

# As Many Abortions As Possible

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Everything they saw that day, from the vast fields of ripening grain to the many children, spoke of fertility. It seemed nothing could change the vitality of these people. As Martin and Karl drove from village to village their faces grew increasingly grave. In the evening they returned. Martin talked about all the children he had seen and warned that, "someday they may give us a lot of trouble" because they were "brought up in a much more rugged way than our people." Alarm spread through the group until its leader spoke.

Obviously peeved, he pointed out that someone had suggested that abortion and contraceptives should be illegal here. He went on, "If any such idiot tried to put into practice such an order. . . he would personally shoot him up. In view of the large families of the native population, it could only suit us if girls and women there had as many abortions as possible." [1]

The date was 22 July 1942, the same day the Nazis began transporting Warsaw Jews to the Treblinka death camp. [2] The place was the 'Werewolf' headquarters in the Soviet Ukraine. The group's leader and abortion advocate was Adolf Hitler. The two men were Martin Bormann, his secretary and Karl Brandt, his physician.

Operation Blue, the 1942 German offensive in East Europe, had been underway for almost a month and already its success was assumed. At Hitler's headquarters, thoughts turned to what should be done with the occupied territories. Some wanted a lenient policy to gain Ukrainian support in the war against the Soviet Union. Others wanted to eliminate Slavs to make room for German settlers. [3]

## In the East

As Bormann hoped, that evening Hitler chose the second policy and the next day he told Bormann to issue population control measures for the occupied territories. Bormann developed an eight-paragraph secret order that one historian termed "perhaps the most extreme policy statement ever issued from the Fuehrerhauptquartier." [4] It included the following:

When girls and women in the Occupied Territories of the East have abortions, we can only be in favor of it; in any case we should not oppose it. The Fuehrer believes that we should authorize the development of a thriving trade in contraceptives. We are not interested in seeing the non-German population multiply. [5]

This was not the first such statement. On 25 November 1939, shortly after the occupation of Poland, a Nazi SS organization called the Reich Commission for Strengthening of Germandom (RKFDV) [6] issued this decree:

All measures which have the tendency to limit the births are to be tolerated or to be supported. Abortion in the remaining area [of Poland] must be declared free from punishment. The means for abortion and contraceptive means may be offered publicly without police restriction. Homosexuality is always to be declared legal. The institutions and persons involved professionally in abortion practices are not to be interfered with by police.[7]

This policy was confirmed on 27 May 1941 at a Ministry of the Interior conference in Berlin. There a group of experts recommended population control measures for Poland that included authorization of abortion whenever the mother requested it.[8] On 19 October 1941, a decree applied the measures to the Polish population. Hitler's 23 July 1942 decree extended it to other parts of Eastern Europe. Hitler confirmed his order on August 5.[9]

### Propaganda

German experts developed plans to insure cooperation. On 27 April 1942 in Berlin, Professor Wetzel issued a memorandum that included the following:

Every propaganda means, especially the press, radio, and movies, as well as pamphlets, booklets, and lectures, must be used to instill in the Russian population the idea that it is harmful to have several children. We must emphasize the expenses that children cause, the good things that people could have had with the money spent on them. We could also hint at the dangerous effect of child-bearing on a woman's health.

Paralleling such propaganda, a large-scale campaign would be launched in favor of contraceptive devices. A contraceptive industry must be established. Neither the circulation and sale of contraceptives nor abortions must be prosecuted.

It will even be necessary to open special institutions for abortion, and to train midwives and nurses for this purpose. The population will practice abortion all the more willingly if these institutions are competently operated. The doctors must be able to help out there being any question of this being a breach of their professional ethics. Voluntary sterilization must also be recommended by propaganda.[10]

Local physicians were to be told that these abortions were for the woman's benefit. A decree issued by Himmler in March 1943 stressed this point:

The Russian physicians or the Russian Medical Association, which must not be informed of this order, are to be told in individual cases that the pregnancy is being interrupted for reasons of social distress. It must be explained in such a way that no conclusions to the existence of a definite order may be drawn.[11]

German authorities were careful to note, however, that as long as births could be prevented, sexual behavior need not be restricted. A 1944 memorandum noted:

In order to round out his propaganda in a practical way contraceptives should be quietly distributed (with the Reich bearing the cost). There is no harm in leaving a valve open to the natural desires of the persons of alien blood as long as this will not interfere with cutting off the flow of reproduction among these people of alien race.[12]

### Promoting Pornography

In practice, German authorities went far beyond "leaving a valve open" for sexual promiscuity. They deliberately flooded Eastern Europe with pornography in order to destroy it culturally, politically and spiritually. One historian describes the process this way:

The German Propaganda Office. . . was supposed to organize or sponsor Polish burlesque shows and publish cheap literature, strongly erotic in nature. . . to keep the masses on a low level and to divert their interest from political aspirations. These projects for degeneration and moral debasement were actually realized in the larger Polish cities. . . German success in this effort was significant enough to become a target of the Polish Underground. The latter used to dispatch some special "punishing squads" which overran some of the ill-famed Variety Theaters and took disciplinary measures against the Polish collaborators in the programs.[13]

The Poles also fought back in their schools. In his 1944 *Story of a Secret State*, Jan Karski gives a moving quotation from a graduation speech at an underground school:

My dear young people, ours is a very difficult task. You know that the enemy is striving to destroy the Polish nation by demoralizing and degrading Polish youth. We, the old professors, have devoted our lives to the instruction and improvement of that youth. We are meeting the challenge for your sake, and for Poland. The struggle is not easy. We have suffered many defeats. We are defeated whenever we see one of you entering a German movie or theater, reading a dirty book, or patronizing one of their gambling houses.[14]

Encouraging promiscuity was an integral part of Nazi plans though success was not always assured. Referring to Erich Koch, Reich Commissar for the Ukraine, one historian noted:

Even after Stalingrad, Koch, as always conscious of the ultimate goal of Germanization, told a group of visiting journalists that Ukrainian fertility remained a grave danger. . . . The newsman who reported the statement to Goebbels [Propaganda Minister]. . . seriously doubted whether, in view of the high morals of the population, the attainment of 'degeneration by promiscuity' could ever succeed.[15]

## Against Jews

Given the long history of European anti-Semitism, it is hardly surprising that the Nazis were not the first to attempt to limit the Jewish birth rate. Like the first stage in Nazi attacks on the Slavs, early attempts concentrated on the family and the Jewish birth rate. A Jewish historian described those measures:

Frederick William I had initiated the prohibitions which confronted Jewish young people-who mostly came from large families-with the choice of never marrying and setting up home, or of emigrating. Frederick the Great developed these restrictions and made them more stringent still, and other states very soon learned from them and followed suit. In the countries of the Bohemian monarchy for example there was the Familiants Law, renewed in 1797, i.e. more than fifteen years after the so-called Patents of Tolerance. According to this law Jewish families in Bohemia, Moravia and Austria-Silesia were not allowed to exceed a given number. Thus a Jew could only marry whenever a number became free for him through the death of another married Jew. A similar law was introduced in Bavaria after the Napoleonic War.[16]

During the 1800s this type of kind of attack slowly came to an end. Ironically, it was replaced by a far more dangerous problem for the Jewish community, high rates of assimilation coupled with a low birth rate. In 1880 the German population as a whole had 41 births per 1000 population, but the Jews had only 32 births. By 1910 the general birth rate had dropped to 33 but the Jewish birth rate had fallen even more, to just over 16.[17] Far too few babies were being born to maintain the Jewish population. As a result even before the rise of Nazism, Germany's Jews were dying out. In Prussia alone in a typical year between 1911 and 1925, Jewish deaths exceeded births by over 37,000. In a few generations Germany would have had no more Jews to hate.

After they took power, the Nazi leaders made it clear that a slow decline in the Jewish population was not enough. Government incentives to have more children (such as housing loan rebates) did not apply to Jews. On the other hand, attempts to lower the birth rate of the 'unfit' applied with particular force to Jews. The government would raise no objection to a Jew who wanted to be sterilized under the 1933 sterilization law and a 10 November 1938 court decision in Luneberg formally legalized abortion on demand for all Jewish women.[18]

After 1939 German military successes created a new problem. The occupied regions of Eastern Europe contained roughly twelve million Jews with a birth rate far higher than that of the more educated German Jews. As with the Slavs, Nazi leaders split over how to handle the situation. Some wanted to exterminate all Jews outright. Others felt their labor could be exploited for the war effort as long as Jewish births were prevented.

Heinrich Himmler, head of the Nazi SS, was one of those who thought sterilization might offer an answer. In January 1941 he asked Viktor Brack to investigate its possibilities.[19] Brack had played a key role in creating the euthanasia program that Germany was using at that time to eliminate the disabled, retarded and mentally ill. In March Brack suggested that X-rays clinics be setup at his euthanasia centers. He felt that his centers could cheaply sterilize three to four thousand Jews a day, freeing some two to three million Jews for

work.[20] The technique had only one problem, a dose of X-rays powerful enough to sterilize also left the victims with easily visible burns. There was no way to conceal the sterilization.

That brings up an interesting point. Parallels between Nazi population control measures and similar modern movements are often explained away by stressing whatever differences exist between the two. But in at least one case, a prominent Allied leader expressed a great liking for what the Nazis had done:

Subjects to do with breeding and race seem, indeed, to have held a certain fascination for the President. . . . [Franklin] Roosevelt felt it in order to talk, jokingly, of dealing with Puerto Rico's excessive birth rate by employing, in his own words, "The methods which Hitler used effectively." He said to Charles Taussig and William Hassett, as the former recorded it, "that it is all very simple and painless. You have people pass through a narrow passage and then there is a burrr of an electrical apparatus. They stay there for twenty seconds and from then on they are sterile." [21]

At the same time that x-ray sterilization was being explored, attempts were also being made to discover a sterilizing drug. One made from a South American plant name, Caladium Seguinum, reached the point were one Munich physician claimed:

If we were to succeed on the basis of these researches, in producing as soon as possible a drug that would within a relatively short time, imperceptibly bring about sterilization in man, we should have a new and extremely effective weapon at our disposal. [22]

Neither method proved effective. Hitler then ordered Himmler to begin killing the Jews. Rudolf Hoss, commandant of Auschwitz, described what happened this way:

In the summer of 1941, I cannot remember the exact date, I was suddenly summoned to the Reichsfuhrer SS . . . Contrary to his usual custom, Himmler received me without his adjutant being present and said in effect: "The Fuhrer has ordered that the Jewish question be solved once and for all and that we, the SS are to implement that order." [23]

But killing millions of Jews would take time. In the meantime, Nazi authorities concentrated on lowering the birth rate in the Jewish ghettos. The following events are typical.

On 1 December 1941, Karl Jager, commander of Eistazkommando 3 reported on Lithuanian Jews and noted:

I am of the opinion that the male working Jews should be sterilized immediately to prevent reproduction. Should any Jewess nevertheless become pregnant, she is to be liquidated. [24]

In the Shavli ghetto, the diary of E. Yerushalmi has this entry for 13 July 1942:

In accordance with the Order of the Security Police, births are permitted in the ghetto only up to August 15, 1942. After this date it is forbidden to give birth to Jewish children either in the hospitals or in the homes of the pregnant women.

It is pointed out, at the same time, that it is permitted to interrupt pregnancies by means of abortions. A great responsibility rests on the pregnant women. If they do not comply with this order, there is a danger that they will be executed, together with their families.[25]

Population control policies continued even inside concentration camps. At Ravensbruck, Jewish women who became pregnant were sent to the gas chambers. Non-Jewish women received abortions.[26] Of course, sterilization and abortion were merely stop gap measures. In the end, all European Jews were to die. In the greatest secrecy, the Nazis also began to plan for death camps large enough to exterminate some 32 million Slavs.

### Historical Roots

In the summer of 1932, almost a year before the Nazis took power in Germany, a conference took place at the party headquarters in Munich. It discussed Eastern Europe and assumed Germany would someday conquer the region.

Agricultural experts pointed out that controlling Eastern Europe would make Germany self-sufficient in food but warned that the region's "tremendous biological fertility" must be offset by a well-planned depopulation policy. Speaking to the assembled experts Hitler warned, "what we have discussed here must remain confidential." [27]

Not all Nazi insiders remained silent. Hermann Rauschning, a prominent early Nazi, defected in the mid-thirties and warned of Hitler's plans. In **The Voice of Destruction**, he described a 1934 conversation with Hitler about the Slavs.

"We are obliged to depopulate," he went on emphatically, ". . . We shall have to develop a technique of depopulation. . . . And by remove I don't necessarily mean destroy; I shall simply take systematic measures to dam their great natural fertility. . . . There are many ways, systematical and comparatively painless, or any rate bloodless, of causing undesirable races to die out."

". . . . The French complained after the war that there were twenty million Germans too many. We accept the criticism. We favor the planned control of population movements. But our friends will have to excuse us if we subtract the twenty millions elsewhere. . . . By doing this gradually and without bloodshed, we demonstrate our humanity." [28]

In a speech to the Labor Front on 12 September 1936, Hitler brought up Germany's land needs when he said:

How Germany has to work to wrest a few square kilometers from the ocean and from the swamps while

others are swimming in a superfluity of land!

If I had the Ural Mountains with their incalculable store of treasures in raw minerals, Siberia with its vast forests, and the Ukraine with its tremendous wheat fields, Germany and the National Socialist leadership would swim in plenty![29]

The next day the New York Times made the following comment about that speech:

There was no expression of a wish to acquire these resources (Russian) and there was distinctly no threat. Yet when the cheers that greeted this passage had died away one was conscious that a thought had been cast into the pool of German mentality and that the ripples created by it might spread far indeed.[30]

Within Nazi ideology, the positive idea of 'lebensraum,' the pursuit of German 'living space' in the East, balanced the negative one for the destruction of Jews. In September 1942, Hitler looked at Germany's military conquests and commented:

Our gains in the west may add a measure of charm to our possessions and constitute a contribution to our general security, but our Eastern conquests are infinitely more precious, for they are the foundation of our very existence.[31]

### Inside Germany

Within Germany itself, Hitler had long advocated government-funded birth control to weed out the 'unfit.' In his 1924 *Mein Kampf*, Hitler wrote that one of the seven major responsibilities of government was, "to maintain the practice of modern birth control. No diseased or weak person should be allowed to have children." [32]

On subjects such as eugenics, sterilization, and abortion, Nazi ideology had much in common with the leftist birth control and sex-reform groups of the era (British and American as well as German). As Anita Grossman notes, "The stress on eugenics and race hygiene was typical of the sex-reform groups and suggests a complex ambivalent relationship between right-wing nationalist population policy and leftist sex reform." [33]

Grossman points out that during 1931 the Hamburg RV (a sex-reform group closely associated with the Social Democratic Party) held a series of lectures on subjects such as "Introduction to Population Politics", "Race Theory, Eugenics, and Sterilization", and "The Elimination of Unfit Life." (The latter refers to legalized killing of retarded, senile and mentally-ill people.)

Once in power, Hitler quickly acted to reduce the birth rates of the genetically 'unfit' (including, of course, the Jews). Sterilization came first with the Law for the Prevention of Progeny with Hereditary Diseases issued on 14 July 1933.<sup>34</sup> During the Nazi regime between 320,000 and 350,000 people would be sterilized with at least 100 people, mostly women, dying during the procedure.[35]

Abortion came next. In September of 1934 Hitler told Dr. Wagner, Reich Physicians' Leader, that "pregnancies could be terminated in the case of hereditary ill women, or women who had become pregnant by a hereditary ill partner." [36] Formal legalization came a year later on 26 June 1935 with an amendment legalizing abortion up to viability. It was signed by Hitler and included the following two clauses:

If, by virtue of the law, a Hereditary Health Court has decided upon the sterilisation of a woman who is pregnant at the time the operation is carried out, the pregnancy may be terminated, with the consent of the woman concerned, unless the foetus is already capable of independent life, or unless the termination of the pregnancy entails a serious danger to either the life or health of the woman herself.

The foetus is to be regarded as being incapable of independent life if the termination takes place before the completion of the sixth month of pregnancy. [37]

Ironically, harsh as they were, the Nazi programs were far less harsh than those advocated by birth control groups in Western democracies. The reason was simple. The fighting and deaths of World War I had resulted in a German 'birth dearth' of some 3-4 million. Coming twenty years after the end of that war, Germany entered World War II underpopulated and desperately short of young men. Whatever the Nazis might claim, they could not afford to be choosy about their births. Strange as it sounds, Hitler was more tolerant of human imperfection than many American, British and German birth controllers and more optimistic about the ability of environment to alter heredity. Hitler reflected this greater tolerance in a conversation on the evening of 29 August 1942 at which he said:

Have things changed much to-day, I wonder? I am not sure, and many of the things I see around me incline me to the opinion that they have not. I was shown a questionnaire drawn up by the Ministry of the Interior, which it was proposed to put to people whom it was deemed desirable to sterilise. At least three-quarters of the questions asked would have been defeated by my own good mother. One I recall was: "why does a ship made of steel float in the water?" If this system had been introduced before my birth, I am pretty sure I should never have been born at all! [38]

As a result, Nazi eugenics stressed quantity as much as quality and was actually less discriminatory than the eugenics advocated by affluent, educated American birth controllers. This relatively greater tolerance upset American birth control groups who had initially been excited by what was happening in Germany. For instance, in 1940, Woodbridge Morris, General Director of the Birth Control Federation of America, criticized Germany noting, "We, too, recognize the problem of race building, but our concern is with the quality of our people, not with their quantity alone." [39]

Because of the need for soldiers and workers, within Germany, 'negative eugenic' programs were paralleled by positive programs encouraging births among the 'fit.' Laws limited access to birth control and tightened the punishment for abortion among the racially wanted. As Germany conquered other countries, similar positive programs were developed for 'racially valuable' groups in Nordic and Baltic regions. [40] Groups who were not considered Germanic were targeted with only negative programs.

The positive programs at home, along with the need to keep secret why Germany was so eager to help Slavs and other minorities limit births, created confusion about Nazi policy. That confusion led to Hitler's remark about "shooting up" anyone who tried to ban abortions in the Ukraine. For instance, in the Spring of 1942, SS



Reichsfuhrer Himmler had to get the chief of German police in Poland, SS-General Krueger, to intervene so the courts would no longer punished Poles for having abortions. Similar court behavior in Byelorussia led SS-General Berger to remark that some administrators, "have no idea what the German Eastern policy really means." [41]

### Hitler's Own View

Within Germany, the Nazis claimed their programs were for the "protection of motherhood." Their real purpose, however, was to increase the German population and thus strengthen the country's military and economic power. The idea of individual rights were as irrelevant here as anywhere else in the Nazi dictatorship. Hitler believed rights belong only to those strong enough to defend them. The weak or small and powerless had no 'inalienable' right to life. In Mein Kampf he wrote of those with incurable diseases:

If the power to fight for one's own health is no longer present, the right to live in this world of struggle ends. The world belongs only to the forceful 'whole' man and not to the weak 'half' man. [42]

Because of this crude Social Darwinianism, Hitler felt abortions by the 'racially valuable' were acceptable for social problems or to prevent family embarrassment. On 5 November 1941, Hitler told several people that he felt the penal system made a mistake exposing young men from "respectable families" to "living communally with creatures who are utterly rotten." [43]

To prove his point, Hitler told of a young man who had been in the prison with him after the failed 1923 Beer Hall Putsch. Earlier this young man had "fruitful relations with a girl" and "advised her to go to an abortionist. For that he was given a sentence of eight months." Hitler felt the "disgrace" that the family "could never outlive" was far too harsh. According to Hitler, such a "nice boy" should simply get a "sound licking."

Hitler ideas about sex were also quite liberal. He felt that homosexuality was a private, personal matter and no concern of society. It was Ernst Rohm, a homosexual, who "more than any other one man, was responsible for launching Hitler . . . into German politics." [44] One historian noted:

Hitler knew all about Rohm's tendencies but insisted that they were his own affair. When Rohm took on his job as Chief of Staff of the SA, Hitler, who was still officially head of the SA, issued a parting order that the SA was "not a girls' finishing school, but a tough fighting formation." Complaints about people's private habits he rejected "indignantly and on principle" as "supposition" and "entirely private matters." [45]

### Germany During the War

During the war Nazis brought millions of foreigners to Germany to work in factories and on farms. Many of these so- called 'guest workers' were women who became pregnant. In their home countries abortions were

legal and encouraged by the Nazi occupation. Within Germany, however, abortion was generally illegal except for Jews and those with what were thought to be hereditary diseases.

In the spring and summer of 1943 and under great secrecy, German authorities legalized abortion on demand up to viability for these women.[46] The fact that these women were typically sent to university clinics or schools of midwifery and used to train students suggests that in the future the authorities intended to make abortion more widely available. Of course, even here racial thinking intervened. Women who appeared to be "of German or related blood" and who made "a good racial impression" could be denied an abortion.[47]

Abortion legalization occurred in the opposite order as the territories, first for female Eastern workers and later for Polish women. A captured Nazi document describes the steps:

The Reich Leader of Public Health [Conti], in a directive of 11 March 1943, decreed that pregnancy of female Eastern workers may be interrupted at will. The Reich Leader SS [Himmler], with regard hereto, on 9 June 1943, issued a decree of implementation proceedings and extended this decree as of 1 August 1943 also to interruptions of pregnancy for female Poles.[48]

As in the occupied territories, the campaign was backed by propaganda stressing the disadvantages of having children. Emphasis was placed on separating the working mother from her child soon after birth to make motherhood less rewarding.[49]

Extending legalized abortion inside Germany created controversies within German medicine. A secret police report dated 25 October 1943 described objections to the new abortion policy by physicians.

Some physicians (mostly Catholic) protested "that the decree was not in accordance with the moral obligation of a physician to preserve life" and stressed that medicine did not permit making distinctions based on nationality.

On the other hand, many "politically sound" physicians, while recognizing "racial. . . considerations" still felt the policy was a "very dangerous experiment." They pointed out that "if the decree becomes known. . . encouragement will be given to. . . abortions" by Germans themselves.[50] The latter indicates that, whatever the law, abortion was available for Germany's healthy blond Aryans.

### Bringing to Justice

Hitler clung to his plan for 'living space' in the East until his suicide in a Berlin bunker with Russian soldiers only a few blocks away. On 29 April 1945 in his last message to the chief of the German general staff, Keitel, he stressed, "the aim must still be to win territory in the East for the German people."

After the war, the Nuremberg Trials brought to justice many of those involved in Nazi crimes against humanity. Because SS Reichfuhrer Heinrich Himmler committed suicide, no one involved in RKFDV's population control program was tried when the International Military Tribunal judged top Nazi leaders.

Between October 1947 and March 1948, however, the U.S. Military Tribunal at Nuremberg did try the leadership of the RKFDV in its Case 8. Among the charges was one that "protection of the law was denied to the unborn children of the Russian and Polish women in Nazi Germany. Abortions were encouraged and even forced on these women." [51]

The defense argued that abortions had not been coerced. While this was true in general, among the Nazi documents was one that said:

It is known that racially inferior offspring of Eastern workers and Poles is to be avoided if at all possible. Although pregnancy interruptions ought to be carried out on a voluntary basis only, pressure is to be applied in each of these cases. [52]

One defendant was SS Lieutenant General Richard Hildebrandt, Chief of the RKFDV's Race and Settlement Main Office in Berlin. Under direct examination by his attorney, he protested that, "Up to now nobody had the idea to see in this interruption of pregnancy a crime against humanity." His protest had no effect. In this area like many others the Nuremberg Trials broke new ground and he was given a 25-year sentence. [53] Other sentences ranged from a life sentence given Ulrich Griefelt, the chief executive officer of the RKFDV, to the ten years given Fritz Schwalm, the officer responsible for racial examinations to determine if a woman had an abortion.

Sometimes justice was a long time being served. In Jerusalem during December of 1961, Adolf Eichmann was convicted of four counts of crimes "against the Jewish people." One count was "directing that births be banned and pregnancies interrupted among Jewish women" at the Theresienstadt concentration camp. [54]

## Genocide Convention

After the war, worldwide condemnation of Nazi behavior led to the definition of a new crime under international law, the crime of genocide. Article II of the "Convention on the Prevention and Punishment of the Crime of Genocide" defines genocide as "acts committed with intent to destroy, in whole or in part, a national, ethnical [ethnic], racial, or religious group."

Based on the Nazi experience, Article II further defines as a genocidal act "imposing measures intended to prevent births within the group." [55] Nazi policies in Eastern Europe provide the historical context for that part of the Convention. Any nation, organization or individual using similar tactics is guilty of genocide under international law. Even more important, any individual participating in such activities can be tried for 'crimes against humanity' even if such actions were legal in the country where they occurred. In the United States the Genocide Treaty applies with particular force. Now that it has been ratified by the Senate, the treaty carries the same legal authority as the Constitution and overrides as other laws and court decisions. Anyone participating in such activity can be prosecuted for genocide.

## Summary

Nazi population policy can be summarized in the following way:

- Medical and legal policies on contraceptives, abortion, and child-rearing were designed to reduce the birthrate of unwanted groups. Contraceptives were freely available and often supplied without charge. Abortion was made legal, safe, and conveniently available through special clinics or local physicians. Mothers were expected to work and were deliberately separated from their children at an early age to make motherhood less meaningful.
- For non-Jews, population control appeared voluntary, but coercion was always present at least to the extent that avoiding birth was made easier than childbearing. For those living under difficult conditions, that is enough to constitute coercion. For Jews sterilization and abortions were often forced.
- The media cooperated by stressing the personal disadvantages of having children and telling how childbirth could be avoided by birth control and abortion. Pornography and sex without children (including homosexuality) were promoted to weaken the family, distract from political resistance, and destroy spiritual values.
- Much like the Holocaust, the real purpose of these policies-reducing the population of unwanted groups-was kept a closely guarded secret. This sometimes lead to conflict between those who set up the policies and those who carried them out without knowing their purpose. After the war, Nazi population policies in Eastern Europe led to the recognition of a new crime under international law, the crime of genocide.

## **Disadvantage, Discrimination, Detention the Responsibilities of the States**

**9 November 1998**

**International Day Against Fascism and Antisemitism**

### **Why November 9th?**

November 9th 1938 was the date of the "Kristallnacht" pogrom in Nazi Germany. Three days earlier, on November 6th, a Jew, Herschel Grynszpan, who was angry at the increasingly repressive measures being adopted in Germany against Jews took revenge by shooting the diplomat Ernst vom Rath at the German embassy in Paris. The diplomat died two days later and news of his death reached Germany on November 9th. This started a massive nationwide pogrom, secretly organised by a section of the Nazi party, which left many Jews dead in the streets, and hundreds of Jewish businesses and synagogues burnt, smashed and destroyed. It marked the beginning of the Holocaust, the systematic murder of 6 million Jews, over a million Roma and Sinti, gay people as well as communists, trade unionists and many others.

### **Europe today**

At European level, commemorations of November 9th have taken place since the 50th anniversary in 1988. The commemoration has taken on a new meaning as we remember not only the victims from 1938, but also campaign against the rise of neo-nazism and racism in Europe today, and show support for the recent victims of racist and fascist attacks.

## **November 9th 1997**

At the UNITED conference 'Solidarity with Minorities' in Bratislava delegates from 74 organisations decided they want to remind European governments of their responsibilities to protect people against all kinds of racism, including institutionalised discrimination and to combat social exclusion. Of course we are not saying that in 1997 democratically elected European governments are deliberately pursuing racist and antisemitic policies of genocide in the way that the Nazi regime did. Nonetheless, our governments have major responsibilities which, when neglected, can have dangerous and even fatal consequences.

According to the United Nations "International Convention on the Elimination of All Forms of Racial Discrimination" states should despite the fact that most European governments have signed this Convention, disadvantage, discrimination and detention of minorities, migrants and refugees are still common in Europe. We challenge the governments to show us that at the end of the European Year Against Racism, they have taken their responsibilities seriously. That is why we are focusing the activities of the International Day Against Fascism and Antisemitism around: Disadvantage, discrimination and detention are part of everyday life for millions of people across Eastern and Western Europe.

### **DISADVANTAGE**

Ethnic minorities may face racial harassment in every sphere of life: in the labour market, the health service, housing and education. Across Europe police and criminal justice systems have a shameful record of discriminating against ethnic minorities. Roma, Gypsies and travellers are socially excluded and are often denied proper education and decent sites to live on. Minorities do not have the same chances, they are disadvantaged.

### **DISCRIMINATION**

Discrimination is to judge or treat someone on the basis of irrelevant characteristics such as race, color, gender, sexuality. One example: lesbians and gay men face discrimination and prejudice. In Romania it is still illegal to be gay and across Europe many people and states do not recognise homosexuality as a legitimate and equal expression of sexuality. In many countries gays and lesbians do not have equal access to marriage, adoption and fostering of children.

### **DETENTION AND DEPORTATION**

Hundreds of refugees fleeing persecution and trying to enter "Fortress Europe" are facing death, detention and deportation. Because of racist immigration policies in Europe more than 850 refugees (documented by UNITED as at June 1997) have already died from hiding in aeroplanes and boats, drowning when thrown overboard, being shot by border guards, etc. If they do manage to seek safety in European countries many face a life in prison, without having committed any crime and are then deported back to the danger from which they fled.

### **SOME EXAMPLES**

#### **Disadvantage**

##### **- Black people and employment in Britain**

Many people in our societies are disadvantaged in different ways. Their quality of life, and opportunities are affected because they are part of a minority group. Racism and homophobia are an inherent part of our societies. This sort of disadvantage operates within institutions such as the police, justice system and health service - all parts of the state. As part of a commitment to tackling racism and xenophobia governments must ensure that they examine how their own departments treat minorities.

A report published in June 1997 shows that it is three times harder to get an interview for a job if you are Asian and five times harder if you are black. The report shows how employers are putting black people at a disadvantage in the jobs market which means that unemployment among the black

population is disproportionately high.

In one case a Scottish bank was sent the same letter from a black applicant and from a white applicant inquiring about vacancies. The white job-seeker was sent an application form for a job; the black job-seeker was told that there were no job vacancies. In the Liverpool region a shop told black and Asian people that a job vacancy had been filled but on the same day white applicants were invited for interview.

Black people still earn less than white workers in comparable jobs and are significantly under-represented at management level.

(source: The Guardian, Commission for Racial Equality, June 1997)

## **Discrimination**

### **- Roma in Central and Eastern Europe**

In many countries in Europe, especially in Central and Eastern Europe, Roma people face discrimination, harassment and attack.

Parallels have been drawn between the current situation facing the Roma people and the experience of Jewish communities in Nazi Germany. One academic recently stated, 'the situation in Poland seems similar to that in Germany in 1937-38 when attacks on Jews were commonplace.'

The majority of the violence against the Roma community comes from organised groups of young people, especially in Poland and the Czech Republic, wanting to vent their frustration on an easy and vulnerable target. However, the state (the police and justice system) has shown a total lack of willingness to deal with the problems which the Roma people face. Although no evidence exists of the state being directly involved in these acts of violence, the attitude of the state is responsible for the vulnerability of the Roma people.

The lack of protection given to the Roma community by state agencies leads to a situation in which conflict is encouraged as the perpetrators know that they are unlikely to be punished for their actions.

### **"FEAR"**

In Debice in Poland, leaflets with swastikas and the phrase, "Gypsies to the gas chambers!" appeared in the town. After an attack, local Roma people were very afraid.

One Roma said "There were 60 of them. They threw stones at us, broke the windows. Earlier, they had grabbed my boy and beaten him up. He's in hospital...now everybody's afraid. How can we live with such fear? We've got wooden sticks to hand, but how are we to defend ourselves if more of them come next time? It wasn't the first attack of this kind. I'm afraid there may be a repeat. What frightens us, Roma, the most is that the authorities are doing nothing. Nothing to calm the worst fear, the fear in the night."

## **Detention**

### **- Asylum seekers in Britain**

In December 1995 Abiodun Igbindu arrived in Britain having fled persecution in Nigeria. Mr Igbindu had been arrested more than ten times in Nigeria and tortured. On arrival in Britain he was taken to Campsfield House Detention Centre. Campsfield House is surrounded by barbed wire and the asylum seekers are held there as prisoners with access only to basic facilities. They rely on visitors from refugee support groups for contact with the outside world.

In 1997 asylum seekers felt unable to put up with the situation any longer. Their desperation was brought to public attention when seventeen asylum seekers from Algeria, Nigeria, Romania and Zaire went on hunger strike in protest at being held in Rochester prison. After 40 days of hunger strike many of them needed emergency medical attention. One hunger striker was finally released and given only a travel ticket and £2, he was not given medical attention, housing or food.

The former Conservative Home Secretary, Michael Howard MP, said that the treatment of asylum seekers is "fair, reasonable and generous". The reality is that the British state denies refugees basic human rights such as housing, sufficient food and any form of income. One judge stated "The plight of asylum seekers should provoke deep sympathy. Their plight is indeed horrendous."

## **Deportation**

### **- Protests Against Air France**

On 20 February 1997, some passengers on board an Air France flight destined for Douala in Cameroon, protested against the treatment of a Zairean youth who ought to have been dropped off at Kinshasa while the aircraft was on a stopover there. He was being deported from France. He was not accepted as either an asylum-seeker nor as an immigrant. The young boy was placed behind a curtain, but the

passengers could hear him screaming. When the curtain fell back, some passengers were shocked to see a policeman beating up the youth. One of the passengers said "They (the policemen) told us that we were helping drug traffickers and that because of us there would be more and more black people in France".

The flight captain then requested the policemen to disembark the youth who no longer appeared to be able to walk. (source: Migration News Sheet, March 1997)

Deportation is the logical result of the migration and asylum policies in Europe. These measures are carried out with unusual harshness. People are deported when waiting for the outcome of an appeal, during the asylum-procedure. Restraints, tape, anti-biting masks and other violent methods are used on utterly desperate people. Private firms are hired to perform tasks that should be the direct responsibility of the state and its justice system.

### **How YOU can get involved**

We encourage the organisations that want to take part in the UNITED campaign to **cooperate with other organisations**. In 1994, for example, joint activities were planned all over Europe by Jewish and Roma groups together. In 1995 refugee groups joined the activities around 9 November to commemorate the closing of borders around 1938 and to protest against the same thing happening nowadays. It is important that the victims of persecution then and now support each other. Think about cooperating with the following groups: Jewish organisations, human rights and refugee organisations, minority groups, anti-racist and anti-fascist groups, Roma organisations, black organisations, organisations of people with disabilities, gays and lesbians. You can use the European Address Book Against Racism to find contacts.

You do not have to be a big and established organisation to contribute to this campaign. If you don't feel capable to organise an activity on your own, get in contact with other groups in your region. But even as a small group, you might be able to organise one or more of the following **activities**: memorial meetings, torchlight marches, infostands, solidarity pickets, press releases, exhibitions, demonstrations, memorial minutes of silence, public speaking tours, conferences, discussions, concerts, info meetings, film shows, blockades, etc.

You can find examples of possible activities in the UNITED report of 9 November 1996.

It is the variety and creativity of all the different activities all over Europe that make the UNITED campaigns unique. You are completely free to choose your own way of organising, while respecting

- the **common theme**: the commemoration of "Kristallnacht" and the responsibilities of the states in protecting people from racism, persecution and violence.
- the **common date**: on and around 9/11/97

In the last years UNITED has coordinated and initiated several successful campaigns. Hundreds of organisations have cooperated with each other, working for activities around the same date and with the same topic.

There are several good **reasons to cooperate** in (European) campaigns, you can:

- get motivated and inspired (working together makes you feel stronger and makes you more creative)
- learn from each others experience and ideas
- generate more publicity because of the scope and size of the activity
- mobilise more people (when you cooperate with other organisations you can combine the amount of participants)

### **How UNITED can help**

- UNITED will produce a special "Calendar" of activities, with a list of all the activities around Europe, which can help you to make contacts and exchange speakers with other groups.
- A media release will be sent out to all important European press agencies, newspapers, etc. If you feel that we should include a specific media contact from your country in our list, let us know. Journalists who want to know about specific activities will be informed about events in their country and are

referred to the organisations involved.

- Contact UNITED for details from September 1st. Inform us of your planned actions before November 9th. We will send a special edition of our "Calendar" to the active organisations.
- Contact UNITED for campaign material. UNITED has produced 50.000 stickers. All active groups can order 75 stickers for free, and more for a very low fee. The report on the 1996 campaign and background information on the history of November 9th 1938 is also available.
- At the forthcoming UNITED Conference in Slovenia (8-12/10/97) further co-ordination and preparation will take place. The results of this conference will be made available to all interested organisations.

### **How you can help UNITED**

- Send announcements, invitations, leaflets and posters before the activities take place
  - Send reports, newspaper articles, photographs, etc. after the event for the report.
- Help us to make the media release exciting. Help us make the report complete. Make sure your activity is included!