

**“Involvement, collaboration, incrimination? The role
of the Fulda municipal executives during the Third
Reich.”**

Report on the findings of research on the role of the Fulda
Lord Mayor and the Municipal Council during the Third Reich

presented to the Lord Mayor, Executive Council, and Dept. of Culture of the City of
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I. Introduction

“The local and the regional were not merely a reflection of general processes at the lower level, which could be better grasped by prime examples ‘on site’, but had a quality all of their own [...].”¹ Jürgen Reulecke’s statement makes it clear that the appeal and relevance of a study of Nazi rule based on local history stems precisely from the fact that it underscores what was unusual and departed from the norm, and instead focuses on the spaces “off the beaten trail of grand history”.² The seat of a Catholic bishop, Fulda is definitely suited as a case study because local specifics there can be integrated into general research issues or can be used to show how these apply. The Catholic Church has been described, in particular by Martin Broszat, as having been especially resistant to Nazi doctrine,³ and was also viewed by the regime as a large-scale group that was hard to integrate. Electoral results in the inter-war years point to the fact that the NSDAP, the Nazi Party, performed below average in areas where there was a majority Catholic population, with Fulda being no exception.⁴ Nevertheless, it bears stating that in the wake of January 30, 1933, the Nazis for the main smoothly secured power in those regions. An examination of the reasons for this, together with an analysis of the role of the municipal executives and the local authorities as well as their participation in crimes during the Third Reich, form the key issues the present study addresses. Thus, in Chapter 1 we not only discuss the theoretical aspects on the concept of the milieu but also shed light on the shape taken by the Catholic milieu in Fulda during the inter-war years and what factors existed for cohesion and erosion. Moreover, the relationship between (political) Catholicism and National Socialism is outlined.

One difficulty with which research into the Third Reich repeatedly has to contend when

¹ Reulecke, Jürgen: “Von der Landesgeschichte zur Regionalgeschichte,” in: Geschichte im Westen, vol. 6 (1991), p. 203.

² This was the title of an early study on Fulda under the Nazis: Haas, Joachim: Abseits der “großen” Geschichte. Widerstand und Opposition gegen den Nationalsozialismus im Raum Fulda. Versuch einer Spurensicherung. (Frankfurt a. M., 1989).

³ Cf. Broszat, Martin: “Resistenz und Widerstand. Eine Zwischenbilanz des Forschungsprojekts,” in his (ed.): Bayern in der NS-Zeit, vol. IV, (Munich, 1981), pp. 691-709.

⁴ Cf. the list of election results in Schönekas, Klaus: “‘Christenkreuz über Hakenkreuz und Sowjetstern.’ Die NSDAP im Raum Fulda,” in Eike Hennig (ed.): Hessen unterm Hakenkreuz – Studien zur Durchsetzung der NSDAP in Hessen, (Frankfurt a. M.², 1984), p. 127.

considering the various players, in particular at the micro-level, is how to assess and compare individual persons' behavior during that period. The issue of personal *incrimination* is often raised in public and especially in local discourses, although it is not defined with the necessary complexity as an analytical category in the historical sciences. Different elements of the concept are outlined in Chapter 2, with the basis identified for finding a more precise definition and for analyzing the specificities of activities in local authorities. Moreover, the conceptual foundations will be explored, as in the author's opinion there is a decidedly high initial threshold set for stating that a person bore *incrimination* during the Third Reich. In the course of these deliberations, the linkage of the discourses on *incrimination during the Third Reich* with general debates in the politics of history and memory will be addressed, and it will be shown how the perception of incrimination is influenced by different views of history and/or debates on the latter. A special role in debates on the politics of memory is played by the honoring of people through naming of streets, memorials, and the like after them. The question as to how appropriate it is to publicly remember people who had a public function during the Third Reich is not limited to Fulda.⁵ However, it was the controversy over the Dr. Danzebrink Strasse in Fulda that prompted the present study, whereby on the basis of the expert opinions submitted to date one can demonstrate clearly what difficulties there are in evaluating local authority officers and their public recognition, for example the naming of streets after them. For this reason, different aspects are examined in a dedicated chapter and the connections made to broader debates over *incrimination* and memory.

This study primarily focuses outside the theoretical frame on analyzing local conditions and specificities. It has already been mentioned that the fact that a politician who was a member of the Zentrum Party was able to remain in the office of lord mayor is a rare and special occurrence in the history of the Third Reich.⁶ However, this fact should not be addressed on its own. Initially, therefore, I shall address the role of communities and the position of the lord mayor in Nazi Germany in general and compare their position to that at the level of the Reich and the various structures within the NSDAP

⁵ Cf. for example the general remarks in Handro, Saskia: "Orientierung gesucht! Straßennamendebatten als Forschungsgegenstand und geschichtskulturelle Praxis," in Matthias Frese & Marcus Weidner (eds.): Verhandelte Erinnerungen. Der Umgang mit Ehrungen, Denkmälern und Gedenkortern nach 1945, (Paderborn, 2018).

⁶ Klein, Thomas: "Stadt und Kreis Fulda in amtlichen Berichten 1933-1936," in: Fuldaer Geschichtsblätter, vol. 60 (1984), p. 141.

itself. I shall then analyze the inclusion of the lord mayor of Fulda in the local mesh of players and institutions. With the appointment of NSDAP District Head Karl Ehser as mayor, the Party made clear its power aspirations at the local level, too. Nonetheless, the lord mayor remained formally speaking the central figure, and his position as head of the local authority was actually reinforced by his elevation to *Fuehrer of the Local Authority* thanks to the *Prussian Local Authority Constitution Act* of December 15, 1933. The protagonists' relationship to one another and the distribution of duties within the municipal executive are central issues when it comes to assessing persons' respective roles during the Third Reich. One elementary aspect in how the NSDAP secured its power was control over the police and thus the state monopoly on power, as well as tie it to the Party. It pressed ahead with this directly after taking power by establishing an auxiliary police force populated primarily by members of the Storm Troopers, the SS, and the Stahlhelm World War I veterans. Moreover, from 1936 onwards the *Reichsfuehrer SS*, Heinrich Himmler, also headed the German Police Force. At the local authority level, as a rule the lord mayor exercised the local police authority, while in Fulda the Police Dept. came under Mayor Ehser.⁷ The impact this particular structure had on the information available to the lord mayor and the division of duties will be analyzed exhaustively.

In another sub-chapter, the study goes into detail on *Aryanization*, which is taken here as a collective term covering the discrimination against Jews in economic and financial policy; light is shed on the interaction of lord mayor and mayor, as well as on the reciprocal influence of the Reich, Governing District, and local authority levels. In conclusion, by examining the role of the municipal tax office in the context of *Aryanization*, we offer a brief analysis of how other local authority offices were involved in Nazi crimes. A case study is provided to outline the process involved in one incident of *Aryanization* and the local authority's own interests: the acquisition of the Old Jewish cemetery by the City of Fulda.⁸

The limiting factor of all scholarly work is the availability of source materials of relevance. In many places, the protagonists themselves destroyed files shortly before the end of the war, or they were lost in bombing raids during the war. In the case of the Fulda Municipal Administration, there are unfortunately extensive gaps in central

⁷ Cf. *Ibid.*

⁸ Cf. StadtAFd, Portfolio 24, no. 69, Israelitische Friedhöfe/alter Friedhof an der Rhabanusstraße.

holdings. Neither is there a large volume of correspondence between the lord mayor, for example with Party echelons, individual offices, or higher-ranking state offices; nor are there extensive collections of files from the Hauptamt. There is also no chronicle of Fulda for the period of the Third Reich and, with the exception of the “Data on my personal past”⁹ integrated into Danzebrink’s personnel file, no personal documents or records on the lord mayor. Likewise, according to the German Military Archive in Freiburg, there is no personnel file on Danzebrink’s military service during World War II. Various communications by Ehser solely indicate that in 1943 the lord mayor accompanied “trains for vacationers” and guarded “detachments of prisoners”.¹⁰ All in all, the lord mayor’s personnel file is one of the central sources used in this study; for example, it describes the structure of departments within the municipal authority¹¹ and lists who performed the oath of loyalty to the Fuehrer in 1934.¹² Furthermore, documents from individual offices provided detailed accounts of how Fulda officials participated in the persecution and deportation of the Jewish inhabitants.¹³ By contrast, the documents in the German Federal Archive in Berlin as well as the State of Hessen Archives in Marburg and Wiesbaden are largely of no consequence for researching actions by the administrative authorities in Fulda; individual items do, however, provide invaluable additional insights into the lord mayor’s behavior toward the NSDAP during the inter-war years¹⁴ and in the course of *Aryanization* in Fulda.¹⁵ Despite the gaps in the sources, since the mid-1980s, in keeping with developments in then West Germany, extensive research on the local history of Fulda and its surrounding area has been undertaken, and this had included both overviews of the topic, contributions to volumes of essays, and also individual case studies. A main focus has been on the phase when the Nazis consolidated power after initially taking control in 1933.¹⁶ Furthermore, the persecution of the Fulda Jews is well documented thanks to the commendable works by, among others, Otto Berge and Naftali Herbert

⁹ StadtAFd, Portf. III a, 23, vol. 3, Personnel file of Dr. Franz Danzebrink, vol. 2, sheet 224 f.

¹⁰ Ibid., sheets 187 and 189.

¹¹ Cf. *ibid.*, sheets 1 and 118.

¹² Cf. *ibid.*, sheet 84.

¹³ Cf. primarily StadtAFd, Portf. 24, nos. 52, 53, 65 and 69.

¹⁴ Cf. HStAM, Portf. 165, no. 6957, “Politische Zusammenhänge in Fulda, Erschiessen des Kommunisten Fröhlich durch den SA-Mann Maier, Bericht des Oberbürgermeisters an den Regierungspräsidenten vom 31. Juli 1932.”

¹⁵ Cf. HHStAW, Portf. 483, no. 890.

¹⁶ Cf. above all Schick, Elmar: Stationen der Machtübernahme. Die NSDAP im Fuldaer Land. Beiträge und Materialien zur Geschichte des Kreises Fulda im Dritten Reich, (Fulda, 2002) and Schönekas, Christenstern.

Sonn¹⁷ as well as Gerhard Renner, Joachim Schulz, and Rudolf Zibuschka¹⁸. The same is true for the persecution of the Sinti and Roma¹⁹ as well as members of the Catholic clergy.²⁰ All of these studies are, above all, descriptive and contain wide-ranging reports by witnesses or long excerpts from documentary sources; moreover, often much emphasis is placed on the fact that the population distanced itself from the Nazis. This trend of everyday history and of polling witnesses of the day emerged in historical studies under the label of *oral history* at about the same time as local research on the Third Reich commenced. Interviews with witnesses of the day succeeded in bringing the past to life and making it enduringly accessible; nonetheless, this type of source materials had its challenges, such as the distance to the past or the strongly personal note, both of which make it imperative to tackle the sources with great care and circumspection and contextualize them by consulting parallel documentation.²¹ At the same time, collecting and publishing source material of the day in the form of volumes of documentation is commendable, but its use is limited owing to the somewhat black-and-white pictures painted. To date, the most detailed overview of local Nazi history is provided by Elmar Schick in his magnum opus of 2002.²² The extensive presentation provides a valuable basis for the present study, albeit one marred by the almost complete absence of documentary evidence. This is very unlike the contributions towards writing the history of Fulda,²³ which as essays in these volumes do not really go into great depth, but nevertheless thanks to the careful analysis of individual topics offer invaluable insights for the present study all the same. This is all the more true of Thomas Heiler's essay on the situation in Fulda in 1938,²⁴ which sheds light on both *Aryanization* and on the Night of Broken Glass as well as the participation of municipal offices and officers in both areas.

¹⁷ Sonn, Naftali Herbert & Berge, Otto: Schicksalswege der Juden in Fulda und Umgebung, (Fulda, 1984)

¹⁸ Renner, Gerhard, Schulz, Joachim & Zibuschka, Rudolf (eds.): "... werden in Kürze anderweitig untergebracht." Das Schicksal der Fuldaer Juden im Nationalsozialismus. Eine Dokumentation, (Fulda², 1992).

¹⁹ Engbring-Romang, Udo: Fulda-Auschwitz. Die Verfolgung der Sinti in Fulda und Umgebung, 2nd rev. ed., (Seeheim, 2006).

²⁰ Opfermann, Bernhard: Das Bistum Fulda im Dritten Reich, (Fulda, 1987).

²¹ On the challenges of oral history as source material see in particular Geppert, Alexander C. T.: "Forschungstechnik oder historische Disziplin? Methodische Probleme der Oral History," in: Geschichte in Wissenschaft und Unterricht, vol. 45, 1994, pp. 303-23.

²² Schick, Stationen, as fn. 16.

²³ Cf. Fuldaer Geschichtsverein (ed.): Geschichte der Stadt Fulda, Band II. Von der fürstlichen Residenz zum hessischen Sonderstatus, (Fulda, 2009). See in particular the essays by Christian Raulf and Udo Engbring-Romang.

²⁴ Heiler, Thomas: "Fulda 1938," in: Fuldaer Geschichtsblätter, 89 (2013), pp. 105-64.

In conclusion, some notes on the language used: Historiographical analysis must through necessity be couched in a balanced, restrained tone and an effort made to illuminate ambivalences and ruptures in biographies and occurrences. An objective analysis of source materials, often in indirect speech, serves to create a distance in the language to the object studied that can seem cold and possibly insensitive, specifically in relation to the Nazis' ghastly mass crimes. Thomas Heiler likewise mentioned this problem in his expert opinion formulated in 2015: "An attempt to 'understand' or 'explain' the actions of the persons who back then held responsible positions by analyzing all the circumstances can very swiftly end up relativizing the barbarity."²⁵ Nevertheless, the critical distance and sober language of the historian are indispensable, albeit often challenging instruments. In the present study, italics are used to identify Nazi wording in the source materials, for example for the term *Aryanization*. Likewise, the names of laws and decrees are placed in italics. Last but not least, this also applies to analytical terms used in the context of this study, in particular the concept of *incrimination*, while direct quotations from source documents as well as excerpts from accounts and historiographical terms (e.g., "double state") are placed in quotation marks.

²⁵ Thomas Heiler: Stellungnahme zur historischen Bewertung der Amtstätigkeit des Fuldaer Oberbürgermeisters Dr. Franz Danzebrink, (Fulda, 2015), p. 1.

II. Main section

1. The Catholic milieu and the Nazis: Linkages in Fulda before and after 1933

During the inter-war years, over 70% of Fulda's population was Catholic²⁶ and its religious orientation thus quite obvious, something that evidently influenced life in the city. The everyday life of countless inhabitants was structured by membership of the Catholic milieu, which was politically grouped in the Zentrum Party, complemented in turn by countless precursor organizations such as the Kolpingverein, the Church press, and various youth organizations. The concept of milieu according to M. Rainer Lepsius is a "[...] descriptor for social units that are formed on the basis of the coincidence of several structural dimensions such as religion, regional traditions, economic situation, cultural focus, and the stratum-specific composition of the intermediary groups. The milieu is thus a socio-cultural construct that is characterized by a specific allocation of such dimensions to a particular part of the population."²⁷ In relation to Party structures, Lepsius emphasizes that during the Reich and the inter-war years, the Zentrum Party was very closely linked to the Catholic movement and was its ipso facto political arm.²⁸ Generally speaking, a milieu analysis must also examine the number and reach of the different milieus as well as the feedback loops, interaction, and interdependencies between them. Likewise, the mutual differentiation of milieus is key, with the relationship to (major) extra-Church groups especially important for the Catholic milieu.²⁹

It is crucial to note that with the concept of milieu as used by Lepsius we are by no means talking about closed, large monolithic groups, but rather about ideal types. They developed and took form in everyday life and were, as Sven Reichardt puts it, "[...] concentrations of interactive relationships within the lifeworld, whereby each milieu consists of micromilieus that form through face-to-face contacts between the

²⁶ Cf. Schönekäs, Christenkreuz, p. 127.

²⁷ Lepsius, M. Rainer: "Parteiensystem und Sozialstruktur. Zum Problem der Demokratisierung der deutschen Gesellschaft," in his: Demokratie in Deutschland. Soziologisch-historische Konstellationsanalysen. Ausgewählte Aufsätze, (Göttingen, 1993), p. 38.

²⁸ Cf. *ibid.*, p. 39.

²⁹ Becker, Winfried: "Katholisches Milieu – Theorien und empirische Befunde," in Joachim Kuroпка (ed.): Grenzen des katholischen Milieus. Stabilität und Gefährdung katholischer Milieus in der Weimarer Republik und in der NS-Zeit, (Münster, 2013), p. 48

individual actors.”³⁰ Siegfried Weichlein, who has, among other things, extensively studied the Catholic milieu in Fulda in the inter-war period, also underlines the presence of a paramount difference in terms of organizational culture between the stratum-specific and cross-strata associations and clubs. While the former included in particular the trades organizations, which represented explicit particularist interests, the latter were geared towards benefiting all Catholics, with no distinction being made between intra-Church, political, or leisure-time groups.³¹ It bears underlining that a stable Catholic milieu existed within the territory of the former Hochstift Fulda that had been homogeneous in pre-industrial times before the foundation of the Zentrum Party led to a more pronounced politicization of the milieu beyond its religious elements.³²

The inter-war period began by creating good preconditions for the Zentrum Party, because as a Catholic party the organization had distanced itself from authoritarian Wilhelmine rulership and had also rejected the revolutionary aspirations of 1918 and 1919. Nonetheless, the foundation of the new republic entailed challenges that meant the Zentrum Party faced the task, “[...] of consolidating its position under the changed conditions and finding its place in the new political system.”³³ On the one hand, the Zentrum Party was starting to have to contend with rivals in regions where the Catholic majority population was also politically organized in clubs and associations, owing to the introduction of proportionate representation as other parties also sought to be represented. Thus, in 1919 the Fulda municipal council also included one representative each of the SPD, DDP, and the DNVP for the first time. The Social Democrats even managed to bag a double-digit slice of the vote in various districts and larger communities.³⁴ On the other hand, expectations of the Zentrum Party also changed owing to its continuous participation in the government of the Reich from 1918 to 1932. After decades in opposition, the Party now had new opportunities to shape events, and this meant that in the eyes of the socio-economically diverse Catholic electorate it needed to fulfil manifest material interests. It faced an increasingly difficult balancing act between its existence as a party and its own image

³⁰ Reichardt, Sven: Authentizität und Gemeinschaft. Linksalternatives Leben in den siebziger und frühen achtziger Jahren, (Berlin, 2014), pp. 39 f.

³¹ Weichlein, Siegfried: Sozialmilieus und politische Kultur in der Weimarer Republik, (Göttingen, 1996), pp. 65 f.

³² Cf. *ibid.*, pp. 79 f.

³³ *Ibid.*, p. 92.

³⁴ Cf. *ibid.*, p. 94.

as the organization representing from the outset a specific milieu that also organized the Catholic population outside politics and promoted its members' connection to the Catholic Church.³⁵

While the Fulda Catholics were still tied to their Church,³⁶ the economic disparities within the Catholic milieu meant that its cohesion was under strain and erosive tendencies became apparent particularly during local elections. The Zentrum Party focused more strongly on attempting to integrate the different economic and trade-based/professional interests, while the Church concentrated by means of religious rites on strengthening its ties to the milieu.³⁷ All efforts to overcome conflicts within its electorate failed and thus “[...] the Zentrum did not succeed in solving the material, social, and economic contradictions within its own ranks and only managed to tame them to a limited extent.”³⁸ The local election results in 1924 showed that the linkage of Catholic worldview and Catholic party was not conferred by divine right but could be ruptured and then “irrevocably” broken as Weichlein puts it. The Zentrum Party’s claim to be sole representative of the milieu was strongly challenged by the group of middle-class candidates named after merchant Balthasar Mihm, which came to play a prominent role in Fulda local politics from 1924 to 1933.³⁹ The problem for the Zentrum and its claim to be the sole political representative of the Catholics in Fulda was that Mihm was a Catholic and led the rival candidates, meaning the conflict could not be externalized as one between different confessions. Moreover, his criticism focused solely on local issues, which the public perceived as being the responsibility of the Zentrum Party given its absolute majority.⁴⁰ The criticism as regards the right of the Zentrum Party to be sole representative of the Catholic population was also voiced at the state and Reich levels and led locally to intensified integration efforts that became manifest in a program of finding a social balance – with accompanying calls for cultural and ethical discipline.⁴¹ Although this did not enable the Zentrum Party to win back

³⁵ Cf. *ibid.*, p. 97.

³⁶ The concept of ecclesiality describes practical religious bonds of persons to the churches that goes beyond mere membership of a confession. Between 1918 and 1933, for example, participation in Easter Communion can be taken as a yardstick for it – the numbers in Fulda were well above the Reich average. Cf. *ibid.*, pp. 41-4.

³⁷ Cf. *ibid.*, pp. 101-3.

³⁸ *Ibid.*, p. 108,

³⁹ Cf. Schick, *Stationen*, p. 12.

⁴⁰ Cf. Weichlein, *Sozialmilieus*, pp. 108 f.

⁴¹ Cf. *ibid.*, p. 115.

voters at the local level, the proportion of the Catholic electorate that remained tied to political Catholicism in Hessen-Kassel remained above the average for the Reich, albeit subject to sharp fluctuations.⁴² It was not until “[...] renewed fundamental contradictions” emerged in the front to be taken against the National Socialist Party that the role of the Zentrum Party within the Catholic milieu stabilized.⁴³

As was generally the case in Catholic regions, in elections in Fulda the NSDAP only polled weakly, although its share of the vote rose significantly in the early 1930s.⁴⁴ On this basis, here too, the question must be asked of how after 1933 the Nazis were able so smoothly to stabilize their rule given that the German bishops had for years insisted that the Catholic doctrine and the Nazi ideology were incompatible.⁴⁵ The writings of Sven Reichardt and Michael Zwick offer us one possible key to tackling the issue. Both authors argue, with a view to the new social movements and leftwing subcultures of the 1970s and 1980s, that membership did not relate to *a single* overall milieu but that there were overlaps between individual groups owing to personal contacts. Different political intentions thus dovetailed, meaning that depending on the situation different sub-milieus gelled to form one overall milieu.⁴⁶ The importance of individual persons as intermediaries between the different sub-milieus is something Siegfried Weichlein also discerns in the Catholic milieu of the inter-war years when highlighting the role of the “multi-functionaries”.⁴⁷ However, this study does not set out to identify additional actors who served the different Catholic sub-milieus and linked them to one another. Rather, the intention is to invert Reichardt’s “overlap analysis” by asking which persons were both prominent individuals as well as deeply anchored in the Catholic milieu, but also moved in Nazi circles and thus played an intermediary role, particularly during the phase when the regime was stabilizing – and were thus important to keeping the public peace. The city’s leader played an especially strong symbolic and integrative function in this regard, even if Lord Mayor Dr. Danzebrink does not at first sight come into question for the above role of intermediary, as he had no contacts

⁴² Cf. *ibid.*, p. 119.

⁴³ Cf. *ibid.*, p. 121.

⁴⁴ Cf. Schönekas, *Christenkreuz*, p. 127.

⁴⁵ Cf. Böckenförde, Ernst-Wolfgang: “Der deutsche Katholizismus im Jahre 1933. Eine kritische Betrachtung,” in his: *Schriften zu Staat – Gesellschaft – Kirche*, vol. 1, (Freiburg, 1988), pp. 42-5.

⁴⁶ Cf. Reichardt, *Authentizität*, pp. 17-20, and Zwick, Michael M.: *Neue soziale Bewegungen als politische Subkultur. Zielsetzungen, Anhängerschaft, Mobilisierung. Eine empirische Analyse*, (Frankfurt a. M., 1990).

⁴⁷ Weichlein, *Sozialmilieus*, p. 144.

among the Nazis prior to 1933. Following Siegfried Weichlein, we shall deliberately *not* speak of a Nazi social milieu, as “[...] various items of evidence point to the fact that the NSDAP’s election successes cannot be attributed to the milieu character of the Party but arose from the sum total of dramatized current events and structural shortcomings of the inter-war state.”⁴⁸ Thus, we should underscore the NSDAP’s attempt to achieve the totalitarian and absolute integration of the interests of all those that it identified as *Volksgenossen* – comrades of the people.

The concept of milieus is of significance for research into the history of Catholicism as “[...] it helped overcome the apologist internal perspective by providing social context and thus contributing importantly to fostering critical research into Catholicism.”⁴⁹ In such research into the Catholic milieus in the Third Reich, there are primarily two countervailing hypotheses whereby Joachim Kuroпка also emphasizes that there never was *one* Catholic milieu in the narrower sense, but rather that sub-milieus with regional and socio-economic specificities arose.⁵⁰ In West German historiography, in the early days the view prevailed that in Catholicism there was a very pronounced resilience to the Nazi regime and that the Church “[...] notably resisted the Nazi challenge to its worldview.”⁵¹ This narrative became very influential, and in the case of Rudolf Morsey even culminated in an interpretation of the Reich Concordat as the

“[...] form under contract law taken by the non-conformism of the Catholic Church as regards the Third Reich. [...] The contract in connection with the ‘standards of the Catholic milieu’ enabled an enduring intellectual distance from the regime of terror on the part of large sections of the clergy and the faithful. As a result, ‘behavioral modes of refusal, protest, and active resistance’ (Hans Günther Hockerts) against the Nazi regime arose among individual Catholics.”⁵²

The Gestapo reports appear to confirm this view, as, for example, the ongoing strong participation in processions during the *Third Reich* was interpreted as disapproval of the regime or of their actions against Catholic associations. Accordingly, the Nazis considered the rejuvenated political Catholicism as a more dangerous opponent than

⁴⁸ Ibid., p. 316.

⁴⁹ Ibid., p. 20.

⁵⁰ Cf. Kuroпка, Joachim: “Regionalmilieus – Resistenz und Resilienz,” in his (ed.): Grenzen, pp. 15 f.

⁵¹ Reported thus in Kösters, Christoph & Ruff, Mark Edward: “Einführung,” in their (eds.): Die katholische Kirche im Dritten Reich. Eine Einführung, (Freiburg i. Br., 2011), p. 14.

⁵² Morsey, Rudolf: “Ermächtigungsgesetz und Reichskonkordat 1933,” in: *ibid.*, p. 49.

the reformation of Communist Party structures because the former had mass appeal.⁵³ Cornelia Rauh-Kühne argues, by contrast, very persuasively that what was involved was a “mistaken totalitarian perception”, as any deviation from the given norms was construed as a challenge to the overall structure of the state. The retention of traditional symbols and behavioral patterns was thus not a rejection of the “people’s community” but rather a sign of “a lack of politicization and disinterest.”⁵⁴ In the 1970s and 1980s, Martin Broszat countered the predominance of the term ‘resistance’ by speaking of *Catholic resistance*, which he construed to mean blanket skepticism toward the regime while assuming a lower threshold than the discourse on resistance, as well as more strongly weighted everyday actions taken to defend free domains that Nazi rule did not, however, fundamentally question in general. Despite this qualification, *the* Catholics as a large-scale group were referred to as having great tenacity, and this culminated in the proposal that National Socialism would not have been able to come to power if the entire population had behaved the way the Catholic part did.⁵⁵ Broszat underlines in this context that resistant structures were especially favored in those places where there were close ties to the Church, whereby here, too, opposition almost never had a public face and thus remained hard to quantify.⁵⁶ Winfried Becker puts forward a similar *ex negativo* argument that Catholicism “[...] was apparently more likely to adopt Nazi slogans in those locations where its organization of clubs and associations had already been thinned out.”⁵⁷

By contrast, Ernst-Wolfgang Böckenförde casts a far more critical eye over the Catholic milieu. The Freiburg-based expert in constitutional law showed that initially the changed approach by the Conference of Bishops, with its shift from rigorous rejection of the Nazis toward a dual strategy that called on the faithful to participate in building the new state while at the same time securing the independence of Catholic institutions, indeed had an effect on Catholic circles.⁵⁸ This call to participate was

⁵³ Cf. von Hehl, Ulrich: “Das Kirchenvolk im Dritten Reich,” in: Klaus Gotto & Konrad Repgen (ed.): *Die Katholiken und das Dritte Reich*, 3rd exp. and rev. ed, (Mainz, 1990), pp. 101-3. This view is also reflected in the police situation reports to the Kassel Regional Council President written by Mayor Ehser, cf. Klein, *Stadt*, p. 159.

⁵⁴ Cf. Rauh-Kühne, Cornelia: “Katholisches Sozialmilieu, Region und Nationalsozialismus,” in Horst Möller, Andreas Wirsching & Walter Ziegler (eds.): *Nationalsozialismus in der Region. Beiträge zur regionalen und lokalen Forschung und zum internationalen Vergleich*, (Munich, 1996), p.232.

⁵⁵ Cf. Broszat, *Resistenz*, (see fn. 3).

⁵⁶ Cf. Kuroпка, *Regionalmilieus*, p. 17.

⁵⁷ Becker, *Milieu*, p. 43.

⁵⁸ Cf. Böckenförde, *Katholizismus*, p. 46.

derived from the duty of obedience toward secular authority that had always been advocated. Böckenförde makes it clear, however, that there were unmistakable parallels between Catholicism and National Socialism at the intellectual level, too. Both had rejected modern societies, for example, in favor of authorial forms of rule and both were antiliberal and antidemocratic.⁵⁹ According to Georg Denzler, a prime example of this became clear at the Munich Catholic Convention of 1922, where the bishops emphasized that in the case of conflict, “divine law” always came before “state law” and overruled it. Given this widespread rejection of democratic thinking, it was therefore hard for both Zentrum and the Bayrische Volkspartei (BVP; Bavarian People’s Party) to act to support the state and “foster trust and support for parliamentary democracy.” In Denzler’s opinion, this skeptical pool was easily tapped by forces inimical to democracy.⁶⁰ The most important common element was, however, that the Catholic Church also considered Bolshevism to be a direct threat and believed it to be far more dangerous than the Nazis.⁶¹ Siegfried Weichlein identifies such a united front against socialism and Bolshevism in Fulda, too, as is shown by an analysis of the efforts relating to Christian trade unions and sports clubs.⁶² After the transfer of power to the Nazis, the intellectual overlap in these areas enabled a flexible adaptation to the new status quo, although this only held as long as the sphere of religious worldview remained untouched. At this level, the Catholic Church waged a defiant defensive war, institutionally speaking, too. It was defined by milieu egoism and eschewed any solidarity for other groups persecuted by the regime, such as Jews, Communists and Social Democrats.⁶³ For all the possible inner “resistance” or rejection, the clearly articulated duty of obedience to the new regime played an important role in the integration of the Catholic population and their obligation to collaborate and participate in the professional context and that of the general public.

Existing research on local history shows clearly for Fulda that the NSDAP had no

⁵⁹ Cf. *ibid.*, p. 51 f.

⁶⁰ Cf. Denzler, Georg: Widerstand oder Anpassung? Katholische Kirche und Drittes Reich, (Munich, 1984), pp. 14 f., quote on p. 15.

⁶¹ Cf. Böckenförde, *Katholizismus*, pp. 51 f.

⁶² Weichlein, *Sozialmilieus*, pp. 129-42, p. 158.

⁶³ Cf. Kösters, Christoph: “Katholisches Milieu und Nationalsozialismus. Definition, Begriffsgeschichte und das Grundproblem der Bewertung,” in Karl Joseph Hummel & Michael Kißener (eds.): Die Katholiken und das Dritte Reich. Kontroversen und Debatten, (Paderborn, 2009), p.152.

major backing in the city either at elections or at events held prior to 1933. In 1932, there were only 34 members in the district group, and it thus had very weak roots in the local population; the increase in membership to 189 persons in early 1933 and to 782 members prior to membership applications being halted on May 1, 1933, is far below the figures for other cities of a comparable size. Likewise, prior to the Nazis taking power, the Storm Troopers of the SA had only slightly more than 50 members. It was with a corresponding lack of concern that the police reported in 1930 that neither the NSDAP nor the Communist Party, the KPD, was really appealing to anyone in Fulda. This statement is also not contradicted by the fact that Johannes Rohde, a vet, was elected to the municipal parliament in 1929 as the first representative of the NSDAP in it.⁶⁴ Although the NSDAP improved its election results in the years running up to the Nazis taking power, and, for example, claimed almost 13% of the vote in the 1932 Reichstag elections, the result was still well below the average in the country and was in fact, in some cases, only a third of the proportion of the vote posted in neighboring Protestant districts.⁶⁵ The NSDAP district group membership also remained negligible prior to the Nazis taking power. The festive publication issued on the 15th anniversary of the NSDAP district group for Fulda in 1939 (and here any analysis must be very cautious and critical given the strong propagandist thrust of the piece) shows, over and above all myth-making, that the years running up to 1933 were defined by the population and leadership of Fulda fighting to resist the Nazis.⁶⁶ As in the publication brought out to celebrate the district group's 10th anniversary in 1934, there was no criticism by name specifically of the lord mayor, while the Fuldaer Zeitung was sharply attacked and held partly responsible for the slow growth in membership.⁶⁷ The latter newspaper took a clear editorial stance against the National Socialist movement during election campaigns, emphasized the Party's animosity towards religion and "propensity to violence", and even went so far as to compare it with the KPD.⁶⁸ Well before the pronouncement by the German bishops on the incompatibility of the Nazi doctrine and Catholicism, political Catholicism in Fulda took a resolute stance against

⁶⁴ Cf. Schönekäs, Christenkreuz, pp. 132-5.

⁶⁵ Cf. Ibid., p. 138.

⁶⁶ Cf. 15 Jahre Ortsgruppe der NSDAP Fulda und 6. Kreisparteitag 10.-18. Juni 1939, (Fulda, 1939), pp. 4-6. Innkeepers even refused to allow their rooms to be made available for events, as they were worried about consequences detrimental to their businesses, cf. Ibid., p. 30.

⁶⁷ Cf. 10 Jahre Nationalsozialismus in Fulda. Festschrift zur 10. Jahresfeier der NSDAP in Fulda, (Fulda, 1934), p. 19.

⁶⁸ Cf. *ibid.*, pp. 149 f.

the NSDAP. Thanks to the closely knit network of Catholic organizations in Fulda, in everyday life and at events the Zentrum was more than able to hold its own. In Fulda, this organizational network of church communities, (youth) associations, and the press initially formed “the key for the widespread resistance in Catholic regions to National Socialism.”⁶⁹ Siegfried Weichlein goes so far as to say that from 1930 onwards “the renewed adoption in terms of world view of a front against the swastika and the Soviet star [...] sparked a further rise in loyalty to the Zentrum among the Catholic electorate.”⁷⁰

The attacks launched by the NSDAP against the existing structures of political Catholicism were correspondingly fierce after the Nazis took power. From the fall of 1933, the associations were gradually either dissolved or their scope of activities constrained.⁷¹ The above-mentioned, once clearly Nazi-critical Fuldaer Zeitung was already being far more cautious as early as March 1933 and offered its good wishes to “those who have now assumed the burden on their shoulders that the Zentrum previously bore.”⁷² Despite the self-imposed restraint, the editor-in-chief Dr. Johannes Kramer was removed from office in May 1933 owing to his overtly anti-Nazi stance, and the newspaper building was severely damaged in an attack on it in December 1933.⁷³ In 1935, the Fuldaer Zeitung was then provisionally forbidden.⁷⁴ The rigorous persecution of associations, clubs, the press, and later religious schools played a decisive role in National Socialism:

“succeeding in only a few years in eliminating the traditional socio-cultural attempts at integration by the milieu or at least in damaging these severely. By robbing clubs and associations of new young members, by forcing schools to toe the Party line [...], the Nazis eroded the foundations of the Catholic milieu.”⁷⁵

Despite these restrictions, the development of political Catholicism took up a lot of space in the official police reports to the Regional Administrative Council in Kassel. The files containing the reports end in 1936, but until that time “lively” activity was reported in Fulda, and in particular the meetings of the Fulda Conference of Bishops

⁶⁹ Ibid., p. 159.

⁷⁰ Weichlein, *Sozialmilieus*, p. 165.

⁷¹ Cf. Opfermann, *Bistum*, p. 10, and also the individual case studies presented in Berge, Otto: “Konfessionelle Jugendverbände und Nationalsozialismus in Fulda 1933,” in: *Buchenblätter*, vol. 66 (1993), no. 12, pp. 45-8 and his: “Windthorstbund und Volksfront in Fulda 1932/33 – Eine Dokumentation aus dem Fuldaer Raum,” in: *Buchenblätter*, vol. 63 (1990), no. 2, pp. 7 f.

⁷² In *Fuldaer Zeitung*, March 7, 1933, quoted from Schöneekäs, *Christenkreuz*, p. 176.

⁷³ Cf. *ibid.*, pp. 176 f.

⁷⁴ Cf. Opfermann, *Bistum*, p. 12.

⁷⁵ Rauh-Kühne, *Sozialmilieu*, pp. 228 f.; see on the elimination of the Catholic press as an independent entity also Becker, *Milieu*, p. 44.

were closely monitored.⁷⁶ Another central aspect was the defensive battle the Catholic youth associations waged against the Hitler Youth,⁷⁷ not to mention litigation brought against Catholic priests for breaches of the foreign currency regulations or the “Sittlichkeitsprozesse”, litigation brought against monasteries for being in contravention of public morality, both aspects that triggered solidarity with the clergy among the population.⁷⁸ By contrast, the Catholic protest against countless anti-Semitic occurrences⁷⁹ is not mentioned in the reports, and after the Night of Broken Glass there is no mention of public, critical responses among the local population,⁸⁰ which can definitely be judged to be evidence favoring the notion of milieu egoism.

2. “Incrimination” as a central analytical category of the study

The attempt to make objective use of the term “incrimination” as a theoretical category in the historical sciences continues to be greeted with restraint almost 75 years after the end of the Third Reich. One reason for this is the implementation and later perception of denazification in Germany. The starkly schematic classification by means of five categories (Major Offenders, Offenders, Lesser Offenders, Followers, and Exonerated Persons, not involved), based on a questionnaire which polled 128 characteristics, was rejected by large parts of the population. Broad swathes of people believed that nationwide denazification implied German collective guilt. The only persons considered exonerated were those who, despite formal incrimination (Nazi Party or association membership), could prove that they had actively resisted the Nazi regime.⁸¹ Since classification as “incriminated” often not only meant the loss of a job, assets, or civil rights, but could also have consequences under criminal law, the concept was from an early date associated with the category of “guilt” (in the legal sense) and had strong emotional or moral connotations. Accordingly, the question of guilt and responsibility borne by the individual and by society as a whole dominated in early scholarly and philosophical debates. The central contribution here was made by

⁷⁶ Cf. Klein, Thomas: Die Lageberichte der Geheimen Staatspolizei über die Provinz Hessen-Nassau 1933-1936, vol. 1, (Cologne, etc., 1985), p. 374.

⁷⁷ Cf. *ibid.*, e.g., pages 314, 318, 332, and 341.

⁷⁸ Cf. *ibid.*, p. 319.

⁷⁹ Cf. *ibid.*, pages 225 and 297.

⁸⁰ Cf. Renner, Schulz & Zibuschka, Schicksal, p. 109.

⁸¹ Vollnhals, Clemens: Entnazifizierung. Politische Säuberung und Rehabilitierung in den vier Besatzungszonen 1945-1949, (Munich, 1991), p. 19.

Karl Jaspers, who in 1945-6 put the “Question of Guilt” poignantly in his Heidelberg lecture.⁸² Jaspers emphasized in this context that the categories of “criminal guilt”, meaning objectively determined violations of the law which courts exist to pass judgement on, and “moral guilt”, which refers to personal responsibility for all your own actions, should be viewed as forms of personal guilt and could therefore not be treated as collective guilt. While he underscored the state’s role in enabling these deeds and actions as he did the difficulty of proving individual culpability for a deed, the categorial classification for these two dimensions was nevertheless not, he felt, up for debate. Equally, Jaspers also described the existence of “political guilt”, thus establishing a category which, by definition, entailed collective guilt, as the commonality bore it collectively. He did not, however, understand this to mean all Germans shared, equal guilt for the Nazis’ crimes, but rather a joint responsibility for bearing the consequences of previous actions, for example by making reparation payments or forfeiting territory.⁸³

Hannah Arendt goes further in her 1945 essay, where she suggests that: “The totalitarian policy, which has completely destroyed the neutral zone in which the daily life of human beings is ordinarily lived, has achieved the result of making the existence of each individual in Germany depend either upon committing crimes or on complicity in crimes.”⁸⁴ She claimed that the regime had succeeded in so blurring the lines dividing the guilty from the unguilty that opponents of the regime had had to keep their silence in order to protect themselves, and this gave rise to an enforced identification of the entire people with the Nazis.⁸⁵ By contrast, elsewhere Arendt makes it clear that the talk of *collective guilt* is not appropriate, since *guilt* as a concept can only be applied to individuals. What was therefore difficult, she suggested, was evaluating the role of the individual in a bureaucratic system that thrived precisely on the principle

⁸² Cf. on the context of the essay “Die Schuldfrage,” in Torben Fischer & Matthias N. Lorenz (eds.): Lexikon der “Vergangenheitsbewältigung” in Deutschland. Debatten- und Diskursgeschichte des Nationalsozialismus nach 1945, 3rd rev. and exp. ed., (Bielefeld, 2015), pp: 49-51.

⁸³ Cf. Reichel, Peter: “Vergangenheitsbewältigung als Problem unserer politischen Kultur,” in Jürgen Weber & Peter Steinbach (eds.): Vergangenheitsbewältigung durch Strafverfahren, (Munich, 1984), pp. 148-50.

⁸⁴ Arendt, Hannah: “Organized Guilt and Universal Responsibility,” in: Jewish Frontier, 1945, p. 204-13, here p. 206; “Über das ‘deutsche Problem’ und die ‘deutsche Schuld’,” in Klaus Hildebrand, Udo Wengst & Andreas Wirsching (eds.): Geschichtswissenschaft und Zeiterkenntnis. Von der Aufklärung bis zur Gegenwart. Festschrift zum 65. Geburtstag von Horst Möller, (Munich, 2008), p. 699.

⁸⁵ Cf. Merlio, Arendt, p. 699.

that every individual could be replaced.⁸⁶ Arendt does not address more closely how far such replaceability went, meaning as of what point an individual was no longer just a “cog in a system” but exercised a function and thus had room for maneuver. This issue is also crucial to the present study when it comes to distinguishing between *incrimination* as a Nazi and less active contributions to the regime’s stability, such as implementing orders. In the area of municipal government leadership, we cannot assume that persons could be smoothly and simply replaced, but rather the local authority’s administration also in part possessed extensive room for maneuver.⁸⁷

These deliberations already indicate how difficult it is to define *incrimination* and related concepts. Attempts to integrate the term into historical research have been correspondingly rare, especially as the historian’s task cannot and must not be to act as a kind of “second judge”, rewriting the sentences passed down in the denazification process. An important basis for identifying different possible dimensions to incrimination is to be found in the preface to Christian Mentel and Niels Weise’s study of the central administrative offices during the Third Reich:

“A substantive decision was needed on how to handle the term ‘Nazi incrimination’, which is central to the research projects and studies to be presented. For the purposes of these assessments, we cannot go into its ideological, legal-material, formal, temporal, or location-specific aspects nor take them duly into account.”⁸⁸

This simple rejection of any discussion of the central concept for contemporary research into National Socialism may be attributable to the format of the overview study given. However, by mentioning a few possible dimensions to incrimination and introducing the interesting, as more open, concept of “Nazi references”, the study in question provided invaluable insights.

Since the 1980s countless, as a rule multi-tiered models have been developed for evaluating and categorizing resistance to the Nazi regime⁸⁹ and a broad conceptual

⁸⁶ Cf. Arendt, Hannah: “Was heißt persönliche Verantwortung in einer Diktatur?,” in her: Nach Auschwitz. Essays und Kommentare 1, (Berlin, 1989), p. 82.

⁸⁷ See chapters 3 and 4 of this study.

⁸⁸ Mentel, Christian & Weise, Niels: “Die zentralen deutschen Behörden und der Nationalsozialismus. Stand und Perspektiven der Forschung,” ed. Frank Bösch, Martin Sabrow & Andreas Wirsching, Munich, 2016, p. 11.

⁸⁹ Particularly worthy of mention here are the models by Detlev Peukert and those by Klaus Gotto, Hans Günter Hockerts and Konrad Repgen, who each develop a four-tier model in which resistance is understood in the narrow sense as the goal of toppling the regime, whereas non-conformism, refusal, and protest cover a far broader range of actions. These tiers are defined by the fact that they

basis for study has been put in place.⁹⁰ Only in recent decades, however, have scholars started to focus more closely on the category of *incrimination*⁹¹, and to date there are no signs of a model emerging that allows for a broad consensus. Olaf Blaschke developed what are ipso facto countervailing categories to those in the four-tier resistance model devised by Klaus Gotto, Hans Günter Hockerts, and Konrad Repgen and has thus at least designed a first-stages model for collaboration (albeit not for incrimination). While the model explicitly refers to the Catholic milieu, it can definitely be used over and above that and is thus an important point of reference for the present study. Blaschke describes the stages of “occasional satisfaction”, “conformity and cooperation”, “consensus and loyalty”, and, finally, “active collaboration”.⁹² “Conformity and cooperation” are considered equivalents to the “passive fellow travelers” and “general submission to the circumstances of the day”, while “consensus and loyalty” signify support for the Third Reich and its leadership, which can also mean concurrence with Nazi policies. “Active collaboration” means “authentic participation, for example through Party support/membership”.⁹³ Blaschke explicitly insists here that “just as in the resistance models, ‘actual’ resistance in the narrower sense does not appear until the final stage; here the concept of collaboration first comes into play at the fourth stage.”⁹⁴

This refinement is no doubt logical, yet it does not dispel the fact that there is a certain degree of asymmetry in Blaschke’s method compared to the customary models of

attest to an, at best, partial or even occasional rejection of the regime, whereas on other occasions loyalty to or support for the system were articulated. Moreover, nonconformism and refusal as a result occurred in a private or semi-public space, e.g., not registering one’s children for the Hitler Youth), whereas it was protest that could first don a truly public guise. Nevertheless, these basically defensive acts of self-assertion or the assertion of free scope entailed risks, as the totalitarian regime tolerated no contradiction. See Peukert, Detlev: *Alltag unterm Nationalsozialismus*, (Berlin, 1981), p. 25, and Gotto, Klaus, Hockerts, Hans Günter & Repgen, Konrad: “Nationalsozialistische Herausforderung und kirchliche Antwort. Eine Bilanz,” in Gotto & Repgen (eds.): *Katholiken*, p. 638.

⁹⁰ Alongside the criteria just presented, the notion of resistance as defined by Martin Broszat played a key role in particular for the Catholic milieu, as it refers to a passive tenacity to oppose the regime that did not get expressed as public rejection. Cf. Broszat, *Resistenz* or also Paul, Gerhard & Mallmann, Klaus-Michael: “Resistenz oder loyale Widerwilligkeit. Anmerkungen zu einem umstrittenen Begriff,” in: *Zeitschrift für Geschichtswissenschaft*, vol. 41 (1993), pp. 99-116. The same is true of the term “distance” to the regime, which is clearly set off from active resistance and can even be construed as its opposite: Cf. Repgen, Konrad: “Widerstand oder Abstand? Kirche und Katholiken in Deutschland 1933-1945,” in Hildebrand, Wengst & Wirsching: *Geschichtswissenschaft*, pp. 555-8.

⁹¹ Some thoughts on the reasons for this are presented in the next chapter.

⁹² Blaschke, Olaf: “Stufen des Widerstands – Stufen der Kollaboration,” in Andreas Henkelmann & Nicole Priesching (eds.): *Widerstand? Forschungsperspektiven auf das Verhältnis von Katholizismus und Nationalsozialismus*, (Saarbrücken, 2010), p. 80.

⁹³ Cf. *ibid.*, p. 81.

⁹⁴ *Ibid.*, p. 83.

resistance. While these make it clear that genuine resistance focused on toppling the regime, if necessary by violent means, the notion of “Party support/membership” constituted a comparatively moderate form of support for the regime that surely was more broadly based in the population than was resistance. However, it also bears emphasizing that Party support/membership as a mass phenomenon had an immense system-stabilizing significance, while the individual reasons for it quite naturally remained in the dark as a rule, and covered a broad range of possible motivations, extending from actual approval to people attempting to protect themselves. Blaschke’s model does not include the extreme forms of support for the regime, such as active participation in domestic terror, e.g., during the Night of the Crystals, or even participation in mass crimes during World War II, which in terms of reach and impact attested to great or indeed complete identification with the regime and its ideology.

In the present study, the question as to consensus, loyalty, and active collaboration is linked to roles in public administration: We propose that work in the bureaucratic administrative apparatus (regardless of the level occupied in the administration) necessarily entailed a strong regime-stabilizing element to the extent that no conscious effort was made to ignore or duck criminal orders. For this reason, staying lodged in a responsible position can be considered at least a form of “loyalty” that maintained and improved the Third Reich’s ability to act even if the person was not a Party member. One’s private view of National Socialism or possible non-conformist behavior in the semi-public and public space outside office (in Fulda, for example, the initially widespread refusal of civil servants to register their children with the Hitler Youth) is of significance for assessing personal *incrimination*, but it is hard to separate it from the fact that the person helped stabilize the regime by participating in the bureaucratic apparatus, and likewise difficult to reconstruct in any way. Hannah Arendt elaborated on the role of what was, at that time, considered the fulfillment of orders and tasks in line with one’s duties. According to her, during the Third Reich there was hardly any state action that was not criminal, which is why fulfilling orders should actually have contradicted any intrinsic sense of legality and justice.⁹⁵ Taking this as her starting point, Arendt deconstructs the assertion, also to be found in local contexts, that by remaining in one’s administrative position one chose the lesser of two evils and sought to prevent worse happening. She explains that “the acceptance of the lesser

⁹⁵ Cf. Arendt, *Verantwortung*, pp. 88 f.

evil was consciously used in order to accustom civil servants and the population in general to accepting evil per se."⁹⁶ It was through accustoming people to the state of emergency and through hollowing out the legal system that nationwide participation in injustice, organized and promulgated by the state, became possible in the first place. This prompts Arendt to conclude that someone issuing an order can never accomplish anything without the assistance of others, and thus obedience toward orders was itself "[...]comprehensive support for a joint enterprise."⁹⁷ Once we recognize that obedience during the Third Reich was a form of support, we can then understand the system, Arendt continues.⁹⁸ At the level of local authorities, this means that implementing anti-Semitic laws and decrees already entailed a clearly collaborative element, although those implementing them could have been replaced by others in the purely administrative realm and, should they have refused to obey orders, would no doubt have been replaced. However, they did not prevent "greater evils" and as a rule probably did not wish to.

Blaschke's collaboration model has the advantage that it shines a light, above all, on the conceptual basis for incrimination. This is also the starting point for the PhD thesis of the author of the present study. As already indicated, there have been more extensive attempts to define the different (pre-)forms of resistance; likewise, one final result should be to discuss descriptions of actions beneath the level of "incrimination", such as conformity, adaptation, affirmation, support, promotion, stabilization (by acting or not acting), involvement, collaboration, participation, or consent. All these terms describe behavior towards the regime (and are thus Nazi references in Mentel & Weise's sense) that contributed actively or passively to maintaining the regime and in part have very low thresholds, meaning they can allow us to see everyday actions by broad groups of the population. The objective is to use these categories to give the model greater density, not that this need be in tiers or rigid, but rather such as to enable us to pigeonhole individual biographies.

One difficulty in the definition of incrimination, as well as with the above list of prior concepts and their distinctions from one another, stems from the fact that alongside formal categories such as NSDAP membership and its various organizations (which

⁹⁶ Ibid., p. 86.

⁹⁷ Ibid., p. 96.

⁹⁸ Cf. *ibid.*, p. 97.

are reminiscent of the denazification questionnaires) one needs also to include individual behavior. This makes establishing a closer typology hard. In a study on Marburg's post-war municipal council, Sarah Wilder and Dirk Stolper propose a three-dimensional model that draws not only on NSDAP membership but also on a person's rank in the various Party organizations. Moreover, behavior in all shapes and forms that supported the regime is taken into account, be it opportunism, conviction, a sense of duty as a civil servant⁹⁹ or, for example, settling old scores by denouncing someone.¹⁰⁰ In the case of people involved in military action, we must also try to establish how/whether their units participated in war crimes during their time on active service.¹⁰¹ Frank Bösch and Andreas Wirsching emphasized, furthermore, that any assessment and interpretation of incrimination changes over time, and one and the same source can be interpreted very differently and allow for quite different conclusions as time passes. There is also a second and a third temporal dimension to consider, namely the point in time when an individual joined the Party and what generation the person belonged to. Authors distinguish here between those borne before 1900 and who had therefore most probably taken part in World War I, those who had consciously experienced the war but had been too young to be conscripted, and finally those who were born towards the end of the war or slightly afterwards, the so-called "Hitler Youth generation", meaning the cohort for whom a key part of socialization took place during the early phase of the regime.¹⁰² On this basis, "the respective degree of incrimination is then linked in the analysis to the membership of a particular generation or cohort."¹⁰³

Many of these difficulties are explicated in another aspect of the study by Wilder and Stolper and reflected in their concept of *borderline actors*. The authors state that these were persons "whose biographies were caught between acts of resistance and conformity with the regime and who, as individual examples, serve to highlight the

⁹⁹ Cf. also chapter 4.

¹⁰⁰ Cf. Wilder, Sarah, Cramer, Alexander & Stolper, Dirk: Marburger Rathaus und Nationalsozialismus. Gleichschaltung der Selbstverwaltung im Dritten Reich und NS-Vergangenheit städtischer Mandatsträger nach 1945, (Marburg, 2018), pp. 189-93.

¹⁰¹ While one cannot derive personal incrimination from this automatically, it does provide important indicators for a further investigation of personal involvement. The assertion that the Wehrmacht was "clean" compared to the criminal (Waffen-)SS has at any rate been clearly refuted. See, for example, Ulrich, Bernd: Eine Ausstellung und ihre Folgen. Zur Rezeption der Ausstellung "Vernichtungskrieg, Verbrechen der Wehrmacht 1941-1944", (Hamburg, 1999).

¹⁰² Bösch, Frank & Wirsching, Andreas (eds.), Hüter der Ordnung. Die Innenministerien in Bonn und Berlin nach dem Nationalsozialismus, (Göttingen, 2018), pp. 20-2.

¹⁰³ *Ibid.*, p. 22.

problems of the concept of incrimination.”¹⁰⁴ The ambivalences and developments in individual biographies during the 12-year Nazi rule are essential for any retrospective evaluation of actions and incrimination, even if they may by no means be drawn on to justify relativization. What must be emphasized, however, is that simple membership of the NSDAP can hardly suffice as an incriminating factor. While the Party qua mass organization served to stabilize the regime and Party members had opportunities that non-members did not, the latter also committed to providing a degree of support.¹⁰⁵ As stated, it is ipso facto impossible to deduce what the individual motives were. This needs to be borne in mind especially wherever, as in the present case, Party membership marked the starting point for a debate on changing street names.¹⁰⁶

2.1. Changes in the politics of remembrance and history as factors influencing the perception of incrimination

The historiographical interpretation of the Third Reich has changed consistently ever since the end of World War II, meaning that one must necessarily avoid rigid evaluation criteria, and therefore questions of incrimination need to be reflected on and discussed on an ongoing basis. Today, the 12 years of Nazi rule are part of German collective memory. According to Jan and Aleida Assmann, *collective memory* is passed down culturally and over and above the everyday time horizon, forming the “collective term for all knowledge that guides action and experience within the specific interaction parameters of a society and needs to be repeatedly practiced and instructed from generation to generation.”¹⁰⁷ Such memories are not inherited or automatically passed down, but need constantly to be “mediated anew by actual cultural practices.”¹⁰⁸ Here, the objects of *cultural memory*, its “stocks of knowledge”, are assigned characteristics of identification that are unique to the group, such that

¹⁰⁴ Wilder, Cramer & Stolper: Rathaus, p. 161.

¹⁰⁵ Nolzen, Armin: Mitgliedschaft in der NSDAP nach 1933. Einige Bemerkungen zu einem umstrittenen Kriterium bei Straßenumbenennungen (a public debate in Oldenburg on Feb. 20, 2014), available online at: https://www.oldenburg.de/fileadmin/oldenburg/Benutzer/PDF/30/Nolzen_Mitgliedschaft_in_der_NS_DAP_20.2.2014.pdf, (last retrieved: Oct. 23, 2019), pp. 5 f.

¹⁰⁶ Cf. *ibid.*, p. 2.

¹⁰⁷ Assmann, Jan: “Kollektives Gedächtnis und kulturelle Identität,” in his & Tonio Hölscher (eds.): *Kultur und Gedächtnis*, (Frankfurt a. M., 1988), p. 9.

¹⁰⁸ Bergem, Wolfgang: “Barbarei als Sinnstiftung? Das NS-Regime in Vergangenheitspolitik und Erinnerungskultur der Bundesrepublik,” in his (ed.): Die NS-Diktatur im deutschen Erinnerungsdiskurs, (Opladen, 2003), p. 88.

they function to both include and exclude.¹⁰⁹

We need to distinguish this from *communicative memory*, which forms the second strand of collective memory alongside cultural memory. It is understood to mean the specific memory of past occurrences, i.e., “everyday memory”, and is determined by the length of the lives of the witnesses and can therefore only remain accessible for about 80 to 100 years, or three to four generations. Reinhart Koselleck also distinguishes accordingly between a living past that was personally experienced and the abstract past, which is scientifically researched,¹¹⁰ whereby abstract research already occupies much space during the personal past that is still alive. Here, historiography remains closely wed to the biographical experiences of the writers, as indicated by the analyses given by Arendt and Jaspers. Historians born after the end of World War II also experienced the close connection of historico-philosophical, political-ideological, and moral-biographical levels and, as part of the “German community of responsibility”, were locked into the “world between the twin poles of lived memory and scientific-analytical efforts.”¹¹¹ The “epoch of those with first-hand experience”, as Hans Rothfels terms it, is coming to an end as regards the Third Reich, and as a result memories of it are transitioning from the communicative into the cultural memory. With the death of the generation of first-hand witnesses, debates on the politics of history and memory lose an agency that could veto and thus intervene in all too casual discussions of history,¹¹² which is why, according to Aleida Assmann, it is precisely in this transitional phase that “the danger of distortion, of reduction and instrumentalization of memory”¹¹³ arises. This goes hand in hand with the question as to who had/has the power to create certain interpretations of history and what purposes those interpretations are meant to have.

The concepts themselves, often used synonymously, were as controversial as the objectives of the politics of history and memory. Münster-based historian Thomas Großbölting criticizes that the metaphor of remembrance itself all too easily forms a collective concept that is overburdened in semantic and normative terms, which leads

¹⁰⁹ Cf. Assmann, *Gedächtnis* p. 13.

¹¹⁰ Cf. Bergem, *Barbarei*, pp. 87 f.

¹¹¹ Cornelißen, Christoph: “Erforschung und Erinnerung. Historiker und die zweite Geschichte,” in Peter Reichel, Harald Schmid & Peter Steinbach (eds.): *Der Nationalsozialismus – Die zweite Geschichte. Überwindung – Deutung – Erinnerung*, (Munich, 2009), pp. 219 f.

¹¹² Cf. Knigge, Volkhard: “Die Zukunft der Erinnerung,” in: *APuZ*, 2010, no. 25/26, p. 12.

¹¹³ Quoted from Bergem, *Barbarei*, pp. 88-90, quoted on p. 88.

to a lack of methodological clarity. As a result, “very different issues and processes get indeterminately exaggerated”.¹¹⁴ Volkhard Knigge considers today’s concept of remembrance equally problematic, as it entails a reduction of “memory as the narrating of past such as to foster identity and community beyond all methodologically reflected, conceptually construed processing”.¹¹⁵ Borrowing from Michael Kohlstruck’s remarks, the politics of history and memory can, however, be differentiated conceptually and used to good analytical effect. Thus, for all the overlap, it is the focus that is decisive, namely to the extent that the politics of history primarily entails a conflict over (established) images of history and addresses contemporary issues of legitimacy to a lesser extent, whereas the latter form the focus specifically of the politics of memory, and “history is merely the medium in which debate over current questions of power occurs.”¹¹⁶ Discussions over renaming streets or the revocation of honorary citizenship are thus always more a matter of the politics of remembrance than the politics of history, as known sources and historical images are subject to reevaluation.

For the (fledgling) West Germany, remembering National Socialism meant quite firmly assuming far greater responsibility for German history than did East Germany at that time. By positioning itself as the legal successor to the Third Reich, West Germany bore the main burden of working its way through National Socialism – in particular on the international level. At the same time, the dictatorial past was a constitutive part of the *raison d’etat* and this remains the case today.¹¹⁷ The avoidance imperative of “never again” did not remain limited to the generation of those who had personally experienced the Third Reich, but also applied to subsequent generations as a democratic fundamental consensus and thus part of the collective memory. Drawing on the theme of assuming responsibility, in the young West Germany historical and philosophical essays were far more clearly interventions by contemporaries of the Third Reich, made with a reference to the new world and thus part of the politics of

¹¹⁴ Großbölting, Thomas: “Die Zukunft der Erinnerung? Das sich wandelnde Verhältnis von öffentlicher Geschichtsthematisierung und Geschichtswissenschaft als Herausforderung,” in: Jahrbuch für Politik und Geschichte, vol. 4 (2013), p. 205.

¹¹⁵ Knigge, Zukunft, p. 12.

¹¹⁶ Kohlstruck, Michael: “Erinnerungspolitik: Kollektive Identität, Neue Ordnung, Diskurshegemonie,” in Birgit Schwellung (ed.): Politikwissenschaft als Kulturwissenschaft. Theorie, Methoden, Problemstellungen, (Wiesbaden, 2004), pp. 181

¹¹⁷ Cf. Reichel, Peter, Schmid, Harald & Steinbach, Peter: “Die zweite Geschichte der Hitler Diktatur. Zur Einführung,” in their (eds.): Nationalsozialismus, pp. 10 f.

remembrance, than they were debates on the shape to give images of history. This specific mnemonic context for assuming historico-political responsibility was something that could only arise in this form in Germany, owing to the political parameters above all in West Germany, even if the period of Nazi rule and World War II took a place in the collective memory not only there.¹¹⁸ This initial observation explicitly does not mean that the interpretation and focal points of the debate over the Third Reich were without controversy. Rather, the interpretation of history and collective memory were highly political issues, and the question of which actors were able to define the discourse on what was being remembered and what was to be repressed was not only topical in the immediate post-war period, but indeed “any public interpretation of the past includes tangible interests by active players.”¹¹⁹ A classic example of this is the differences in the recognition accorded the different groups of victims of the Nazis, such as the refusal to pay compensation to forced laborers.¹²⁰ Based on the question as to the ability to define discourses, we shall now trace some of the central (turning) points in the German politics of remembrance in the post-war period.

After the end of the war, there was broad recognition of the fact that wide-ranging, fundamental denazification was called for, while disillusionment as regards the administrative effort required led, in connection with the rejections of the schematic questionnaires, to the political parties also not opposing a swift change of tack. Not least, the electoral potential constituted by those affected by denazification prompted the parties in the late 1940s and early 1950s to try and outdo one another in attacks on the system and to calls, for example, for civil servants who had been fired to be rehired.¹²¹ The victims in pre-war Germany, those of the war of aggression and the Holocaust were, by contrast, squeezed into the background, and a large part of those

¹¹⁸ Thus, in Austria for example, the image of having been the first victim of National Socialism prevailed, while in Russia the narrative of the “Great Patriotic War” persists. Cf. Hammerstein, Katrin: Gemeinsame Vergangenheit – getrennte Erinnerung. Der Nationalsozialismus in Gedächtnisdiskursen und Identitätskonstruktionen von Bundesrepublik Deutschland, DDR und Österreich, (Göttingen, 2017) and Danyel, Jürgen & Karl, Lars: “Die russische Erinnerung an den ‘Großen Vaterländischen Krieg’”. Beiträge, Dokumente und Materialien,” in: Zeitgeschichte-online, May 2005, online at: <https://zeitgeschichte-online.de/themen/die-russische-erinnerung-den-grossen-vaterlaendischen-krieg> (last retrieved: Oct. 25, 2019).

¹¹⁹ Kohlstruck, Erinnerungspolitik, p. 176. This statement of course also applies in particular to debates on street names, civic honors, and monuments; for a detailed discussion see chapter 2.2.

¹²⁰ Cf. entry on “Zwangsarbeiter-Entschädigung”, in Fischer & Lorenz: Lexikon, pp. 337-9.

¹²¹ Borgstedt, Angela: “Die kompromittierte Gesellschaft. Entnazifizierung und Integration,” in Reichel, Schmid & Steinbach: Nationalsozialismus, pp. 97-100.

who had been persecuted did not bother insisting strongly on the past being worked through, as they feared once again being forced into the position of a minority.¹²² In the mid-1950s, as Reinhard Rürup incisively described, there was hardly a risk any longer of being held responsible for a Nazi past.¹²³ The tendency to repress National Socialism and instead emphasize the deprivations the German population had to endure was also reflected in the obituary for Dr. Danzebrink, which, in a manner that was absolutely typical of the times, simply mentioned the Third Reich as “years of calamity and confusion”.¹²⁴

The fact that the way in which the Nazis’ crimes were addressed started to change toward the end of the 1950s was connected, first and foremost, to the persistent pressure from outside the country to debate the reintegration of members of administrative elites, for example, who had been incriminated.¹²⁵ This challenged the images of history that become established, meaning memory had to be renegotiated. The process was also driven by the Ulm Einsatzkommando trial of 1958, which triggered the revisiting of existing continuities from Nazi days. An ever more critical public discourse also arose as a result of the close temporal ties to the escalation in anti-Semitism at the end of 1959 and in early 1960, something that primarily took the form of graffiti (e.g., on the walls of the Cologne synagogue):

“The continuity in personnel at the top of the executive and the judiciary, a seeming renaissance in anti-Semitism, this return of the past ten years after West Germany had been founded, contributed to painting an overall picture in which the democratic form of government appeared to be a brittle shell for a society steeped in continuity.”¹²⁶

The ever louder public calls for the past to be addressed properly and in particular for it to be duly processed under criminal law were significantly boosted by Adolf Eichmann’s arrest and subsequent trial in Jerusalem. Opinion polls suggest that about one third of Germans at the time would have preferred to focus on the present and not the past. However, in the final instance the critical enquiry into the personal past of

¹²² Fröhlich, Claudia: “Rückkehr zur Demokratie. Wandel der politischen Kultur in der Bundesrepublik,” in: *ibid.*, p. 109.

¹²³ Cf. Rürup, Reinhard: Der lange Schatten des Nationalsozialismus. Geschichte, Geschichtspolitik und Erinnerungskultur, (Göttingen, 2014), p. 129.

¹²⁴ StadtAFd, Portf. III a, 23, vol. 3, Personnel file Danzebrink, sheet 558.

¹²⁵ Cf. Reichel, Schmid & Steinbach: *Geschichte*, p. 14.

¹²⁶ Siegfried, Detlef: “Zwischen Aufarbeitung und Schlußstrich. Der Umgang mit der NS-Vergangenheit in beiden deutschen Staaten 1958-1969,” in Axel Schildt, Detlef Siegfried & Karl Christian Lammers (eds.): Dynamische Zeiten. Die 60er Jahre in den beiden deutschen Gesellschaften, (Hamburg, 2000), p. 83.

(government) functionaries intensified, and the continuity in the West German elites was increasingly viewed as problematic.¹²⁷ At the national level, prosecution efforts became more pronounced, and the Auschwitz Trials in Frankfurt gave rise to new questions as regards the continuities in the business world and how “perfectly normal men” had taken part in crimes. The Auschwitz Trials attracted less public attention than the Eichmann Trial.¹²⁸ At the same time, the debates on how to tackle the collective past became more intensive, as did that over the didactic role they should play.¹²⁹

In social terms, this resulted among other things in a tough debate about continuities in the education sector and individual involvement at the microlevel – both taking place in the context of the student movement at the end of the 1960s. While this did not, as shown, trigger the debate on working through the process, it in part rendered it more radical, which, among some protagonists at least, led to an inner break with the ostensibly ongoing “fascist” system.¹³⁰ According to Rürup, from now on increasingly “empathy with the victims, admission of national guilt, and assumption of moral and political responsibility...” became key for the relationship with Germany’s past.¹³¹ The image of Willy Brandt going down on his knees in the former Warsaw ghetto became symbolic of this new responsibility, and yet it was only the herald of more dynamic national debates and local initiatives to revisit history. After the US TV series “Holocaust” was broadcast in 1979, a broader consensus emerged that guilt had been repressed for too long, and the history workshops, in particular, that focused in many instances on local and everyday history played an invaluable role in working through history at the local level.¹³² From 1990 onwards this resulted, among other things, in the increasing debates about public honors or potentially taking them back, which took place above all at the local level.

While the history workshops moved the local examination of the subject forward, in the national space a debate unfurled in which simplifying interpretative elements that

¹²⁷ Cf. *ibid.*, pp. 84-9.

¹²⁸ Cf. *ibid.*, pp. 93-5. Quote derived from Christopher Browning: Ordinary Men. Reserve Police Battalion 101 and the Final Solution in Poland, (Harper: New York, 1992).

¹²⁹ The most important example of this is no doubt the 1959 essay by Adorno, Theodor W.: “Was bedeutet: Aufarbeitung der Vergangenheit,” reprinted in his: Gesammelte Schriften, vol. 10, 2: Kulturkritik und Gesellschaft II, Eingriffe, Stichworte, (Frankfurt a. M., 1977), p. 555-72.

¹³⁰ Cf. Siegfried, Aufarbeitung, pp. 104 f.

¹³¹ Rürup, Schatten, p. 131.

¹³² Cf. *ibid.*, pp. 131-3.

incorporated the politics of the day increasingly found its way into the interpretation of the Third Reich. The idea of an “intellectual-moral turn” in the Chancellor Kohl era led in the “Historikerstreit” to mutual accusations of “history-lessness” among representatives of the different sides and finally culminated in a debate on political culture in general. The starting point of all this was a debate on the interpretation, ongoing significance, and singularity of National Socialism and the Holocaust.¹³³ The benefits of the “Historikerstreit” for the discipline itself in the narrow sense were at best marginal, as in many cases it simply repeated well-known positions.¹³⁴ Nevertheless, it made it quite clear that the politics of history and different views on the form “appropriate” remembrance should take could trigger hard-and-fast social conflicts in which the historian was almost compelled to become a participating actor. In this context, it became abundantly clear “that history is more than merely the reconstruction of the past, and instead forges a link between the past, present, and future [...]”.¹³⁵

2.2. The debate on street names, monuments, and civic honors

The negotiations over the culture of remembrance and images of history are expressed at the local level, above all, in debates about renaming streets or withdrawing civic honors once conferred. At the latest with the end of memories passed down orally, meaning with the death of witnesses of the day, the question of remembering also becomes a question of repressing and forgetting. The culture of commemoration and civic honor is meant ideally to forge strong bonds and be integrative but can also trigger controversies that commence with the question as to the degree (perceived) past services should be weighed up against current social

¹³³ Cf. von Hehl, Ulrich: “Kampf um die Deutung. Der Nationalsozialismus zwischen ‘Vergangenheitsbewältigung’, Historisierungspostulat und ‘neuer Unbefangenheit’,” in: Historisches Jahrbuch, vol. 117 (1997), pp. 425-8.

¹³⁴ In the wake of the Historikerstreit, by contrast, a discussion arose between Martin Broszat and Saul Friedländer that was fruitful for the discipline and focused on the necessity of historicizing National Socialism. What played a role above all was the call for research on the Nazi dictatorship to be kept separate from research on the period of the Third Reich, and thus for there to be a stronger focus on aspects of social and everyday history and a recognition of how the regime appealed to many Germans. Cf. on the one hand Broszat, Martin: “Plädoyer für eine Historisierung des Nationalsozialismus,” in his (ed.): Nach Hitler. Der schwierige Umgang mit unserer Geschichte, (Munich, 1986), pp. 159-73, and, on the other, Friedländer, Saul: “Überlegungen zur Historisierung des Nationalsozialismus,” in Dan Diner (ed.): Ist der Nationalsozialismus Geschichte? Zu Historisierung und Historikerstreit, (Frankfurt a. M., 1987), pp. 34-50.

¹³⁵ Nolzen, Mitgliedschaft, p. 19. See also more generally Rösen, Jörn: Historik. Theorie der Geschichtswissenschaft, (Cologne, Weimar & Vienna, 2013).

mores. A change in values between the time of the honoring and the time of the debates about the honoring should thus be reflected in the selection of those to be honored and in upgrading/downgrading achievements and services.¹³⁶ The city of Hanover, for example, issued an administrative regulation in this regard which specifies that streets can be renamed “if the person whose name is currently used is ‘in contradiction with current mores’ and **at the same time** [my emphasis A. C.] there is evidence of severe personal errors.”¹³⁷ Moreover, Petra Spona emphasizes in the essay in question that the first name given to a street does not “reflect history but is solely representative of a selective image of history.” If the honor conferred is not value-neutral, then this is certainly true of repealing it, whereby the political processes of negotiation that can be involved also point to a shift in the power structure of the politics of memory.¹³⁸ Saskia Handro poignantly captures this dilemma: “Ipso facto, renaming efforts [...] swiftly lead to discussions on collectively shared values, norms, and memories, and it is hard to satisfy them as questions of who decides on the interpretation of spaces.” In this context, the transition from research and the politics of history connected with certain emphases is often fluid.¹³⁹ Local debates in this regard remain “seismographs of the social progress in the politics of memories of National Socialism.”¹⁴⁰

The thoughts presented here can be given concrete form in the case of Fulda through juxtaposing the expert opinions tabled by Dr. Hamberger and Dr. Krahulec. Starting from the shared premise of not wishing to repeat or assess the denazification process of the post-war years,¹⁴¹ they nevertheless attest to emphases in the politics of memory that are to be observed by no means just in Fulda in these debates. From the outset, Krahulec advocates a perspective that is genuinely focused on the present and asks what function Dr. Danzebrink had as a role model in a democratically constituted

¹³⁶ Cf. Frese, Matthias & Weidner, Marcus: “Verhandelte Erinnerungen: Einleitung,” in their: *Erinnerungen*, pp. 8 f.

¹³⁷ Spona, Petra: “Ehrungen von Personen und kommunale Repräsentation,” in Frese & Weidner: *Erinnerungen*, pp. 152 f.

¹³⁸ *Ibid.*, pp. 139-41, quote on p. 140.

¹³⁹ Handro, *Orientierung*, p. 258.

¹⁴⁰ Spona, *Ehrungen*, p. 157.

¹⁴¹ Krahulec emphasizes by way of a prefacing remark that he “did (not) understand his duty as a quasi ‘third act’ in tribunal proceedings” and Hamberger likewise underscores that “I did not see it as my duty to evaluate the organization and results of tribunal proceedings that took place directly after the war and during the person in question’s lifetime.” Cf. Krahulec, Peter: Stellungnahme Dr. Danzebrink, (Fulda, 2015), p. 1, and Hamberger, Wolfgang: Stellungnahme zum Antrag der Gruppe “Fulda stellt sich quer” vom Mai 2015, die “Dr. Danzebrink. Str.” umzubenennen, (Fulda, 2016). Both documents are in the possession of the author.

commonality. This is in itself evidence of a clear preliminary decision, since remembrance today, as shown by street names, reveals a (justified!) focus on naming them after members of the resistance.¹⁴² He emphasizes that, in particular, Danzebrink's reappointment as lord mayor in 1942 is "a brutal challenge to democrats born later".¹⁴³ Given this emphasis, there is no escaping the insistence that the street be renamed,¹⁴⁴ whereby the sole focus on the present falls short of what is necessary. This explicitly does not mean that Danzebrink's role in the Third Reich following his reappointment as lord mayor, for example, can be ignored, but the focus here is on describing the pure ex-post perspective. Hamberger argues precisely the other way by emphasizing that "[...] how Dr. Danzebrink exercised his office and his conduct [may] not be judged by the ethical standards for convictions set in a free society in a democratic society ruled by law" and it remains "[...] problematic, 55 years after two concluded investigations and the death of the person in question once again to seek to scrutinize his life and behavior during the Third Reich."¹⁴⁵ Hamberger explicitly places on the backburner the argument that a possible renaming of the street is an "[...] undeserved degradation"¹⁴⁶ of Danzebrink, although it is paradigmatic for such debates. Often this form of criticism resorts to saying that renaming a street "dishonors" the person (meaning not their actions) and that the post-war denazification process had already weighed up the person's services against problematic aspects.¹⁴⁷ This very cautious approach and the conclusion that it **"is solely about the issue of whether a person in office in the Nazi system was personally culpable"**¹⁴⁸ [my emphasis], which is why renaming the street should not be supported, leads to general subsequent questions. As stated in chapter 2 above, the question of guilt always has a moral element and a component under (criminal) law, meaning there is a very high initial threshold. Such a focus hardly permits consideration of aspects such as (and this is key at the local level) a system-stabilizing role exercised by the lord mayor or that of the masses simply coming to terms or cooperating with the regime that held

¹⁴² Cf., for example, the square named "Platz der Weissen Rose" in Fulda (Petersberg).

¹⁴³ Krahulec, Stellungnahme, p. 1.

¹⁴⁴ Cf. *ibid.*, p. 2

¹⁴⁵ Hamberger, Stellungnahme, pp. 1 f.

¹⁴⁶ *Ibid.*, p. 2.

¹⁴⁷ Cf., for example, Reeken, Dietmar: "Heyl, Hindenburg, Hinrichs. Oldenburger Konflikte um Straßennamen zwischen Vergangenheitsdeutung, Wissenschaft und Politik," in Frese & Weidner: *Erinnerungen*, pp. 309 f.

¹⁴⁸ Hamberger, Stellungnahme, p. 3.

sway in the administration.¹⁴⁹ The widespread phenomena of fellow travelers¹⁵⁰ and “conformism and cooperation”¹⁵¹ on the part of broad sections of the population simply get treated here as somewhat unproblematic, and yet these dimensions should not be ignored in the debate on renaming streets.

The starting point for the debate over Dr. Danzebrink Strasse was both his position as lord mayor and the formal criterion of Party membership from 1937 onwards. The difficulty of this criterion for and evaluating how he was incriminated as an individual have already been outlined cursorily and shall now be given greater depth and related to the debate on street names. Krahulec rightly states that Party members also and in particular were cognizant of the mass crimes and nevertheless, by dint of being members, supported the Party.¹⁵² This is all the more true for decisionmakers and holders of offices in the (local) administration, whose administrative functions were part of organizing the crimes. Membership of the NSDAP was voluntary, with the exception of younger Hitler Youth cohorts, which in the 1940s were collectively incorporated into the Party. Without doubt, a long period of time spent in the Party and not availing oneself of the (theoretical) possibility of rescinding it can be considered individual contributions to stabilizing the regime that we cannot ignore. Armin Nolzen concludes from this that the system-stabilizing function of Party membership itself is a sufficient criterion for renaming streets, but does ask the question “whether it is opportune in a democratic society [...] to name streets after a person who, in a phase of their life, contributed to upholding a structure of cooperation with criminal goals.”¹⁵³ At first sight, this question may seem surprising given how unconditionally it is phrased, but is nonetheless justifiable and deserves consideration in reaching a decision. At the same time, it bears emphasizing that individual reasons for Party membership can hardly be researched – which applies to the Danzebrink case, too – and cannot solely be attributed to affirmation of the regime and opportunism. Members of the resistance tried, in part, to become Party members in order to avoid further reprisals by the regime.¹⁵⁴ An example from the author’s own research sheds light on this: In Marburg, Social Democrat August Eckel was a member of the municipal

¹⁴⁹ See, for an exhaustive discussion, Chapters 3 and 4.

¹⁵⁰ Hamberger also confirms this as regards Danzebrink, cf. Hamberger, *Stellungnahme*, p. 3.

¹⁵¹ Understood as stage 2 of the Blaschke collaboration model, see here pp. 17 f.

¹⁵² Cf. Krahulec, *Stellungnahme*, p. 2.

¹⁵³ Nolzen, *Mitgliedschaft*, p. 20.

¹⁵⁴ Cf. Wilder, Cramer & Stolper: *Rathaus*, p. 184.

council and was taken into custody immediately after the Nazis took power. A little later, he was fired from his job as a teacher of commerce having been judged “politically unreliable” under the Civil Service Act. Eckel remained under permanent observation by the regime, and this did not change after he joined the Party in 1940. Rather, after the July 20, 1944, assassination attempt on Hitler, he was rounded up during the “Aktion Gewitter” and incarcerated in the Sachsenhausen concentration camp, where he suffered severe physical abuse.¹⁵⁵ While this is most probably a rare special case, it does show that Party membership alone cannot be a formal criterion for deciding to rename a street.

3. On the relationship between the different levels of the administration under the Nazis

The subordinate position of local authorities, something that was regularly challenged at the institutional level, within the structure of government institutions by no means started with the Nazis taking power. Rather, in the **Weimar Reich Constitution** they were not equal to the Reich or the states, although they had a legal right to self-administration.¹⁵⁶ The newly achieved democratization of the entire machinery of state also led to the role of local authority self-administration dwindling in importance “[...] as the specific base of civil participation in public matters”, since representation and participation was now also possible in a stronger form at the levels of the respective state and the Reich.¹⁵⁷ Nevertheless, local authorities and districts remained the organizational unit where the state’s provisions in support of general welfare were directly felt and thus where authority legitimated itself, e.g., by being responsible for hospitals, schools, savings banks, or local transport. Political developments in the inter-war years were, however, defined by an effort to centralize government, a strategy driven by both the Reich and, after initial hesitation, also by the states. Local authorities lost a massive amount of scope in their role as what Matzerath terms “executive bodies” of these administrative levels; previously they had been able by decree to intervene in many ways in areas that had originally come under

¹⁵⁵ Cf. *ibid.*, p. 84.

¹⁵⁶ Cf. Art. 129 WRV as well as Jeserich, Kurt G.A.: “Kommunalverwaltung und Kommunalpolitik,” in his, Hans Pohl & Georg-Christoph von Unruh (eds.): Deutsche Verwaltungsgeschichte, vol. 4: Das Reich als Republik und in der Zeit des Nationalsozialismus, (Stuttgart, 1985), p. 490.

¹⁵⁷ *Ibid.*, p. 498.

local authority.¹⁵⁸ Especially severe was the loss of central elements of local financial sovereignty, for example over revenues from income, corporation, and turnover taxes. Combined with tighter controls by the regional councils, which discharged supervisory duties, the higher cost of expanding infrastructure and the impact of inflation, the local authorities were, even before the Great Depression of 1929, in dire financial straits. Once the global economic crisis hit, they were moreover barely able to shoulder the massively increased expenses of providing welfare care for the unemployed.¹⁵⁹ Further centralization in the hands of the regional councils then suffocated efforts to reform the local umbrella organizations undertaken in order to gain greater independence and establish the local authorities as the third pillar of the administration and as equals of the states and the Reich.¹⁶⁰ Equally problematic was the ideological distance many civil servants showed towards democracy – they traditionally construed themselves as unpolitical. Some lord mayors even found it difficult to come to terms with more pluralist municipal assemblies and therefore could not be considered resolute defendants of democracy. What is more, the Nazis “discovered” the level of local authorities as a battlefield where they could fight from about 1930 onwards, and this was a challenge that should not be overlooked. The democratic system was also cast into question in its most direct form, and the NSDAP’s refusal to cooperate in any way complicated political decision-making. Moreover, from 1931 onwards they won an increasing number of elections for mayors, meaning that the anti-Semitic, anti-democratic ideology gained sway in local contexts.¹⁶¹

As emerged after they took power, the Nazis had neither their own political program at the local authority level nor ideas about the role the local authorities should play in the Nazi state.¹⁶² Essentially, the trends of prior years simply became more acute, whereby in addition to the central administrative interventions, political terrorization, such as through the almost complete dismantlement of representative bodies at the local level or the pogrom-like removal of (lord) mayors, further restricted local

¹⁵⁸ Cf. Horst Matzerath: “Nationalsozialismus und kommunale Selbstverwaltung,” (Stuttgart, 1970), 22 f., as well as Jeserich, *Kommunalverwaltung*, p. 492

¹⁵⁹ Cf. Jeserich, *Kommunalverwaltung*, p. 517.

¹⁶⁰ Cf. *ibid.*, pp. 504 ff.

¹⁶¹ Matzerath, *Nationalsozialismus*, pp. 23-30, and more exhaustively in von Mutius, Albert: “Kommunalverwaltung und Kommunalpolitik,” in Jeserich, Pohl & von Unruh (eds.): *Verwaltungsgeschichte*, pp. 1060 f.

¹⁶² Cf. *ibid.*, p. 61.

authorities' ability to act.¹⁶³ Despite these developments, the pinnacle organizations at the local authority level did not hesitate when it came to cooperating with the Nazis once they were in power.¹⁶⁴ Unlike at the level of the states, whose authority had been massively cut back by the *Preliminary Act to Align the States with the Reich* of March 31, 1933,¹⁶⁵ initially no changes were made under constitutional law to the rights of the local authorities. However, local authorities were far more dependent on the provinces (in Prussia the governing districts) than on the Reich; the former were expected "to watch over whether the communities were administered in line with the objectives of the helm of state in legal and economic terms, thriftily, and cleanly."¹⁶⁶ The new Gau of the Reich, which constituted the middle administrative level of the NSDAP and in practice laid claim to extensive rights of intervention, gave rise to a level competing with the regional councils. This was especially the case where there was no personal interaction between the Gau leadership and the regional or upper council. Those local authorities that functioned as so-called Gau capitals were also strongly influenced by this exposed position.¹⁶⁷ Communities that were responsible for their own affairs were hardly compatible with the NSDAP's notion of political rule; however, the idea expressed in early research that the Third Reich was a monolithic structure must be relativized. Instead, existing self-administration duties remained in place and were supplemented by tasks assigned by government¹⁶⁸, and the local authorities remained the agency that organized "a large part of the co-existence and everyday life of the population, their education and welfare".¹⁶⁹ That said, the NSDAP sought, in this area in particular, to establish itself at the local level, for example in the field of youth work

¹⁶³ Cf. Teppe, Karl: Provinz, Partei, Staat. Zur provinziellen Selbstverwaltung im Dritten Reich untersucht am Beispiel Westfalens, (Münster, 1977), p. 18.

¹⁶⁴ Cf. Jeserich, Kommunalverwaltung, pp. 521 f.

¹⁶⁵ The *Provisional Act on the Alignment of States with the Reich* of March 31, 1933, among other things transferred legislative competence in the states to the governments and dissolved all state parliaments with the exception of that in Prussia. The Act is published in RGBl., vol. 1933 part I, no. 29, pp.153 f.

¹⁶⁶ Freund, Nadine: Teil der Gewalt. Das Regierungspräsidium Kassel und der Nationalsozialismus, (Marburg, 2017), p. 301.

¹⁶⁷ Presented in detail by Bettina Tüffers using the example of the changing cooperation between Lord Mayor Krebs and Gau Head Sprenger in Frankfurt, cf. Tüffers, Bettina: "Politik und Führungspersonal der Stadtverwaltung Frankfurt am Main. Die personelle Zusammensetzung des Magistrats," in Sabine Mecking & Andreas Wirsching (eds.): Stadtverwaltung im Nationalsozialismus. Systemstabilisierende Dimensionen kommunaler Herrschaft, (Paderborn, 2005), pp. 61-71.

¹⁶⁸ von Mutius, Kommunalverwaltung, pp. 1056-8.

¹⁶⁹ Gruner, Wolf: "Die Kommunen im Nationalsozialismus. Innenpolitische Akteure und ihre wirkungsmächtige Vernetzung," in Sven Reichardt & Wolfgang Seibel (eds.): Der prekäre Staat. Herrschen und Verwalten im Nationalsozialismus, (Frankfurt a. M., 2011), p. 170.

through the Hitler Youth or the Bund deutscher Mädel, or in the framework of welfare assistance granted during winter (Winterhilfswerk) and the Nationalsozialistische Volkswohlfahrt. It is significant in this regard that the Party organizations were only able to establish a foothold in welfare provisioning thanks to grants from the local authorities and provinces, monies these administrative bodies were often forced to contribute. Despite the support of the Reich Ministry of the Interior, the lower and middle administrative levels increasingly lost influence here.¹⁷⁰ Karl Teppe accurately summarizes the dilemma that the local authorities also faced:

“The access the Party and its organizations had to the coffers of the provincial administration not only spelled budget problems for the latter; they were also forced to sit back and accept obligations to furnish funds for tasks that they had been stripped of in the course of political pillage.”¹⁷¹

It was this juxtaposition, not least, and seeming opposition of state administration and Party organizations on which the early historiographical view of the Third Reich rested, such as is presented in Franz Neumann’s “Behemoth”¹⁷² and in Ernst Fraenkel’s “Doppelstaat”.¹⁷³ Both referred in particular to the relationship of Party and state and/or administration, whereby Neumann put his finger on an overall dualism that led to the “[...] rule of lawlessness and anarchy”.¹⁷⁴ Fraenkel, by contrast, focused more strongly on the continuing underlying legal order and discerned what he considered the paradigmatic co-existence of “normative state” and “prerogative state”. The former describes a zone in which legal norms retained their formal validity, and thus above all everyday administrative life with its application of the law. This contrasted with the primacy of policy as driven by the NSDAP, tailored to pinnacle in Hitler and which relied on extra-legal “justifications” to pursue the Reich’s racist and foreign policy objectives.¹⁷⁵ Starting from this dichotomy, which for example largely ignored the personal linkages between the state and the Party bureaucracy, an interpretation of the Nazi state as a polycracy emerged. In this “heterogeneous power conglomerate”, and this includes both business and the Reichswehr, according to the polycracy thesis different levels and actors were in almost constant competition, which meant that the

¹⁷⁰ Cf. extensively in Teppe, Provinz, pp. 90-111.

¹⁷¹ Ibid., p. 95.

¹⁷² Neumann, Franz: Behemoth. The structure and practice of National Socialism 1933-1944, (New York, 1944).

¹⁷³ Fraenkel, Ernst: The Dual State. A Contribution to the Theory of Dictatorship, (New York, 1941).

¹⁷⁴ Ruck, Michael: “Führerabsolutismus und polykratisches Herrschaftsgefüge – Verfassungsstrukturen des NS-Staates,” in Bracher, Karl-Dietrich, Funke, Manfred & Jacobsen, Hans Adolf (eds.): Deutschland 1933-1945. Neue Studien zur nationalsozialistischen Herrschaft, Berlin², 1992, p. 37.

¹⁷⁵ Ibid.

resulting frictional losses blocked just about all decision-making.¹⁷⁶ Essentially, the assumption initially gained sway that provinces and local authorities possessed scope for maneuver and options to influence things given the chaos of functional office dominated by the Nazis during the Third Reich. More recent research often criticizes this assumption; in particular Wolf Gruner underlines the active participation in anti-Semitic persecution of Jewish citizens, for example, and emphasizes that actions by city authorities were taken independently and characterized by cooperation with the regime.¹⁷⁷ Sabine Mecking and Andreas Wirsching also underscore the central role played by local authorities in realizing acts of injustice, and they also state that the permeation of society by the Nazis was only able to function thanks to cooperation between Party and administrative offices and officials, whereby corporations and other interest groups were necessarily involved, too. The two authors suggest that while local authorities had lost task areas and shed duties, in the fields left under their jurisdiction they still contributed to driving political dynamism in various local guises. Likewise, elements of the normative state persisted, while at the same time “extra-normative measures”, as they say, became part of everyday working reality.¹⁷⁸ The competing powers of state and Party as well as the newly created specialist authorities were a “structural problem of the Third Reich”¹⁷⁹, in particular given personal rivalries between various representatives, but the above analysis is nevertheless in line with the current research consensus, which can now draw on countless local and regional studies: In the local matrix of power and rule, municipal administrations were “independent actors that should be taken seriously.”¹⁸⁰

3.1. The role of lord mayors in the Third Reich

Between 1918 and 1933 local authority self-administration in North, East, and Central Germany, which also means in Fulda, was structured constitutionally in terms of

¹⁷⁶ Ibid., pp. 40 f., as well as, rigorously, Hüttenberger, Peter: “Nationalsozialistische Polykratie,” in: *Geschichte und Gesellschaft*, 2 (1976), pp. 417-442, and most recently in particular Reichardt, Sven & Seibel, Wolfgang: “Radikalität und Stabilität: Herrschen und Verwalten im Nationalsozialismus,” in their (eds.): *Staat*, pp. 7-27 as well as other essays in the same volume.

¹⁷⁷ Gruner, *Kommunen*, p. 169.

¹⁷⁸ Mecking, Sabine & Wirsching, Andreas: “Selbstverwaltung als Systemstabilisierung? Tätigkeitsfelder und Handlungsspielräume kommunaler Herrschaft im Nationalsozialismus,” in their (eds.): *Stadtverwaltung*, pp. 1-4.

¹⁷⁹ Ibid., p. 5.

¹⁸⁰ Gotto, Bernhard: Nationalsozialistische Kommunalpolitik. Administrative Normalität und Systemstabilisierung durch die Augsburger Stadtverwaltung 1933-1945, (Munich, 2006), p. 1.

municipal executives. Thus, two collegial bodies existed whose respective spheres of influence were distinct from each other.¹⁸¹ The principles of local authority administration were encoded in the Municipal Ordinance for the Province of Hessen-Nassau dating from 1897.¹⁸² The decrees that were bundled together in that constitution originated in the Prussian Municipal Ordinance of 1808. In the latter, the municipal executive was defined as the municipal authority and executive organ for the resolutions of the municipal council and empowered to carry out the ongoing administrative business. It was thus a body that formed part of the executive. By contrast, the municipal council was the “legislative”, destined to pass resolutions and elect the municipal executive, whose powers were sharply restricted in 1808, as it had previously held sole decision-making powers in municipal matters. Moreover, in the Prussian Municipal Ordinance distinctions were already drawn between paid and unpaid members of the municipal executive, a difference that recurred in 1897.¹⁸³ The mayor was part of the municipal executive, which qua local authority and administrative body had to prepare the resolutions of the municipal council and later implement them. Only in the event of a deadlock in the municipal executive did the (lord) mayor have a casting vote; otherwise, decisions were taken by a majority vote.¹⁸⁴ In Fulda, the Zentrum Party had always held a steady majority in both the municipal council and the municipal executive.¹⁸⁵ This was even the case in the elections of March 1933 that were no longer free and fair, although this did not serve to slow down the new regime asserting itself at the local level.¹⁸⁶

Moreover, state intervention in the powers of local self-administration was common in the early days of Nazi rule. The innovation that impacted most severely on the status of the lord mayor (and this included the lord mayor in Fulda) was, however, enacted in Prussia at the state level and not imposed by the Reich government. The *Prussian Municipality Constitution Act*, which decreed the dissolution of all existing municipal self-administration bodies as of January 1, 1934, and the *Act on the Budget and*

¹⁸¹ Cf. Menger, Christian Friedrich: “Entwicklung der Selbstverwaltung im Verfassungsstaat der Neuzeit,” in Albert von Mutius (ed.): Selbstverwaltung im Staat der Industriegesellschaft, Festgabe zum 70. Geburtstag von Georg-Christoph Unruh, (Heidelberg, 1983), p. 34.

¹⁸² Städteordnung für die Provinz Hessen-Nassau vom 4. August 1897, reprinted in Scherzberg, Kurt: Städteordnung für die Provinz Hessen-Nassau vom 4. August 1897 nebst dazugehörigen Bestimmungen nach dem Stande der Gesetzgebung vom 1. März 1930, (Frankfurt a. M., 1930).

¹⁸³ Cf. Thiel, Markus: Die preußische Städteordnung von 1808, (Speyer, 1999), pp. 16-20.

¹⁸⁴ Städteordnung, article 62 f., in Scherzberg: Städteordnung, p. 31.

¹⁸⁵ Cf. Schönekas, Christenkreuz, p. 127.

¹⁸⁶ Cf. Opfermann, Bistum, p. 9.

Economic Management of Municipalities and Local Authority Associations of December 15 massively restructured democratic self-administration and the principles of financing on which it rested, ipso facto suspending them. The new law dissolved the 15 different local authority and municipal ordinances hitherto in force in Prussia.¹⁸⁷ The representative bodies lost any influence on decision-making and the *Fuehrer principle* was implemented at the local authority level in the granting of sole decision-making powers in municipal matters to the head of the respective municipality (in Fulda it was the lord mayor).¹⁸⁸ The preamble to the law makes its anti-democratic thrust abundantly clear:

“The National Socialist state is based on the idea of unrestricted responsibility of the Fuehrer. He unconditionally and passionately rejects the institutions of a parliamentary-democratic kind that blur such Fuehrer responsibility. Self-administration in the National Socialist state cannot live according to different principles.”¹⁸⁹

The restructuring of municipality’s self-administration in Prussia did not take place in a vacuum. Rather, the *Municipality Constitution Act* combined elements of customary municipal law (borrowing heavily on the Rhenish mayoral constitution) with authoritarian notions of centralization that had already become ever more prominent over the years in the run-up to 1933. Moreover, the Nazi *Fuehrer principle* was implemented at the municipal level, too.¹⁹⁰ As early as the summer, the Prussian Ministry of the Interior initiated reform efforts intended to strengthen the role of the mayor and to implement the *Fuehrer principle* at the local level, with this intended to culminate in a “merging of the National Socialist movement with the organs of self-administration”.¹⁹¹ In the final instance, it was the conservative Prussian ministerial bureaucracy that played the main role in ensuring the traditional forms of self-administration were finally closed down. The Rhenish mayoral constitution foresaw a strong lord mayor and to a certain extent functioned here as the role model, but it did not envisage such a concentration of power in the hands of the head of the community or municipality. The newly created municipal councils only had an advisory

¹⁸⁷ Matzerath, *Nationalsozialismus*, p. 121.

¹⁸⁸ von Mutius, *Kommunalverwaltung*, p. 1068.

¹⁸⁹ Preußisches Gemeindeverfassungsgesetz vom 15.12.1933, Introduction, reprinted in Küchenhoff, Günther & von Lympius, Wilhelm Julius Otto: Gemeindeverfassungsgesetz und Gemeindefinanzgesetz vom 15.12.1933. Nebst Durchführungsbestimmungen und Ausführungsanweisungen zu beiden Gesetzen, (Berlin, 1934), p. 16.

¹⁹⁰ Matzerath, *Nationalsozialismus*, pp. 121-3.

¹⁹¹ *Ibid.*, p. 115.

capacity and no direct rights of codetermination, as well as very limited supervisory rights, meaning the head of the community or municipality could more or less act without restraints even if, in practice, efforts were often made to forge a consensus between the mayor and the respective council.

Following the Party's intentions, this immense range of powers called for a leader function *sui generis* being accorded the lord mayor, and this was a significant departure from the traditional role of the lord mayor and how that office was construed.¹⁹² In this context, Horst Matzerath raises the fundamental question of whether the respective lord mayor was actually a specific representative of the Nazi system or whether, at the local level, it was possible to secure a degree of room for maneuver without Party intervention.¹⁹³ It bears emphasizing here that, in particular, those lord mayors who were new appointments (directly) after the Nazis took power were shackled to the Party to a large degree, since it was typically the Party's initiative at the local level that had led to the supervisory bodies at the state or Reich level allowing a new appointment to the particular post. At the same time, lord mayors like Danzebrink who remained in office were now subject to pressure to conform that we should not underestimate; after all, even after the first phase during which the regime stabilized itself, there were repeated instances of persons being dismissed from office and being posted elsewhere, and even clearcut administrative expertise at no point functioned as real security against the regime's tyranny or the power ambitions of district or Gau heads.¹⁹⁴ That said, throughout the Gau of Kurhessen from the summer of 1933 onwards only three lord mayors of districts were replaced, a clearly below-average figure.¹⁹⁵ Throughout the Reich, in particular in Catholic regions, the heads of municipalities frequently remained in office to an above-average extent.¹⁹⁶ Horst Matzerath nevertheless outlines that the career paths of lord mayors during the Third Reich were far more heterogeneous than was the case in the 1918-1933 period, let alone before World War I, when city heads were almost exclusively lawyers who,

¹⁹² Rebentisch, Dieter: "Die politische Stellung der Oberbürgermeister im Dritten Reich," in Klaus Schwabe (ed.): Oberbürgermeister. Deutsche Führungsgeschichten in der Neuzeit 13; Büdinger Forschungen zur Sozialgeschichte 1979, (Boppard am Rhein, 1981), p. 128.

¹⁹³ Matzerath, Horst: "Oberbürgermeister im Dritten Reich. Auswertung einer quantitativen Analyse," in: *ibid.*, p. 159.

¹⁹⁴ See, on the relationship between lord mayors and Gau heads in general, Noakes, Jeremy: "Oberbürgermeister und Gauleiter. City Government between Party and State," in: Gerhard Hirschfeld & Lothar Kettenacker (eds.): Der "Führerstaat": Mythos und Realität. Studien zur Struktur und Politik des Dritten Reichs, (Stuttgart, 1981), pp. 194-227.

¹⁹⁵ Cf. Matzerath, Oberbürgermeister, p. 168.

¹⁹⁶ Cf. his Nationalsozialismus, pp. 79 f.

prior to taking office, had held administrative positions in state or municipal functions. He therefore proposes that in the 1933-1945 period we can assume there were only five types of lord mayor. The first group in the major German cities, Matzerath believes, consisted of so-called *Old Warhorses*, largely born before 1885 and who had joined the NSDAP by 1928 and held a high Party function. They are without exception non-academics. This group resembles that of *Prominent Nazis* in many ways, who did not join the Party until between 1928 and 1933 and held university degrees (although they had not as graduates become barristers). The third group is the largest, the “Nazi Lawyers”, whose shared characteristic was their professional qualification. Like the members of the two other groups, they joined the NSDAP before 1933 but were on average younger, and despite their legal training they often had no prior experience in municipal offices. Membership of one these groups in general indicated clear political reliability. A distinctly more precarious position was held by the groups of “Fallen in March” and “Administrative Experts”. The former joined the Party in the few months between the Nazis having taken power and the moratorium on new members of May 1, 1933, and by dint of their Party membership had some “makeshift legitimation for occupying a leading municipal function”; they were exposed to ongoing mistrust and reservations on the part of the Party. Almost half of this latter group was already in office prior to 1933 and was correspondingly left there; the other half was made up of lawyers with long-standing experience in an administration. These aspects, like that of joining the Party at a late date, were all the more true of the “Administrative Experts”, who as non-Nazi administrative experts survived the first wave of firings and remained in office owing to their expertise. Only just under half of the administrative experts joined the NSDAP after the moratorium was then lifted.¹⁹⁷

Dr. Franz Danzebrink was clearly a member of the last group. He had worked for the City of Fulda from 1925 onwards and, initially as a legal assistant and later as a member of the municipal executive, had acquired extensive administrative expertise, for example in welfare services as well as in the capacity of office manager of the staff section.¹⁹⁸ When, in April 1930, he was then elected lord mayor, Danzebrink had only just turned 30. After the Nazis took power, he benefited from this administrative expertise just as he did from his strong roots in Fulda’s Catholic middle class.

¹⁹⁷ Cf. *ibid.*, pp. 173-7, quote from Horst Matzerath: “Oberbürgermeister im Dritten Reich,” in Hirschfeld & Kettenacker: *Führerstaat*, p. 240.

¹⁹⁸ StadtAFd, Portf. III a, 23, vol. 1, Personnel file Danzebrink, sheet 37.

Matzerath also states that the Zentrum Party lord mayor stayed in power despite attacks by the NSDAP, out of consideration for the Catholic milieu.¹⁹⁹ This assumption seems realistic, but Matzerath does not cite direct sources for it. It is conceivable that the reference to attacks by the Nazi Party relates, for example, to events in March 1933. In a list composed after the end of the war stating “data on my political past”, Danzebrink claimed that after the elections, despite being threatened with armed force, he had prevented the NSDAP from flying the swastika flag from the turret of Fulda Castle and that this led to the then District Head Heinrich Gernand asking the Ministry of the Interior to sack him.²⁰⁰ The fact that Danzebrink cited various police officials as witnesses on his behalf cannot change the fact that such self-descriptions, coming directly after the end of the Third Reich, need to be treated as source material with great critical circumspection. Irrespective of this, Lord Mayor Danzebrink swiftly switched to a conformist course, although in Fulda there were several remarkable idiosyncrasies involved.

3.2. Franz Danzebrink, Karl Ehser, and the Fulda special case

As stated in chapter 1, large parts of the population in Fulda still had a pronounced non-Nazi outlook in 1933, and this was a key factor in why the lord mayor was not immediately replaced – not that there was a suitably knowledgeable candidate acceptable to Catholic Fulda with whom to replace him. The NSDAP only had a very weak foothold in the city, and it initially seemed imperative that to secure its power it had first to find a *modus operandi* with the existing administrative elite and the local citizenry. The ranks of the NSDAP district group evidently did not include the right person who could be trusted to successfully discharge the official duties of a lord mayor or who could comprehensively manage the key local levers of power. The appointment of Karl Ehser, initially as a deputy and in 1934 as mayor, secured the NSDAP’s influence in the city administration. Christian Raulf accordingly summarizes the situation in the municipal history of Fulda poignantly: “On the one hand, [Danzebrink’s remaining in office] can evidently be attributed to the fact that, since he was a proven administrative specialist, they wanted to keep him for his skills and expertise. On the other, they clearly felt that Danzebrink could be controlled by Mayor

¹⁹⁹ Matzerath, Oberbürgermeister, p. 187.

²⁰⁰ Cf. StadtAFd, Portf. III a, 23, vol. 2, Personnel file Danzebrink, sheet. 224.

and District Head Ehser.”²⁰¹ In his lecture in Fulda, which was later published, historian Thomas Klein pointed out that Danzebrink was without doubt an exceptional administrative specialist, but it was highly unusual for a politician from the Zentrum Party to remain in office during the entire Third Reich.²⁰² Various attacks by the NSDAP in the years immediately prior to the Nazis taking power would indicate that they considered Danzebrink a representative of the democratic system, and he was called on to resign at least once before 1933.²⁰³ During the same period, Catholic politicians and the middle-class public sphere, in particular in the form of the *Fuldaer Zeitung*, had warned against the dangers the Nazis posed, although the lord mayor did not play any prominent public role in this context.²⁰⁴

In a report to Regional Council President Ferdinand Friedensburg on a fatal election campaign clash between National Socialists and Communists, Danzebrink expressly emphasized that the KPD members had been peaceful – in contrast to the armed members of the NSDAP.²⁰⁵ Moreover, in another letter, this time to the *Fuldaer Zeitung*, he unmistakably underscored his lack of understanding for six NSDAP members having not been sentenced, even though they had been armed when they ambushed political opponents close to their party headquarters.²⁰⁶ Likewise, his above-mentioned refusal to allow the swastika flag to be flown from the city castle flagpole after the March 1933 elections and his intervention when the editorial premises of the *Fuldaer Zeitung* were destroyed on December 10, 1933, point to his having distanced himself clearly from the Nazi methods and early claims to power.²⁰⁷ This contrasts with a notable passivity as regards the highly aggressive stance the NSDAP took in the municipal parliament and its elimination of elected members not only of the workers’ parties but also of the Zentrum Party after the March 1933 election. The latter held an absolute majority in the newly elected municipal council. When, during the constitutive meeting of March 31, Zentrum representative Franz Enders was also elected voluntary deputy alongside Ehser, Kassel Regional Council President Konrad von Monbart intervened in response to a complaint brought by the

²⁰¹ Raulf, Christian: “Verwaltungsgeschichte,” in Fuldaer Geschichtsverein (ed.): Geschichte der Stadt Fulda, (Fulda, 2008). Vol. 2: Von der fürstlichen Residenz zum Hessischen Sonderstatus, p. 128.

²⁰² Cf. Klein, Stadt, p. 141. See on this also Heiler, Stellungnahme, pp. 10 f.

²⁰³ Cf. Schönekas, Christenkreuz, pp. 171-3.

²⁰⁴ Cf. *ibid.*, pp. 148-53.

²⁰⁵ Cf. HStAM, Portf. 165, no. 6957, seq. no. 9-11.

²⁰⁶ Cf. *ibid.*, Letter from the Lord Mayor to the *Fuldaer Zeitung*, Nov. 7, 1932, seq. no. 37.

²⁰⁷ Cf. Heiler, Fulda, pp. 132 f.

NSDAP. He refused to confirm the election and instructed that only Ehser be appointed deputy. This was a clear breach of the regulations, as an elected office did not require confirmation by the Regional Council President. Nevertheless, Ehser was sworn in as the only deputy on April 1 and without objections.²⁰⁸ Moreover, the lord mayor had to accept that in mid-July Ehser decreed, as it were, that several members of the Zentrum Party be passed over as city councilors and the thus vacant positions be filled by Nazis.²⁰⁹

In public, Danzebrink swiftly adopted a stance that supported the regime and in a speech on March 23 mentioned how the Nazi regime and the old elite had closed ranks in the context of the *Day of Potsdam*:

“We all want to help set up a strong and free Fatherland over which the sun of love and justice will shine. This wish, my dear fellow citizens, we seek to express by calling: Long live our beloved German Fatherland and at its apex that great Field Marshall General and Reich President von Hindenburg!”²¹⁰

The rhetoric chosen was destined to appeal to nationalist/conservative and Catholic circles without problems; one focus surprisingly was on praising politicians post-1918 who had championed the liberation of the Rhineland and commemorating the dead of World War I. Hitler is mentioned but briefly, namely as someone facing the difficult task of eliminating the “oppressive distress of public and private sector life”.²¹¹ It strikes the eye how the speech praises Hindenburg and refers to him as the head of the “Fatherland” in contrast to Hitler, and this attests clearly to the lord mayor’s underlying conservative, patriotic, but most certainly not Nazi outlook. The rhetoric had changed notably by the time Danzebrink and Ehser informed readers of the *Fuldaer Zeitung* in early 1934 of changes to the duties of the local municipality as a result of the *Prussian Local Authority Constitution Act*. The municipal councilors who acted as advisors to the lord mayor would continue to function as the link between the administration and the populace, but the importance of the local press as the communications channel of municipal politics also rose. Danzebrink and Ehser explained the expected changes accordingly through the pages of the *Fuldaer Zeitung*. The lord mayor emphasized that, according to the new law, he was solely responsible for the fate of the municipality, and through close cooperation with Ehser the linkage of city and Party

²⁰⁸ Raulf, *Verwaltungsgeschichte*, pp. 126 f.

²⁰⁹ Cf. *ibid.*, p. 127, and Schick, *Stationen*, p. 16.

²¹⁰ *StadtAFd Portf. III a*, 23, vol. 2, Personnel file Danzebrink, sheet 223.

²¹¹ *loc. cit.*

would be ensured. Moreover, the mayor, as the law envisaged, would act as Municipal Treasurer.²¹² The lord mayor:

“[...] emphasized in conclusion that on all matters of principle he was in complete agreement with the district head of the NSDAP and cooperating to achieve the goals of the Reich government was the lodestar of the municipal administration. Mayor Ehser also attached importance to stating that there was no disharmony at all between the city’s leadership and the NSDAP.”²¹³

Here, we can already see Danzebrink practicing what Elmar Schick elsewhere termed his “adapting to the Nazis’ phraseology.”²¹⁴ This should not lead us to forget that politically Ehser, with his strong network in the Nazi Party, was the one who “[...] determined the direction taken by the municipal administration and who made certain that orders issued by Berlin and Kassel were smoothly implemented in Fulda.”²¹⁵ Alongside the office of Municipal Treasurer, Ehser was Head of the Police Dept. and thus responsible for giving the Nazis a monopoly on the use of force. As Head of the Personnel Dept. he also watched over another highly political area of administrative work, as by hiring additional Party comrades he was able to give the administration a stronger ideological focus.²¹⁶ Moreover, the role of the NSDAP in the everyday municipal administration was also given far greater institutional strength by dint of the *German Municipal and Community Ordinance of May 1, 1935*, compared to the *Community Constitution Act*.²¹⁷ In early 1934, Danzebrink himself proposed that Ehser be appointed full-time deputy mayor²¹⁸ and in 1935, following an inquiry from the Gau HQ, stated that the distribution of responsibilities within the municipal administration had been decided in agreement with Ehser, as a result of which “[...] tensions [...] of any sort have not to date arisen”.²¹⁹ One challenge “to the scope of the individual duties that [...] the leader of the municipality shoulders, [is however] the fact [...] that Mayor Ehser is at the same time district head of the NSDAP for the City of Fulda and its surroundings, and has to devote a lot of his time to those tasks.”²²⁰

²¹² Cf. Schick, *Stationen*, p. 17.

²¹³ “Fuldaer Zeitung” of March 1, 1934, article “Die neue Fuldaer Stadtverwaltung,” quoted from Schick, *Stationen*, p. 18.

²¹⁴ Schick, *Stationen*, p. 21.

²¹⁵ Heiler, *Fulda*, p. 134.

²¹⁶ Schick, *Stationen*, p. 38.

²¹⁷ Cf. Raulf, *Verwaltungsgeschichte*, p. 130, and Cramer, *Wilder & Stolper: Rathaus*, pp. 79 f.

²¹⁸ Cf. StadtAFd, Portf. 4, no. 7711, Personnel File Karl Ehser, vol. 1, Letter from the Lord Mayor to the Regional Council President, Jan. 19, 1934.

²¹⁹ StadtAFd, Portf. III a, 23, vol. 1, Personnel file Danzebrink, Letter from the Lord Mayor to Gau leadership of Oct. 25, 1935, sheet 118.

²²⁰ loc. cit.

Moreover, he reported that the position of Councilor for Buildings had not been filled and the Director of the Accounting Dept. was not available owing to illness, whereas the Legal Councilor was doing military service.²²¹ It is noteworthy that in the same letter, in response to the Gau HQ inquiry Danzebrink states that “he had no links to persons who can be categorized as belonging to the circle of political Catholicism” and was not in contact with members of the Catholic clergy.²²² This reveals the ongoing lack of trust that at least some members of the Gau HQ had in the Catholic lord mayor and which Christian Raulf put his finger on.²²³ Within the Nazi Party, this distrust went so far that in November 1935 a proposal was tabled whereby “[...] the Mayor [sic!] of Fulda should be replaced by a more reliable National Socialist.”²²⁴

The division of labor between Ehser and Danzebrink, which, to put it simply, placed the politically charged duties within the ambit of the district head, was a remarkable special case given the extent to which it took place. This becomes especially obvious if we consider the arrangement of situational reports sent to the Regional Council in Kassel and the overall management of the Police Dept. The lord mayor “[...] was at most responsible in general terms for the city’s situational reports sent to the District Council President, but he notably had them written by the Head of the Police Dept., a **quite unique permanent arrangement as far as the entire regional district went** [my emphasis, A. C].”²²⁵ Not least, this fact provides proof of Elmar Schick’s analysis whereby Ehser had seized power as quickly as possible in the politically controversial fields even before his appointment as mayor in 1934, namely when he was still a voluntary deputy.²²⁶ The lord mayor had to bow down to this. This distribution of powers even in detailed matters can be seen, for example, in how the city leaders handled the *Act to Restore a Permanent Civil Service of April 7, 1933* (hereinafter: *Permanent Civil Service Act*)²²⁷ The act created the formal legal basis for excluding Jewish civil servants from local and municipal administrations;²²⁸ however, it also meant ensuring that “civil servants who, going by their political activities hitherto, could

²²¹ Cf. Ibid.

²²² loc. cit.

²²³ Cf. Raulf, *Verwaltungsgeschichte*, p. 131.

²²⁴ Freund, *Gewalt*, p. 268.

²²⁵ Klein, *Stadt*, p. 142. For a detailed discussion of the implications, see Chapter 3.2.1.

²²⁶ Cf. Schick, *Stationen*, p. 18.

²²⁷ Reprinted in Sorter, Albert: *Gesetz zur Wiederherstellung des Berufsbeamtentums mit den Durchführungsbestimmungen und ergänzenden Vorschriften des Reichs und der Länder. Mit Erläuterungen und Sachverzeichnis*, (Munich, 1933).

²²⁸ Ibid., section 3, para. 1, reprinted in Sorter: *Gesetz*, p. 17.

not be guaranteed at all times and unreservedly to support the national state [...] should be suspended from service.”²²⁹ In the case of members of the Communist Party, mere Party membership sufficed to prove “national unreliability”, while in the case of members of other parties it needed to be demonstrated that “in their writings, utterances, or by their behavior otherwise they had been spiteful towards the national movement, had insulted its Fuehrer, or had abused their official station to persecute civil servants with a nationalist mindset, had demoted the same, or otherwise caused them injury.”²³⁰ This served as legitimation after the fact of the often pogrom-like exclusion of municipal officials that had already taken place.

The *Permanent Civil Service Act* was not applicable to blue or white-collar workers in publicly owned companies; on May 4, 1933, corresponding regulations were issued covering them.²³¹ All municipal civil servants, white-collar and blue-collar workers had to complete a questionnaire providing information on their ancestry and their membership of a political party. The questionnaires which, as per the *Permanent Civil Service Act*, municipal civil servants had to complete have not survived. In a communication of August 3, 1933, Ehser did, however, inform the Regional Council President that no measures needed to be brought under sections 2-4 of the *Permanent Civil Service Act* against any of the 55 municipal civil servants, and he attached a list of their names.²³² This is not consistent with the portrayal given by Udo Engbring-Romang on local measures the Nazis took to shore up their power and to persecute others, according to which a Fulda policeman was dismissed from service and actually sent to Osthofen concentration camp.²³³ According to the municipal records, only the documents kept by the post-war Support Bureau for Victims of Nazi Injustice holdings refer to the occurrence,²³⁴ and the above-mentioned list of names of municipal civil servants does not include any police officers. By contrast, the questionnaires filled in by blue and white-collar workers have survived at least in part, and in almost 100 cases were signed off by Lord Mayor Danzebrink on September 28,

²²⁹ Act on Permanent Civil Servants, section 4, in Sorter: Gesetz, p. 20.

²³⁰ Third Ordinance on the Implementation of the Act on Permanent Civil Servants of May 6, 1933, section 4, para. 2, reprinted in Sorter: Gesetz, p. 21.

²³¹ Cf. Hildebrand, Klaus: *Das Dritte Reich*, 6th rev. ed, (Munich, 2003), p. 3.

²³² StadtAFd Portf. 5, no. 93, Act to Restore the Permanent Civil Service, Letter to the Regional Council President of Aug. 3, 1933. Section 2 sets out the regulations for dismissing civil servants “who did not exhibit the mandatory or customary prior education specified for their career track or other abilities,” see *Berufsbeamtenengesetz* section 4, in Sorter: Gesetz, p. 16.

²³³ Cf. Engbring-Romang, Udo: “Machtergreifung, Machtsicherung, Opposition, Widerstand und Verfolgung (1933-1945),” in: Fuldaer Geschichtsverein, *Geschichte*, p. 139.

²³⁴ Cf. StadtAFd Portf. 8/1, no. 1, quoted from Engbring-Romang: *Machtergreifung*, p. 139.

1933, with the remark “No evidence as per sections 2-4 of the Act”.²³⁵ By contrast, seven cases were processed by Ehser where there was cause for dismissal, above all owing to membership of the Social Democratic Party. In these cases, those concerned signed identical statements confirming that they no longer had any contact with the Social Democratic or Communist Party or their organizations and were aware of the “treasonable character” of such.²³⁶ Thereafter, Ehser noted by hand on all the original questionnaires on November 24, 1934: “No evidence as per sections 2-4 of the Act” and “now with 1 explanation”, and had them filed.²³⁷ The reason for treating former Social Democrats this way was possibly an instruction from Berlin stating that the *Permanent Civil Service Act* should be applied judiciously “[...] in order to on-board compatriots for the national movement who had initially been adverse to it.” The same purpose was served by “primarily opting for a generous treatment of employees with a different political outlook”.²³⁸ Moreover, given that the NSDAP district group was small in Fulda, there was no great pressure to make certain *Old Warhorses* get jobs, something that the *Permanent Civil Service Act* was used to achieve in many other places.²³⁹ Irrespective of this, it is at least conspicuous that the few cases in Fulda where formal application of the *Permanent Civil Service Act* could have led to dismissals all landed on Karl Ehser’s desk, even though at this point in time he was, formally speaking, still a voluntary deputy, while Franz Danzebrink signed off the vast majority of the questionnaires.

By contrast, in his capacity as Head of the Schools Dept. Danzebrink came into more direct contact with infringements by the Nazi state, because in 1936 attacks on confessional schools increased. As NSDAP district head, Ehser took part in the harassment, and the bishopric’s officials drew Danzebrink’s attention to the fact that the attacks constituted a clear breach of the Concordat, something that needed to be avoided out of regard for the feelings of the Catholic population. Danzebrink responded to this request for support by saying his duty was to “stand up for the school policy objectives of the Reich government” and that in principle he condoned the “desire by the heads of state to eliminate the confessional structure to the school

²³⁵ Cf. StadtAFd Portf. 5, no. 92, Act to Restore the Permanent Civil Service.

²³⁶ Ibid., by way of example, the statement by laborer Paul Eichenbrod.

²³⁷ Ibid., for example the questionnaire completed by laborer Paul Eichenbrod.

²³⁸ StadtAFd, Portf. 5, no. 93, Letter to the Upper and Regional Council Presidents, May 29, 1933.

²³⁹ Cf. Cramer, Wilder Stolper, Rathaus, p. 64.

system [...]”²⁴⁰ The judgment passed down by the Court of Arbitration in the denazification process also considered the handling of the confessional schools to be an incriminating aspect of the behavior of the lord mayor during the Third Reich, even if this did not change its overall assessment.²⁴¹ Elmar Schick believes this is not the only episode that suggests Danzebrink’s focus was on conscientiously fulfilling his administrative duties, although, by contrast, at no point did he noticeably champion the civil rights and liberties of the population of Fulda.²⁴² What has hitherto been ignored was that the restructuring of the school system in Fulda (the suspension of the confessional schools involved merging the higher schools for girls) saved the city having to pay five-digit grants, something Danzebrink explicitly emphasized.²⁴³ Be that as it may, these occurrences in the education sector show the changed overall social conditions of the day. In the campaign during the National Assembly elections of 1919, the Social Democratic Prussian Minister of Education Adolph Hofmann had already endeavored to secularize the school sector and simply abolish the denominational schools. Back then, the bishops and Catholic politicians had responded sharply, condemning “all efforts intended to separate church and state, to banish religion from public life, to strip a school of its Christian character, and to rob the Church of its influence, derived from divine and human rights, of educating and raising young people.”²⁴⁴ Fulda’s Bishop Johannes Dietz sought to bring his influence to bear in the case of the secularization of schools during the Third Reich. However, there were no visible protests from among the Fulda populace such as occurred, for example, in Münsterland when crucifixes were removed from schools.²⁴⁵

In the final instance, Franz Danzebrink remained in office until 1945 and thus remained lord mayor at the apex of Nazi Fulda. During World War II he was on active military service for several years and was therefore not present in Fulda, yet his re-appointment as lord mayor was seemingly not an issue and was resolved unanimously on June 10, 1942, by the nine council members and the four deputies.²⁴⁶

²⁴⁰ Schick, Elmar: *Stellungnahme Dr. Danzebrink*, (Fulda, 2015), pp. 5-7.

²⁴¹ Judgment by the Denazification Tribunal of Holzminden of Oct. 24, 1948, in: StadtAFd, Portf. III a, 23, vol. 2, Personnel file Danzebrink, sheet 253.

²⁴² Schick, *Stellungnahme*, p. 12.

²⁴³ Cf. Schick, *Stationen*, pp. 324 ff.

²⁴⁴ Weichlein, *Sozialmilieus*, p. 90.

²⁴⁵ Cf. Rauh-Kühne, *Sozialmilieu*, pp. 230 f. The same, resolute protest is also reported as having occurred during the war in the Archdiocese of Bamberg; cf. Breuer, Thomas: *Verordneter Wandel? Der Widerstreit zwischen nationalsozialistischem Herrschaftsanspruch und traditionaler Lebenswelt im Erzbistum Bamberg*, (Mainz, 1992), pp. 281-90.

²⁴⁶ StadtAFd Portf. 3 a, no. 23, Personnel file Danzebrink, excerpt from the minutes of the

We cannot assume that Danzebrink's reappointment in 1942 was intended primarily as a way of keeping the population happy, despite what Günter Sagan writes in his expert opinion.²⁴⁷ Rather, the Nazi councilors sought to ensure continuity in the administration. Moreover, owing to the war it would no doubt have been significantly harder to find a replacement for Danzebrink. Correspondence between Ehser and various other offices in 1943 and 1944 actually suggests that the district head urgently desired support from Danzebrink and was highly interested in working together with him. In 1942 and again in 1943, Ehser was himself absent from Fulda for a longer period of time as he was undergoing medical treatment.²⁴⁸ On May 20, 1943, he contacted the Regional Council President for the first time and filed an application for working vacation on behalf of the lord mayor, as the latter was indispensable but had been drafted into the armed forces, and "the due execution of official business important and crucial to the war effort [in Fulda] was in part jeopardized".²⁴⁹ Gau Leader Weinrich also sought to ensure Danzebrink was released from service; the latter was apparently as a lieutenant in Brest-Litowsk "... primarily it would seem, in charge of accompanying trains of persons on home leave."²⁵⁰ The approvals process dragged out over several months and Ehser's request was eventually turned down, meaning the Fulda municipal administration remained understaffed. In another attempt in early 1944, Mayor Ehser again stated that "since January 1942 I have been solely responsible for the municipal administration and the Police Dept." He also pointed out that he was district head and general war conditions had led to his duties having increased such that "[...] the release of the lord mayor from military service" was urgently necessary.²⁵¹ In July 1944, the lord mayor was finally granted several weeks' working vacation from the armed forces, until, on November 20, 1944, he was classified as *indispensable (uk)* in his civilian role.²⁵² Danzebrink was thus in Fulda when the war came to a close, as his role when handing over the City of Fulda in the post-war period was a subject of much discussion. Mayor Ehser and the local Nazi Party leaders had fled Fulda, whereupon Danzebrink in particular is said to have urged

discussion with the civil councilors of June 10, 1942.

²⁴⁷ Günter Sagan: Stellungnahme zur Umbenennung der Dr.-Danzebrink-Straße, (Fulda, 2015), p. 2.

²⁴⁸ Cf. StadtAFd, Portf. 4, no. 7711, Personnel file Ehser.

²⁴⁹ StadtAFd Portf. 3 a, no. 23, vol. 2, Personnel file Danzebrink, sheet 186.

²⁵⁰ Ibid., sheet 187.

²⁵¹ Ibid., sheet 214.

²⁵² Cf. Ibid., sheet 220.

that the city be handed over to the victors without a fight to avoid further destruction.²⁵³ It is hard to verify these claims after the fact; however, the narrative was widespread at the time and was nothing special as regards Fulda.²⁵⁴ As Peter Krahulec remarks skeptically, Danzebrink himself does not mention this episode in his “Data on my political past”, whereas he does emphasize various other aspects.²⁵⁵

The urgency with which Ehser requested Danzebrink’s return to Fulda as of 1943 is, on the one hand, clear proof that the mayor felt out of his depth and presumably was overtaxed in exercising the twin roles of mayor and district head, meaning he felt unable to manage the affairs of the city given the fact that the administration was appreciably understaffed. On the other, it shows that Danzebrink’s expert abilities were still held in very high esteem, even 11 years after the Nazis had taken power, and that the highest-ranking representative of the NSDAP in Fulda felt he was indispensable. Danzebrink continued not to be a “Nazi activist”;²⁵⁶ however, down through the years he became a reliable, indispensable partner for the NSDAP in Fulda, and with his administrative expertise and reputation helped stabilize the regime locally. The repeated, pressing letters up the line make it clear that the local NSDAP leadership was sure of Danzebrink’s loyalty and expected that he would cooperate in Fulda in achieving the goals of the Nazi state. From 1933 onwards, no public opposition to the Nazis’ crimes was to be heard. Rather, Danzebrink managed at various points to exploit the overall conditions of the Third Reich, in particular in order to further the city’s financial interests under conditions that would never have come about in a democracy.

3.2.1. Responsibilities in connection with the Fulda police

During Nazi rule, at the local level as a matter of principle the lord mayor remained the local police chief and as such was subordinate in the line hierarchy to the respective regional council and the Reich Ministry of the Interior. Even well before 1933, once a quarter a report on occurrences of importance to the police was sent to the Ministry of the Interior via the interim agency of the Regional Council. During the Third Reich, the

²⁵³ Cf. Sagan, Günter: “Kriegsjahre (1939-1945),” in: Fuldaer Geschichtsverein, *Geschichte*, pp. 202-4.

²⁵⁴ Cf. Klaus-Dietmar Henke, *Die amerikanische Besetzung Deutschlands*, (Munich, 1995), pp. 778 f.

²⁵⁵ Cf. Krahulec, *Stellungnahme*, p. 2.

²⁵⁶ Schick, *Stationen*, p. 18.

significance of these reports grew and from May 1933 onwards they had to be sent monthly to the Gestapo in Kassel, which then forwarded them to Gestapo headquarters in Berlin.²⁵⁷ The idea of creating a state police office in Fulda, an issue discussed prior to 1933, was abandoned shortly after the Nazis took power, and Fulda thus found itself in a vacuum, caught between the one office in Hanau and the other in Kassel.²⁵⁸ Not until August 1941 was a state police field office created with five officials, replacing the main field office of the Reichsfuehrer SS security service that had formerly been in charge.²⁵⁹ Danzebrink was only very generally responsible for these situation reports, as Fulda constituted the above-mentioned exception within the Kassel Region and because the head of the Police Dept. was not, as was customary prior to 1933, the lord mayor, but rather his deputy, Mayor Ehser²⁶⁰. The latter also drew up the reports for Kassel and was in charge of the local police offices, even if ordinances from up the line continued to be sent to the lord mayor as the local police chief or, specifically in the case of the Prussian government region of Kassel, to the county councilors and the lord mayors in Fulda and Marburg.²⁶¹ Evidently, the Nazi Party felt it imperative that Ehser head the Police Dept. in order to gain direct control over the agency of the monopoly on force and was prepared to tolerate the fact that this led to an exception in the distribution of responsibilities. Whether there was active mistrust of the lord mayor in office or whether the Party primarily sought additional security for its position cannot be ascertained from the surviving documents. It is absurd to imagine that Danzebrink was completely excluded in practice from police contexts; instead, despite the unusual distribution of tasks, he remained informed of all the relevant developments.²⁶²

The police played a central role in the regime's apparatus of repression, as did the Auxiliary Police, particularly after the Nazis took power, which was made up of members of the Storm Troopers and the Stahlhelm paramilitaries. This was evident, for example, when it came to breaking up the workers' parties, the trade unions, and

²⁵⁷ Klein, Stadt, p. 139.

²⁵⁸ Klein, Lageberichte, pp. 9 ff.

²⁵⁹ Cf. StadtAFd, Portf. 9, no. 475, Morning police reports to the lord mayor, report of Aug. 7, 1941.

²⁶⁰ Klein, Stadt, p. 141.

²⁶¹ See, for example, the Ordinance by the Regional Council President on 'Combatting the Gypsy Plague' of June 24, 1938, reprinted in Engbring-Romang: Fulda-Auschwitz, p. 48.

²⁶² The morning reports 1941-2 were, for example, explicitly addressed to the lord mayor, and with his re-entry into military service in January 1942 are then discontinued, cf. Note 308.

their underlying organizations. In the City and County of Fulda, for example, the remaining Communist Party structure was placed under close observation and finally demolished on November 9, 1933, with 11 functionaries being thrown into custody.²⁶³ The police also discharged central duties as regards handling other political opponents who were assumed to be dangerous, although it did not apply force in the process.²⁶⁴ Also worthy of note in the Fulda context, first and foremost, is the political Catholic community. It was included as a separate fixed topic in all reports, and Ehser correspondingly addressed it in detail.²⁶⁵ In the eyes of the state police office in Kassel, the Catholic Church was the most dangerous opponent because it was a concentrated seedbed of “[...] opposition to the ideology and shape of the National Socialist state that goes far beyond the pure domain of religion”.²⁶⁶ A similar view was taken in Fulda, where the report stated that “the majority of the Catholic clergy remains reserved when it comes to the State and the Movement, or rejects them.”²⁶⁷ Aspects that were addressed in this context were the difficulties in setting up the Hitler Youth, owing to the fact it was inimical to the Church and the strength of Catholic youth associations, and the comparatively high number of no-votes when it came to unifying the office of Reich President and Reich Chancellor. Moreover, the responses to the pastoral letters issued by German bishops were reported in detail.²⁶⁸

For all their ideological coloring, the monthly reports to Kassel are a valuable source for assessing the mood among the population. Since they are documents that result from internal government communications, as a rule they are bereft of propaganda glosses in order to give the Gestapo and the other Party offices as accurate a picture as possible and thus enable them to respond to nascent dissatisfaction in the population. For example, a report from Fulda in 1934 states that ongoing high unemployment was a source of dissatisfaction. The same applied to price increases, in particular as wages were stagnating.²⁶⁹ Furthermore, the reports also reflected on the fact that the local population had not internalized the new regime’s anti-Semitic ideology during the consolidation phase and, for example, despite various boycotts

²⁶³ Cf. Klein, Lageberichte, pp. 77 f., report for Q4 1933.

²⁶⁴ Cf. Wilhelm, Friedrich: Die Polizei im NS-Staat. Die Geschichte ihrer Organisation im Überblick, (Paderborn, 1997), pp. 47 f.

²⁶⁵ See, for example, the report of February 1935, in Klein, Lageberichte, p. 235.

²⁶⁶ *Ibid.*, p. 37.

²⁶⁷ *Ibid.*, p. 120.

²⁶⁸ *Ibid.*, pages 120, 146, 297.

²⁶⁹ Klein, Stadt, pages 151, 154.

organized by the Storm Troopers, trade with Jews in the agricultural sector had hardly dwindled.²⁷⁰ Moreover, the reports even mention conflicts within the Party.²⁷¹ However, Thomas Klein states that in general the reports from Fulda were “[...] more primitive, decidedly more coarse, and compared to the reports from several other police offices within the Regional Council’s jurisdiction were poor in terms of form and content. One hunts in vain in them for analyses that go into things in any depth.”²⁷² There are no files after 1936, as the police organization was restructured with only the Reich Fuehrer’s security service receiving reports, whereas the state level was henceforth excluded from the reporting line, which spelled further centralization of police duties.²⁷³

Documentation by the local police office is far from complete. At first sight, an analysis of the police ledger²⁷⁴ and the morning police reports to the lord mayor (only available for 1941-2) is especially instructive.²⁷⁵ It is noteworthy that on February 26, 1934, it was Ehser who signed the order that a police ledger be kept, whereas the first surviving entries date from November 1937,²⁷⁶ albeit perfectly in line with the template set in 1934. The documentation ceases as of year-end 1939 and thus only covers slightly over two years.²⁷⁷ In other words, there is no local police record of the “bombing” of the Fulda cattle market in July 1935,²⁷⁸ let alone information on the riots outside the district court when the probational judge ruled in favor of a Jewish landlord in a tenancy case – whereas the Gestapo reports mention it.²⁷⁹ However, both matters were exhaustively detailed in the reports to the Gestapo in Kassel;²⁸⁰ likewise, there is a parallel documentary trail consisting of reports to the Gau leadership on the anti-Semitic pogroms in Fulda on June 24, 1935.²⁸¹ What is unusual is that the daily report to the state police in Kassel on riots against the probational judge was an

²⁷⁰ Ibid., p. 146.

²⁷¹ Klein, Lageberichte, p. 162 f.

²⁷² Ibid., p. 142.

²⁷³ Klein, Stadt, p. 140.

²⁷⁴ Cf. StadtAFd, Portf. 13, no. 475, Police ledger.

²⁷⁵ Cf. StadtAFd, Portf. 9, no. 487, Morning reports.

²⁷⁶ Cf. StadtAFd, Portf. 13, no. 475, Police ledger, entry of Nov. 16, 1937.

²⁷⁷ Ibid., entry of Dec. 31, 1939.

²⁷⁸ In a pogrom organized by the District Farmers Association and the Storm Troopers, Jewish cattle traders were expelled from the market by force in July 1935 for purportedly fixing prices. See also Chapter 3.2.2.

²⁷⁹ Cf. Schick, Stationen, pp. 34 f. as well as Renner, Schulz & Zibuschka, Schicksal, p. 12.

²⁸⁰ Cf. Klein, Stadt, p. 150 as well as Klein, Lageberichte, vol. 2, Daily report of Feb. 23, 1935, pages 814 and 828.

²⁸¹ Cf. HHStAW, Portf. 483, no. 2929, Reports to the Gau leadership of Kurhessen.

exception in not being signed by Ehser as head of the Police Dept., but by Danzebrink.²⁸² In the report, Appel is sharply criticized for “[...] responding to the efforts by the district head towards toeing of the National Socialist line when handling litigation from tenants by disloyally and treacherously attempting to stir up feeling against the district head among the latter’s superiors.”²⁸³ In terms of rhetoric and content, here Danzebrink clearly takes a pro-Ehser stance and prioritizes the regime of ideology over constitutional law standards.

In the years covered by the Fulda police ledger, we find a detailed chronicle of everyday police force life, recording every deployment; it is signed each day individually by the highest-ranking policeman, Detective Chief Superintendent Berend.²⁸⁴ The police ledger manifestly reveals how the local security agencies were auxiliaries to the Nazi policy of violence, as is clear, for example, from the entry for September 8, 1938, when a worker “[...] was taken into custody pending his enforced dispatch for sterilization”.²⁸⁵ There are countless incidents recorded in the police ledger of the police having participated in surveillance, discrimination, and persecution of Sinti and Roma.²⁸⁶ Particularly detailed are the registration and listings for the transports that suddenly started in August 1938 of over 100 Sinti and Roma via Fulda; they were a matter of concern not only to the police, but to the welfare office, the poorhouse, and the infirmary and the municipal hospital.²⁸⁷ The police ledger does not clearly say what triggered the transports, which were handled by the police but are outlined in the documentation compiled by Udo Engbring-Romang. The background to the arrivals in Fulda was an ordinance issued by the Regional Council President for “[...] a general manhunt for gypsies” and a decree by the Reich Fuehrer SS issued at about the same time that all Sinti and Roma living west of the Rhine be deported eastwards.²⁸⁸ Fulda was evidently at least an oft-frequented interim stop along the way, whereby the local police prevented anyone settling permanently and very swiftly deported the new arrivals to Unterweid.²⁸⁹ This clearly cursory presentation of the context in the police ledger is also emulated in cases which, in the eyes of the regime,

²⁸² Schick, Stationen, p. 34.

²⁸³ Quoted from *ibid.*, p. 35.

²⁸⁴ Cf. StadtAFd, Portf. 13, no. 475, *passim*.

²⁸⁵ *Ibid.*, entry for Sept. 8, 1938.

²⁸⁶ See, for example, *ibid.*, entry for Dec. 13, 1937.

²⁸⁷ See *ibid.*, various entries between Aug. 1 and 18, 1937.

²⁸⁸ Engbring-Romang, Fulda-Auschwitz, pp. 48 f.

²⁸⁹ Cf. *Ibid.*, p. 49 as well as StadtAFd, Portf. 13, no. 475, e.g., entry for Aug. 9, 1938.

were political crimes, such as infringements of the so-called *Treachery Act*.²⁹⁰ In these cases, only the release or transfer to the district court jail or handover to the Criminal Investigation Bureau was reported, but not the exact character of the deed.²⁹¹ Occurrences in *regular* everyday police life, such as recording road traffic accidents, are described in far greater detail as a rule. Nevertheless, it would be wrong at this point to assume an opposition or even a division of duties between the municipal local police and the Criminal Investigation Bureau, as well as the Nazi auxiliary troops and later the security services and the Gestapo. All parts of the surveillance apparatus worked together in surveillance and persecution of political opponents and the deportation of the Jewish population.

*The course of the Night of Broken Glass can be reconstructed in a similar, general manner from the police ledger. For November 9, 10, and 11 there were a total of nine entries of attacks on Jewish homes, the destruction of the graveyard, and the burning of the synagogue,²⁹² without any assessment of the background being given. Thomas Heiler notes that it seems obvious the very portrayal of attacks on houses as “rowdy acts by youths”²⁹³ was a euphemism, as was the instruction at the Reich level to have the pogroms look like the “eruption of spontaneous popular anger”²⁹⁴ that served to veil it. This propaganda description was adopted in the *Fuldaer Zeitung*, which wrote “[...] that as an answer to the Paris assassination”, “[...] popular anger [...] was vented [...]”²⁹⁵ It is noteworthy that on the morning of November 10 there was one arrest²⁹⁶ at the instigation of Police Commissioner Berend who, after the end of the war along with Mayor Ehser and head of the Municipal Building Dept. Kunkel, was tried in court for his involvement in the arson attack on the synagogue.²⁹⁷ We cannot exclude that the man arrested averred he had rejected the deeds done; however, given the very brief entry*

²⁹⁰ The *Act against Insidious Attacks on the State and Party and to Protect Party Uniforms* of Dec. 20, 1934, made statements “liable to severely damage the wellbeing of the Reich or the reputation of the Reich government or the National Socialist German Workers Party or its organization” a criminal offense and thus largely restricted freedom of expression. The act was published in *RGBl.*, vol. 1934 part I, no. 137, pp. 1269-71; on the modus operandi see also: Werle, Gerhard: *JustizStrafrecht und polizeiliche Verbrechensbekämpfung im Dritten Reich*, (Berlin, 1989), pp. 137-141.

²⁹¹ Cf. *StadtAFd*, Portf. 13, no. 475, Police ledger, entries for Aug. 14 and Oct. 11, 1939, sheets 167 and 180.

²⁹² Cf. *ibid.*, sheet 097 ff.

²⁹³ Heiler, Fulda, p. 158.

²⁹⁴ This approach was ordained by Reich Propaganda Minister Joseph Goebbels, cf., for example, Herbst, Ludolf: *Das nationalsozialistische Deutschland 1933-1945*, (Frankfurt/Main 1996), p. 207.

²⁹⁵ *Fuldaer Zeitung* of Nov. 10, 1938, quoted from Heiler, Thomas: “Der Synagogenbrand in Fulda und seine juristische Aufarbeitung nach 1945,” in: *Fuldaer Geschichtsblätter*, 90 (2014), p. 123 f.

²⁹⁶ Cf., for details, Heiler, Synagogenbrand.

²⁹⁷ Cf. *StadtAFd*, Portf. 13, no. 475, Police ledger, entry of Nov. 10, 1938, sheet 098.

in the police ledger, it is impossible to reconstruct things in detail. While there is thus clear proof of Ehser's frontline participation as one of the arsonists, the documents do not show any evidence for the direct involvement of Lord Mayor Dr. Franz Danzebrink. According to his own statements in court, he did not arrive at the synagogue until 8 a.m. in the morning and thereupon criticized the dangers the arson entailed. There is nothing to add to Thomas Heiler's assessment that the lord mayor was "[...] not involved but also [undertook] nothing to prevent the action"²⁹⁸. When he visited the scene the following day, his concerns related primarily to the surrounding apartments and less the anti-Semitic rioting itself.²⁹⁹

The second central source in the area of the police are the above-mentioned morning reports to the lord mayor from between 1941 and 1942. As with the police ledger, the morning reports offer insights into regular police work during the war and the involvement of municipal agencies in Nazi crimes. There are countless reports on air-raid warnings and violations of the black-out regulations,³⁰⁰ just as there are regular reports on the arrest of deserters or of so-called "civilian laborers"³⁰¹ who had run off and whose subsequent fate is not described in the records as a rule. One exception here is the report on the execution of a Polish woman who was hanged "to set a frightening example".³⁰² Moreover, the daily reports outline how the municipal authorities were involved in the surveillance of persons persecuted by the regime³⁰³ and in racist discrimination against the Sinti and Roma. The following cursory description was given:

"at the instruction of the Reich Criminal Investigation Political Office, a female genealogical assistant from the Office for Research into Racial Hygiene in Berlin is in Fulda today and will be examining the gypsy persons not yet investigated in terms of their racial biology in the official offices of the Criminal Investigation Unit. A number of the gypsies the assistant had named were brought to the offices for the appointment."³⁰⁴

²⁹⁸ Heiler, Fulda, p. 161.

²⁹⁹ Cf. Renner, Schulz & Zibuschka: Schicksal, p. 112.

³⁰⁰ Cf., for example, StadtAFd, Portf. 9, no. 475, Morning reports, report of Jan. 27, 1941.

³⁰¹ Cf., for example, *ibid.*, Reports of Dec. 19 and Dec. 29, 1941. The euphemistic term "civilian worker" was used for workers who had been seized in territories occupied by the Germans and taken to Germany, frequently under duress, where they worked in the war effort. See, for the fundamental structure, Herbert, Ulrich: Fremdarbeiter. Politik und Praxis des "Ausländer-Einsatzes" in der Kriegswirtschaft des Dritten Reiches, (Bonn, 1999).

³⁰² StadtAFd, Portf. 9, no. 475, Morning reports, report of Jan. 26, 1942.

³⁰³ StadtAFd, Portf. 9, no. 475, Morning reports, report of Dec. 18, 1941, on the reporting requirements for "international bible researcher" Josef Helmke after his release from detention.

³⁰⁴ *Ibid.*, Report of Oct. 30, 1941, see also Engbring-Romang: Fulda-Auschwitz, p. 83.

Furthermore, the morning reports clearly show that the municipal police were used for supervision of the deportation of Fulda Jews: “Four officials from the Police Dept. were assigned to the removal of 150 Jews from the City and District of Fulda to Kassel.”³⁰⁵ Other sources also prove that the police were involved in the anti-Semitic system of surveillance and persecution.³⁰⁶ In other words, Danzebrink was without doubt informed about the above deportation. It is not proven without doubt precisely when the lord mayor was not in Fulda in 1941 because he was on active military service, but there are grounds for assuming it was the end of the year.³⁰⁷ No morning reports have survived after January 26, 1942, one day before Lord Mayor Danzebrink returned to active military duty.³⁰⁸ In the case of the deportations of May 30, 1942, and September 5, 1942, the lord mayor was therefore most probably not in Fulda.³⁰⁹ No written responses by him to the occurrences recorded in the police ledger have survived.

3.2.2. The Aryanization of property and Jewish assets in Fulda with a special focus on the involvement of municipal agencies

The term *Aryanization* – and this needs be said before analysis of the local forms it took – is often used in source materials dating from the Third Reich. There was, however, no official definition of it, let alone a Aryanization Act.³¹⁰ Rather, *Aryanization* is to be viewed as a collective term for anti-Jewish measures that obeyed an economic and finance policy logic in the broadest sense and from which various Nazi and state actors and agencies profited in a variety of ways.³¹¹ An attempt to interpret *Aryanization* primarily on the basis of legal texts suggests, so Hamburg

³⁰⁵ Ibid., Report of Dec. 9, 1941.

³⁰⁶ Cf., for example, the “Migration Statistics” on the Jewish population compiled by the police for each quarter, StadtAFd, Portf. 24, no. 53, as well as the responsibility to monitor travel, StadtAFd, Portf. 24, no. 52, List of Jewish Deportees, seq. no. 79.

³⁰⁷ After earlier war postings, among others in France, on Aug. 30, 1940, Danzebrink was declared “indispensable” (uk) by the Armed Forces Sub-Inspectorate Kassel and therefore remained in Fulda until at least April 30, 1941, see StadtAFd, Portf. III a, 23, vol. 2, Personnel file Danzebrink, sheets 156, 163. According to the personnel file, he was re-posted again on May 1, 1941, but the same file states that his “uk” status was extended from mid-March to June 30, see *ibid.*, sheet 162 f.

³⁰⁸ On his renewed posting, see *ibid.*, sheet 172.

³⁰⁹ A response written by Ehser to the Reich Ministry of the Interior of Sept. 13, 1943, clearly shows that Danzebrink was on active service from Jan. 27, 1942, onwards, see *ibid.*, sheet 183. Attempts by Ehser and Weinrich in early summer 1943 to obtain permission for Danzebrink to be released on working vacation to support the undermanned municipal administration show that the lord mayor was away continuously for a prolonged period, see *ibid.*, sheet 186 f.

³¹⁰ Cf. Bajohr, Frank: “Arisierung als gesellschaftlicher Prozess,” in Irmtrud Wojak (ed.): “Arisierung” im Nationalsozialismus. Volksgemeinschaft, Raub und Gedächtnis, (Frankfurt a. M., 2000), p. 15.

³¹¹ Cf. Kuller, Christiane: Bürokratie und Verbrechen. Antisemitische Finanzpolitik und Verwaltungspraxis im nationalsozialistischen Deutschland, (Munich, 2013), p. 243.

historian Frank Bajohr, a “statist understanding of dictatorship”³¹² that relies too strongly on a top-down structure in decisions. Instead, the reality was more an “extensive process of squeezing Jewish people out of business life, and the analysis must also tackle the conditions for this in terms of both social history and the history of rulership.”³¹³ An exclusive focus on state, regional, and local authorities as the actors simply negates Nazi rule as a social practice and the informal aspects of the way Jewish entrepreneurs and traders were squeezed out of business life. Irrespective of that, in the early phase of *Aryanization* it was above all the inland revenue offices that were involved in this process of squeezing Jews out of business, for example by making their expert knowledge available in price negotiations.³¹⁴ Given the leeway that local authorities and party offices had in the first phase of *Aryanization* through until about 1935, there were pronounced local and regional differences including, at this time, some “halfway fair sales”.³¹⁵

Aryanization between 1933 and 1945 constitutes the single largest “transfer of ownership” in German history,³¹⁶ and those who profited were accordingly diverse. They extended from mid-sized companies, who were able with state assistance to put an end to Jewish competition, through to Party members who acted for personal gain by grabbing assets. The personal motives were closely bound up with the anti-Semitic ideology and both aspects were mutually reinforcing. Unscrupulous actors benefited here in particular, exploiting the climate in society to personally wage war on the actual owners and thus, for example, gain a price advantage.³¹⁷ Overall, Frank Bajohr writes:

“[...] ‘Aryanization’ created a growing circle of beneficiaries and profiteers in German society who all had an interest in it not being possible for Jewish owners to bring claims against them and in this way were tied into the Nazi system of rule and/or tied themselves to it.”³¹⁸

The first step in *Aryanization* took place nationwide, coordinated through interaction between the official propaganda and local realization. A call to action on March 31,

³¹² Bajohr, *Arisierung als gesellschaftlicher Prozess*, p. 17.

³¹³ Bajohr, Frank: “*Arisierung*” in *Hamburg. Die Verdrängung der jüdischen Unternehmer 1933-1945*, (Hamburg, 1997), p. 15.

³¹⁴ Cf. Kuller, *Bürokratie*, p. 24.

³¹⁵ Wagner, Patrick: “Einleitung,” in Constantin Goschler (ed.): “*Arisierung*” und *Restitution. Die Rückerstattung jüdischen Eigentums in Deutschland und Österreich nach 1945 und 1989*, (Göttingen, 2002), p. 34.

³¹⁶ Thus in *ibid.*, p. 39.

³¹⁷ Cf. Wagner, *Einleitung*, pp. 33 f.

³¹⁸ Bajohr, Frank: “‘Arisierung’ und *Restitution*. Eine Einschätzung,” in Constantin Goschler (ed.): “*Arisierung*” und *Restitution. Die Rückerstattung jüdischen Eigentums in Deutschland und Österreich nach 1945 und 1989*, (Göttingen, 2002), p. 49.

1933, initiated by the Reich leadership of the NSDAP and published in the *Fuldaer Zeitung*, was followed on April 1 by nationwide boycotts of Jewish businesses. In Fulda, it was the SS and Storm Troopers that went into action, and this included vandalizing some of the stores in question.³¹⁹ Although the population had been called on to obey the boycott or otherwise face the accusation of being “traitors to the German people’s cause”³²⁰, some simply did not get involved. By contrast, however, a police report to the Gestapo in Kassel records that Jews and their business partners were on occasion subjected to threats and mockery.³²¹ The attempt to squeeze Jewish businesses out of the local market and in this way strengthen *Aryan* SMEs became more intense in the course of 1933, something manifested in a list of Jewish businesses, among other things, that was published together with a call for a boycott in early September 1933 in *Fuldaer Nachrichten*.³²² What stands out here is the Party’s dominant role compared to that of municipal agencies which, in part rigorously, prevented violent attacks and pursued a pragmatic economic policy tack, something driven not least by the fact that the livestock trade would not have survived without cooperation with Jewish dealers.³²³ This “tension because of the differences in the Party’s policy on Jews compared to that of government” is cited in the final instance by Ehser in a report to the Gestapo as the reason for the above-average number of pogroms, in particular by the Storm Troopers – events that shaped 1934. The destruction of homes and business premises, the demonstrations and physical attacks, (and they persisted in 1935, too) served to create a climate in society that enabled the radicalization of the attempts to drive Jews out of local business life.³²⁴ The pogroms culminated provisionally in the destruction of the Fulda livestock market briefly mentioned above and the expulsion of the Jewish cattle traders by the district farmers association and the Storm Troopers in a purportedly “spontaneous uprising”.³²⁵ The “Jew-free” livestock market that took place a month later proved economically unviable and the city lost money on it.³²⁶ On balance, these events serve to support the assessment by Gerhard Renner, Joachim Schulz, and Rudolf

³¹⁹ Cf. Renner, Schulz & Zibuschka, *Schicksal*, p. 10.

³²⁰ *Ibid.*, p. 51.

³²¹ Cf. Klein, *Stadt*, p. 147.

³²² Cf. Renner/ Schulz/ Zibuschka, *Schicksal*, p. 11.

³²³ Cf. *Ibid.*, p. 14.

³²⁴ Cf. Klein, *Stadt*, pp. 147-9.

³²⁵ Cf. *Ibid.*, p. 150, as well as Renner/ Schulz/ Zibuschka, *Schicksal*, p. 14.

³²⁶ Cf. Renner/ Schulz/ Zibuschka, *Schicksal*, p. 15.

Zibuschka “that Fulda and its environs, unlike other parts of Kurhessen, remained a constantly turbulent district for its Jewish inhabitants.”³²⁷

Not least under the impact of the so-called *Nuremberg Laws*³²⁸ resolved by the NSDAP Reich Party Convention on September 15, 1935, by the end of the year persecution of Jews got worse and more vigorous, as did the attempt to squeeze them out of business life. At the same time, emigration rose, along with migration into the larger cities.³²⁹ Moreover, the basic conditions for sales of companies had changed in the course of 1935, since the NSDAP Gau economic councilors, as the authorizing agencies for purchases contracts, had brought the *Aryanization process* more strongly under Party control and thus “asserted ideological principles in business life”.³³⁰ In this context, in Fulda “in some cases purchase agreements were actually annulled owing to Party intervention” as the buyers were either not Party members or not in associated organizations, had not participated in the frequent NSDAP gatherings, or were (purportedly or actually) opponents of the Party.³³¹ This practice was slightly eased in the course of the Third Reich, as can be seen from a decision by Reich Economics Minister Walther Funk, who clarified that authorization of a purchase could only be withheld if there were facts that showed that “the buyer is not worthy of acquiring Jewish property”. Non-membership of the NSDAP or a “strict church mindset” were expressly highlighted as not being sufficient conditions for a refusal to approve.³³²

The above abolition of contractual freedom went hand in hand from early 1936 onwards with the more strongly centralist organization of the expropriation of monetary assets on the basis of new foreign currency regulations – something in which the local tax offices as the implementing agencies were involved.³³³ In Fulda, this formed the

³²⁷ Loc cit.

³²⁸ The Nuremberg Laws institutionalized the racist and anti-Semitic ideology of Nazi Germany at the legal level, for example by forbidding marriages between Jews and “those of German blood” and discriminating against Jews under nationality legislation. Cf. the fundamental account by Essner, Cornelia: Die ‘Nürnberger Gesetze’ oder Die Verwaltung des Rassenwahns 1933-1945, (Paderborn, 2002).

³²⁹ Cf. Klein, Lageberichte, p. 366, as well as his Stadt, p. 151.

³³⁰ Bajohr, “Arisierung” in Hamburg, p. 175.

³³¹ Meinel, Susanne & Zwilling, Jutta: Legalisierter Raub. Die Ausplünderung der Juden im Nationalsozialismus und die Reichsfinanzverwaltung in Hessen, (Frankfurt a. M., 2004), p. 53.

³³² StadtAFd Portf. 24, no. 66, Registration of Jewish Assets, Communication by the Regional Council President to the Lord Mayors and County Councilors in the District, June 4, 1940, seq. no. 59.

³³³ Patrick Wagner identifies strengthening the position of the Gau Economic Councilors and the integration of foreign exchange policies in the Nazi persecution system as the second and third

basis for the “economic dismantling at top speed”³³⁴ from 1936. The Fuldaer Zeitung, now completely loyal to the regime under editor and Gau press chief Justus Meinardi, published a list on January 31 at the instruction of District Head Ehser of all “Aryan” businesses in order to prevent any “mistaken” purchases in Jewish stores.³³⁵ The district head and mayor thereupon redoubled his personal efforts to eliminate the Jews from business life and in so doing was quite happy to interpret the continued formal legal conditions to the disadvantage of Jewish members of the population:

“I wish to try and gradually completely exclude the Jews. One way of doing this is to prove there has been some unreal business practice. Then, the Jewish trader in question can immediately have his traveling trade certification withdrawn. It shouldn't be hard to find such reasons among the Jewish traders. I would therefore like to have my political chief conduct scheduled monitoring so that individual violations are immediately reported to me. So that I have documentation for the process, please send me a list of Jewish traders who have received traveling trade certificates or other certification from the District Administrator's Office.”³³⁶

This measure alone destroyed or at least severely threatened the economic basis of the lives of dozens of people.

With the beginning of 1938, the central government assumed a more active role in squeezing Jews out of German business life, and to this end specifically used legal ordinances. The *Ordinance on Registration of Jews' Assets* of April 26, 1938, forced German Jews to “register and value their entire domestic and foreign assets as of the day this Ordinance comes into force.”³³⁷ In Prussia, the respective Regional Council President was the authority in whose ambit registration and valuation came.³³⁸ After the “wild” *Aryanization* in Austria in March and April 1938, immediately following its annexation, the Reich set out to more strongly control expropriation processes and secure them by registering its own claims to confiscation.³³⁹ The dynamics of the process in Austria, where it was firstly channeled through newly created institutions and thus from the outset involved a strong “element of planning”, and secondly driven by massive participation on the part of the population, soon also fed back in terms of

phases of “Aryanization”, cf. Wagner, Einleitung, p. 34.

³³⁴ Renner, Schulz & Zibuschka, Schicksal, p. 16.

³³⁵ Cf. *ibid.*, p. 57.

³³⁶ HStAM, Portf. 180, Landratsamt Fulda, no. 4513, Issuance of Traveling Trade Certificates, letter from Karl Ehser to County Councilor Hans Burkhardt, Nov. 24, 1936.

³³⁷ Ordinance on the Registration of Assets of Jews, April 26, 1938, section 1, published in: RGBl., vol. 1938, part I, no. 63, p. 414.

³³⁸ Cf. *ibid.*, sections 4 and 6.

³³⁹ Cf. Bajohr, “Arisierung” und Restitution, p. 44 f.

forceful synergies to procedures in the “Old Reich”.³⁴⁰ The trend for the number of Jewish companies in Fulda shows clearly the scale that *Aryanization* had already reached before the Night of the Crystals, which introduced the final phase of government-driven compulsory *Aryanization*. Prior to 1933, regional trade and commerce included more than 200 companies owned by Jews.³⁴¹ By mid-1938 only 64 Jewish commercial companies were listed in the Fulda District Court Commercial Register; in addition, there were Jewish-owned small operations, but there is no knowing the exact number. In April 1938, Jewish companies were marked in color in the city street map.³⁴² This was also related to the *Ordinance on the Registration of Jews’ Assets* and the publication of a corresponding list in the Fuldaer Zeitung in September of that year.³⁴³ This gave greater depth to the discriminating practice. Not least for that reason, the number of “companies belonging to the chamber of commerce” had fallen to 49 even before the Night of the Crystals.³⁴⁴ After the attacks on synagogues, cemeteries, and Jewish homes and businesses throughout the Reich on November 9 and 10, 1938, the elimination of Jews from business life entered its final phase. In the central Reich ministries, there was a consensus that a centralization and standardization of measures was needed in order to wind up the transfer of real estates and companies.³⁴⁵ Once countless male Jews had been deported to concentration camps and the synagogue communities and the Jewish population had had a *penance fee* of one billion Reichsmark slapped on it,³⁴⁶ the *Ordinance to Eliminate Jews from German Business Life* was enacted the same day they were stripped of their rights. The ordinance states that Jews would, from January 1, 1939, “be forbidden from operating retail sales outlets, mail-order businesses, or order counters as well as independently running a trades workshop”³⁴⁷. Moreover, they were

³⁴⁰ Cf. Safrian, Hans: “Beschleunigung der Beraubung und Vertreibung. Zur Bedeutung des ‘Wiener Modells’ für die antijüdische Politik des ‘Dritten Reichs’ im Jahr 1938,” in Constantin Goschler (ed.): “Arisierung” und Restitution. Die Rückerstattung jüdischen Eigentums in Deutschland und Österreich nach 1945 und 1989, (Göttingen, 2002), pp. 61 f.

³⁴¹ Heymel, Hans: Die Wirtschaft in der Region Fulda im 19. und 20. Jahrhundert, (Fulda, 1995), pp. 146 f.

³⁴² Cf. Heiler, Fulda, p. 149.

³⁴³ Cf. Renner, Schulz & Zibuschka, p. 57.

³⁴⁴ Cf. Heymel, Wirtschaft, p. 146.

³⁴⁵ Cf. Gruner, Wolf: “Die Grundstücke der ‘Reichsfeinde’. Zur ‘Arisierung’ von Immobilien durch Städte und Gemeinden 1938-1945,” in Irmtrud Wojak (ed.): “Arisierung” im Nationalsozialismus. Volksgemeinschaft, Raub und Gedächtnis, (Frankfurt a. M., 2000), p. 126.

³⁴⁶ Cf. Ordinance on Atonement Payments by Jews with German Citizenship of Nov. 12, 1938, published in: RGBl, vol. 1938, part I, no. 189, p. 1579.

³⁴⁷ Ordinance on Eliminating Jews from German Business Life of Nov. 12, 1938, section 1, published in: *ibid.*, p. 1580.

excluded from cooperatives and were no longer allowed to act as operations managers or managerial staff.³⁴⁸ In combination with the *Ordinance on the Use of Jewish Assets* of December 3, 1938, which made it possible to force Jews to sell or liquidate companies as well as sell agricultural or forestry assets within a certain period of time,³⁴⁹ these stipulations at the Reich level ensured the conclusion of Aryanization of business life.³⁵⁰ In December 1938, the number of Jewish companies in Fulda had dropped from the already low level of the summer to seven industrial and 24 wholesale outfits; in July 1939 it was reported that while 13 Jewish companies were still included on the Commercial Register, these were being or had been liquidated.³⁵¹ According to information from the Fulda Chamber of Commerce and Industry, all “[...] documentation as regards the liquidation of Jewish companies has been forwarded to the lord mayor”,³⁵² which shows clearly that the municipal executives were extensively informed about the course of *Aryanization* in Fulda and, while they could not have prevented it, they could have influenced the prices or opposed the highly aggressive stance taken by District Economic Councilor Eitelsberg.³⁵³

Parallel to the *Aryanization* of public space, in Fulda there was also a drive to “strip Jews of all private property and businesses”, as a result of which between 1938 and 1942 Jews had to relinquish just short of 80 pieces of real estate in Fulda.³⁵⁴ Between the Night of Broken Glass and the end of 1938, 19 pieces of real estate alone changed hands in Fulda.³⁵⁵ The Municipal Buildings Dept. played a key role here, as it calculated the set unit value at which the sales had to take place.³⁵⁶ Moreover, the land registry in the department compiled the regularly updated list of Jewish property in Fulda, which reflected the status of *Aryanization*³⁵⁷, and was responsible for the acquisition and sale of real estate.³⁵⁸ Gau Economic Councilor Braun and Regional

³⁴⁸ Ibid., sections 2 and 3.

³⁴⁹ Cf. Ordinance on the Application of Jewish Assets of Dec. 3, 1938, sections 1 and 6, published in: *RGBl*, vol. 1938, part I, no. 206, p. 1709.

³⁵⁰ Cf. for an assessment of the ordinances and occurrences at the end of 1938, see also Bajohr, “Arisierung” und Restitution, p. 44.

³⁵¹ Cf. Heymel, *Wirtschaft*, p. 146.

³⁵² StadtAFd, Portf. 14, no. 452, *Handelsgewerbe 1900-1941*, communication from the Chair of the Fulda Chamber of Industry & Commerce to the Lord Mayor, Feb. 17, 1939, no seq. no.

³⁵³ Renner, Schulz & Zibuschka, p. 23.

³⁵⁴ *loc. cit.*

³⁵⁵ Cf. Engbring-Romang, *Machtergreifung*, p. 157.

³⁵⁶ Cf. Heiler, *Fulda*, p. 152.

³⁵⁷ StadtAFd, Portf. 20, no. 136, *List of Jewish assets*, no date.

³⁵⁸ Cf. *ibid.*, Portf. VIII B b and VIII B c in general and in it, as the key example, Portf. VIII B

Council President von Monbart proposed to the district heads that they close ranks as regards *Aryanization* of private property in the government districts of Kassel and Gau Kurhessen, namely that Jewish property as far as possible be acquired by the municipal administrations. The background to the proposal: According to Braun, “[...] this bargain-basement sale of Jewish real estate is only causing dissatisfaction and disquiet among the population as a whole³⁵⁹ and the poorer members of the Volk in particular are not able to afford such purchases. The Gau Economic Councilor proposed that property on main roads or fit for demolition in particular be acquired in order to improve the appearance of the cities.³⁶⁰ Braun and von Monbart together emphasized that both the public administration and private buyers should pay an “appropriate price”, whereby the set unit value for the local authorities should be the ceiling and the minimum price envisaged for private individuals, “[...] as we have absolutely no reason to make private individuals richer through favorable terms for Jewish properties, whereas in the case of Jews selling up to emigrate almost the entire sum accrues to the Reich.”³⁶¹ It becomes clear at this point, not least, that the focus of Nazi policies at the end of 1938 continued to be on pressing the pedal on Jewish emigration and, in the course of it, also preventing an assets outflow from the German Reich. The terrorization of Jews in Fulda had its intended effect and made certain that the number of persons emigrating after being subjected to anti-Semitic persecution shot up in the fourth quarter of 1938.³⁶² In the first quarter of 1939, the number had actually increased by more than a factor of six over that in the summer of 1938.³⁶³ The Regional Council President supplemented the letter from the Gau Economic Councilor by stating that contracts already concluded would be re-examined in this light. In the case of business sales, moreover, attention should, he said, be paid to making certain “the businesses are only taken over by persons who understand them and have due financial resources.”³⁶⁴ As it was, every sale of real estate had to be approved by the Regional Council President anyway.³⁶⁵ A few days later, these ideas were blocked by

b-167-1227 – Acquisitions lit. J, which includes, among others, the negotiations with the Jewish cultural community.

³⁵⁹ Ibid., Portf. 24, no. 66, Communication from the Gau Economic Councilor to the district head, Dec. 2, 1938, seq. no. 5.

³⁶⁰ Cf. *ibid.*, seq. no. 5-7.

³⁶¹ *Ibid.*, seq. no. 6.

³⁶² Cf. StadtAFd, Portf. 24, no. 53, Report for the Fourth Quarter 1938, seq. no. 13.

³⁶³ Cf. *ibid.*, Reports for the Second Quarter 1938 and First Quarter 1939, seq. nos. 9 and 15.

³⁶⁴ StadtAFd, Portf. 24, no. 66, Communication from Regional Council President to the Lord Mayors and County Councilors of the District, Dec. 3, 1938, seq. no. 8.

³⁶⁵ Cf. Engbring-Romang, *Machtergreifung*, p. 157, as well as StadtAFd Portf. 24, no. 66,

an edict Goering issued that specified that real estate deals concluded after the Night of Broken Glass should in the interim not be authorized, as a regulation on price formation needed to be put in place first.³⁶⁶ How expropriated properties or plots acquired by local authorities should then be treated remained an issue that had to be resolved at the Reich level. In particular, during World War II criteria were set that limited the purchase of real estate in order not to disadvantage soldiers on active duty on the front.³⁶⁷ These restrictions were so severe that in May 1942 an ordinance was issued stating that property accruing to the Reich might only be sold to persons injured in prior wars and their descendants. Otherwise, the use of real estate for purposes relating to the war effort or supply chains, for public administration service spaces, for the NSDAP, or as “welfare accommodation for civil servants” was allowed.³⁶⁸

As indicated above, other local authority agencies involved were primarily the various sections of the tax offices, which contributed in all sorts of ways to stripping the Jewish population of any rights and *Aryanizing* its property. What can be seen here is the connection of national government regulations and their local implementation, and also the competition and simultaneous cooperation between new, genuinely Nazi administrative institutions and the state or local bureaucracies that continued to exist. The *Implementation Ordinance for the Ordinance on the Deployment of Jewish Assets* of January 16, 1939, specified that the local pawnshops were to function as public points of contact where valuables could be handed in at the local level.³⁶⁹ At the same time, the tax offices now had the task of collecting sums of money in the Reich’s favor, such as resulted from the *Ordinance on the Deployment of Jewish Assets*, as if they were taxes.³⁷⁰ This became especially relevant once the assets of deported Jews automatically became the property of the Reich.³⁷¹ The tax offices were given a pioneering role not just as regards tax discrimination, but in the context of deportations

Communication from Regional Council President to the Lord Mayors and County Councilors of the District, April 23, 1940, seq. no. 56.

³⁶⁶ Cf. StadtAFd Portf. 24, no. 66, Urgent Communication from the Reich Commissioner for Price Formation, Dec. 12, 1938, seq. no. 12.

³⁶⁷ Cf. Ibid., Instruction by the Commissioner for the Four-Year Plan, Sept. 17, 1941, seq. no. 83.

³⁶⁸ Cf. *ibid.*, Decree by Reich Minister of Finance (no date), seq. no. 95 f.; see also: Gruner, *Grundstücke*, p. 141.

³⁶⁹ Cf. *Implementation Ordinance on the Ordinance on the Application of Jewish Assets*, Jan. 16, 1939, quoted from: StadtAFd, Portf. 24, no. 66, *Registration of Jewish Assets*, seq. no. 20 f.

³⁷⁰ *Second Implementation Ordinance on the Ordinance on the Application of Jewish Assets*, Jan. 18, 1940, quoted from: StadtAFd, Portf. 24, no. 66, *Registration of Jewish Assets*, seq. no. 47 ff.

³⁷¹ Cf. StadtAFd Portf. 24, no. 66, *Communication from Regional Council President to the Lord Mayors and County Councilors of the District*, Feb. 11, 1942, seq. no. 89.

were also in charge of listing the remaining valuables in Jewish homes and arranging for these to be auctioned, and of clarifying any open questions relating to the assets.³⁷² In the final instance, the tax offices at the local level handled sales and auctions of Jewish property. As late as the end of 1942, the Fulda tax office was busy *valuing Jewish assets* and, for example, offered the Breitenau Camp near Kassel shoes that could be reused.³⁷³ The municipal authorities were actively involved in *Aryanization* of the remaining Jewish assets and made certain the former Jewish old people's home was assigned to the Karl Weinrich Hospital in the wake of the last deportation from Fulda on September 5, 1942.³⁷⁴ Thus, by the end of 1942 all Jewish assets in Fulda had been *Aryanized*, in part to the benefit of the Reich or the local authority, but in many cases also in favor of private individuals and companies and involving non-state actors such as the chambers of industry and commerce. All the administrative activities mentioned were embedded in the framework of the laws enacted during the Third Reich, which gave them a semblance of legitimacy and thus essentially enabled the civil servants to uphold their image of being neutral servants of the state who were simply implementing laws and ordinances.³⁷⁵ Given the generally standardized administrative actions – and they tend to be couched in euphemistic terms – it is very difficult to determine the personal motives behind the behavior of the civil servants involved.³⁷⁶

However, municipalities and local authorities were definitely not just agencies charged with implementing the ordinances and decrees from the Reich ministries. Rather, they developed ideas of their own as to how *Aryanization* should proceed locally. Municipalities' demands or expectations as regards general expropriation did not get fulfilled, but despite not having a basis for expropriation cities were highly interested in acquiring properties and real estate as favorably as possible and thus in directly profiting from *Aryanization*.³⁷⁷ Doris Eizenhöfer has shown how, for the city of Frankfurt, the better the municipality's economic situation was, the greater the volume of Jewish properties bought up, with there being a "clear correlation between the quantitative development of the purchases and the respective laws and

³⁷² Cf. Kuller, *Bürokratie*, pp. 11 f.

³⁷³ Archiv der Gedenkstätte Breitenau/ Guxhagen, Portf. IV B 1, 1941-11/1943, quoted from Renner, Schulz & Zibuschka, *Schicksal*, p. 27.

³⁷⁴ Renner, Schulz & Zibuschka, *Schicksal*, p. 27.

³⁷⁵ Cf. Kuller, *Bürokratie*, p. 11 f.

³⁷⁶ Cf. *ibid.*, pp. 28 f.

³⁷⁷ Cf. Gruner, *Grundstücke*, p. 133.

ordinances".³⁷⁸ The direct acquisition of properties and real estate reached a quantitative high between the Night of Broken Glass and the beginning of the war.³⁷⁹ In Fulda, it was the municipal house management agency that first seized the initiative after the *Ordinance on the Deployment of Jewish Assets* and on December 9, 1938, proposed to the lord mayor and the Municipal Buildings Councilor that housing be acquired on the basis of the ordinance.³⁸⁰ The agency sought to clear the caravan site on the banks of the River Fulda where countless Sinti and Roma had had to gather after losing their traveling trading certificates.³⁸¹ Since the value of the property and real estate was calculated by a municipal office (and in most cases the lowest legally permissible value was taken as the lodestar), the city was always able to acquire property at very favorable conditions. Often Jewish owners and, after the Night of the Crystals, the Jewish cultural community as their collective representative, were not immediately paid the purchase price or it was not paid in full, in particular if they intended to emigrate.³⁸² There is evidence for Fulda that, as price commissioner, Lord Mayor Danzebrink was directly involved in valuing Jewish property.³⁸³

3.2.2.1. Aryanization of the Old Jewish Cemetery

What the city pursued with the greatest intensity from 1936, however, was its attempt to acquire the Old Jewish Cemetery at Rhabanusstrasse³⁸⁴ and convert it into a public park. On November 7, 1936, Lord Mayor Danzebrink wrote to the Police Dept. and the Municipal Councilor for Legal Affairs, among others, with a view to having two sets of graves moved and to clarify once and for all the question as to who owned the cemetery. Danzebrink emphasized "[...] a pressing interest [on the part of the City] to acquire the cemetery grounds" and closed the letter by stating that "[...] if necessary, the land will be acquired by resorting to expropriation".³⁸⁵ Expropriation evidently did not prove possible, something visible not least from the fact that in February 1937

³⁷⁸ Eizenhöfer, Doris: "Die Stadtverwaltung Frankfurt am Main und die Arierisierung von Grundbesitz," in Mecking & Wirsching: Stadtverwaltung, p. 303.

³⁷⁹ Cf. *ibid.*, pp. 308 f.

³⁸⁰ Cf. StadtAFd Portf. 24, no. 66, Registration of Jewish Assets, Submission by the Municipal Housing Administration to the Lord Mayor, Dec. 9, 1938, seq. no. 11.

³⁸¹ Cf. *ibid.*, as well as Engbring-Romang, Fulda-Auschwitz, pp. 51 f.

³⁸² Cf. Eizenhöfer, Stadtverwaltung, pp. 314-6.

³⁸³ Cf. Heiler, Stellungnahme, pp. 8 f.

³⁸⁴ Cf. StadtAFd Portf. 24, no. 69 (as fn. 13).

³⁸⁵ *Ibid.*, Communication from the Lord Mayor to the Police Dept., the Municipal Buildings Councilor and the Municipal Legal Councilor, Nov. 7, 1936, no seq. no.

Danzebrink noted that the city would initially offer the Jewish community five Reichsmarks per square meter by way of a purchase price.³⁸⁶ The land was slightly over 6,150 square meters in size, meaning the city faced costs of about 30,000 RM that would have been avoided in the case of expropriation.³⁸⁷ In a letter to the NSDAP Gau Office for Municipal Politics in July 1938, the lord mayor pointed out that negotiations were still open, although “at the insistence of the municipal administration, representatives of the Jewish Community had the prior year given their agreement subject to certain caveats for the grounds to be handed over to the City of Fulda.”³⁸⁸ Danzebrink explained that the Jewish Community representatives had said they would be prepared, should the state of the cemetery remain untouched for five years, to accept the proposed purchase price of five Reichsmark per square meter, even though they had originally demanded ten Reichsmark. An agreement had nevertheless not been signed, which is why Danzebrink stated that once District Head Ehser had returned from his summer vacation, he would “[...] once again discuss the matter with him as regards pressing the pedal on reaching a solution.”³⁸⁹

Following on from this, the municipal executives then started focusing on the possibilities of expropriating the land. At the advice of Municipal Inspector Felix Boecken, who was also entrusted with the matter and was at the same time head of the NSDAP District Office of Municipal Policy, on August 12, 1938, Mayor Ehser turned to my “Dear Party Comrade Schultz”, Gau Office Head of Municipal Policy.³⁹⁰ Ehser underlined the fact that negotiations with the Jewish community entailed various disadvantages for the city and therefore requested that “[...] perhaps with assistance from the Office for Municipal Policy at Reich Head Office Central Germany, ways and means can be found to enable the City of Fulda to be made owners of the Jewish cemetery as quickly as possible and potentially at no cost.”³⁹¹ The application was rejected by the Head Office for Municipal Policy on the grounds that new regulations were in the process of being drawn up for the entire field of cemeteries anyway.³⁹²

³⁸⁶ Cf. *ibid.*, handwritten note by the lord mayor, Feb. 16, 1937, no seq. no.

³⁸⁷ The size of the plot is stated in the communication by the lord mayor of Nov. 7, 1938.

³⁸⁸ StadtAFd Portf. 24, no. 69, Communication from the Lord Mayor to the NSDAP Dept. of Local Politics in Kassel, July 16, 1938.

³⁸⁹ *loc. cit.*

³⁹⁰ *Ibid.*, Communication from the mayor to the Gau Dept. Head for Local Politics, Aug. 12, 1938.

³⁹¹ *loc. cit.*

³⁹² Cf. *ibid.*, Communication from the Staff section for Local Politics in Munich to the Gau Dept. for Local Politics in Kassel, Sept. 22, 1938, also forwarded by the Gau Dept. to District Head Ehser, Oct. 11, 1938, and information sent to the lord mayor, Oct. 19, 1938.

Instead, the City of Fulda benefited directly from the Night of Broken Glass in its efforts to acquire the land. Without doubt still shocked by the riots, and they had devastated the cemetery, on November 14, 1938, the “Israelite Community” was forced into a purchase agreement with the City, which was represented by Lord Mayor Danzebrink. The wording stated that the “assignment of the land parcels shall be effected free of liens or encumbrances.”³⁹³ Moreover, no purchase price was set, and the City of Fulda simply seized two parcels of land downtown four days after the Night of the Crystals³⁹⁴ without charge, having as early as 1936 considered expropriating them and then later having tried to achieve the same. However, like other buyers, the City of Fulda was not immune to seeing its purchase authorization not granted initially, owing to the above-mentioned Goering edict³⁹⁵ and the process dragged out until August 8, 1939.³⁹⁶ The fact that the City of Fulda had parcels of land assigned to it free of charge helped delay things, as “it is not reconcilable with the racial principles of the National Socialist state that a body corporate under public law accepts a gift from Jews.”³⁹⁷ Furthermore, reference was made to the fact that all revenues from sales of properties should be used to finance emigration and that the state would monitor compliance.³⁹⁸ The lord mayor responded by saying that the city had rectified the “state” of the cemetery after the Night of the Crystals, as it had “not complied with police regulations”, and “[planned] to assign part of the cemetery for construction purposes free of charge [emphasis in the original]”, meaning no gift was involved.³⁹⁹ The Regional Council President eventually accepted this line of argument. We can therefore conclude in summary that the City of Fulda profited from the conditions of the criminal Third Reich. Directly after the Night of the Crystals, which marked the culmination of anti-Semitic persecution at that time, it appropriated a piece of land free of charge for which it had itself proposed paying a price of 35,000 RM, whereby the price it proposed says little about the actual value of the land. It was thus directly involved in plundering the assets of the Jewish community. Surviving source materials

³⁹³ Ibid., Agreement between the City of Fulda and the Israelite Community, Nov. 14, 1938, clauses 1 and 3.

³⁹⁴ In addition to the site on Rhabanusstrasse, a smaller parcel of land on Sturmstrasse is also recorded in the purchase agreement; cf. Ibid. clause 1.

³⁹⁵ See note. 364.

³⁹⁶ Cf. StadtAFd, Portf. 24, no. 69, Letter of approval from the Regional Council President, Aug. 8, 1939.

³⁹⁷ Ibid., Communication from the Regional Council President to the City of Fulda, June 28, 1939.

³⁹⁸ Cf. loc. cit.

³⁹⁹ Communication from the lord mayor to the Regional Council President

show that the preparations in this context were initiated as a result of an idea by the lord mayor. Such behavior was not unusual, and after the Night of Broken Glass countless German cities acquired the land on which synagogues had stood at a price far below their value⁴⁰⁰ – not that this can in any way relativize the attempts by the municipal authorities to seize the land, efforts that lasted years. As with the secularization of confessional schools in 1936, the municipal executives were especially skilled at sparing municipal finances by exploiting the political conditions of the day.

4. Participation of municipal authorities in the crimes of the Nazi regime and how civil servants saw themselves

“Alongside the countless specialist and special agencies, the police, the Wehrmacht, and the Party apparatus, the general administration formed an integral part of the Nazi network of terror and rule,” state Sabine Mecking and Andreas Wirsching with regard to the issue of how much scope municipal rulers had during the Third Reich.⁴⁰¹ Their crucial study on the role of municipal administrations in the process of system stabilization of Nazi rule at the municipal level offers key insights into how municipal administrations were embedded in the Nazi regime. The new role of municipal self-administration as a key element in the Nazi permeation of society in the Third Reich and the abandonment of older interpretations, whereby administrative activity and Party rule were separated in a “dual state”⁴⁰², also constitute the central assumption and basis of the present study. More recent research has increasingly examined “[...]cooperation among the Party, administrative offices, businesses, and other interest groups”⁴⁰³ in the Third Reich. The findings paint a differentiated picture of municipal administrative activities under the Nazis. It becomes clear that the municipal authorities, unlike other institutions in the Third Reich, were not newly created as part of the objectives of the violent politics of exclusion and persecution. They were core fields of the existing state administrative apparatus and, even if the NSDAP organizations and sections wrested certain areas of activity from them,⁴⁰⁴ the

⁴⁰⁰ Cf. Gruner, Grundstücke, pp. 130 f.

⁴⁰¹ Mecking & Wirsching, Selbstverwaltung, p. 2.

⁴⁰² See p. 37 above.

⁴⁰³ Mecking & Wirsching, Selbstverwaltung, p. 3.

⁴⁰⁴ Thus, for example, the Nationalsozialistische Volkswohlfahrt organization in the field of welfare and care. See *ibid.*, p. 4.

municipal authorities acted “in the fields left to them in what was not a politics-free space”.⁴⁰⁵ On the contrary, they formed one of the active agencies in implementing the Nazi policies of discrimination and persecution.⁴⁰⁶ Franz Danzebrink’s speech on *Potsdam Day* shows that, for a time, a certain rhetorical distance to the propaganda of the Nazi regime remained possible. However, this did not exclude the municipal administrative authorities participating in the goals of Nazi policies by ardently going about implementing those goals.⁴⁰⁷ The general “openness by the Party and the public administration to acting in consensus” was of greater importance than the occasional point of conflict.⁴⁰⁸

We nevertheless need to consider that the results of individual regional and local studies can hardly be condensed to give a generally valid impression of the state of affairs. Specific traditions and diverse individual phenomena make this impossible on a broader scale. It bears noting here that, for example, the geographical location of a place and thus its affiliations in terms of politics and overarching administrative apparatus, along with its economic, social, and religious structure, played a key role. An assessment of individual cities and regions would be easier if a typology matrix were available, such as Mecking and Wirsching called for almost 15 years ago,⁴⁰⁹ and this would make comparative grids more effective. Sadly, such a typological classification has not to date been undertaken. It would without doubt need to cover certain basic features, such as geographical location and membership of a specific region (if differences in political and administrative practices can be derived from this), as well as the general properties of a place, such as the number of inhabitants (is it a village, a town, or a city) and the issue of the position of the Gau capital. What also need to be taken into account are the underlying socio-economic structures (business structures and the related distribution of employees across the three sectors) and political traditions, as well as the NSDAP’s local anchorage (how strongly did it take to the local stage, election results, affiliated organizations such as the Storm Troopers, the SS, NSV, etc.).

Moreover, it is worth casting a glance at the differences between individual administrative departments within municipal organizations, as well as how those civil

⁴⁰⁵ Ibid.

⁴⁰⁶ Cf. *ibid.*

⁴⁰⁷ Cf. *ibid.*, p. 5.

⁴⁰⁸ *Ibid.*, p. 6.

⁴⁰⁹ Cf. *ibid.*, p. 9.

servants who continued to work during the Third Reich saw themselves and the function of their agencies. A few examples will suffice to highlight this factor now that the involvement of the administration in Aryanization and the role of the police have both been exhaustively discussed. Likewise, the actual implementation of the *Act on Permanent Civil Servants* was outlined, but I shall briefly recapitulate its ideological components and how it impacted on the way civil servants saw themselves. Here, the politicization of personnel management becomes abundantly obvious, not least owing to the provisions made to give “*Old Warhorses*” secure and often well-paid jobs in the administration after the Nazis took power, a phenomenon that was comparatively rare in Fulda. Later, Party members were often given preferential treatment when it came to promotions, and in some cases non-Party members were actually excluded from promotion.⁴¹⁰ Moreover, the principle of a superior within administrative line management was replaced by the *Fuehrer principle* with its stronger focus on domination. This new emphasis was like the politicization of the administration, as good as incompatible with the traditional view the civil servants had of themselves (many had been socialized during the days of the Reich), and this called for a greater willingness to adapt to the changed system.⁴¹¹ In Fulda, personnel matters fell within the ambit of the mayor and were thus explicitly controlled by the Party, which is hardly surprising in this context.⁴¹²

Another example worthy of mention for the way municipal agencies were caught up in the criminal and eliminatory political practice of the Nazi regime was through the health and welfare agencies. Specifically in the field of compulsory sterilization and later in that of euthanasia, the work of local agencies was closely bound up with implementing state instructions. In line with the stipulations of the *Act on the Prevention of Descendants with Congenital Diseases*, the “Section for Nurturing our Heredity and Race” attached to the state (!) health offices instigated compulsory sterilizations and conducted investigations with regard to heredity and biology prior to marriages being allowed, for example. At the local level, it was above all the Public Health Officer and welfare workers who played a high-profile role, as the latter coordinated information gathering while the former was head of the Municipal Health Dept. and had to be

⁴¹⁰ Cf. Nolzen, *Mitgliedschaft*, pp. 5-7.

⁴¹¹ Gotto, Bernhard: “Stabilisierung von unten. Die Personalpolitik der Stadtverwaltung Augsburg 1933-1939,” in Mecking & Wirsching: *Stadtverwaltung*, p. 23.

⁴¹² Cf. StadtAFd III a, 23, Personnel file Danzebrink, vol. 1, sheet 118.

involved in the hereditary health courts when it came to judgments on performing compulsory sterilization.⁴¹³ The sterilization itself was carried out by hospitals (with support from the police), who were constantly informed on the legal stipulations and the conditions for conducting such compulsory interventions.⁴¹⁴ In many instances, they were asked to conduct the operations as discretely as possible in order to avoid disquieting the local population. Moreover, the names of the person who wrote the expert opinion and the surgeons were to be kept secret and no nuns were involved as nurses, as in individual cases nuns had refused to assist as nurses citing religious grounds.⁴¹⁵ These efforts to disguise what was going on show clearly that those involved were definitely aware of the criminal nature of the compulsory sterilizations and certainly sought to avoid causing displeasure or even resistance among the populace. The Ministry of the Interior also instructed that prior to the surgical interventions there be a careful examination to ensure no medical reasons spoke against it, as there was no wish for fatalities, since “[...] an increased occurrence of such cases would invariably make it far harder to implement the law.”⁴¹⁶ Press reports on a patient who had died during compulsory sterilization at Fulda District Hospital were suppressed immediately with the assistance of the County Commissioner.⁴¹⁷ All in all, by the end of 1937 a total of 417 persons had been subject to compulsory sterilization in Fulda,⁴¹⁸ and as elsewhere in the Reich the victims were above all inmates in psychiatric clinics and members of the lower classes.⁴¹⁹ It was not only the police who made certain the *Nuremberg Laws* were obeyed, as this in part fell within the jurisdiction of the Health Dept.⁴²⁰ Fulda Public Health Officer Dr. Leo Nobel was involved to a great extent in conducting the compulsory sterilizations. He filed over 500 applications for compulsory sterilization before the hereditary health courts and acted as an associate judge in just under 30 court cases.⁴²¹ There are grounds for

⁴¹³ Cf. Fleiter, Rüdiger: “Das städtische Gesundheitsamt Hannover und die Umsetzung der nationalsozialistischen Erb- und Rassegesetzgebung,” in Mecking & Wirsching: Stadtverwaltung, pp. 325-327.

⁴¹⁴ Cf. StadtAFd, Portf. 14 H, no. 430, Sterilizations.

⁴¹⁵ Cf. *ibid.*, Communication from the Reich Ministry of the Interior, Dec. 12, 1934, and Senior Council President Prinz Philipp von Hessen to District Hospital Fulda, Sept. 10, 1934.

⁴¹⁶ *Ibid.*, Communication by Prussian Ministry of the Interior, Aug. 21, 1934.

⁴¹⁷ Cf. *ibid.*, Communication from the Director of the District Hospital to Senior Council President, Sept. 21, 1934.

⁴¹⁸ Cf. *ibid.*, Report from the district hospital to the Health Dept., Dec. 31, 1937.

⁴¹⁹ Cf. Fleiter, Gesundheitsamt, p. 329.

⁴²⁰ Cf. Engbring-Romang, Fulda-Auschwitz, p. 36.

⁴²¹ My attention was drawn to the database at the Forschungs- und Dokumentationszentrum Kriegsverbrecherprozesse in Marburg by Dr. Wolfgang Form, to whom I am most grateful; the

suspecting that he was also actively involved in euthanasia; the role of the Fulda municipal administration in this regard has not yet been studied.⁴²²

Core duties were discharged by municipal agencies in the fields of discrimination, persecution and then annihilation of the Jews. Local-level cooperation entailed a division of tasks, but it also hinged on intense collaboration between Party organizations, and state and municipal agencies. The welfare offices, for example, cooperated closely with the Nationalsozialistische Volkswohlfahrt (NSV), the Nazi welfare organization, above all in the field of welfare for young people and the poor. Research in recent years has conclusively shown that the support campaigns coordinated by the NSV (in particular the “Winterhilfswerk”) by no means benefited the entire population, but were subject to a logic of destruction that took its cue from the racist criteria of general Reich policies.⁴²³ Prior to 1933, Franz Danzebrink had already assumed the role of supervisor of the municipal Welfare Dept., yet this function was transferred to Karl Ehser at the latest in 1935,⁴²⁴ meaning the NSDAP then more strongly influenced the fields of welfare and was thus able to polish its image and also more closely control the discriminating elements of public welfare. The role of the police in supervising the deportations lead-managed by the SS and the central position of the tax offices in Aryanization have already been discussed. Moreover, the Welfare Dept., for example, ensured ghettoization within the city⁴²⁵, and the Labor Dept. organized the exploitation of the persecuted as slave labor in the armaments factories. The respective agencies focused first and foremost on fulfilling their duties within their respective fields but also made certain that they pursued general political objectives. Thus, the head of the Municipal Labor Dept. assured Ehser that he had not wished to say at the meeting in Kassel that the labor deployment of Jews in Fulda stood in the way of their being “evacuated”. Rather, he shared the “general political reasons” for the deportations and was busy trying to find replacement staff for

document is in my possession. On healthcare in Fulda in general, see also StadtAF Portf. XIII D a-3506, Die allgemeine Gesundheitsfürsorge in der Stadt.

⁴²² Björn Bierent outlines the deportation of children in care at St. Antoniusheim, among other things as regards Landesheilanstalt Hadamar, but focuses exclusively on communication between the directors of the care home and the bishopric with the Upper Regional Council Kassel and traces the fate of those in the home, cf. Bierent, Björn: Widerstand des St. Antoniusheimes gegen die NS-“Euthanasie”. “...verlegt aus organisatorischen und finanziellen Gründen”. Eine Spurensuche, (Fulda, 2002).

⁴²³ Cf. Nolzen, Mitgliedschaft, pp. 11 f.

⁴²⁴ Cf. StadtAFd, Portf. III a, 23, Personnel File Danzebrink, vol. 1, sheets 2 and 118.

⁴²⁵ Ibid., Portf. 24, no. 52, seq. no. 116-130 indicates that various families in some houses or streets lived together and were then seized there and deported. These houses are not included, for example, in the Jewish assets listed in StadtAFd, Portf. 20, no. 132.

companies where Jews were exploited as slave labor, for example by deploying prisoners of war.⁴²⁶

Civil servants in all the agencies (and not just in Fulda), irrespective of their position in the hierarchy or employment level (Reich, state or municipal administration), all typically tried after the collapse of the Third Reich to claim they were obliged to discharge their duties irrespective of the political framework. Thus, tax officers involved in Aryanization were, in terms of how they saw themselves, merely loyal servants of the state who, as unpolitical members of a specialist department, simply exercised the respectively valid laws and ordinances.⁴²⁷ Hans Mommsen has, however, clearly shown that this is an untenable line of argument, as it was specifically the functional mechanisms of bureaucratic rule that played a crucial role in the “cumulative radicalization” of the administration and thus contributed to normalizing the extraordinary, helping smooth the path to genocide.⁴²⁸ There may be truth in Doris Eizenhöfer’s statement that, in the case of the Frankfurt Municipal Administration acquiring real estate, the “bureaucratic-legal process was no different if the seller was “not Aryan”.⁴²⁹ Nevertheless, the discriminating elements in compulsory sales cannot be overlooked, and thus in the final analysis the Nazi politics of injustice were moved forward certainly not just by convinced Nazis but also by the “old” civil servants – be it the policies of Aryanization and health or the police and personnel administration “within the existing administrative apparatus”.⁴³⁰ British historian Ian Kershaw is even more poignant in his deliberations on the structure of rulership during the Third Reich: “[A]ll were, through their many and varied forms of collaboration, at least indirectly ‘working towards the Führer’. The result was the unstoppable radicalization of the ‘system’ and the gradual emergence of policy objectives closely related to the ideological imperatives represented by Hitler.”⁴³¹ For the municipal administrations, too, this invariably leads us to concur with Nadine Freund’s claim: “There was no good world in the bad world, not at any rate in a German administrative office during the years 1933 to 1945.”⁴³²

⁴²⁶ Ibid., Portf. 24, no. 65, seq. no. 27 f.

⁴²⁷ Cf. Kuller, *Bürokratie*, p. 11.

⁴²⁸ Cf. Ibid., p. 17.

⁴²⁹ Cf. Eizenhöfer, Doris: “Die Stadtverwaltung Frankfurt am Main und die Aryanisierung von Grundbesitz,” in: Mecking & Wirsching: *Stadtverwaltung*, pp. 320 f.

⁴³⁰ Fleiter, *Gesundheitsamt*, p. 338.

⁴³¹ Kershaw, Ian: “‘Working towards the Führer’. Reflections on the Nature of the Hitler Dictatorship,” in: *Central European History*, vol. 2 (1983), p. 117.

⁴³² Freund, *Teil*, p. 6.

III. Conclusions

After the NSDAP took power on January 30, 1933, the situation in Fulda remained calm, and the Zentrum's election victory in the no longer completely free local authority elections of March 1933 showed that the Catholic population in Fulda kept its distance from the Nazis. The Gestapo stated that the populations of Fulda and Hünfeld opposed "[...] the ideology and phenomenon of the Nazi state"⁴³³, and this was monitored with great precision in Karl Ehser's situation reports to the Geheime Staatspolizei, in which he remarks with concern about the sometimes increasing activities of political Catholicism.⁴³⁴ The Catholic population tenaciously defended the free scope their milieu had, for example as regards the preservation of its youth clubs. At the same time, representatives of the regime realized that intervention in the physical inviolability were not per se accepted by the Catholic population. The Ministry of the Interior's reference that compulsory sterilizations should forgo any involvement of Catholic nurses is a clear indication of this.⁴³⁵ In Fulda itself, resistance to the accommodation of the inhabitants of the Antoniusheim in state institutions proves there were fears of their death. Here, Bishop Dietz also threatened public protest.⁴³⁶ These cases at least cannot be adduced to mean there was general resistance to the Nazi regime. Böckenförde assumes that the premise that the Catholics were prepared to cooperate with the new state in order to protect their own core fields of religious policy⁴³⁷ was, in the final instance, a form of the milieu egoism, with its justifications in natural law, which the Church leadership propagated and which served to make integration of the Catholic population easier. Protests against the persecution of Jewish and Communist victims of the Nazis were not to be heard either in Fulda or in the entire Reich.

Alongside keeping the population happy, a matter of key importance to the Nazis was securing a functioning bureaucratic apparatus, among other things to combat the consequences of the Great Depression. The NSDAP lacked qualified personnel to fill the central positions in the administration, and in the consolidation phase were thus dependent on cooperating with the old elites. In a small NSDAP district group with weak local roots such as in Fulda, this problem was all the more evident. The local

⁴³³ Klein, Lageberichte, p. 37.

⁴³⁴ See, for example, *ibid.*, p. 246.

⁴³⁵ Cf. StadtAFd, Portf. 14 H, no. 430, sheet 18 f.

⁴³⁶ Cf. Bierent, Widerstand, p. 39.

⁴³⁷ Cf. Böckenförde, Katholizismus, p. 46.

administration was smoothly integrated into the Nazi power apparatus and as early as 1933 restructured in line with *Fuehrer principle*, which increased the scope of the lord mayor. At that time there were no promising attempts to replace the lord mayor, even if the Party had, through the appointment of Karl Ehser as mayor, seized control of important political sections of the administration such as personnel, the police, and the treasury. Moreover, the option offered by the *Act to Restore the Permanent Civil Service* of removing unwanted civil servants from their posts by seemingly legal means was apparently not applied in Fulda, judging from the available source materials. Civil servants, who viewed themselves as unpolitical, allowed themselves to be tied into the totalitarian Nazi system, which sought to politicize all aspects of life. Administrative continuity was a major factor in consolidating the Third Reich and ensuring its ongoing stability. Civil servants and white-collar workers may have stayed in their posts out of a feeling of duty or because they hoped to prevent “worse”, however the limited surviving documents make it impossible to assess events. On balance, this narrative is considered by historians to clearly belong in the realm of attempts to exonerate oneself by spinning yarns.⁴³⁸ In the final analysis, they carried out the criminal orders of the regime – and this was true in Fulda, too, even if it may have departed from other places. Nevertheless, an ideological radicalization of the administration, which was closely linked to the posting of fanatic *Old Warhorses* in many towns, was not visible. This study has shown how, among other things, the Fulda Tax Office, the Building Dept., the Cadaster Dept., and the Housing Dept. were all involved in the Nazis’ crimes. One need not completely agree with Hannah Arendt’s statements that obedience meant support, because in the opinion of this author the term “support” suggests individual agreement with what was happening. Collaboration with the regime and securing its stability undoubtedly took place through the following of criminal orders and laws. In other words, the Fulda municipal administration was, to quote Nadine Freund, very clearly “part of the violence”.

In practice, the Fulda police force had the most important role in securing Nazi rule at the local level. By creating an auxiliary police force primarily recruited from the ranks of the Storm Troopers, the SS, and the Stahlhelm, a background threat was created rendering political resistance a direct danger. An assessment of situation reports sent

⁴³⁸ See Conze, Eckart: Das Amt und die Vergangenheit. Deutsche Diplomaten im Dritten Reich und in der Bundesrepublik, (Munich, 2010), pp. 401-11.

to the Gestapo in the 1930s and the morning reports submitted in Fulda to the lord mayor and the mayor shows impressively that the municipal police played an important role in the regime's crimes, for example in the deportation of the Fulda Jews.⁴³⁹ Equally, members of the police were in part active in the arson attack on the Fulda synagogue during the Night of Broken Glass on November 9, 1938.⁴⁴⁰ The surviving sources provide no proof of direct participation by the lord mayor in Nazi crimes of violence.⁴⁴¹

His regime-stabilizing role has, however, rightly been underscored in several expert opinions and is also underlined by the author of this study. As the apex representative of the city, he did not resolutely oppose the elimination of the democratically elected municipal assembly and the municipal executives in summer 1933, or the police drive to eliminate the Communist Party in November of the same year⁴⁴². Nor did he even comment on it, or so the documents reveal. Initially, Danzebrink did not welcome the change at the country's helm; he remained very restrained in his rhetoric for months after, and, for example in his speech on Potsdam Day, used middle-class conservative and in part nationalist tones that differed starkly from the Nazi propaganda.⁴⁴³ Less than a year later, however, the lord mayor's language had shifted, and to the outside world he emphasized "[...] that in all fundamental questions he was in complete agreement with the district head of the NSDAP and cooperating to achieve the objectives of the Reich's government is the key lodestar of the municipal administration."⁴⁴⁴ Just how far that agreement went can be seen from his passivity in the case of attacks by the Nazi state. In the conflict over the destruction of confessional schools in 1936, Danzebrink refused to support the bishop's attempt to preserve the schools and expressed his endorsement "[...] of the state leadership's desire to abolish the confession-based strand of the school system."⁴⁴⁵ We have also underlined his very restrained response to the destruction of the Fulda synagogue.

⁴³⁹ Cf. StadtAFd Portf. 9, no. 487, Morning report to the lord mayor, Dec. 9, 1941.

⁴⁴⁰ Cf. Heiler, Synagogenbrand, pp. 132-9.

⁴⁴¹ A narrowly defined notion of violence is assumed here, which in this context refers to the Night of the Crystals, deportations, or war crimes during World War II. There would be good reasons to define violence more broadly and also consider *Aryanizations* as violent crimes, but in the author's opinion the examples given here are different in nature.

⁴⁴² Cf. Klein, Lageberichte, pp. 77 f., Report for the Fourth Quarter 1933 (see note 264).

⁴⁴³ Cf. StadtAFd, Portf. III a, no. 23, vol. 2, sheet 223.

⁴⁴⁴ Fuldaer Zeitung, March 1, 1934, "Die neue Fuldaer Stadtverwaltung," quoted from Schick, Stationen, p. 18 (see note 215).

⁴⁴⁵ Schick, Stellungnahme, p. 5 (see fn. 244).

Neither these two examples, nor his Party membership (which, despite the role of the NSDAP as government party and as an integrative mass organization, is of negligible significance), nor indeed his reappointment as lord mayor in 1942 are the main negative factors in any judgement of his role as lord mayor of Fulda during the Third Reich. What can be considered such is the acquisition of the Old Jewish Cemetery on Rhabanusstrasse, which at least in 1936 was pushed by the municipal executives, initially in negotiation with the Jewish community. Directly after the Night of the Crystals, a purchase agreement recorded the assignment of the cemetery to the city, whereby no purchase price is stated. Technically speaking, this was not expropriation, although that was likewise pursued as a serious option at the instigation of the lord mayor as of 1936. Elmar Schick's cautious characterization of Danzebrink as a conscientious administrative expert who did not actively champion the rights and freedoms of the Fulda inhabitants needs to be supplemented by the caveat that the lord mayor was evidently able to bring his conscientious fulfilment of his duties into line with achieving the best terms for the City of Fulda by exploiting the extra-legal scope that National Socialism afforded.

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