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ANTHROPOLOGY AND NATIONAL SOCIALISM

Genetic and Racial Aspects

Georg Lilienthal

The strong desire of anthropologists and race hygienists to put their concepts of population policy to practical use had become obvious by the 1920s. As, in their opinion, the Weimar Republic was neither willing nor suited to turn their concepts into politics, they expected Hitler to pave the way for their plans. The anthropologists' urge for action was not motivated exclusively by race hygiene, but also had its sources in the demands of everyday life. Law courts, for example, were eager to base determinations of illegitimate paternity on reliable evidence. On the other hand, it was unbearable for eugenic scientists that a relatively large group of persons was excluded from a selective population policy because their genetic value could not be determined due to unknown paternity. So it happened that in 1926 Otto Reche, head of the Institute of Anthropology in Vienna, drew up the first genetic reports on disputed paternity. Von Verschuer delivered his first reports in Berlin in 1928, at the Kaiser-Wilhelm-Institute of Anthropology, Genetics and Eugenics.[1]

The reports were made on the basis of analyzing similarities of phenotype; between 120 and 130 characteristic features (for example of the ear, the nose, the eyes, hair, head, or fingerprints) of mother, child, and the assumed father were examined. Either they were measured or assessed in quality. According to the existing knowledge of their genetic

manifestation, they provided different evidence. When they had found out similarities between mother and child, anthropologists tried to identify as many characteristic features of the child as possible with the disputed father, but deviating from the mother. Each statement was summed up in a final result which, graded according to its probability, spoke for or against the paternity of the examined men.[2]

This procedure was accepted quickly in Austria. In 1931, the Supreme Court in Vienna declared that the absence of a genetic examination in affiliation proceedings was a deficiency. In Germany however, law courts took a skeptical view of this new evidence.

Here, gradual public acceptance was connected closely with the anti-Semitic politics of the National Socialists. With the "Law for the Restoration of the Professional Civil Service" (Gesetz zur Wiederherstellung des Berufsbeamtentums), from 7 April 1933 all Jewish and politically disagreeable civil servants were removed. This law served as a background for the legal definition of a Jew, which got its final shape in the first implementing order to the Reichsbürgergesetz or Reich Citizenship Law from 14 November 1935.[3] There it says: "A Jew is a person, who descended from at least three fully Jewish grand-parents." A "part-Jew" was a person who had one or two Jewish grand-parents. During the following years, special laws came into being which systematically restricted the professional and social life of the Jews. The document proving one's "Aryan" identity (Ariernachweis) became a device further separating the "Non-Aryans."

The anti-Jewish legislation raised the problem that the

descent of a person could not always be established reliably. As a rule, it was proved by family documents. Sometimes, however, it was not possible to find the necessary papers. The case was even more difficult when a Jewish descent was suspected: that is, when it was doubtful whether the person in question was, according to the number of Jewish grandparents, a "quarter-Jew," a "half-Jew," or a "full Jew." Therefore, especially the group of "part-Jews," whose officially estimated number varied between 115,000 and 750,000,[4] caught the eye of a department that had been set up in the course of the "Civil Service Law" of 1933 in the Reich Ministry of the Interior to clarify disputed cases of "Aryan" descent.[5] Among the tasks of this department, which later was called the Reich Kinship Office (Reichssippenamt),[6] was issuing proofs of one's "Aryan" identity (Ariernachweis).

Only the Reichssippenamt was authorized to decide on "Aryan descent," which was certified with a document, the so-called Abstammungsbescheid (certificate of Aryan descent).[7] First, the Reichssippenamt tried to set up a complete genealogy with documentary evidence obtained from further investigations. However, this procedure failed if, for example, birth or marriage certificates or entries on them were missing, or if it referred to foundlings or persons of illegitimate birth, especially if the father was unknown or legitimate paternity was disputed. In such cases the Reichssippenamt was entitled to draw upon "genetic and racial reports," if they concerned the "racial classification of individual persons."[8] These examinations functioned as a last resort and served as a basis for the Abstammungsbescheid, together with the previously taken genealogical evidence.

Due to its new functions, the ordinary genetic report on

disputed paternity had developed into a "genetic and racial report." Its methodical basis remained principally unchanged: the genuine father was looked for by means of genetic features. Characteristic about it, however, were the following innovations. First, the purpose had changed. The idea was not to give an illegitimate child its true father in order to help them develop an emotional bond and to guarantee the rights of the child, but rather to find out whether it belonged by race to the German people. Thus it was decided whether or not the child should be granted its personal rights and liberties. The child's individual needs were of no importance. The only criterion was racial doctrine, not the welfare of the individual.

Moreover, the method suffered from its changed goal. Whereas the father was the center of attention in the usual procedure, the emphasis now lay on the child. It was not so important to know who the father of a child was, but to find out whether a child was of Jewish descent. In connection with the "genetic and racial report" the term "child" doesn't refer to a certain age group, as it actually concerned children only to a small extent. Mainly, grown-ups had to prove their "Aryan descent." As a result the parents or assumed fathers often were dead or could not be found and therefore could not be examined personally. Even so, similarities were compared with the help of, in most cases, inadequate private photographs of the absent persons and final judgments were passed. In addition, a racial classification was eventually made on the basis of alleged racial characteristics; going back to Hans F.K. Gunther's racial typology, a largely intuitive racial analysis was carried out in search of Jewish features.[9]

At first, only the Reichssippenamt reserved the right to conduct investigations into Jewish or non-Jewish descent. From 1938 onwards, law-courts were also entitled to do this in certain cases; thus the Public Prosecutor was also authorized to challenge the legitimacy of a child in the interests of the public, if its "racial classification" was disputed.[10] In 1939, a petition for the determination of one's blood relationship was allowed. Proceedings could be instituted if there was reasonable suspicion that legal and biological paternity were not identical.[11] "Genetic and racial reports" became highly estimated evidence, which constantly increased the need for it.

Which view did scientists take towards "genetic and racial reports?" Had legitimate method been abused by Nazi racists within the Reichssippenamt for illicit and inhumane purposes without the knowledge or even against the will of the scientists? The answer lies with anthropologists,[12] geneticists, and race hygienists. The genetic and racial tests were not carried out in the Reichssippenamt, but exclusively in institutions qualified for them -- mainly university institutes -- whose directors were appointed by the Reich Ministry of the Interior as official experts. In its law of 27 March 1936 the Reich Ministry of Justice named nine institutes, of which the majority were institutes of anthropology and the rest were institutes of genetics and race hygiene.[13] Even after the war, anthropologists celebrated this date as the official acknowledgment of the genetic and anthropological method by the German government.[14] In 1943 the list of those institutions that were entitled to such "genetic and racial reports" cited 22 institutes and 12 private experts.[15]

A. Institutes and Directors:

1. Berlin, Kaiser-Wilhelm-Institut für Anthropologie, Prof. Dr. med. Frhr. Otmar v. Verschuer (until 1942, Prof. Dr. med. Eugen Fischer);

2. Berlin, Institut für Rassenbiologie, Prof. Dr.phil. Wolfgang Abel;

3. Berlin, Institut für Rassenhygiene der Universität, Prof. Dr.med. Fritz Lenz;

4. Berlin, Erbpathologische Abteilung d. I. Medizinischen Klinik d. Charité, Prof. Dr.med. Friedrich Curtius;[16]

5. Breslau, Anthropologisches Institut der Universität, Prof. Dr.phil.nat. Egon Frhr. v. Eickstedt;

6. Frankfurt am Main, Universitätsinstitut für Erbbiologie und Rassenhygiene, Prof. Dr.med. Heinrich Wilhelm Kranz;

7. Giessen, Institut für Erb- und Rassenpflege, Prof. Dr. med. Hermann Boehme;

8. Greifswald, Institut für menschliche Erblehre und Eugenik, Doz. Dr.phil. Fritz Steiniger;

9. Innsbruck, Erb- und Rassenbiologisches Institut der Universität, Prof. Dr.med. Friedrich Stumpfl;

10. Kiel, Anthropologisches Institut der Universität, Prof. Dr.rer.nat. Hans Weinert;

11. Köln, Universitätsinstitut für Erbbiologie und Rassenhygiene, Prof. Dr.med. Ferdinand Claussen;

12. Königsberg, Rassenbiologisches Institut der Universität, Dr.med. Bernard T. Duis;

13. Leipzig, Institut für Rassen- und Völkerkunde an der Universität, Prof. Dr.phil. Otto Reche;

14. München, Anthropologisches Institut der Universität, Prof. Dr.med. Theodor Mollison;

15. Prag, Institut für Erb- und Rassenhygiene der Deutschen Karls-Universität, Prof. Dr.med. Karl Thums;

16. Prag, Lehrstuhl und Institut für Rassenkunde der Deutschen Karls-Universität, Prof. Dr.phil. Bruno K. Schultz;

17. Strassburg, Institut für Rassenbiologie der Reichs-Universität, Prof. Dr.med. Wolfgang Lehmann;

18. Tübingen, Rassenbiologisches Institut der Universität, Prof.Dr.phil.Dr.med. Wilhelm Gieseler;

19. Weimar, Thüringisches Landesamt für Rassewesen, Prof. Dr.med. Karl Astel;

20. Wien, Anthropologisches Institut der Universität, Doz. Dr.phil. Karl Tuppa;

21. Wien, Rassenbiologisches Institut der Universität, Prof. Dr.med. Lothar Löffler;

22. Wurzburg, Rassenbiologisches Institut der Universität, Prof. Dr.phil. Günther Just.[17]

B. Individual Experts

1. Dr. Richard Günther, Wien I;

2. Doz. Dr.phil.Dr.med.habil. Friedrich Keiter, Rassenbiologisches Institut der Universität, Würzburg;

3. Dr. Werner Pendl, Wien I;

4. Dr. Hella Poch, Salzburg;

5. Prof. Dr.med. Rudolf Polland, Direktor des Universitätsinstituts für Erblehre und Rassenhygiene, Graz;

6. Prof. Dr.med.Dr.phil.nat. Andreas Pratje, Anatomisches

Institut der Universität, Erlangen;

7. Prof. Dr.med. Ernst Rodenwaldt, Direktor des Hygienischen Instituts, Heidelberg;

8. Doz. Dr.med.Dr.phil. Johannes Schaeuble, Leiter der Abteilung für Erb- und Rassenkunde des Anatomischen Instituts, Freiburg i.Br.;

9. Dr. Joseph Wastl, Kustos und Direktor der Anthropologischen Abteilung des Naturhistorischen Museums, Wien.

The institutes were not forced by the government to accept expert work. Otto Reche was the man who, in 1934, suggested that the Reichssippenamt use genetic testimony of affiliation for the "proof of Aryan descent."[18] He obviously wanted to secure public recognition for this method, developed by him, which had so far been denied it in Germany as compared to Austria. In their publications, the experts denied any distinction between these two kinds of expert opinion, either for disputed paternity cases or to determine possible Jewish descent. Therefore, they as well as official statements generally spoke of "genetic and racial reports" or "genetic testimony of descent." In my paper I follow that terminology, but sometimes rely, for better understanding, on the more precisely defined term "ordinary genetic report on disputed paternity" if, regardless of Jewish descent, paternity was called in question, and on the term "racial report" if racial classification was the aim.

After five years of expert activities, and with the new legal regulations of 1938 and 1939 to be accommodated, anthropologists and race hygienists decided to meet in Munich under the chairmanship of Otto Reche on 23 March 1939.[19] Most

senior experts and their assistants attended the meeting, which served to punctuate the exchange of experience as well providing for the exchange of views.

Otto Reche, in his function as reporter for the Munich conference and speaker of the "Rassenpolitisches Amt [Racial Politics Office] of the NSDAP," pointed out the aim of "genetic and racial reports" very clearly: "Only with this method is it possible to separate from each other kinship and genetic lines and it is possible to prevent foreign blood [Rassenblut] and hereditary diseases from being passed into the family....Especially with illegitimate persons the danger of hereditary taint and the infiltration of foreign blood is very great. It is well known that for example the Jews have given birth to many illegitimate half-castes (part-Jews)."[20]

The events of the so-called Crystal Night, or pogrom-night, of November 1938 (Reichskristallnacht), which were not hidden from the eyes of the public, did not prevent anthropologists and race hygienists from using their science to select Jews. In Munich "unanimous"[21] decisions were made which included the following recommendations besides the professional preconditions for experts and their opinion: "As the strong demand for reports, which are a political must, constantly increases," new university institutes of racial biology should be established and the number of assistants should be raised. And they strongly opposed any criticism expressed by law courts on the reliability of expert opinions. "Doubts about the usefulness of these methods are from the scientific point of view unjustified and they are unanimously rejected by leading German experts."[22]

The number of reports increased constantly. Whereas the

Poliklinic of Genetics and Race Hygiene in Berlin-Charlottenburg, for example, had delivered 52 reports each year from 1935/36 until 1937/38, their results trebled in the years 1938/39 to 142 and increased to more than twice as much (to 314 reports) in the years 1939/40.[23] Even though the total number of all reports is unknown for the later years, the result of an opinion poll of 1942 gives an idea of the extent of the experts' activities, which has vastly determined the practical work of the institutes since 1939. According to this opinion poll, ten out of twenty institutes had delivered altogether 3,700 reports before July 1942.[24] These were mainly ordinary genetic reports. The number of racial reports may have been rather low as the opinion poll considered only cases in which mothers, children, and disputed fathers had been examined in person.[25] This, however, did not often apply to racial reports because of the advanced age of the candidates.

Various pieces of evidence permit the assumption that the number of racial reports must have been considerable. Until the beginning of 1939, 3,170 reports were delivered throughout Germany. Of these, 370 were delivered to the Reichssippenamt,[26] that is to say at least 12% were racial reports. The number may in fact have been much higher -- even more so in the following years -- because of the possibility introduced in 1938 to have biological, especially racial descent determined by court decision. Thus out of 314 reports that had been issued at the Policlinic of Genetics and Race Hygiene in Berlin between spring 1939 and spring 1940, 25% served to determine racial descent.[27] At the end of 1942 the Reichssippenamt stated that "applications increased very much lately as applicants wanted to achieve a more

favorable racial classification by genetic and racial examinations."[28]

The increasing number of applications for expert opinion was a decisive factor in gradually fulfilling the anthropologists' and race hygienists' demand of 1939 to found new institutes[29] and to extend the group of experts constantly. To work as an expert was very attractive as it was paid at a fixed rate,[30] and with this money the institute's budget could be increased.

From what has been said, there can be no question about the scientific quality of racial testimony. It is decisive, as Christian Vogel, an anthropologist from Göttingen, put it in 1984 "that the experts acted in the name of science and that their work was admitted by the public as being 'scientific.' Their work embodied the quality of scientific credibility and reliability."[31] To assess their activities as pseudo-science in retrospect doesn't conform to the historical facts. This explanation would too quickly relieve anthropologists and critics from their responsibility to think about causes and consequences for a discipline that was all too ready to give up moral standards in pressing for social recognition. Therefore, the doubts are less about individual scientists and their scientific quality than about the science as such: the experts accepted the extension of ordinary genetic reports on disputed paternity to reports of racial descent and therefore also accepted the change in the intent. Anthropologists closed their eyes to the fact that Jewish descent couldn't be determined as if it were, for example, analogous to negroid descent. Therefore the Nazi laws were directed to religious affiliation; a Jew was a person who had "at least three full-Jewish grandparents." Their racial

classification, however, derived from their affiliation to the Jewish community.[32] Anthropologists didn't use this fact in order to refuse to give racial testimony because of its insufficient scientific basis. But even if Jewish descent could have been determined by genetic means, the aim would have been remained immoral: to derive a human being of his or her rights or even to physically destroy him or her.

During the war, cooperation of anthropologists and race hygienists with the Nazi party and government concerning their selection politics didn't go as smoothly as before. The appeal to courts, in proceedings to determine Jewish descent, had consequences that surely could not have been foreseen by their initiators. In 1941, the persecution of the Jews escalated, with deportation and then extermination. Living conditions of "part-Jews" also deteriorated drastically. At the worst they had to be in dread of suffering the same fate as "full-Jews."[33] In this desperate situation, attempting to set aside legitimacy or blood relationship offered Jews a last slim chance to escape persecution and, eventually, death through the help of the same bureaucracy that pursued their extermination. Therefore, Jews increasingly contested the paternity of their legal and often legitimate fathers and claimed illegitimate descent from men of "German blood" in order to be classified as "Aryans," if they had counted for "part-Jews," or to be accepted as "part-Jews" if they had been treated as "full-Jews."

In their desperation they sometimes tried to deceive the authorities. The writer Rolf Italiaander, who was regarded as "part-Jew" by the Reichssippenamt, reports how he successfully covered up the Jewish descent of his grandparents on his father's

side. First, he declared his grandfather to be an illegitimate child of an Englishman. Then he obtained a photograph of an "Aryan"-looking man in a Berlin junk shop, gave it a water bath and used cigarette ash to duplicate the patina of past decades, and after that handed it in as a picture of his late grandfather. In addition, he destroyed the entry on the Jewish mother of his grandfather in the registration office of Dusseldorf, tearing it out of the entry list and swallowing it. Finally, his grandmother, who was still alive, untruthfully affirmed in lieu of an oath that her husband had been the illegitimate son of an English sailor. In this way, Italiaander could prevent himself and forty members of his family from greater harm until the end of the war.[34]

The attempts of Jews to disguise relationships with the help of these newly set up legal possibilities, in order to increase their chances of survival, were not unknown to authorities and party offices.[35] For this reason the Reich Ministry of Justice tried hard to limit the scope of courts in their decisions, with circular No. 5 from 1 February 1943: "It is obvious that evidence by witnesses, especially made by the mother of the Jew or part-Jew, has always to be handled with great care, as they are only too easily guided by efforts to rescue the closely related plaintiff from the disadvantage of Jewish descent. Therefore we must lay special emphasis on the fact, that the value of testimony which is based on perfect scientific knowledge has to be estimated much more than evidence by witnesses."[36] So the main burden of the presentation of evidence was imposed on the experts.

They were personally addressed by the Reich Minister of the

Interior via a decree of 19 February 1943, which began with a rebuke: "Again and again genetic and racial reports have come to my knowledge which speak against the Jewish descent of the examined person, even though the scientific material is not sufficient for such a line of argument." In these cases the delivery of testimony should be refused. "This rejection must not be replaced by evasive reports which don't mean any more than that the candidate doesn't look like a Jew."[37] On the occasion of a meeting in the Reich Ministry of Justice on 3 February 1944 it was demanded that only the most loyal experts be called in. Otherwise there would be the danger, when reports were evaluated by the courts, "that out of mistaken sympathy, which the Jew is particularly able to arouse, there will be an involuntary deviation from the principles which usually apply to proceedings of descent."[38] These official statements were attempts of the Reich Ministry of the Interior and the Reich Ministry of Justice to tie the authorities involved in the proceedings to the more rigorous line of the Party in their anti-Semitic politics. They can also be judged as reaction of governmental bureaucracy, which has obviously been under the impression, since 1942, that experts and judges increasingly "lost" their "objectiveness" in favor of the Jews concerned.

Thus the experts Rudolf Polland, Karl Tuppa, and Josef Wastl aroused the indignation of the superior authorities because of reports that were favorable to Jews. Their example gives evidence of their courage, considering the fact that the experts' work has been suspected from all sides. However, experts could not systematically step aside from Nazi racial policy. They themselves had handed over their science to the Nazis and the

latter got a tight grip on it. So the majority of Tuppa's reports that have so far become known, have been disadvantageous to the candidates.[39]

After the experts had accepted scientifically dubious methods such as yellowed lay photographs to determine a candidate's descent, it wasn't a long way to actual manipulation under the prevailing conditions. Rolf Italiaander tells us how he went to the Kaiser-Wilhelm-Institute of Anthropology in Berlin with a heavy heart. When he was alone for a moment with the assistant who examined him the assistant whispered to him encouragingly: "It is all play-acting. Don't panic....I'll manage that for you."[40] In a talk that Müller-Hill had with Wolfgang Abel, the late director of the Institute for Race Biology in Berlin, some years ago, Abel confirmed that many reports had consciously been tampered with.[41] Müller-Hill tellingly describes the dilemma into which anthropologists and race hygienists had maneuvered themselves: "If these anthropologists falsified the data on humane grounds, they became party to fraud, even though it might be a morally justifiable fraud. If, on the other hand, they did their work scrupulously they became accessories to murder, at least after 1941."[42] Most anthropologists and race hygienists whom Müller-Hill questioned about their expert work, or their former heads of department, however, assured him that they had never manipulated any report and had only acted as true scientists.[43]

FOOTNOTES

Shortened version of an article with the title "Anthropologie und Nationalsozialismus: Das erb- und rassenkundliche Abstammungsgutachten," Jahrbuch des Instituts für Geschichte der Medizin der Robert Bosch Stiftung, 6: 71-91, 1987, [1989].

1. Otto Reche, "Zur Geschichte des biologischen Abstammungsnachweises in Deutschland," Volk und Rasse, 1938, 13: 369-75; Otmar v. Verschuer, "Die Vaterschaftsgutachten des Frankfurter Universitätsinstituts für Erbbiologie und Rassenhygiene," Der Erbarzt, 1941, 9: 25-31; Otto Reche and Anton Rolleder," Zur Entstehungsgeschichte der ersten exakten wissenschaftlichen erbbiologisch-anthropologischen Abstammungsgutachten," Zeitschrift für Morphologie und Anthropologie, 1964, 55: 283-293.

2. Lothar Löffler, "Anwendungen der menschlichen Erbbiologie. II. Erbbiologische Ermittlung der Abstammung (Vaterschafts-diagnose)," in: Günther Just (ed.), Handbuch der Erbbiologie des Menschen vol. 2 (Berlin: Julius Springer Verlag, 1940), p. 321-359. Christian v. Ulmenstein, Der Abstammungsnachweis 5th ed. (Berlin: Verlag für Standesamtswesen, 1941), p.115. Wolf Bauermeister and Maria Küper, "Die erbbiologische Abstammungsprüfung," Fortschritte der Erbpathologie, Rassenhygiene, und ihrer Grenzgebiete, 1942, 6: 146-153.

3. v. Ulmenstein, Der Abstammungsnachweis, p. 74-6.

4. Jeremy Noakes, "Wohin gehören die 'Judenmischlinge'? Die Entstehung der ersten Durchführungsverordnungen zu den Nürnberger Gesetzen," in: Ursula Büttner (ed.) Das Unrechtsregime. Internationale Forschung über den Nationalsozialismus vol. 2, (Hamburg: Christians-Verlag, 1986), p. 88, n.1; and John A.S. Grenville, "Die Endlösung und die Judenmischlinge im Dritten Reich," in: Büttner, Das Unrechtsregime, vol. 2, p. 102.

5. v. Ulmenstein, Der Abstammungsnachweis, "Verordnung zur Durchführung des Gesetzes zur Wiederherstellung des Berufsbeamtentums vom 11.4.1933," p. 108.

6. To simplify matters the present paper calls this office Reichssippenamt regardless of its chronology.

7. v. Ulmenstein, Der Abstammungsnachweis, p. 14, and Arthur Schultze-Naumburg, "Die Reichsstelle für Sippenforschung. Ihre Aufgaben und ihre bisherige Tätigkeit," Allgemeines Statistisches Archiv, 1936-37, 26: 333-34.

8. v. Ulmenstein, Der Abstammungsnachweis, p.69

9. Friedrich Keiter, Kurzes Lehrbuch der Rassenbiologie und Rassenhygiene für Mediziner (Stuttgart: Ferdinand Enke Verlag, 1941), p. 120-27, 150-75; Viktor Nordmark, Über Rassenbegutachtung, Öffentlicher Gesundheitsdienst, 1940-41, 6: 596-604. The author was a staff member of the Polyclinic of Genetic and Race Hygiene in Berlin. Independently, v. Eickstedt set up a "Rassendiagnostische Typenformel." See Egon v. Eickstedt; Rassenkunde und Rassengeschichte der Menschheit, 2nd ed. vol. 1 (Stuttgart: Ferdinand Enke Verlag, 1940), p. 557-66. The result was sometimes summed up as an individual report when a comparative similarity analysis could not be carried out.

10. v. Ulmenstein, Der Abstammungsnachweis, "Gesetz über die Änderung und Ergänzung familienrechtlicher Vorschriften vom 12.4.1938," p. 122.

11. Basic Ruling of the Reich Court, which was supposed to anticipate a legal regulation; v. Ulmenstein, Der Abstammungsnachweis, p. 125-28.

12. Horst Seidler and Andreas Rett, Das Reichssippenamt entscheidet: Rassenbiologie im Nationalsozialismus, (Wien, München: Jugend und Volk Verlag, 1982) as well as Benno Müller-Hill: Tödliche Wissenschaft: Die Aussonderung von Juden, Zigeunern und Geisteskranken 1933-45 (Reinbek: Rowohlt Taschenbuch Verlag, 1984), have for the first time pointed out the political and ideological importance of these items of testimony to anthropology and its then connected sciences. Now there is an English translation of Müller-Hill, Murderous Science: Elimination by scientific selection of Jews, Gypsies, and others, Germany, 1933-45, trans. George R. Fraser (Oxford, New York, Tokyo: Oxford University Press, 1988).

13. "Ausführungsverordnung des Reichsjustizministeriums vom 27.3.1936," Deutsche Justiz, 1936, 98: 533-534.

14. Seidler and Rett, Das Reichssippenamt, p. 154.

15. "Erlass des Reichsinnen - und Reichsjustizministeriums vom 21.4.1942 über Gebühren für erbbiologische Abstammungs-

gutachten in gerichtlichen Verfahren," Deutsche Justiz, 10 (1942), p. 295. Alterations and completions: "Erlass des Reichsinnenministeriums vom 5.6.1942," Deutsche Justiz, 10 (1942), 424; "Verordnung des Reichsjustizministeriums vom 12.12.1942," Deutsche Justiz, 10 (1942), 823; "Erlass des Reichsinnenministeriums vom 6.7.1943," Zeitschrift für Standesamtswesen, 1943, 23: 74.

16. Removed from this list was the Poliklinik für Erb-und-Rassenpflege, Berlin, Prof. Dr.med. Eduard Schütt.

17. Nos. 2, 9, 11, 15, 16, 17, 21, 22 have been newly founded since 1939. See Bauermeister and Küper, "Abstammungsprüfung," p. 147, and Gerhard Koch, Die Gesellschaft für Konstitutionsforschung: Anfang und Ende, 1942-1965 (Erlangen: Verlag Palm und Enke, 1985), p. 243-57.

18. Otto Reche, "Der Wert des erbbiologischen Abstammungsnachweises für die richterliche Praxis," Deutsches Recht, 1939, 9: 1607.

19. Otto Reche, "Ergebnisse der Besprechung über Erfahrungen bei Vaterschafts- und Abstammungsgutachten," In: Bruno Karl Schultz (ed.), Verhandlungen der Deutschen Gesellschaft für Rassenforschung vol. 10 (Stuttgart: E. Schweizerbart'sche Verlagsbuchhandlung, 1940), p. 163-65.

20. Reche, "Wert des erbbiologischen Abstammungsnachweises," p. 1612.

21. Emphasis supplied in the original; Reche, "Ergebnisse der Besprechung," p. 164.

22. Reche, "Ergebnisse der Besprechung," p. 164-165. In his paper on "Wert des erbbiologischen Abstammungsnachweises für die richterliche Praxis" (note 18) Reche lists cases in which judges negated the value of evidence of these reports. Judicial criticism didn't cease in later years either. Cf. Hans Robinsohn, Justiz als politische Verfolgung: Die Rechtsprechung in "Rassenschandefällen" beim Landgericht Hamburg 1936-1943 (Stuttgart: Deutsche Verlags-Anstalt, 1977), p.47-50. published in the series, Schriftenreihe d. Vierteljahrshefte für Zeitgeschichte, No. 35.

23. Fred Dubitscher, "Praktische Erb- und Rassenpflege," Öffentlicher Gesundheitsdienst, 1940-41, 6: 563.

24. Bauermeister and Küper, "Abstammungsprüfung," p. 147

and 165.

25. Bauermeister and Küper, "Abstammungsprüfung," p. 165; v. Verschuer, "Vaterschaftsgutachten," p. 26; Wolf Bauermeister, "Grundlagen und Ergebnisse der erbbiologischen Abstammungsprüfung," Forschungen und Fortschritte, 1944, 20: 56.

26. Reche, "Wert des erbbiologischen Abstammungsnachweises," p. 1608.

27. Letter of Dr.med. Eduard Schütt, director of the Poliklinik für Erb- und Rassenpflege in Berlin, with progress report on the period from 1 April 1939 to 31 March 1940, to Dr. Mayer, director of the Reichssippenamt, 21 June 1940, p. 4. Bundesarchiv Koblenz (hereafter BA): R 39/10. After the war Wolfgang Abel, then senior assistant of Eugen Fischer, stated that in the Kaiser-Wilhelm-Institute of Anthropology in Berlin altogether 800 "Jewish reports" had been delivered; see Müller-Hill, Murderous Science, p. 128.

28. Anordnung des Reichssippenamtes vom 9.11.1942. BA: R 39/21.

29. Reche, "Wert des erbbiologischen Abstammungsnachweises," p. 1608.

30. The flat rate per case, not per person, ranged from 175 to 220 Reichsmark. "Erlass des Reichsinnen- und Reichsjustizministeriums vom 21.4.1942," Deutsche Justiz 10 (1942), p. 294.

31. Christian Vogel, "Ethische Überlegungen zur Anthropologie und Ethologie," In: Verantwortung und Ethik in der Wissenschaft (München: Max-Planck-Gesellschaft, 1984). (Berichte u. Mitteilungen d. Max-Planck-Gesellschaft, H.3/84), p. 123.

32. Noakes, "Wohin gehören die 'Judenmischlinge'?" p. 84.

33. For the legal and political situation of "part-Jews" see Grenville, "Die Endlösung und die Judenmischlinge."

34. Rolf Italiaander, "Schluss mit dem Rassenschwindel! Die Warnungen dürfen nie verstummen," in Horst Seidler and Alois Soritsch, Rassen und Minderheiten (Wien: Literas-Verlag, 1983), p. 77, 81, 83.

35. Cf. Heinz Boberach (ed.), Meldung Nr. 204 vom 21.7.1941. Meldungen aus dem Reich 1938-1945. Die geheimen Lageberichte des Sicherheitsdienstes der SS, vol. 7 (Herschings: Pawlak Verlag, 1984), p. 2451-52.

36. Richterbrief Nr.5 vom 1.2.1943: "Abstammungsfeststellung bei Juden und jüdischen Mischlingen," in Ilse Staff (ed.), Justiz im Dritten Reich. Eine Dokumentation, 2nd ed. (Frankfurt a.M.: Fischer Taschenbuch Verlag, 1978), p. 86. The sentence quoted last arose from the fact that there were courts long into the war which doubted the value of the "genetic and racial reports." See note 22.

37. Seidler and Rett, Das Reichssippenamt entscheidet, p. 196-97.

38. Note in BA: R 22/491.

39. Seidler and Rett, Das Reichssippenamt entscheidet, p. 200-201, 243-245, 247-250, 254-256, 260-261.

40. Italiaander, "Schluss mit dem Rassenschwindel!" p. 78.

41. Müller-Hill, Murderous Science, p. 130 and 138.

42. Müller-Hill, Murderous Science, p. 35.

43. Müller-Hill, Murderous Science, p. 5-6 and 39.

PSYCHOLOGY AND PSYCHIATRIY