppose that the facts published by the Polish press are untrue, for according to the law on the protection of the German nation that would bring about serious consequences for the editors, and no proceedings for spreading false news have been taken against the editors of Polish papers.

It is of course understandable that in the excitement of an election conflicts on the ground of political differences may occasionally take various forms, but the anti-Polish terror in Germany cannot be considered a normal symptom of differences of political opinion. The experience of post-War years would on

the contrary indicate that it should be regarded as a certain system which is tolerated by the authorities.

The attitude of the Polish community in Germany towards this matter was formulated in an article entitled „Under Changed Conditions“ which was printed by nearly the whole Polish press in Germany on March 29th 1933. This article declared the loyal intentions of the Polish minority and the wish to understand the disquieting symptoms of the anti-Polish hue and cry. Its chief paragraphs run: „...In the atmosphere of general tension various individuals in the National Socialist Party were carried away by their temperament. The result was that in various parts of the State occurrences took place which should certainly be deplored....., and which could cause a feeling of anxiety among the Polish population. If despite their being very painful for us we do not take them up here, we do so under the conviction that they were caused solely by the atmosphere of general excitement which is already passing. When that excitement has passed entirely the time will come for considering the situation of the Polish people in Germany..... To such optimistic conclusions we are also led by the words spoken by the Chancellor in his Government exposé at the opening of the Reichstag.....*) The fact that in his first exposé which had to touch upon so many matters of prime import in internal and foreign policy the Chancellor found room to stress the attitude of the Govern-

*) Words of Chancellor Hitler: „The fate of the Germans who live outside the frontiers of the Reich, who are bound to us by language, culture and customs, and who carry on a hard fight for these values is one of our particular cares. The national Government is determined to act in defence of the international rights guaranteed to the German minorities with all the means in its power“.

ment towards the German minorities is proof of the deep understanding which those now in authority in the State have for their situation. And this precisely permits the supposition that Chancellor Hitler who understands the fortunes and misfortunes of the German minorities outside the Reich will show understanding for the situation of all the nationalities inhabiting the German Reich, and among them for the most numerous — the Polish population.... We write this, wishing to believe that the expression used by one of the National Socialists in the Prussian legislature, concerning the Poles, which was so painful to our national feelings, was an incalculable outburst, similar to those which happened in the regions inhabited by Polish population...“

The above article bears the character of a political declaration of the Polish minority in Germany.

It seemed that this declaration had been favourably received by the authorities.

The matter had most actuality in the Silesian Oppeln province where the terror directed against the half million of Polish population had attained shocking proportions. Wishing to end this state of things the Silesian Province of the Union of Poles in Germany decided to negotiate with *Dr. Lukaschek*, the Oberpresident of the Oppeln Regency. Having given them audience on March 31 st, the Oberpresident allowed the publication of the following *communiqué*:

„The Oberpresident to-day received a delegation of the Union of Poles and declared to them that the decrees of the Geneva Convention on the protection of minorities are still in force and that he will protect the minority in the exercise of the rights guaranteed to it by the Geneva Convention, by the police forces at his disposal. The Oberpresident advised the greatest restraint to the minority in

its enterprises in view of the present situation".

This *communiqué* which was approved by the Oberpresident of the Oppeln Regency fully confirms the fact that the alarms raised by the Poles about the acts of terrorism against the Polish minority are justified and based on true facts. It gives the lie to the German press which minimised the anti-Polish action of the Hitlerite fighting formations. Note should also be taken of the strange form of declaring that the decrees for minority protection of the Geneva Convention of May 15th 1922 „still exist" (*weiter bestehen*).

The „*Nowiny Codzienne*" (Nr. 67, April 2nd 1933) publishing the above *communiqué* wrote: „In view of the well-known cases of Poles having been assaulted in Upper Silesia (*Pielok, Klaka, Szreiber*, etc). Province I of the Union of Poles in Germany, fully convinced that the Polish population was always conscious of its duties towards the existing laws and decrees, yet asks the Polish community to keep cool and to retain a nationally dignified equanimity of spirit..." „It is possible that despite the above declaration cases of anti-Polish action will occur. In this case please inform the regional office in Oppeln (*Nikolaistrasse 48*), telephone 37-83. At the same time the local police authorities should be notified. We expect the above declaration to be a warning to those who think that they can wrong the Poles with impunity".

Several days after the issuing of this *communiqué* the Contj telegraphic agency publishing the words of Oberpresident *Lukaschek* mentioned that the National Socialist Party has given instructions categorically forbidding any individual action against members of national minorities. The Polish press in printing the *communiqué* of the Contj Agency saw in the instruction of the National Socialists

the result of pressure proceeding from Chancellor Hitler. („*Nowiny Codzienne*", Nr. 71, April 7th 1933).

Thus it might seem that the matter of mental pacification was on the best way. However on April 4th it was already proved that the real situation had not changed in the least.

On that day in Breslau, in the rooms of the „*Landsknecht*" restaurant in the *Albrechtsstrasse*, *Tadeusz Kania*, a medical student, *Franciszek Jankowski*, a student of philosophy, and *Feliks Staszynski*, a teacher, sat together. One of the civilian customers, hearing them speak Polish demanded to know their identity, whereupon M. *Kania* called on him to show an identity card empowering him to control personal documents. This was refused and aided by a police official in his company he made use of menaces forcing the Poles to follow them to the „*Brown House*" (Hitlerite Headquarters) in the *Bischofstrasse*.

Witnesses of this incident were the owner of the restaurant and the student *Alois Pudelko*.

On arriving at the *Brown House* they were asked to show their personal documents. The first to be examined was *Jankowski*, the other two being meanwhile forced to stand with their faces to the wall and their hands raised, being kicked at the slightest movement. While being examined *Jankowski* was struck in the face. Then came the turn of *Kania*, then that of *Staszynski* who on answering that his mother-tongue is Polish was also struck in the face.

After this *Jankowski* was called into the next room. The other two were still forced to stand immobile with their hands raised the while hearing the cries of their colleague. When next *Kania* was led into the room where *Jankowski* was he saw him lying unconscious and covered with blood. *Kania* was forced to take off his

coat and was then beaten bloody. *Staszynski* met with the same fate, receiving 50 blows. After this they were again forced to stand by the wall, *Jankowski* who was unconscious having been previously dragged under a water tap and brought back to consciousness. After this execution all three were chased into the street. They went to the University clinic to have their wounds dressed. This fact caused the Silesia Province of the Union of Poles in Germany to send the following telegram, dated April 6th to the Chancellor *Hitler*:

„Reichschancellor *Hitler* Berlin

Students belonging to Polish minority in Upper Silesia dragged in Breslau from restaurant to Brown House and beaten to wounds and loss of consciousness. Police official took part. We insistently pray for enquiry and protection from further assault.

Union of Poles in Germany, Registered Society. Silesian Province

signed: *Bożek*“.

As the illtreatment occurred on territory where no obligations of minority protection apply, complaint in this matter could only be made to the German courts from which however, no satisfactory sentence is to be expected as Germany to-day lives under the sign of exceptional laws which aim at justifying legally the fact of the privileged position enjoyed by the dominant nation (official language uses the expression „protection“).

The Union of Poles in Germany however, on another occasion addressed itself to the League of Nations in the question of ensuring the safety of the Polish population in Silesia. On April 6th it sent the following telegram to Geneva:

„Sir *Eric Drummond* — General Secretary League of Nations — Geneva.

On the strength of article 147 and 75

of the Geneva Convention we make the following petition to the League of Nations Council, asking that it should be considered without delay as a matter of urgency:

On April 2nd a gathering of singing choirs was to take place at *Wielkie Strzelce* — an undertaking devoted to art and having no political significance whatever. This gathering was forbidden, contrary to the Geneva Convention. Ober-president *Lukaschek* in declaring the motives for this prohibition to a delegation of Province I of the Union of Poles in Germany, said that under the conditions now prevailing in Silesia he could not guarantee the safety of life of those taking part.

We ask the League of Nations: 1) to establish that the prohibition of the gathering was an infringement of the Geneva Convention 2) to re-establish, acting as guarantor of rights of the Polish minority in German Silesia, the safety of life and property which the German authorities, according to their own declaration, are at present unable to give.

Province I.

Union of Poles in Germany. Registered Society

Spychalski. Bożek“.

The view of the Silesian Province of the Union of Poles in Germany on the general aspect of this question of anti-Polish terrorism was formulated as follows in an article entitled „In the Matter of Assuring the Safety of the Polish Population“ which was printed on April 13th 1/33 in Nr. 76 of the „*Nowiny Codzienne*“:

„The Polish press has hitherto done everything in its power to allay the increasing anxiety, acting in the belief that we live in a time of transition, and expecting that the repeated assurances of responsible persons would be sufficient guarantee of safety. Meanwhile incidents

of incredible proportions multiply. We often hear that the „national revolution“ which we are now experiencing in Germany must bring in its train certain blunders on the part of undisciplined elements, and even, it is both said and written, on the part of simple *agents provocateurs* disguised in uniforms of German national parties. We must affirm that in spite of our hope that the cases of excesses would be a transitory symptom the state of war is continued as regards the Poles and the intensity of its symptoms increases...”

„...The changes of the last period are very great. But authority reposes in strong hands and in our opinion nothing hinders that this authority, disposing of all the means of power of the State, should ensure sufficiently the safety of the Polish minority... The Union of Poles in Silesia did well in asking the Chancellor of the Reich for help after the Breslau incident. We believe that this step will put an end to further persecutions... Decrees should be issued, and that as soon as possible, which can protect us from the lawlessness of undisciplined elements, for surely only to such do we owe the last assaults...”

As the paragraphs quoted above from the article show, the Union of Poles for the moment considered it more to the purpose to address itself to the guiding authorities of the Reich in the question of ensuring the safety of the Polish population from acts of terrorism, than to the League of Nations in its character of guarantor of the minority protection decrees of the Geneva Convention. For this reason also the telegram of April 6th to the League of Nations should be treated as a demonstration for the purpose of persuading the German authorities to ensure the safety of the Polish population. If the hopes placed in the supreme German authorities were to fail them no

way would be open to the Silesian Poles but only to the League of Nations.

Continuing this line of policy the Polish community in Germany received with satisfaction the news of the conversations held on May 2nd in Warsaw between M. Beck (Minister for Foreign Affairs) and the German Envoy *von Moltke* and in Berlin between Chancellor *Hitler* and M. *von Neurath* on the one hand, the Polish Envoy Dr. *Wysocki* on the other. Great importance was attached to these conversations which were regarded as the beginning of a *détente* in German-Polish relations.

It seemed that the attitude towards the Poles had really relaxed. Already at the end of May however, a characteristic fact occurred in Gliwice. A Press conference was held by the Police President M. *Ramshorn* on the subject of the public safety, and satisfaction was caused by the fact established that the number of criminal cases had decreased. The Police President, speaking as Commander-in-Chief of the Hitler „Shock Troops“ (Sturm Abteilung, SA) of the Oppeln district of Silesia advised in his speech that the local Polish population should not be disturbed and even in case of need should receive help — *out of consideration of the Germans in Poland*.

Note should be taken that thus for the second time in the course of two months it was officially established that the safety of the Polish population had been impaired. The Polish press, treating of this conference, recalled the voices of the German press assuring that the Polish population enjoyed full liberty and freedom or minimizing the „only slight illtreatment“, as for instance in the Breslau case. The Polish papers wrote: „...Suddenly the bursting of a bomb — the Police President of Gliwice considers it indicated to command fair behaviour towards the Polish population...” „...We

have long demanded that official authorities should issue such orders as would restrain chauvinist individuals or groups from anti-Polish excesses. Well, such an instruction has come from the mouth of at least one official person in the Oppeln district of Silesia, who has however, quite sincerely explained his instruction by exigencies of the moment. This fact has been exploited to the full by the local (German) press whose anti-Polish hate is implacable. It began to sing in all keys hymns glorifying German magnanimity, at the same time raising the lament of professional wailing-women on the „hard fate“ of the Germans in Poland... Besides the editors of the German papers here cannot act otherwise, for then they would have no occasion to stir up opinion against Poles and Polish nationality...“*).

The article quoted above evoked a strong reaction in the German press whose equanimity was entirely destroyed by the painful establishment of a fact which it could not deny. („Osttag“, „Ostfrau“, and „Ostdeutsche Morgenpost“).

Thus for instance the „Ostfront“, published in Oppeln, organ of the National Socialist Party of Silesia, writes in its issue of May 24th:

„...We Upper Silesians, sufficiently well acquainted with the impossible conditions here on the frontier, know that sooner or later a revision of the frontier will come. We also know that Poland will resist any revision by every means. We can tell the Poles, probably to their relief, that we already now think with joy of that day of account, for our implacability towards everything Polish is boundless“*).

*) Nowiny Codziennie“, Nr. 102, May 17 th 1933.

*) This article was immediately concerned with the 4-Power Pact.

Thus despite the fundamentally peaceful attitude of the Polish community the Germans were unable to restrain their anti-Polish feelings, as was shown i. a. by sharp demonstrations against the Polish representatives in the newly elected District, Municipal, and Parish Councils.

With such moods swaying the German community Chancellor Hitler rose to speak in the Reichstag on May 17th. The speech was chiefly devoted to defending the German theses on Germany's right to equality of armaments. One fragment however is particularly suitable for comparison with the real situation of the Polish minority in Germany::

„...Our national socialism is a fundamental principle directing and pervading our general philosophy. Animated by a boundless love and devotion to the national authority we also, in accordance with this conviction, respect the rights of other nations and from the bottom of our heart wish to live in peace and friendship with them. Neither does national socialism know the meaning of germanisation. The mentality of the past century which allowed men to think that perhaps Poles or Hindoos might be turned into Germans is not ours. Similarly also, an attempt in the opposite direction would meet with strong protests on our part...“

Probably we shall soon know to what degree the opinion of contemporary Germany's leader has influenced the settling of the position of the Poles in Germany, against whom hitherto all Germans — court authorities, administrative organs, and the whole German people regardless of political differences of opinion — have acted in concert.

Judging however by the present data there is no sign of any commencing change for the better.

M. Ber.

League of Nations Council.

PETITION OF FRANZ BERNHEIM.

During the 73rd session of the Council of the League of Nations the petition of Fr. Bernheim, inhabitant of German Upper Silesia was also considered, the text of which ran as follows:

Petition of *Franz Bernheim*, German national, of Gleiwitz, German Upper Silesia, in virtue of article 147 of the German - Polish convention relating to Upper Silesia of May 15th 1922, with reference to the provisions of part III of this convention.

I. In the Convention of May 15th between Germany and Poland concerning Upper Silesia the Contracting Parties agreed upon the following provisions:

Article 66. The German Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Germany without distinction of birth, nationality, language, race or religion.

Article 67 para. 1. All German nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Article 75, para. 2. Legislative and administrative provisions may not establish any differential treatment of nationals belonging to a minority. Similarly, they may not be interpreted or applied in a discriminatory manner to the detriment of such persons.

para. 3. Nationals belonging to minorities shall in actual practice receive from the authorities and officials the same treatment and the same guarantees as other nationals; in particular, the authorities and officials may not treat nationals belonging to minorities with contempt nor omit to protect them against punishable acts.

Article 80. Nationals belonging to minorities shall be treated on the same footing as other nationals as regards the exercise of an agricultural, commercial or industrial calling or of any other calling. They shall only be subject to the provisions in force applied to other nationals.

Article 83. The High Contracting Parties undertake to assure full and complete protection of life and liberty to all the inhabitants of the plebiscite territory without distinction of birth, nationality, language, race or religion.

II. (1) In the Reich Legal Gazette, Part I, issued at Berlin on April 7th 1933, Nr. 34, a law „for the Reorganisation of the Civil Service“ was promulgated by the Government of the German Reich.

§ 3, para. 1. of this law says:

„Officials who are of non-Aryan descent are to be placed in retirement; in the case of honorary officials, they shall be discharged from their official position“.

§ 8 provides, in regard to these officials placed in retirement or dismissed in accordance with § 3, that they shall not receive any pension unless they have completed at least ten years' service.

§ 9 of the law contains a further discriminatory provision with regard to officials placed in retirement in accordance with § 3.

(2) The German Government, in the Reich Legal Gazette, Part I, issued at Berlin on April 10th 1933, Nr. 36, promulgated a law on „Admission to the Legal Profession“, dated April 7th 1933.

§ 1 of this law says:

„The admission of lawyers who, within the meaning of the law on the Reorganisation of the Civil Service of April 7th 1933, are of non-Aryan descent can be cancelled up to September 30th 1933“.

§ 2 of this law says: Admission to

Legal practice can be refused to persons who, within the meaning of the law on the Reorganisation of the Civil Service of April 7th, 1933, are of non-Aryan descent, even if the reasons provided for in this connection by the Regulations for the Legal Profession do not exist".

§ 4. „The Judicial Administration can forbid a lawyer to act as counsel pending the decision whether use shall be made of the faculty of withdrawing permission to practise under § I, para. 1".

(3) The Prussian Minister of Justice in the decree of April 1st 1933 I. 6522. regarding the exercise of the calling of notary, ordered „that the maintenance of public order and security will be exposed to serious danger if Germans are still liable to be served with documents in legal proceedings which have been drawn up or certified by Jewish notaries. I accordingly ask that Jewish notaries should be urgently recommended, in their own interests, to refrain until further notice from exercising their calling.

In this connection, the attention of notaries should be drawn to the fact that should they refuse to comply with this recommendation they will expose themselves to serious dangers in view of the excited state of public opinion. Notaries should be recommended to inform the competent Presidents of the Provincial Courts that they will refrain from exercising their calling pending the issue of further regulations regarding the conditions applying to notaries".

(signed) *Kerrl*,

Reich Commissioner for the Prussian Ministry of Justice.

(4) The Government of the German Reich promulgated on April 25th 1933 a law „against the alienisation of German schools and high schools", which says in § 4: „In making new admissions care should be taken that the number of

German nationals who, within the meaning of the law on the Reorganisation of the Civil Service of April 7th 1933, are of non-Aryan descent, does not exceed, among the total number of pupils attending each school and faculty, the proportion of Aryans to the total German population. This proportion shall be uniformly fixed for the whole of Germany at 1,5%.

In reducing the number of pupils and students in accordance with § 3 (owing to the overcrowding of professions) a proper proportion should also be observed between the total number of pupils and the number of non-Aryan.

The Ministry of the Interior has issued regulations to give effect to this law, of which Nr. 11 reads as follows: „Pupils of non-Aryan descent who have newly entered or enter the school at the beginning of the academic year 1933 (Easter 1933) shall in all cases be regarded as not yet admitted".

(5) The Labour Minister of the German Reich has promulgated a decree „on the admission of doctors to the panels of health insurance funds".

Article I, para. 1, stipulates that:

„Doctors on the panel of insurance funds of non-Aryan descent shall... no longer be allowed to practise. New entries of such doctors on the panel of insurance funds shall not be allowed".

§ 7, Para. 4 of the Regulations for the admission of health insurance doctors, dated December 30th, 1931, is amended as follows by this decree:

„Registration is only permissible when the doctor is a German national and of Aryan descent..."

All these laws and decrees were promulgated for the whole territory of the German Reich, and therefore also apply to that part of Upper Silesia which remained German as a consequence of the decision of the Conference of Am-

bassadors, and is subject to the provisions of the Convention of May 15th, 1922.

Only in the law „against the alienisation of German schools and high schools“ is there a provision, in § 5, which says that „obligations incurred by Germany under international treaties are not affected by the provisions of the present law“. If this means that the law in question does not apply to Upper Silesia, it must be remarked that in practice it has been applied there in exactly the same way, and that Jewish pupils have been refused admission to or turned out of the schools in exactly the same way as in the rest of Germany.

III. The laws and decrees quoted above are in contradiction with the provisions of Part III of this Convention, also reproduced above, and particularly with

— the principle laid down in Articles 67 and 75, of the equality of all German nationals before the law and as regards civil and political rights,

— the principle laid down in Article 80, of the obligation to treat all nationals on the same footing as regards the exercise of their callings —

and they constitute an infringement of the obligation laid down in Articles 66, 83 and 75, para. 3, to provide undiscriminating and comprehensive protection of the lives and liberty of all inhabitants and nationals of Germany. This is particularly the case when the Minister of Justice forces Jewish notaries to cease their activities, which they are entitled to exercise by law, under the threat that otherwise he will be unable to protect them from the violence of the populace, and thus makes an illegal demand on them by invoking punishable acts instead of taking steps to deal with these punishable acts according to the law.

These laws were partly put into force before their promulgation, as, for example,

in the case of the exclusion of notaries; while, as regards State officials, the law on the Reorganisation of the Civil Services was applied by the Reich and State authorities before it came into effect and even before its promulgation. In Prussia the Jewish barristers were precluded from representing clients in the courts, with very few exceptions, even before this law was promulgated, and this exclusion was expressly sanctioned by the representatives of the Ministry of Justice.

The Jewish pupils who had already been attending the higher schools were in many cases removed from the schools by those in charge with the help of the other pupils before the promulgation of the law.

IV. On April 1st, 1933, a public boycott of Jewish businesses, lawyers, doctors, etc. was ordered and organised by an office under the authority of the German Chancellor, and they were treated with public contempt as part of this measure. This boycott was carried out by S. A. and S. S. formations, also under the orders of the German Chancellor as the supreme leader, and the public authorities failed to provide the Jewish subjects of Germany with the protection to which they were entitled by law.

As far as Upper Silesia was concerned, this action constituted an infringement particularly of the provisions of Part III and above all of Articles 75, para. 3, and 83, since German nationals or inhabitants in the plebiscite territory who belonged to the minority were treated in a discriminatory manner by the authorities and officials, who failed to take the necessary steps for their protection against punishable acts.

There are many more legal and administrative measures and decrees

which infringe the principle of equality before the law than those we have enumerated above, for this tendency now predominates throughout the legislation of the German Reich.

V. The present petition confines itself to drawing attention to the foregoing and bases itself on the laws and decrees and on the administrative measures quoted above.

It draws attention to the fact that the German Reich undertook in Article 65 that the stipulations contained in Articles 66 to 68 should be recognised as fundamental laws and that no law, regulation or official action should conflict or interfere with these stipulations, nor should any law, regulation or official action prevail over them.

Whereas under Article 72 Germany has agreed that the stipulations in the foregoing articles, in so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern and shall be placed under the guarantee of the League of Nations, and that they shall not be modified without the assent of a majority of the Council of the League of Nations, and whereas Germany has agreed that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or any danger of infraction of any of these obligations and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances:

The undersigned, Franz Bernheim, born on September 15th, 1899 at Salzburg, Austria, a citizen of Wurtemberg, hence a German national, of Jewish and hence of non-Aryan descent, previously residing at Gleiwitz, Schillerstrasse 6 b, German Upper Silesia, at present tem-

porarily staying at Prague, Czechoslovakia, employed from 30-9-31 to 30-4-33 by the Deutsches Familien-Kaufhaus, Ltd., Gleiwitz branch, and then discharged for the reason that all Jewish employees had to be dismissed, Passport Nr. 180/128/30, issued by the Berlin-Charlottenburg Police Office on 28-2-1930, and thus legitimised under Article 147 as a member of the minority in accordance with Part III of the Geneva Convention of 15.5.22.

Hereby submits the petition to the Council of the League of Nations, signed with his own hand, requesting the Council to take such action and give such directions as it may deem proper in order to declare null and void for Upper Silesia the laws, decrees, and administrative measures in contradiction with the above-mentioned fundamental principles and to ensure that they shall have no validity, and further to give instructions that the situation guaranteed by the Convention shall be restored, that the Jews injured by these measures shall be reinstated in their rights and that they shall be given compensation.

VI. The undersigned, Franz Bernheim, further requests the Secretariat of the League of Nations to treat this petition as *urgent*.

The reason for this request is that, as the above quoted laws and decrees demonstrate, the application of the principle of inequality to German nationals of non-Aryan i. e. of Jewish descent is being systematically pursued in all the spheres of private and public life, that already an enormous number of Jewish lives have been ruined and that, if the tendencies at present prevailing in Germany continue to hold sway, in a very short time every Jew in Germany will have suffered permanent injury, so that any restoration and reparation will become impossible and

thousands and ten thousands will have completely lost their livelihood.

Prague, May 12th, 1933.

(signed) *Franz Bernheim*.

(This signature has been legalised by M. Viktor Ludwig, Notary, Prague, on May 12th, 1933).

At a confidential meeting of the Council on May 22nd the urgency of the petition was granted. On May 26th, the German delegate von Keller having declared that owing to the shortness of time his Government had been unable to consider the petition properly, the Council determined to put the matter on the minutes and to adjourn the meeting until Mr. Lester, representative of the Free State of Ireland, to whom the matter had been given to report upon, should have acquainted himself with the materials.

On May 30th the Council met and Mr. Lester reported as follows:

Report by the Representative of the Irish Free State.

I. The petition we have to consider submits to the Council the question whether the application of a number of laws and administrative orders in the territory of Upper Silesia is compatible with the provisions of the Third Part of the Geneva Convention relating to Upper Silesia. The laws and orders in question, to which the petition contains specific references, concern, in particular, the status of civil servants, the position of lawyers, notaries and doctors, and the schools and universities. It is a fair generalisation that these laws and orders involve restrictions in various forms which would apply only to persons belonging to the Jewish population. One of the laws, that dealing with schools and uni-

versities, contains a clause to the effect that „obligations incurred by Germany under international treaties are not affected by the provisions of the present law“. The petition refers, without mentioning any actual cases, to the boycott of Jewish shops, lawyers, doctors, etc., and the failure of the authorities and officials to protect the Jewish population, who, it is alleged, have thus been officially outlawed.

I should like to recall the fact that when this question was placed on our agenda, the German Governments made reservations as to the petitioner's right to submit this petition to the Council under Article 147 of the Geneva Convention.

II. The mere perusal of the laws and administrative orders mentioned in the petition, the texts of which are appended to it, shows that in so far as some at any rate of their stipulations have been applied in the territory of Upper Silesia, this application cannot have taken place without conflicting with a number of clauses of the Third Part of the Geneva Convention.

III. It should be remarked, however, that in the statement made by the German representative to the Council on May 26th, 1933, it is most plainly and categorically affirmed that internal legislation can in no case affect the fulfilment of international obligations — which I think may be taken to mean that the German Government is resolved to see that the provisions of the Third Part of the Geneva Convention are observed in Upper Silesia. Indeed, the German representative added that if any infringements of the Convention had taken place, they were to be regarded as errors due to misconstruction of the internal laws by subordinate authorities and will be corrected. I propose that the Council take note of these declarations by the German

Government which imply that persons who, because they belong to the minority, have lost their trade or profession in consequence of the application of these laws, will be reinstated in their normal position without delay. The Council will no doubt share my conviction that the German Government has done and will do everything necessary to ensure that the provisions of the Geneva Convention regarding the protection of minorities shall be fully respected. It would, I am sure, be glad if the German Government, in accordance with the principle which has been followed in the past, and to the maintenance of which the Council attaches great importance, whereby the Council or the Rapporteur has been kept informed of developments, would keep me informed in my capacity of Rapporteur of the decision and measures it may think fit to take in this connection.

IV. It only remains for me to deal with the point concerning the damage that may have been sustained in consequence of the application of these laws and orders in Upper Silesia by persons belonging to the Jewish minority and, in particular, by the petitioner himself. In this connection I would remind the Council that these cases may be investigated under the local procedure. I would therefore suggest that the Council request the German Government to arrange for the petitioner's case to be submitted to that procedure forthwith.

The report having been read, the German delegate von Keller declared that the German Government refused to take cognizance of the report. Recalling his reservations concerning the rights of the petitioner, he added that Bernheim was not bound to Upper Silesia by any ties and had only been employed there since a short time. Also the German Government calls in question Bernheim's

right to present a petition concerning general matters and the application of German laws in Upper Silesia, for these laws in no way touch upon him. The Council should have taken cognizance of the German declaration and considered the petition settled as far as general matters are concerned. As for the personal side, the German Government might agree to enquire into Bernheim's case according to local laws.

The author of the report Mr. Lester thereupon moved that the Jurists' Committee should examine the question whether Bernheim is member of a minority and whether he has the right to present petitions of a general character. He also demanded that the Council's session should not be closed and that the Jurists' Committee should bring in their report by a fortnight at the latest.

The representative of Great Britain, Mr. Eden, having spoken, the French delegate, M. Paul-Boncour, expressed the wish that the time for the jurists' report should be shortened in view of the seriousness of the problem. He also stressed the fact that it was Germany and no other who during the peace negotiations had demanded minority treaties. The Germans had assured everybody that they would respect the rights of minorities, so that M. Paul-Boncour judged there could be no signal difference of opinion on the matter and therefore demanded a rapid decision of the Council.

Count Raczyński, the Polish delegate asked permission of the Council to place certain observation before the jurist's Committee which was to examine the matter, should need arise.

He wished to take note of the fact that at present the representative of Germany had to a certain degree retired from the position hitherto taken by German representatives — the latter had

always striven to make the interpretation of texts concerning minority protection as comprehensive as possible. Now a difference was to be seen. He was well aware that formally the Council had only the right to consider the situation of the Jewish minority in Silesia yet every Member of the Council had at least morally the right to address a serious appeal to the German Government asking it to ensure equality of treatment to all the Jews in Germany. He was of opinion that this moral right derives from the declaration made to the Peace Conference by the German delegation on May 28th 1919, a declaration placed on record by the Allied and Associated Powers on June 16th and alluded to in the speech of the representative of France.

Count Raczyński also wished to recall the resolution of the Assembly of the League of Nations, wherein on September 22nd 1922 the Assembly had expressed the hope „that the States, which as regards minorities are not bound by any legal obligations towards the League of Nations, would nevertheless treat their racial, religious, or national minorities with at least the same degree of justice and toleration as that enforced by the Treaties and the permanent action of the Council”.

He expressed the hope that the German Government would not refuse to take into account the wish expressed in this resolution, seeing that Germany, since her entry into the League of Nations, had always proudly claimed the part of champion of racial, religious or national minorities. Besides he could not forget the declarations made at Geneva itself by the official representatives of the Reich. In these declarations — he had in mind that of M. Curtius of September 22nd 1930, and that of M. von Rosenberg of October 6th 1932 — the German Government had acknowledged the utility

of making general the protection of minorities and had even declared that it would take an active part therein.

The matter at present under consideration by the Council would no doubt cause the Council's Members to reflect upon the problem of minorities in general. The striking example of the Jewish minority in Germany which is by law protected only on a small fragment of the Reich's territory must doubtless lead to the conclusion that the present system of minority protection has all the defects of a lame system. To States having minority obligations it must appear — particularly at such a moment as this one when the urgent need for a protection of minorities makes itself felt elsewhere — as an unequal system, patently contrary to the principle of the equality of States. To public opinion the system must appear incomplete and having serious gaps by the very fact that it applies only to some arbitrarily selected States. There are minorities everywhere and who could guarantee that in the course of development of public life in such and such a country which has no minority obligations the minorities inhabiting it will never have any reason to complain of being unequally treated. There is a minimum of rights which must be guaranteed to every human being, whatever its race, religion, or mother-tongue. That minimum should be put out reach of repercussions due to fluctuations of public life which no one could foresee. The representative of Poland therefore warmly appealed to all his colleagues to consider this important question, the urgency and gravity of which were clearly visible against the background of the sad case now before the Council. It was Count Raczyński's opinion that during the debates at the next Assembly it would be needful to examine this problem whose discussion was demanded by the conscience of every nation and of every politician.

After the declaration by the Polish delegate the delegates of Spain, Norway, Guatemala and Czechoslovakia also spoke. They expressed approval of the report, stressing the necessity for strict observance of treaties and obligations.

Next M. von Keller declared, that he must protest against an extension of the debate beyond the competence of the Council based on the Upper Silesian Convention. He further assured the meeting that Germany would continue to take a strong interest in minority protection, whereby he provoked ironic comments, and he criticised the further action of the League in minority matters. Lastly he considered referring the matter to the Jurists' Committee unnecessary and would therefore not vote on it.

Mr. Lester's motion to call in the Jurists' Committee was voted.

The Jurists' Committee, consisting of three persons, held a meeting on June 2nd and after discussion expressed the following opinion:

Opinion of the Committee of Jurists.

The question put by the Council of the League of Nations to the undersigned on May 30th 1933 refers to the petition dated May 12th 1933, addressed to the Council by M. Franz Bernheim on the basis of Article 147 of the Convention relating to Upper Silesia.

This question is whether, with a view to determining the Council's incompetence to take a decision on the said petition, it can be validly argued:

1. that the petitioner does not belong to the minority because he has no sufficient connections with Upper Silesia;

2. (a) that the petitioner has not himself suffered from the laws and other enactments to which he calls attention as contrary to Articles 66, 67, 75, 80 and 83 of the Convention;

(b) that the enforcement of those laws has not yet given rise to a permanent *de facto* situation in Upper Silesia.

* * *

For the reasons hereinafter set out, the undersigned feel bound to reply in the negative to the question put to them.

1.

It appears from the petition that the person above named is a German national of Jewish origin; that, at the time when the provisions referred to in the petition were enacted, he was at Gleiwitz, in Upper Silesia; that he was domiciled in that town and resided there from September 30th 1931 to April 30th 1933, as an employee in the local branch of the Deutsches Familien-Kaufhaus; and that he is now temporarily staying at Prague.

If these facts are correct — and they have not been disputed — the undersigned conclude that M. Franz Bernheim must be regarded legally as belonging to a minority within the meaning of Article 147 of the Convention.

The provisions referred to in the petition establish discriminations against the non-Aryan section of the population and, as far as Upper Silesia is concerned, therefore relate to racial minorities within the meaning of the Convention. Monsieur Bernheim, being of non-Aryan origin, belongs to one of these minorities.

There is no provision in Part III of the Convention to justify the conclusion that a German petitioner must either have been domiciled in the plebiscite area for a certain minimum period, or have connections with it of a specific nature, such as origin or family ties, or possess the nationality of the State of Prussia.

The fact that at the time of presenting the petition the petitioner was not in the plebiscite area does not deprive him of the right conferred upon him by Article 147, at all events in the circumstances of the case as revealed by the petition and referred to above.

2.

(a) Article 147 lays down that the Council is competent to pronounce on all individual or collective petitions relating to the provisions of Part III of the Convention and directly addressed to it by members of minorities.

The text is general; it covers all petitions, without any restrictions other than those that may be established by Part III of the Convention.

But we find nothing in Article 147 or in Part III to justify the removal of petitions from the Council's jurisdiction on the ground that the measures to which they relate have not affected the petitioners themselves. The only interest the petitioners are required to have is that resulting from their being actually members of a minority.

(b) Again, there is nothing in Article 147 or in the other provisions of Part III that makes it possible to contest validly the competence of the Council to deal with a petition complaining of laws and regulations the enforcement of which has not yet given rise to a permanent *de facto* situation.

On the contrary, it results from Part III of the Convention (Articles 67, paragraph 1; 68; and 75, paragraph 1) that the intention was that all nationals of the State should be equal before the law, and that that equality should exist both in law and in fact. Nor is any distinction permitted according to whether the *de facto* situation is permanent or not.

Hence the right of petition may be exercised even though it be still possible to secure redress at the hands of the national authorities for the action complained of.

(signed) *Max Huber*

(signed) *M. Bourquin*

(signed) *M. Pedroso.*

After the Jurists' Committee had formulated this opinion a meeting of the League Council was held on June 6th which definitely settled the matter of F. Bernheim's petition.

The German representative von Keller first made a declaration making known his reservations concerning the jurists' opinion and again repeated that „the German Government has, since the beginning of discussion of this petition and without prejudice to any question of procedure, taken the view that it considers itself bound by international treaties and consequently by the Geneva Convention and measures incompatible with the Convention possibly taken by subordinate authorities would be rectified“.

Mr. Lester then again read his report and in view of the repeated declaration of Germany's representative complemented it as follows: :

After the second sentence of Part III, after the words: „In fact, the representative of Germany has added that if infringements of the Convention have occurred they should be considered as errors due to a false interpretation of internal laws by subordinate authorities...“ the words: „and these errors would be rectified“ and after these words a new sentence:

„I propose to the Council to put on record these declarations of the German Government which imply that the persons who have lost their employment, or have found it impossible to exercise

their profession, by reason of belonging to the minority and in consequence of these laws being applied will be put again without delay in a normal situation. The Council will doubtless share my conviction that the said Government has done and will do everything necessary to ensure that the provisions of the Geneva Convention relating to protection of minorities be fully respected".

In connection with Mr. Lester's report M. Biancheri, the Italian delegate asserted that M. von Keller's declaration had made clear Germany's attitude towards international obligations, while detailed discussion of internal matters exceeded the competence of the Council.

Count Raczyński declared that the members of the Council would certainly remember the recent opinion of the Committee of the three jurists concerning a prejudicial question raised by the Polish Government in connection with certain petitions relating to Polish Upper Silesia. The jurists' Committee while sharing, from the practical point of view, the opinion of the Polish Government, had yet for reasons of a purely juristic character given a very wide interpretation to article 147 of the Geneva Convention. Being unable to share the juristic considerations of the Committee the Polish delegate was forced to abstain from voting on the opinion.

He understands perfectly well that the Committee having been again asked for an interpretation of article 147 has had to maintain certain considerations embodied in the previous opinion. On the other hand it is understandable that Count Raczyński maintains the general reservations formulated by him concerning the preceding opinion.

Nevertheless he supports the conclusions of the Committee pertaining to the present case. He takes advantage of this occasion to express once again his admi-

ration for the conscientious work of the three eminent jurists.

The French representative M. Massigli, and the Spanish delegate M. Madañaga accepted the report and the jurists' opinion without reservation.

The representative of Czechoslovakia M. Osusky in a speech of some length traced an analogy to the protection of minorities in his own country and quoted examples of toleration from Czech history.

Speeches were further made by the English representative Mr. Eden and the Norwegian representative Mr. Lange. After a reply by M. von Keller the report was voted, the German and Italian representatives abstaining from voting.

PETITION OF L. MOTZKIN AND Dr. E. MARGULIES.

Following the occurrences in Germany the secretariate of the League of Nations received, besides the petition of Fr. Bernheim, over a dozen other petitions, not only from Germany, but also from other countries. These petitions were presented by Jewish organisations, i. e. from organisations in the United States, in Czechoslovakia and Poland (Jewish Club, Jewish Union). We print below a synopsis of the petition presented to the League of Nations Council by the representatives of the Committee of Jewish Delegations (existing since 1919), and of the American Jewish Congress, supported by numerous other Jewish organisations.

The petitioners make complaint to the League against the German Government which by its laws and regulations has violated the obligations undertaken, on the League's initiative, concerning German Upper Silesia where many towns have a considerable Jewish population.

The prohibitive measures touching the Jews enumerated in the petition are applied also in Upper Silesia and the League's attention is drawn to the fact that they are contrary to the principle of equality before the law and therefore contrary to Section 1 of Part III of the Geneva Convention.

1) The Jews of Upper Silesia are hit by the law of April 7th 1933 concerning the Civil Service which except for strictly defined exceptions rules the dismissal of all Civil Servants and honorary officials of non-Aryan origin, prohibiting also their receiving any pension or compensation if their service has been shorter than 10 years. By the law of May 6th judges, teachers, professors, lecturers are to be treated as Civil Servants. Notaries and officials of the military administration are also in this category.

Even before the promulgation of these laws measures were taken in Upper Silesia carrying out beforehand their provisions. Thus for instance on the authority of the Government Commissioner for Prussia M. Kerrl, all the Jewish judges at Oppeln with one single exception were deprived of office. The ordinance runs:

„All Jewish judges are retired and forbidden to enter the Court buildings. In case of resistance the President of the District Court will use his rights of expulsion. Jewish assessors may not take over the function of judges. Jewish notaries have no longer the rights of exercising their functions, that is of legalising documents or acts of sale. Jewish barristers are forbidden to enter the Court building. They have no right to attend court sittings or to carry on any activities whatsoever in the courts“.

2) All local measures against Jewish lawyers were sanctioned by the law of April 7th. Admitting exceptions only in favour of pre-War positions and front line combatants in the War it automa-

tically excludes all those whose studies were not concluded in 1914 and those who are too young to have fulfilled the second condition. As for Jewish lawyers belonging to the two privileged categories the local authorities and the Prussian Ministry apply further restrictions and prohibitive measures, such as for instance demanding a certificate from the President of the Court of Appeal, the Solicitor-General, and the Council of the Bar, running as follows:

„To the best of my knowledge there is no reason to suppose that M.... (barrister, solicitor, etc) has carried on any communist activity whatsoever. I know that this is intended to mean not only activity in the Communist Party, but even any support of any kind offered to communist organisations or ideas“.

This formulation is obviously open to arbitrary interpretation.

The same measures apply to „Patentanwälte“.

As for notaries the Prussian Minister of Justice made known for all the territory of Prussia, therefore also for Upper Silesia, that they could provisionally continue to exercise their duties, but that the population might be moved to acts of violence if it were found that Jews continue to legalise documents. This express menace was equal to a deprivation.

Of the 11 Jewish barristers at Hindenburg one only was admitted by an ordinance of M. Kerrl. The law of April 7th excludes about one third of the Jewish lawyers in the Reich, out of a total 1400. The proportion for Hindenburg should be 4, but the remaining Jews have been subjected to the previously mentioned enquiry so that in all probability even the privileged ones will not recover their rights.

3) On April 20th a law was promulgated establishing the same restrictions

and prohibitions for panel doctors. As about two-thirds of the Jewish doctors in the Reich subsist entirely or mainly by work for panel patients and as this proportion is probably the same for Upper Silesia, this measure hits them very hard.

4) The law on schools, both public and private, and on colleges of university rank limits the pupils of non-Aryan extraction to 1.5 per cent of the total number. In schools with a percentage already so high that restriction of new admittances does not suffice to bring the proportion to that level the percentage may in no case exceed 5 per cent. (Executive ordinance of Reichsminister Dr. Frick). Thus in schools with a higher percentage expulsions will be necessary.

There are no schools of university rank in Upper Silesia and the Jews of that province study at the universities of Breslau, Berlin, etc. The German Government is preparing a special law on the admission of Jewish students to the universities of Berlin and Hamburg. Some of the scientists excluded from academic bodies also come from Upper Silesia.

5) The authorities have failed to protect the life and property of Jews in Upper Silesia, in Beuthen and other towns there have been dead and wounded.

6) The boycott, favoured by the Government authorities, was carried out in such a way as to be contrary to the obligations undertaken by German for Upper Silesian territory, of protecting the property of members of minorities. Acts of violence were committed. At Hindenburg the local authorities provided placards inciting to a boycott of Jewish shops.

7) Jewish commerce is being systematically ruined Jewish employees excluded, even from Jewish shops. The petition confines itself to quoting facts

concerning Upper Silesia and as specimen of the restrictions imposed on Jewish commerce brings a decree of the Town Council of Hindenburg which has not been declared void by any superior authority:

„1) Until further notice no work or orders shall be given to Jewish firms, or firms having Jewish representatives, to wholesale firms with multiple branches, to one-price shops, or to co-operative societies.

2) Permissions given to Jews to have goods on the pavement is revoked.

3) Until further notice no facilitation of payment and no exemption from taxes shall be granted to Jewish firms, one-price shops, branch shops and co-operative societies.

4) The administrative authorities will notify the Jewish employees and probationers that they are to demand their leave immediately.

5) All Jews filling honorary posts or members of administrative councils are to resign without delay.

6) This regulation shall be carried out by the administrative Council.

For this purpose a committee shall be formed of four municipal delegates.

The committee members are the municipal delegates Fillusch, Abrahamczyk, Sobotta, Boyer“.

All this is contrary to the principle of equality before the law of all citizens of the Reich.

On the strength of articles 65, 66 al. 1, 67 al. 1 and 2, 68, 72 al. 1 and 2 of the German-Polish Convention concerning Upper Silesia the petitioners request the League of Nations to defend injured rights, to put an end to injustice, to repair the injuries inflicted and to re-establish violated obligations.

The application of the above-mentioned laws threatens thousands of Jews whom the Geneva Convention has placed under the protection of the League of

Nations with total ruin. For this reason, and to prevent the promulgation of further measures of a similar nature the petitioners ask that the petition be granted rights of urgency.

Signed by *L. Motzkin*
President of the Committee
of Jewish Delegations
and by *Dr. Emil Margulies*
President of the Jewish Party
of Czechoslovakia

LIST OF ORGANISATIONS
AND INSTITUTIONS IN WHOSE
NAME THE PETITION
WAS PRESENTED

Committee of Jewish Delegations, Paris.
American Jewish Congress, New
York, U. S. A.

Zidovska strana v CSR (Jewish Party
of Czechoslovakia).

Najvvyssi Rada svazu zid. oboi nabozenskych, Praha (Directing Committee of the Union of Federation of Jewish Congregations Prague).

Koło Zydowskie, Warszawa (Jewish Club in the Polish Diet, Warsaw).

The Israelite Congregations of Wilno and Bialystok.

Central Consistory of Israelites in Bulgaria, Sofia.

Partidul Evreesk din Romania (Jewish Party of Rumania, Bucarest).

Israelitische Kultusgemeinde, Wien (Jewish Community, Vienna).

Israelite Community, Antwerp.

Community „Adat Israel" in Kaunas; Union of Rabbis of Lithuania.

League against Anti-Semitism, Cairo, representing all Jewish societies and organisations of Egypt.

numerous other organisations, communities, etc., thousands of individual signatures.

House of Commons — Debate of April 13th on Foreign Affairs.

April 13th of this year was a great day in the English Parliament. Before adjourning for Easter the House of Commons demanded a debate on foreign affairs. The words pronounced by the Prime Minister on March 23rd were quoted — „Europe is not settled. Europe is very unsettled. Europe is in a very nervous condition". It was remarked that there was more than one focus of trouble and that it was necessary to consider quite a number of countries. The questions on which the House of Commons wished to be informed were the Four-Power Pact, disarmament, negotiations with America, tariffs, but what was most insisted upon were „the conditions in Germany and what was at present happening there", and particularly the persecution of Jews

under the Hitler régime. The debate on this matter developed to considerable proportions. Several members spoke on the subject and the debate was followed by a long speech from Sir John Simon, Secretary for Foreign Affairs. The Foreign Secretary stressed the fact that „it is a very long time since the discussion on the Motion for Adjournment has concentrated in so effective a fashion the expression of opinion here and of public opinion outside on immensely important and urgent problems". In his opinion the Jewish question had been treated neither from the Jewish, nor from any party point of view, but the true Anglo-Saxon outlook had been expressed. The debate had not only been profoundly interesting as one of the Members (Mr. Churchill) had

previously remarked, it had been memorable. It is unfortunately impossible to reproduce the remarkable speeches made at the sitting of April 13th in full in so short an article. We therefore give abridged extracts from some of them in the order in which they were made...

Speech by Mr. Attlee.

I do not think it is necessary that I should go in detail into what has been happening in Germany to the Social Democrats, the Communists, and to the Jews, but we want to know what the attitude of the Government is in this matter. Is it possible to draw Germany's attention to the Clause relating to minorities, wherein it was ruled that minorities should receive treatment not less favourable than is guaranteed specifically under the League of Nations? Will the Government move to take action in favour of the refugees? The position is tragic for all political refugees to-day, because the economic conditions of the world make it so difficult for any country to receive them. Will the Government set in motion the Nansen International Office for refugees? That office did a wonderful work for Greeks, Armenians, Bulgarians and Assyrians. Why should it not be put in motion to help the Jews?

Holding the mandate for Palestine we have a special responsibility. Will the Government, as the protector of the Jewish national home, help the persecuted Jews to get there at this time?

As for our attitude towards Germany it is possible to invoke the Minority Clause of the League of Nations, at any rate for Upper Silesia. I hope that Germany is realising the force of public opinion in all parties here. When we come to this matter of Treaty revision I hope that our Government will tell Germany straight out that if she wants any revision she must come with clean

hands. Germany is demanding a number of adjustments, adjustments on the side of Poland, adjustments here and adjustments there. In all the areas where Germany is demanding to get back territories there are minorities. In none of these areas is there an unmixed German population, in all there are people of alien races, and we should say quite frankly to Germany that at the present moment no one in this country would propose to entrust any minority to Germany, seeing how she has been treating minorities. I hope the Government will take a firm line on this. It may be said to us on these benches „You did not take action to protect Russians against Russian oppression“, but that is a slightly different matter after all. Germany as she is to-day is the creation of the Versailles Treaty, and she is asking the world to relieve her from the consequences of the Treaty. We in this House, and the country as a whole fully recognise Germany's claim for justice, but we can definitely insist that we are not going to see the persecution of minorities, racial, religious or political, and then calmly suggest that we shall give her everything she is demanding...

Speech

by Sir Austen Chamberlain

„What is this new spirit of German nationalism? The worst of the all-Prussian Imperialism, with an added savagery, a racial pride, an exclusiveness which cannot allow to any fellow-subject not of „pure Nordic birth“ equality of rights and citizenship within the nation to which he belongs. Are you going to discuss revision with a Government like that? Are you going to discuss with such a Government the Polish Corridor? The Polish Corridor is inhabited by Poles; do you dare to put another Pole under the heel of such a Government? I beg the

right hon. Gentleman to beware of what he is doing".

Speech by Mr. Janner.

„As a member of the Jewish community and more particularly as one treasuring the honour of membership in this House I feel it my duty to add a word on the tragic situation of the Jews in Germany. It has been suggested that there may have been some exaggeration, but if so, it was caused by the rigid censorship imposed by the German Government. No responsible Jewish organisation, news-agency or newspaper has spread any exaggerated reports, for the unhappy reason that the truth was serious and sad enough. The Nazis openly avow that their policy is to destroy all non-Aryan influence in national life. Night after night Nazi spokesmen proclaim on the wireless that Jewry will be destroyed. I will ask the House to remember that the community subject to this ferocious attack numbers only some 500.000 or 600.000 people within a population of over 60 millions. The Nazi must be singularly distrustful of their country if they think it capable of being subjugated by so small a minority. That minority has in Germany contributed men of outstanding eminence in all walks of culture. To say that the Jews have not identified themselves with the German nation is a wild perversion of the truth. The Jewish community has been settled in the country for many centuries. As early as the year 321 there was a Jewish community in Germany. The Jews have given some 12.000 lives for the German cause in the World War. Moreover the whole argument that they have not become part of the nation is transparently dishonest, since the Nazi policy is devoted precisely to preventing them from doing so.

England has always defended the oppressed against tyranny. That splendid tradition stretches back to the far-off days of Cromwell. England's voice has been heard with respect and will be listened to again. Let me say that in this connection I am by no means convinced that no appeal lies to the League of Nations. I believe it is at least open to discussion whether Article 11 of the Covenant could not be invoked. Certainly the German-Polish Convention is applicable to the Jews of the German section of Upper Silesia and it is far better that the issue should be raised by Great Britain than by Poland, whose relations with Germany are already sufficiently strained.

I also express the earnest hope that the negotiations for treaty revision will not pass without a definite removal of what is after all a serious impediment to the establishment of peace in the world".

Speech by Major Nathan.

„The speeches both within and without this Chamber, and the British Press which is I think unanimous in its expression of opinion make it clear that it is not necessary to be a Jew in order to feel horror and indignation at the sufferings which are being inflicted on Jews in Germany at this time. Those who are now in power in Germany, Herr Hitler, Captain Goering, Dr. Goebbels and their Nazis have dissipated the prospects of Europe being rendered safer for democracy. In Germany democracy, born out of the misfortunes of the War, has for the time collapsed under the misfortunes of peace. Do not let it be thought that these atrocities and outrages have been perpetrated only upon the Jews—political opponents of the Nazis have suffered the same treatment—imprisonment and exile, to say nothing of personal assault.

No less than liberty itself is at stake in Germany. The programme of the Nazi Party is not recent — it is already ten years old and the Nazis are at present carrying out a deliberately planned policy. One of its 25 points is to deprive the Jews of their rights as citizens. Another, to prevent their holding official or semi-official positions. They are to have duties towards the State, but no rights. I can quite understand that in moments of revolutionary excitement groups of irresponsible youths, maddened by militarist propaganda and fed on hate and lies may break out into acts of violence, but the shocking thing is that they are not punished but treated as heroes deserving well of the Republic.

Germany is so cowed by terror, physical and economic terror, that not a single responsible voice has been raised there in protest. I can quote cases for which I vouch, they come within my own knowledge. I know a family of Jews that has lived in a great German city since 1604. A member of that family, a lawyer, served in the German Army as private, and he served on the Russian front. To-day he is a refugee in this country, deprived of means of livelihood. Another friend of mine, also a lawyer with a leading practice in one of the great German cities, had among his four grand-parents one who was a Jew. He himself is a Christian. He served in the German Army as an officer and he won the Iron Cross and another distinction for valour. To-day he is a refugee in Scandinavia.

A man recently telephoned from London to his brother in Leipsic. He asked what the situation was there and received the answer: „Oh, everything is beautiful here. Don't worry about us. We are carrying on business as usual. Don't waste your money on telephoning from London to Leipsic". The man in London within 24 hours of that conversation received a

telegram from his brother, by then in Holland, saying: „Happy to say arrived safely in Holland". The terrorism in Germany is something that we in happy free England cannot really understand at all.

I ask myself, what, in these circumstances, is the appropriate action for the British Government to take? I fully subscribe to the view that one sovereign State cannot interfere with the internal affairs of another, but questions of racial and religious persecution are not entirely matters of internal policy. Humanity has no frontiers and freedom no boundaries. There have been precedents for the action of Great Britain under such circumstances. Some 20 years ago, the late King Edward, on the advice of his Ministers, held language with the Czar of Russia on the subject of the persecution of the Jews and the results were favourable.

I therefore ask whether the Foreign Secretary would not make representations to the German Government that British opinion is so much affected by the occurrences in Germany, that the effect may well be to make most difficult the re-entry of Germany into the community of nations with that status of equality which she now claims. I do not think it would be out of the way if the Foreign Secretary were to remind Germany of the old English adage „He who seeks equity must do equity".

There is also the question whether the British Government can initiate action before the League of Nations. Great Britain has long been the mouthpiece of the world when questions of liberty were involved. I add my voice to that of Sir Austen Chamberlain in suggesting that the Foreign Secretary should make it clear to Germany that she cannot expect treaties to be revised, even to secure what we consider to be her just demands,

unless she makes liberty and justice secure within her own borders".

Speech by Col. Wedgwood.

"I wish to say a few words on what has gone on in Germany. The corner boys of Germany have disgraced their country and I would say „Non ragioniam di lor, ma guarda e passa". (You need not talk about such people, but watch and pass by on the other side). As a result of what has gone on in Germany I would like to see the strengthening of this country and of the British race by the admission into this country of those elements which are now suffering from persecution. To-day they are being turned back at Harwich, while Belgium, France, Spain are welcoming them. Those scientists would be our business men of the future, just as the Huguenots brought us the silk trade; made Norwich and Leek, built up a great export trade for us. Let us welcome them as we welcomed the Belgians during the Great War. It was humane, and it was also materially advantageous. We should show that whatever the Prussian Aryans feel about the Jews, the peace-mongers, or the Socialists, we in this country realise the value of brains and the duty of hospitality to the oppressed. We should open our doors not only to the scientists, the doctors whom in the past all the world went to seek in Germany, but also to those political exiles who are now under preventive arrest in a dozen concentration camps throughout Germany. I wish that we might welcome these men, the free spirits of a free people, who decline to live in a land where liberty is no longer allowed.

Speech by Mr. J. P. Morris.

"The whole of the people of this country are definitely opposed to the policy of the Jewish persecution in Germany.

Public opinion throughout the world sympathises with German Jewry, and it is only owing to the existence of that opinion that there has been a mitigation of the persecutions. Germany should know that in peace she cannot succeed with world opinion ranged against her, just as she found in the Great War.

A few days ago a question was addressed to the Foreign Minister asking whether anything could be done through the League of Nations to help the Jews, more particularly those of Upper Silesia. The reply was that Article 11 of the Covenant applies only in cases effectually menacing the peace of nations. Such a guarded answer leaves the ground open for further examination of opportunities to act through the League. As far as Upper Silesia is concerned there is no doubt that the Jews are protected by the Geneva Convention which has still 5 years to run. If the Jews in one part of the country are protected by international obligations, surely the Government of that country cannot escape the moral responsibility of extending the same guarantee to all the Jews of its own nationality.

Article 11 of the Covenant declares that each member of the League has the right to bring to the attention of the Assembly or of the council any circumstance affecting international relations which might disturb international peace, or the good understanding between nations on which peace depends.

Reuter reports that relations are now severely strained between Poland and Germany. Anti-German demonstrations have taken place in Poland, the anti-German boycott is extending. A German paper has had the headline „Poland Incites to War". In my opinion, nothing for many years has been so well calculated to disturb the peace of the world as the German persecution of the Jews. In

the interest of world peace the question should be brought before the League of Nations. I implore His Majesty's Government to perform that noble duty".

Speech by Mr. Churchill.

Afer a long discourse on the state of things created in Europe by the Treaties of Versailles and Trianon Mr. Churchill added: „When we think of what would have happened to us, to France, or to Belgium if the Germans had won; when we think of the terms which they exacted from Rumania, or of the terms they put at Brest-Litovsk; when we remember that up to a few months of the end of the War German authorities refused to consider that Belgium could ever be liberated but said that she should be kept in thrall for military purposes for ever, I do not think that we need break our hearts in deploring the treatment Germany is receiving now. Germany is not satisfied — but no concession which has been made produced any marked appearance of gratitude. Once it had been conceded it seemed to lose value. Many people — I was one of them — would have liked to see the question of the Polish Corridor adjusted. For my part, I should certainly have considered it one of the greatest practical objectives of European peace-seeking diplomacy. There again, however, hon. Members must consider the rights of Poland. The Polish Corridor is inhabited almost entirely by Poles, and it was Polish territory before the Partition Treaty of 1772. It is a matter which Europe in quiet times with increasing good will might well set herself to solve.

I am not going to use harsh words about Germany and about the conditions there. I address myself to the problem in a strictly practical manner. One of the things which we were told after the Great War would be a security for us was Par-

liamentary institutions in Germany. All that has been swept away. You have dictatorship — most grim dictatorship. You have militarism and every form of fighting spirit, from the re-introduction of duelling in the colleges to the Minister of Education advising the plentiful use of the cane in the elementary schools. You have these martial or pugnacious manifestations, and also these persecutions of the Jews, of which hon. Members have spoken and which appeal to every one who feels that men and women have a right to live in the world where they were born under the guarantee of the public laws of the land of their birth.

When I read of what is going on in Germany I thank God that the Germans have not got the heavy cannon, the thousands of military aeroplanes, the tanks of various sizes for which they have been pressing in order that their status may be equal to that of other nations".

Speech by Sir Herbert Samuel.

„There has been a spontaneous outburst of public opinion in this country, as well as in America and in many other countries, at what is undoubtedly a piece of religious and racial persecution.

In the Middle Ages, when there was a persecution of the Jews, the mob would, burn, insult, and rob. Now the method is different. They are robbed not of their goods but of their livelihood and I am not sure but that is worse. In biology, sometimes in a species, you may get a throw-back to a more primitive type, and so it is occasionally in history. Strangely we seem to see the 12th century surging up in the middle of the 20th.

The Jews all through the centuries have occupied the rather uncomfortable position of being the test of character of the nations among whom they live. Re-

spect for civil liberty and for equal justice is innate in the British people. Two or three years ago the Institute of International Law, the most authoritative body of jurists in the world, drew up a declaration of what they regarded as fundamental principles of the law of nations. One of these provisions is that it is the duty of every State to allow the individual equal rights of life, liberty, and property, and to grant to all on its territory full protection of their rights without distinction of nationality, race, or religion. Those ideas are surely fundamental to the orderly development of the modern world. Recent events in Germany have caused great anxiety to those who are eager for international good will and concerned for the comity of nations. The revival of Prussian militarism caused grave anxiety to those who would wish to see peace and good will prevailing between Germany and her neighbours.

We were eager to forget the animosities and bitterness evoked by the War. We wanted to stretch out a friendly hand to Germany, and did so. Many of us were ready to consider in some respects a revision of the Treaty of Versailles, provided it were not undertaken by unilateral action, but achieved by the machinery of the League of Nations and with general assent. All that has now received a setback. I hope it may be only temporary, for it is desirable that this

movement should go forward and bring about a reconciliation of Europe.

What action should be taken on behalf of the oppressed Jews of Germany? Something might be done in Palestine, and perhaps also by a little relaxation of the severe conditions of admission to this country. But the main solution must come from Germany itself. I have not advocated the boycott of German goods and I desire nothing to be done which would imperil the relations between the British and the German Government. It is rather a matter for public opinion, expressed outside this House and within it to influence the course of events in Germany. Let the opinion of mankind declare that to persecute people anywhere, or at any time, on account of their race or religion is an abomination and that all men are entitled to equal civil rights before the law, and let the voices of the Parliaments proclaim it.

Sir John Simon, Secretary
for Foreign Affairs.

declared in closing the debate that it had expressed the deep, general, he might almost say, universal feeling entertained in the country. He agreed with what had been said on the subject, remarking at the same time, that he knew well the responsibility resting on the Government in such a matter.

International Federation of League of Nations' Societies

On the eve of the Federation's Congress the Sub-committee of Five assembled which had been entrusted with the problem of guarantees of treaty rights of minorities. The basis of the discussion was the „Avis et proposition du Comité des Cinq" of May 16th 1932. The Polish representatives did not take part in the

meeting. The sub-committee after discussion accepted the avis of 1932 without any changes.

From June 3rd to June 8th 1933 the Congress of the International Federation of League of Nations' Societies was held at Montreux, to which 25 countries sent delegates. Among these were present for

the first time the representatives of Turkey in the persons of members of the Ankara Parliament, and the delegates of South Africa. The Polish Society was represented by MM. Senator Löwenherz, W. Lypacewicz, and Professor S. Stroński. The German delegation attracted particular attention, the delegates being newly appointed, partisans of Hitler — MM. Schnee, Col. Haselmayr — one of Hitler's closest helpers — Reichstags-Member von Freytagh-Loringhoven, Col. Sichtung, G. Haucke, representing National Socialist youth, and others.

The chief subject among the minority problems was the Jewish question. For the purpose of examining a motion proposed to the Committee a sub-committee of seven was formed, Professor Stroński of the Polish delegation being one of the members. It was the sub-committee's task to find such a solution as would condemn the incidents and the new state of exceptional legislation in Germany without necessitating the resignation of the German delegation which the latter had at first threatened. The Congress voted a resolution which though void of strident accents was of a decided tenor, and at the same time expressed the wish that the President (Lord Cecil of Chelwood) should address a separate letter on the matter to the German Society. The text of the Congress' resolution runs:

The situation of Jews
in Germany.

XVIIth Plenary Congress,

Deeply concerned at the situation created in Germany during the last few months with regard to the population of Jewish origin;

Recalling the resolution it has just adopted concerning the international protection of the Rights of Man and the

duty which falls upon the League of Nations in this domain;

Recalling that the League of Nations has expressed the hope that at least the same rights as those guaranteed by the Minority Treaties to racial, linguistic or religious minorities should be respected by all States Members of the League of Nations and that the Federation stands for this principle;

Recalling also the consistent attitude of German delegations to the League of Nations in defence of Minority Rights;

Considering that if the measures which have been taken in Germany are maintained the good relations between the nations will be disturbed;

Notes with satisfaction that the Council of the League of Nations has embarked upon an examination of the situation for the Jews in Germany;

Expresses the hope that the German Society will do its best to obtain, in its country, the restoration of civil and political equality in accordance with the principles of the League of Nations and of the Federation;

And requests Lord Cecil, as President of the Federation, to interpret its sentiments in an appeal addressed to the German Society.

Letter of Lord Cecil, President of the International Federation of League of Nations Societies, to H. E. Dr. Schnee, President of the German Delegation to XVIIIth Plenary Congress.

6th June 1933

Your Excellency,

I have been asked by the Federation of League of Nations Societies to convey to the German Delegation through you their feeling about certain recent events in Germany in connection particularly with the action taken against the Jewish

citizens of that country. The Federation recognises that it has no right to interfere in the internal affairs of any country nor has it any desire to do so. At the same time the events in question have in fact caused a very serious uneasiness in many parts of the world, especially in Europe and the United States. It is not too much to say that in the words of the Covenant they have impaired the good understanding between the nations. In many countries, my own among them, they have interrupted the growth of the new attitude of sympathy and understanding towards Germany and her people which has been gradually taking the place of the bitter sentiments necessarily engendered by the World War.

It is no part of my duty to discuss any detailed occurrences. I am quite ready to believe that exaggerated accounts of what has happened have found their way into the Press. Making all allowances, however, for any exaggeration, the fact remains that the German Government have taken legislative and administrative measures against a body of their citizens solely because they belonged racially to the Jewish people. Discrimination of that kind seems to the Federation impossible to reconcile not only with the spirit of the Covenant of the League but even with that progress of western civilisation during the past two or three centuries to which Germany made such eminent contribution. It seems to the Federation a recrudescence of a belief in mere force independent of justice as an instrument of Government which taken in connection with public utterances by highly placed officials of the German Reich has caused profound anxiety in very many countries.

The Federation has been very glad to hear from Your Excellency assurances that the German Government desire to pursue a policy of peace and recon-

ciliation. The speech of the Chancellor on May 17th was to the same effect and these assurances have done much to arrest the unfortunate impression to which I have alluded. The Federation therefore hopes and believes that future events will encourage a regrowth of confidence between Germany and other countries and I venture to assure Your Excellency that nothing could more effectually promote the good feeling between us which we all desire than decisive evidence that for the future all citizens of the Reich can rely on equal treatment before the law irrespective of their race, language or opinions.

Yours obedient Servant,

Cecil
President.

In the question of guarantees for minority treaties and of extending the obligations of those treaties to all countries a discussion of some length took place after which a compromise was accepted.

The XVIIth Assembly:

having at the suggestion of the L. N. U. studied the question of the guarantees of the rights of minorities subscribed by the League of Nations, draws attention to the annexed report of May 16th 1933 and to other memorandums on the subject presented to the International Federation of League of Nations Societies¹⁾:

affirms that all States have obligations in the matter of minority rights, either in consequence of treaties, or of declarations, or in consequence of the resolution of September 21st 1922 of the IIIrd Assembly of the League of Nations:

recalls the resolution of the XIIIth

¹⁾ Memorandums of the League of Nations Union, of Lord Dickinson, Sir Walter Napier, M. Łypacewicz, M. Jungmann, the Bulgarian Society, M. Stroński.

Assembly of the Federation at The Hague in 1928 ²⁾):

is conscious of the fact that the course of events increasingly shows necessity of making these obligations general and of setting up a permanent Commission for

²⁾ The resolution voted at The Hague runs:

The XIIIth Assembly expresses the wish:

1) that the legal obligations of the minority treaties now in force should be embodied as a principle in the Covenant itself:

2) that all States who are Members should from this moment conform to the resolution unanimously voted by the IIIrd Assembly of the League of Nations on September 21st 1922:

3) that to facilitate the thorough solution of so delicate and important a problem the Council of the League of Nations should proceed without delay to a general examination of the problem of Minorities and of the results produced by the present system:

4) and that the Council should as soon as possible institute a permanent Minorities Committee for the entire problem.

Minorities for treating the problem in its entirety:

and therefore calls upon the League of Nations to take the necessary steps in order to render the guarantees of minority rights effective.

A motion concerning the Rights of Man proposed by the Russian jurist Professor Andrew Mandelstam also evoked a lengthy discussion. It bears specially on conditions in Russia, but this time the problem was also open in Germany. As a result of debate the formation of a special committee of seven persons to work on the problem was decided upon, and instead of the whole motion only its final conclusions were voted, in a slightly altered form:

„The XVII-th Congress expresses its conviction that the safeguarding of the Rights of Man should be made general, and that it is highly desirable in the interests of peace and justice that intervention in the name of humanity should, in case of need, take place in all countries, within the limits of the League of Nations and through its organs for such as are its members“.

REVIEWS

Dr. Friedrich Lange. *Sprachenkarte von Mitteleuropa.*

Von Triest bis Trollhättan, von Dünkirchen bis Dünaburg und Konstanz. Dietrich Reimer's Landkarten für Handel — Industrie — Weltwirtschaft). Dietrich Reimer Ernst Vohsen Verlag, Berlin.

A map to scale 1:4 250 000, well executed and printed in colours to bring home to the German public the power of numbers represented by Germans in Central Europe. The author's effrontery is rivalled by his power of imagination, his chauvinist prejudice by his unscrupulousness in presenting facts. As a result we have the following picture: First our attention is compelled by an enormous uniform, brilliantly red patch, comprising the whole of present-day Germany, Austria and Luxemburg, an enormous part of Switzerland, Bohemia, Moravia, and Silesia, and large and small strips neighbouring on Germany of Italy, France, Belgium, Denmark, Poland (in Pomerania and Posnania), and Lithuania. On this red blot which approximately equals in size the whole rest of the map we find scarce two places with a few tiny patches of different colour, signifying a negligible admixture of Lusatian Wends (along the upper and middle course of the Spree) and near Aussig on the Elbe, in Czechoslovakia, a still more negligible one of Czechs. Besides this, the southern part of the East Prussian colony has narrow strips to denote the homes of a people called „Masuren“, Silesia having similar

strips denoting the tribes of „Wasserpolen“ and „Schlonsaken“. In the Upper Silesian industrial basin however, neither of these peoples is to be found, whether on the German or on the Polish side of the frontier. Bytom (Beuthen), Zabrze (Hindenburg), and Gliwice (Gleiwitz) are as purely German as Katowice, Myslowice, Królewska Huta, or Bielsko. The legend on the margin tells us that „Oberschlesier slavischer Zunge . . . bekennen sich trotz eigener Hausmundart zur deutschen Kultur“ i. e. „Upper Silesians of Slav tongue . . . consider themselves, in spite of having a home dialect of their own, as belonging to German culture“.

While in the west the red German patch shows an unbroken compact mass, reaching from Danish Schleswig to beyond the Italo-Swiss frontier, in the east its continuity is impaired by the existence of Czech territory and of the dilapidated remains of ethnographically Polish territory to the west of a line drawn between Cracow and Grodno. The Czech territory is shown as surrounded by compactly German country, and is furthermore covered with fantastically large German patches in its eastern part, so that an impression of its absolute hopelessness is given. Of course that German territory in Czechoslovakia is neither so wide and compact, nor are those patches so large. I have called the territory of the Republic of Poland between the German frontier and the Cracow — Grodno line

„dilapidated remains“. It is a fact that on Dr. Dr. Lange's map it looks very sad for us, resembling the liver of a drunkard as shown in popular teetotal propaganda tracts, so full is it of red patches of considerable size. The pale green field denoting the Polish element sometimes almost wholly disappears beneath them. Not to mention the entirely German colour of Pomerania with only a few narrow „Cassubian“ strips and a few Polish patches, not to mention further those strips in Silesia denoting the remains of the „Wasserpole“ and „Schlonsak“ peoples, and a Posnania surrounded on three sides (quite like Bohemia) by compact German country, even the territory formerly known as Congress Poland is so full of large groups of German patches that it is simply ripe for annexation to Germany, as a German territory possessing only an admixture of a people, probably to be christened „Krolewiaken“ by Dr. Dr. Lange. On his map namely, Warsaw is surrounded on all sides by German patches, both banks of the Vistula are occupied by Germans, the territory between Kalisz, Łódź, and Częstochowa is a German archipelago similar to that in Posnania. The pattern of German patches beginning to the north of Warsaw is continued in the north-eastern direction, and clustering more thickly towards Białystok comprises a Grodno purely German, and an equally pure German Wilno. For some reason there are no Germans at all in the Lublin country, but to make up for this Volhynia, — on both sides the frontier — has a conglomeration of large German patches, among them an imposing purely German Luck, situated in purely German territory equal to at least a shire in size. The territory beginning on the Polish frontier and stretching to Kiev via Żytomierz is just as German.

Having mercilessly shamed the Polish element in territories Polish to the core Dr. Dr. Lange is strangely generous to us on Lithuanian ground. Not only does he give the Poles a large territory with Kowno in its centre, only slightly decorated around by a row of German patches, but he also, for reasons unknown, paints nearly half of the Lithuanian Suwałki district Polish colour.

Although Dr. Dr. Lange has been very severe and destructive of Poland and the Poles, we may console ourselves by considering the fact that Hungary, Yugoslavia, and Rumania have fared no better in his ethnographical operations. Particularly Hungary has been absolutely cut in half by a wide belt of German patches reaching from its northern to its southern frontier. These patches are complemented by large German archipelagoes in northern Yugoslavia, in western Rumania, in Transsylvania, Bukowina, Bessarabia and the Dobrudja. All this cartographic rigmarole was produced by Dr. Dr. Lange's diseased imagination in order to prove (on the margin of the map) that „German is the most widely spread language in Europe. One European in every six uses German as his mother-tongue. The compact German-speaking territory is divided between 15 States. In a further 9 States the German language is also aboriginal. The subjects of 24 European countries use German as their mother-tongue. German is the language of communication (Vermittlungssprache) in all central, northern, eastern and south-eastern Europe“. *Mein Liebchen was willst du noch mehr?* — What wonder that the German nation is possessed by chauvinist rage, since it is fed on such products as Herr Dr. Dr. Lange's map?

Leon Wasilewski.

