The Crime of My Very Existence
Nazism and the Myth of Jewish Criminality

Michael Berkowitz
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For many Germans the linking of Jews with criminality might have seemed less speculative than “scientific racism” as a basis for Nazi policies. Although some scholars detect the roots of racial anti-Semitism in pre-Christian antiquity, for the sake of illuminating the Holocaust, it suffices to begin with the broad Christian background. In European Christendom a rationale for discriminating against the Jews, accompanying the apparent incompatibility of the Jewish and Christian belief systems, was that Jews were socialized toward criminality and overrepresented in the realm of criminals. This conviction long predated the rise of racism, although sometimes the persecution of Jews based on heredity, such as during the Spanish Inquisition, is characterized as racist. To be sure, racial theories developed since the eighteenth century buttressed and embellished the connection between Jews and crime. Yet a notion of Jewish criminality could exist—and even thrive—without knowledge of or belief in “racial science” and its various offshoots.

As Raul Hilberg and other scholars have demonstrated, National Socialism often elicited “Christian” and “Reformation” persecution of the Jews as a precedent. The Nazis made an effort to demonstrate the good sense of their anti-Semitism by showing that discrimination against the Jews was part of the normal business of every modern state that wished to defend itself. Simultaneously they sought to prove that their actions were consistent...
with the development of Christian theology and even with the history of nations such as England and the United States. A huge pseudoscholarly tome, reissued at least three times, expounds on the idea that anti-Semitism has been a major theme of English history, and there were efforts to “prove” that Benjamin Franklin attempted to thwart the acceptance of Jews in the founding of the United States. Although the decision to recast Franklin as an anti-Semite was not quite as absurd as the Nazi campaign to identify the gangster Al Capone as a Jew, it was a poor example. In fact, Franklin is well remembered for his design for the official seal of the United States, which pictured “Moses standing on the Shore, and extending his Hand over the Sea, thereby causing the same to overwhelm Pharaoh who is sitting in an open Chariot, a Crown on his Head and a Sword in his Hand. Rays from a Pillar of Fire in the Clouds reaching to Moses, to express that he acts by Command of the Deity.” Even more inappropriate for Nazism was Franklin’s “Motto”: “Rebellion to Tyrants is Obedience to God.” Germans, however, did not fare so well in his estimation. Considering “the German settlers in the hinterland of Pennsylvania” in 1764, Franklin wrote: “Should the Palantine Boors be suffered to swarm into our settlements, and by herding together establish their language and manners, to the exclusion of ours?” A reputed anti-Semitic diatribe of Franklin’s cited by the Nazis (still circulating on hate-mongering web sites), was easily revealed as a fake, not least because it assigned the incorrect date to the Continental Congress.

On more conventional grounds the Nazis portrayed the inception of Christianity as the watershed of Jews’ supposed revelation of their “criminal” character. Through Judas’s betrayal of Jesus in the Christological drama, it is possible to render Judas as the prototypical Jewish criminal—for allegedly undermining the nascent church and threatening Christians as individuals. The assumption that Jews are deceitful, following the example of Judas, is one of the most dogged anti-Semitic tenets. If one assumes that Jewry had been willfully obstinate in its ongoing refusal to accept Christianity, as was pronounced in church authorities’ “disputations” in the Middle Ages, it is not a giant leap to suppose that Jews are more inclined toward criminality than Christians. Martin Luther expounded on the “treachery” of Jewry in his “little book” *On the Jews and Their Lies* (1543), after it was clear that the Jews could not be enticed to his movement en masse. For the most part he fulminated against Christians who had permitted the Jews’ practice of “usury” to become transformed into acceptable
“thievery”: “Moreover, they are nothing but thieves and robbers who daily eat no morsel and wear no thread of clothing which they have not stolen and pilfered from us by means of their accursed usury. Thus they live from day to day, together with wife and child, by theft and robbery, as arch-thieves and robbers, in the most impenitent security.”

Luther blurred the distinction between “thieves and robbers” in a literal sense and Jews engaged in the legal pursuit of money lending who were nonetheless “guilty” of “robbing” unwitting Christians. “Usury” as a nefarious trade of the Jews was a major theme of Jud Süss (1940), a hugely popular Nazi film loosely based on the legend of an eighteenth-century “Court Jew” who served as an adviser and financier to the duke of Württemberg. The professed necessity for “Aryanization,” which was little more than institutionalized theft of Jewish property and assets, was that any and all Jewish economic relations with “Aryans” were destructive and duplicitous and therefore had to be eliminated.

One of the initial campaigns against Jews as criminals—which did, unlike the vast majority of anti-Semitic allegations, have some basis in reality—was a reaction to the involvement of Jews in prostitution. Charges that Jews were procurers of prostitutes had been lodged in Venice in the early fifteenth century. This activity was seen as part and parcel of a community that was prone to no good—one that fenced stolen goods and took undue advantage of Gentiles through pawnbroking. Prostitution did not, however, continue to be identified with Italian Jewry, as “white slavery” was primarily seen as spreading from the most impoverished quarters of Eastern Europe to Berlin, London, Paris, New York, and Buenos Aires, especially in the last decades of the nineteenth century. Thus, it came to be associated with the international traffic in both willing and coerced women. Jews overwhelmingly regarded this practice as abhorrent and managed to virtually eliminate it as soon as they developed their own “policing” savvy in the early twentieth century in their own communities and by undermining global networks. Yet the highly sexualized “racial pollution” charge could also have appeared more plausible when mixed with the white slavery canard—which did contain a kernel of historical truth. When the Nazis wrote about the phenomenon in 1939, they failed to attach more than a handful of names, and no pictures, to their accusations. Nevertheless, the charge that white slavery was esteemed and protected by Jewish communities was wildly overstated in the 1930s and 1940s, with anti-Semites conveniently ignoring Jews’ protests against the practice and their successful
efforts to eradicate it within their community. Other criminal activities of individual Jews were noted beginning in the fifteenth to sixteenth centuries as real and imagined niches of Jewry. At the time, many segments of European Jews faced guild-based discrimination, property-owning restrictions, and chronic poverty that severely undermined their range of livelihoods. Some Jews, it is true, turned to crime. Early modern Italian history includes swashbuckling Jewish outlaws, and Northern and Central Europe were beset by mixed “robber bands” of Jews and non-Jews who treated one another as equals and often accepted Jews as leaders, as noted by the pioneering scholar of Jewish mysticism, Gershom Scholem. The robber bands became a staple of discussions whenever the issue of “Jewish criminality” came up. Smuggling, kidnapping, and arson became common charges against Jews in the mid-sixteenth century. Modern Jews knew of these premodern gangs through academic books but mostly from the popular play Die Räuber (Robbers), by the non-Jewish German writer Friedrich Schiller (1759–1805), which included Jews as leading figures. In the late nineteenth century there were at least four Yiddish translations of the play, which was a staple of the Yiddish stage in Eastern Europe, London, and America; many Jews also read it in the original German.

German history in particular had encountered the specter of “Jewish criminality” mainly in four guises. First, it was commonly known that some Jews had been notorious, flamboyant criminals in the time of the robber bands of the seventeenth and eighteenth centuries. Second, beginning in the late eighteenth and early nineteenth centuries, the debates over Jewish emancipation frequently engaged the notion of “Jewish criminality.” This idea was revived when anti-Semites sought to curtail Jewish rights in the 1870s. Third, the association of revolutionary socialism, communism, and anarchism with “lawlessness” sometimes evinced anti-Semitic manifestations. The response to social unrest and upheavals, such as in the wake of the attempted revolutions of 1848 and 1918 in Central Europe, often prompted anti-Jewish recriminations and violence. Fourth, a number of Jewish individuals were convicted of small- and large-scale malfeasance during the First World War and early years of the Weimar Republic. Several of these incidents were fodder for long-running, highly publicized, and politicized scandals. Concomitantly, the “cultural war,” which the Nazis and other right-wing conservatives believed they were waging against sexual promiscuity and liberal thought, such as in literature, the arts, and public entertainment, was deemed to be a battle against sinister, “criminal” Jewish forces.
Before the Nazi rise to power, therefore, Germany and other European states had had a long history of recognizing the phenomenon of “Jewish crime.” But not all the commentary on Jews and crime was of a crude anti-Semitic variety. From the late eighteenth to the early twentieth centuries, Jews themselves had occasionally written of this curious legacy, which by the late 1920s had been reduced to a statistically minute aspect of Jewish existence overall—despite the well-known exploits of “Jewish gangsters” in the United States that reached their peak around 1935. Indeed, the identification of Jews with crime has a long and complex history that is not often recalled, in large part because many scholars would not think to ask. This blind spot is also a result of reticence or censorship on the part of historians who believe it impertinent to even deal with the subject, especially in the wake of the Holocaust.

Theories about Jews and crime were articulated in debates about Jewish emancipation and the extension of Jewish rights in the German states beginning in the late eighteenth century. These expressions departed from earlier polemics because their authors tended to present themselves as largely detached from religious motives. Christian Wilhelm von Dohm’s Über die bürgerliche Verbesserung der Juden (Berlin, 1781) reveals the widely accepted view that Jews are “guilty of a proportionally greater number of crimes than the Christians; that their character in general inclines more toward usury and fraud in commerce.” Still, in what was regarded more as a defense than a reprimand of Jewry, Dohm contended, “Everything the Jews are blamed for is caused by the political conditions under which they now live, and any other group of men, under such conditions, would be guilty of identical errors.”

In his attempt to undermine Dohm’s plea to enhance the standing of the Jews, Johann David Michaelis responded that “reports of investigations of thieves” had shown that half the members of gangs of thieves were Jews. This finding was alarming, he contended, because Jews comprised no more than “one-twenty-fifth of the total German population.” The nation’s “riff-raff,” he concluded, was overwhelmingly Jewish.

Moses Mendelssohn, the illustrious forerunner and proponent of Jewish emancipation, felt compelled to address the issue. He incisively ascribed the deeds of Jewish criminals to their abominable social position and described the turn to thievery by a small number of Jews as a transitional, rather than a permanent, aspect of their vocation. For the most part, Jews in his time had not, Mendelssohn argued, been involved in crimes such as “grand theft,” murder, sedition, arson, prostitution, adultery, and infanticide. He
did concede, however, that there was more than a smattering of “thieves and receivers of stolen goods” among the Jews. But

this number should not be viewed in terms of that people’s proportion of the entire population. The comparison should rather be made between traders and pedlars among the Jews on the one hand, and among other peoples on the other. I am sure that such a comparison would yield very different proportions. The same statistics, I do not hesitate to maintain, will also show that there are twenty-five times as many thieves and receivers of stolen goods among German pedlars as among Jewish. This is aside from the fact that the Jew is forced to take up such a calling, while the others could have become field marshals or ministers. They freely choose their profession, be it a trader, pedlar, seller of mouse-traps, performer of shadow plays or vendor of curios.

Mendelssohn acknowledged that “quite a number of Jewish pedlars deal in stolen goods.” He believed that only a few among them, however, were “outright thieves.” And those who were, unequivocally, “thieves,” were shunted into this line because they were “without refuge or sanctuary anywhere on earth.” But even these men did not see thievery as a means of sustaining themselves in the long term:

As soon as they have made some fortune they acquire a patent of protection from their territorial prince and change their profession. This is public knowledge; when I was younger I personally met a number of men [Jews] who were esteemed in their native country after they had elsewhere made enough dubious money to purchase a patent of protection. This injustice is directly created by that fine policy which denies the poor Jews protection and residence, but receives with open arms those very same Jews as soon as they have “thieved their way to wealth.”

Mendelssohn charged Michaelis with “blaming the victim”—in this case, impoverished Jews. Mendelssohn refused to accept that Jews were “bad people” or that criminality was an indelible stain on their character. “Among the Jews,” Mendelssohn wrote, also taking a swipe at the Jews who had elevated themselves into respectable society, “I have found comparatively more virtue in the quarters of the poor than in the houses of the wealthy.”

Mendelssohn was aware that “a number of Jews existed in Central Europe who supported themselves by both stealing and trading,” as Jason
Sanders has written. “These thieves benefited from both activities that mutually reinforced each other. Salesmen on the roads seem to have found ample opportunities to steal, and theft augmented some traders’ meager income. Such Jews were frequently recent immigrants from Eastern Europe who had not yet secured the right to live in a German city. As a result, they attempted to earn a living on the road by trading, begging, and sometimes stealing. Banditry provided an alternative for the poorest of the poor Jews who had difficulties sustaining themselves in low-income, or irregular occupations.”

It enabled them to gain a permit to engage in lawful business. To accuse the Jews of immorality, Mendelssohn lamented, was to “confuse cause and effect.”

It is not surprising, then, that Gotthold Ephraim Lessing chose the stereotype of the Jewish thief as the instrument for undermining the myth that the Jews lacked virtue in his play Die Juden (1749). The dénouement of the play was the revelation that the supposed Christian traveler who bravely fought the supposed Jewish villains was himself a Jew. A similar sentiment motivated the amendment of an eighteen-page article by Gabriel Riesser to Geschichte der Juden in Lübeck und Moisling (History of the Jews in Lübeck and Moisling, 1898) to rebut a so-called spiteful attack by Friedrich Christian Benedict Avé-Lallemant (1809–92) alleging that Jews had dominated crime in the region. Such ideas, however, were not exclusive to the German states. In Britain, as Parliament debated the right of Baron Rothschild to sit in its midst in the mid-nineteenth century, a speaker asserted that Jews “have never, in any age or any country, been prevalent in crime.” But the subsequent phrase is telling: “Their crimes have mostly been the result of the degraded position to which they have been reduced, the degraded pursuits into which they have been compelled.”

With Mendelssohn leading the way, as early as the eighteenth century a number of Jewish authors suggested that crime and criminals exist as something contingent, situational, and transitional—relative to the established order. Did not the Jews’ contributions to society, many of them reasoned, far outweigh any damage wrought by Jewish crooks? Some Jewish writers even came close to arguing that crime and criminals are “socially constructed,” using the term at least a century before it came into intellectual parlance. This stance could not be more different than the view that criminality is an innate trait, the foundations of which were undermined by the “Positive” or “Positivist” school of criminology led by Cesare Lombroso. (Ironically, Lombroso is best known for propagating the notion of a biologically determined “born criminal,” and he later took pains to distance...
himself from its appropriation by anti-Semites.) Some might argue that the presence of a disproportionate number of Jews at the forefront of criminology’s emergence as a “secular” science is not coincidental. Jews did not typically see criminals among themselves as extraordinary or evil individuals, but mainly as “unfortunates.”

Multidimensional Jewish criminals were known in plays and literature embraced by Jews, such as Isaac Babel’s Odessa gangster Benja Krik, Joseph Opatoshu’s “Romance of a Horse Thief,” Ozer Varshavski’s Shmuglars (Smugglers) and Unterwelt (Underworld), and Sholem Asch’s “Motke Ganev” (“Mottke, the Thief”). Secular Jewish literature, similar to trends in other “national” naturalist genres, was unabashed in imagining the mind-set of Jewish crooks, as seen below in “Romance of a Horse Thief”:

Zanvl got out of bed and began to pace the room making plans: the Polish church was said to contain a golden Madonna with diamond eyes that was worth a few hundred thousand. He would break in and steal the holy statue. The money would buy him some long-tailed Cossack horses and the weapons he needed. Then he would round up a band of trusty men and hole up in the Radzenov Forest. They would build a hideout among the oaks, near the Zholdevke River, so that in case of danger they could swim across to Prussia; they would do as they pleased. Every week they’d saddle the Cossack horses, take their rifles and loot the neighboring estates, or ambush a group of merchants travelling to Plotsk or Warsaw. . . . Soon the whole region would lie in fear of them. But they wouldn’t harm the poor, and in time, every dispute would be brought to them for arbitration. He, Zanvl, would be king; his pale Rachel with the beautiful black eyes and long black hair would be his wife, his queen!

Nevertheless, Zanvl had a sincere desire “to give up the life of a thief, as of tomorrow. He would avoid his old friends and soon the whole town would know that Zanvl had become an honest Jew.” Sigmund Freud probably articulated a widely shared view of secularized Jews when he said that “we hate the criminal and deal severely with him because we view in his deed, as in a distorting mirror, our own criminal instincts.”

The relationship of radical socialism, communism, and anarchism to conservative and right-wing concepts of crime and punishment also heightened anxieties about so-called Jewish criminality. Karl Marx’s ruminations on criminality were likely filtered through the discourse of Jewish emancipation. Marx obtained much of his insight about crime from his teacher,
Eduard Gans, who before his conversion and Professorship in Law at the University of Berlin had been one of the founders of the Wissenschaft des Judentums, the movement for the academic study of Judaism and Jewish history. Gans, like his Wissenschaft des Judentums colleague Heinrich Heine, was well aware of the legendary Jewish robbers and was acerbic when analyzing police and penal institutions. Historian Otto Ulbricht writes, “After 1830, Jewish banditry began to disappear, and after the middle of the century nothing more was heard of it. When full legal emancipation was finally reached in Imperial Germany in 1871, the Jewish crime rate was considerably lower than the Christian one.” Herbert Reinke, however, has commented on the unfortunate coincidence of “the institutionalization of modern criminal statistics” in the 1840s with the last decades of significant Jewish criminal activity. In other words, just as professional police and detective forces were emerging, the threat of Jewish criminality seemed more ominous than it actually was.

Although recent scholarship on Marx interprets his exposure to the legal theorist Karl Friedrich von Savigny (1814–75) to be of utmost consequence, Gans may have had more influence on the young Marx. Marx’s musings about crime poked fun at both Savigny and Gans but display an ironic detachment closer to the spirit of Gans, as his “Abschweifung über produktive Arbeit” reveals: “A philosopher produces ideas, a poet poems, a clergyman sermons, a professor compendia and so on,” Marx wrote. “A criminal produces crimes.” After all, is the criminal not also responsible for producing criminal law,” and by extension, “the professor who gives lectures on criminal law and in addition to this the inevitable compendium in which this same professor throws his lectures on to the general market as ‘commodities.’”? The criminal is responsible, as well, for providing the vocation of police, the entirety of the criminal justice system, “constables, judges, hangmen, juries, etc.; and all these different lines of business, which form just as many categories of the social division of labour, develop different capacities of the human mind, create new needs and new ways of satisfying them. Torture alone has given rise to the most ingenious mechanical inventions, and employed many honourable craftsmen in the production of its instruments.” In terms of cultural “production,” how could one conceive of the German classical tradition, Shakespeare, and even the Bible were it not for the phenomenon of criminality? “The criminal produces,” Marx expounded, “not only penal codes and along with them legislators in this field, but also art, belles-lettres, novels, and even tragedies, as not only...
Müllner’s ‘Schuld’ and Schiller’s ‘Räuber’ show, but ‘Oedipus’ and ‘Richard the Third.’” In a statement that might be the closest Marx would come to saying something praiseworthy about Jews, he may have been paying a backhanded compliment by emphasizing the criminal vocations that were then seen as areas of Jews’ special expertise: “The effects of the criminal on the development of productive power can be shown in detail. Would locks ever have reached their present degree of excellence had there been no thieves? Would the making of banknotes have reached its present perfection had there been no forgers?” No matter how marginal Marx might have been as a political organizer, his message to the powers that be was that their own authority could be construed as “criminal” in nature: “And if one leaves the sphere of private crime, would the world market ever have come into being but for national crime? Indeed, would even the nations have arisen?” Last, applying his assertion that “‘religious sentiment’ is itself a social product,” Marx postulates that organized religion would never have emerged if not for crime: “And has not the Tree of Sin been at the same time the Tree of Knowledge ever since the time of Adam?”

Despite the aforementioned apologetic tendencies of Jewish scholars, at times Jews have been fascinated, and even enthralled, by the real and mythical exploits of Jewish crooks—though this interest is not synonymous with an internalization of the anti-Semitic discourse on Jews and crime. Marx probably was moved by Spiegelberg’s boast in Schiller’s Räuber that he was “restoring the fair distribution of wealth, in a word bringing back the golden age.” The tensions over criminality arising from communist and socialist agitation are more complex and murkier than assumed. Leon Trotsky (1879–1940), the founder of the Red Army, born as “Bronstein” and later known as “Yanovsky” and “Antid Oto,” was one of the most-hated figures among anti-Semites despite his apparent lack of empathy for Russian Jewry’s distinctive plight. “But to posterity,” Ivan Kalmar writes, “his best-known pseudonym was appropriated from one of his prison guards in Odessa—Trotsky.” We can safely say that those who perceived a threat in anarchism, socialism, and communism regarded such movements as an affront to law and order and frequently identified Jews as the left’s most violent extremists. Certainly this view had more than a kernel of truth because Jewish immigrants often were the backbone of diverse anarchist groups around the turn of the century. Among Jews sympathetic to anarchism, however, pacifists such as Saul Yanofsky tended to be more popular than, say, Alexander Berkman, the man who attempted to murder steel magnate Henry Frick.
From the seventeenth to the late nineteenth centuries, European law enforcement officials sometimes categorized Jews, along with specifically “foreign Jews” and Gypsies, as a criminal menace, as was propounded by Friedrich Christian Benedict Avé-Lallemant and others. Police forces and border guards justified their existence by such threats. Many people became fascinated with the so-called language of thieves, Rotwelsch, which has been examined by Sander Gilman and others. Ave-Lallemant, about whom little is written, was a prolific German “expert” on crime in the mid- to late nineteenth century who was resurrected by the Nazis—despite the fact that he did not address the nascent “racial science” per se. He delved into the study of “Jewish criminals” and other groups he perceived to be social deviants. Most likely he did not see himself as an anti-Semite but as an upright Lutheran, an officer of the law and scholar who uncovered a branch of Jewry that had strayed from the path of normative Judaism.

From the mid-nineteenth century to the 1920s, a number of Jews were drawn into discussions of criminality because of the historical legacy of “Jewish crime” and the persistence of Jews as a special category in criminological controversies. This phenomenon was especially apparent in Germany, where the euphemistically termed Kriminalstatistik debate, over the relationship of Jews to crime, never abated from 1848 to 1945 and beyond. The debate cast Kriminalstatistik in at least three roles: first, as a supposedly neutral means of compiling data about crimes—a notion that is almost entirely a myth, as the compilations were rarely if ever separated from cultural predispositions; second, as an expression of societal obsessions with crime, usually an extraneous alien element; and third, as a subspecies of the second, a practice that mainly equated Jews with criminals. Historian Eric Johnson has shown that some of the contributions to this “debate” emerged not from anti-Semitism, or as a defense against anti-Semitism per se, but from an attempt to assert that Catholics constituted an unusually large number of criminals. Similar debates took place throughout Europe. Those who found the Jewish presence in crime notable usually focused on two points: their contention that the Jewish religious tradition encourages or condones crime and the idea that Jews are criminals far out of proportion to their numbers. Favored writers among the anti-Semites included Theodor Fritsch (1832–1934, a.k.a. Thomas Frey), author of the Antisemiten-Katechismus (1887) and the Handbuch der Judenfrage (1907), both of which were published numerous times and inspired many disciples; August Rohling (1839–1931), best known for Talmud-Jude (1871); and Eugen Karl Dühring (1833–1921), author of Die Judenfrage als Racen-, Sitten- und Culturfrage. Mit einer weltgeschichtlichen
Antwort (1881). Arguments ran the gamut from abstruse, pseudoacademic articles to brisk, slogan-filled pamphlets geared to the lowest common denominator.⁵⁰

Such controversies were generally directed against a pro-Jewish emancipatory discourse that attempted to rationally explain, and then overcome, the problem of Jewish criminality and hence facilitate the full inclusion of Jewry in civil society. The debates did not, however, delineate a clear trajectory of mounting anti-Semitism. Jews seemed able and adept at defending themselves until 1933. Against Rohling alone, Jewish writers responded with at least a dozen pamphlets. A few famous non-Jewish scholars, like Franz von Liszt, who confirmed that the evidence did not support allegations of disproportionate “Jewish criminality,” took up cudgels.⁵¹ Other non-Jews assumed a sort of middle-ground position, such as Heinrich Lux among the Social Democrats. Lux scoffed at the self-styled racists, claiming that their pretension to scholarship was just a dressing-up of their prejudices. But he claimed that there was, nevertheless, a problem of “Jewish crime,” given the fact that impoverished Jews from Eastern Europe were entering the country and often faced poor prospects.⁵² Sometimes anti-Semites argued with each other over the roots of their movement and statistics and chided each other for “crudeness”—as opposed to taking a calm, “scientific” approach.⁵³ Interestingly, in the Third Reich academic criminologists were certainly not the most virulent anti-Semites.⁵⁴

Several Jewish writers, lawyers, and scholars joined these debates, which drove them deep into comparative crime rates of religious communities,⁵⁵ as well as into the recesses of the Talmud and other rabbinic literature—mainly via German translations. They therefore refuted the allegations that Jewish religious thought and traditions instigated and perpetuated Jewish crime and double-dealing.⁵⁶ A common trope on both sides of these debates was the writers’ claim that they were, through their work, holding up “a mirror” to their adversary, showing his “actual” constitution and position—as opposed to his public presentation.⁵⁷ The Jews, too, sometimes disagreed with each other.⁵⁸ Those from different political groups studied the problem from their respective perches. Theodor Herzl and Louis Brandeis asserted that Zionism could be a means of preventing Jews’ attraction to unsavory pursuits.⁵⁹ A number of Jewish doctors argued that Jews were less prone to criminality because of their low rates of alcoholism.⁶⁰ Overall, however, this aspect of the Jewish effort at “self-defense” ran parallel to the endeavors of Jewish doctors and scientists, as illuminated
by John Efron, to explain and defend Jewish practices such as *brit milah* (circumcision) and *shekhita* (kosher slaughtering) against accusations that these rituals were barbaric and illegal. With the rise of right-wing regimes in Germany and East Central Europe between the world wars, Jews were increasingly pressed to defend themselves when “the lofty principles of ‘social defence’ could be effortlessly distorted into cruel patterns of ‘social aggression,’” and it seemed that the Nazis intended to push their version of crime and punishment as far as they could.

Derek Penslar, in an authoritative study of German-Jewish economic behavior and its reception, argues that in the minds of many Germans, “Jewish criminality” was indicative of certain “types” and supposed tendencies that derived from a stereotype of the Jew as a beggar, who would use any means to scrape together a few coins. Although there were not many Jewish pickpockets during the Weimar era, it was nevertheless common to speak of a lowlife pickpocket as a Jew, a type who had come to Berlin without official papers and with no “productive” work (*ohne produktive Arbeit*) and that especially inhabited the Scheunenviertel, the quarter of Berlin known for its “swarms” of Jews from Russia and Poland. The notion of Jewish criminality, however, also was fueled by the stereotype of the rich and well-connected Jew as a conniving, relentless manipulator, drawing on the resources of a vast network of coreligionists (and their accomplices) to devise and carry out the exploitation of unwitting non-Jewish masses.

Although no one can say for certain, concern about “Jewish criminality” likely would have lain dormant or subsided but for the Central Powers’ defeat in the Great War and their subsequent crises and humiliation. Gerald Feldman writes that by 1916, circumstances were unfolding in war-weary Germany “in which a variety of traditional forms of social solidarity were breaking down and in which relationships and attitudes were taking on an ugliness nurtured by deprivation. The atmosphere was captured by the Police President of Berlin, who wrote:

> The reproaches concerning the present food situation are directed primarily against the producers and against the middlemen, who are without exception identified as speculators and war profiteers and who are assumed to be mainly Jews. The criticism leveled by a portion of the Berlin population against the measures of the communal, state, and Reich authorities, however, is also not very edifying. In any case, there is here at the present time a feeling of irritation that is not to be underestimated, which stems from the conditions described, from the long duration of the war, and
finally also a general nervousness produced by undernourishment and
great overwork.”

This report was only one among many of growing anti-Semitism. The con-
spicuous presence of “Jews in the Central Purchasing Corporation (ZEG,
or Zentral-Einkaufs-Gesellschaft), which managed the government food-
import monopoly,” along with traditional anti-Semitic stereotypes of Jews
as unscrupulous cattle dealers and merchants with apparently captive mar-
kets, “made them obvious objects of suspicion in a society already inhab-
ited by anti-Semitic charges.” The allegation “that Jews capable of frontline
duty were working at desk jobs and in garrison duty provoked the War
Ministry to undertake the compilation of its notorious ‘Judenstatistik,’” a
so-called census of Jews at the battlefront, “the interpretation of which be-
came a subject of considerable controversy. One certain result was to in-
tensify anti-Semitic sentiment.” This situation was no doubt exacerbated
in wartime by the “influx of eastern Jews from Russian Poland and Galicia”
and by the fact that the Jews who populated the Eastern Front—largely the
former Pale of Settlement—were seen as driving forces behind smuggling
and other nefarious wartime pursuits. Feldman is one of few serious
scholars to concede that “many Jews, along with large segments of German
society, were involved in black marketeering, smuggling, capital flight, and
such activities.” It was easy, however, to focus on them, as opposed to non-
Jewish Germans, through “manipulating the Jewish ‘question.’”

Even before the end of the Great War, and throughout the Weimar pe-
riod, anti-Semites attached accusations of wanton public criminality to spe-
cific persons whose “Jewishness”—whether they were Jewish or not—was
claimed to be their defining characteristic. The individual who came to be
identified with the worst excesses of the “inflationary economy” was Jacob
Barmat. After having “worked closely with some leading Social Democrats
in the importation of foodstuffs from the Netherlands after the war,” he
began “speculating with credits from the Prussian State Bank and the Postal
Service during the inflation until his operations collapsed in late 1924 under
the burden of a ten-million-mark debt. The case was used by the far right
to launch accusations and charges of bribery and treason.” A number of
prominent Social Democrats were implicated, encompassing both wrong-
doers and innocents; President Ebert (a non-Jew) was predictably de-
famed. Feldman states that “the significance of the affair was that it sup-
plied grist for right-wing propaganda against Jewish black marketeers, as
well as innocent politicians, especially Socialists and other supporters of the Weimar Republic.” This became “an ideal way of whipping up the resentment of middle-class victims of the inflation and all those who felt that milk and other food supplies had been shifted about to the detriment of themselves and their children.” To a lesser extent, the case was exploited by the far left, in smears that occasionally evinced anti-Semitic attacks similar to those of the right.

The Barmat case was shaped by anti-Semitism. Enemies of the Social Democrats were behind the creation of a highly partisan committee in the Prussian Landtag charged with investigating the case. The committee’s main target was the leader of the Social Democrats, Ernst Heilmann; in fact, he was the chairman of the party’s Fraktion in the Landtag. Although Heilmann, “a brilliant if brash politician,” was known to associate with Barmat, whether he gained personally from this relationship is unclear.

The term “November Criminals” typically refers to the men whom the right wing in Germany held responsible for the Central Powers’ laying down their arms and accepting the Versailles Treaty to end the First World War, from which emerged the Weimar Republic, established on November 9, 1918. The right loathed the Versailles agreements for demanding supposedly colossal and ludicrous reparations, supported by the “war guilt” clause alleging Germany’s overwhelming, sole culpability for the worldwide conflict. The claim that Germany did not have to consent to an armistice—that it could and should have fought on to realize the victory that was hers—became a staple of the right. The postimperial leaders’ agreement—demanded, in fact, by the German Army—to end the fighting and the ensuing Versailles Treaty thus became known, on the right, as the “stab in the back.” The image of the Dolchstoss conveyed the notion that the politicians’ actions emanated from a mix of left-wing ideology and personal opportunism, that their partisan interests overrode the good of the nation and the sentiments of the majority of its people. The Dolchstoss, the cardinal sin of the November Criminals, came to be intertwined in people’s minds with a succession of financial scandals that greatly exacerbated anti-Semitism and seemed to bring stereotypes to life.

Corruption and economic crises from different periods and circumstances were knitted together in numerous right-wing narratives and pictorial presentations. A slide show entitled “Jewry, Freemasonry, and Bolshevism” (Judentum, Freimaurerei und Bolschewismus)—purporting to reveal the “Kings of Corruption”—featured an attorney associated with the Social Democratic Party, (Johannes) Werthauer. The presentation alleged

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that Werthauer was a confidant and helpmate of the notorious Kutisker. Most likely one of Werthauer’s actual roles, in liberalizing abortion legislation, added to his infamy in the eyes of the Nazis. Jakob Goldschmid (Goldschmidt), a widely admired public figure, had been the head of the Darmstädter und Nationalbank (Danat or Danatbank), which collapsed in the wake of “the great banking crisis of 1931” that was obviously precipitated by the worldwide economic depression.

The initial thrust of the right wing’s efforts, however, was to destroy the president of the Republic, Ebert. The right made great hay of Ebert’s recommendation in 1919 that “Barmat be given a permanent visa for his many trips to Germany.” This action was considered to be aboveboard “since Barmat was at that time engaged in supplying Germany with food supplies.” Although Barmat was accused of taking the food out of Germans’ mouths, none of his “dealings with foodstuffs bore the slightest relation to the offenses of which he had been accused.” But the anti-Semites on
the commission persisted, “by means of unfounded statements and petti-
 pogging questions, to create suspicion against the President,” which consti-
tuted an important part of the campaign against Ebert.75

Barmat’s jury trial in Berlin, which dragged on for more than a year, re-
sulted in a meticulous 545-page unraveling of the complex case. This report
was due, in no small measure, to a fair-minded and intelligent judge. “The
formal findings,” Erich Eyck records, “bore little relationship to the popu-
lar indignation with which the proceedings had begun.” Barmat was found
guilty of two bribery counts “and was sentenced to eleven months impris-
onment; half of the sentence had been served while awaiting trial. He was
found innocent of all the other charges. This result is not to be regarded as
Barmat’s moral rehabilitation; on the contrary, the court made quite clear
that it disapproved of many of his commercial acts. But all sense of the gross
villainy with which the Barmats [the defendant and his brother] had been
depicted for years is certainly absent from this judgment.”76 These pro-
ceedings, however, were exceptional, as there were a number of “notorious
cases in which the judiciary allowed itself to be used as the lackey of a blind
nationalism that discredited the parties of the Left and other republican
institutions through a campaign of systematic vilification.”77

The belief became commonplace on the right that superwealthy, publicly
known Jewish crooks, often in family groups, found fertile ground in the
leftist governments following the demise of the Kaiserreich and effortless-
ly maneuvered the Social Democrats to do their bidding. This notion was
concretized through a handful of highly visible Jews, as well as some non-
Jews whom anti-Semites identified as Jewish, who were thought to be—and
in some cases were—guilty of wrongdoing, and subject to public and judi-
cial scrutiny. More often than not, the right-wing gutter press in pre-Nazi
times and the state organs that succeeded them invariably cast any Jew
under suspicion in the glare of his indubitable high crimes and saw any
crime as proof-positive of the duplicity of the Jews in total.

There are a number of names, faces, and incidents in German anti-
-Semitic from 1918 to 1945 that are not necessarily well known to scholars
of German, Jewish, and Holocaust history but triggered specific and strong
reactions contemporaneously with regard to Jews and criminality. One
Nazi tract from 1939 (from which the Nazis later drew extensively for a con-
certed propaganda campaign) claims that “all one had to do was to say the
names”—a sort of magical incantation—and the intended anti-Semitic vis-
age would come into focus. Merely reciting the list neatly tied together
black-market profiteers, speculators, Social Democrats, Jewish finance
capitalists, and Bolsheviks, via the schemes and misdeeds of “Sklarz [Sklarek], Barmat, Kutisker, Holzmann, Bosel, and Castiglioni.” Along with citing the panoply of this group’s misdeeds, including fraud, robbery, illegal arms dealing, and embezzling, the Nazis claimed that all of the players had been involved in narcotics trafficking. These kinds of scandals were said to be distinctively “Jewish domains,” as were Weimar’s ubiquitous and apolitical illegal gambling clubs. Among these drug barons one could also count “the Chief Rabbi” of New York, Isaac Liefer. (No such entity as a “Chief Rabbinate” has existed either in New York City or in the United States.)

There were, to be sure, “a few instances of Socialist association with political corruption, as in the Barmat and Sklarek scandals,” but they were “isolated cases and rare exceptions.” Nevertheless, copious entries appear under each of these names in one of the great compendiums of anti-Semitism and other right-wing garbage—namely, the Semi-Kürschner, which served as a reference tool for the Nazis and their ilk and remains a source of inspiration for present-day anti-Semites.

Anti-Semites raged that even the Jewish “martyrs,” those the Jews claimed had had unfair treatment in the courts—such as Dreyfus—had won their innocent verdicts only through “swindles.” Pictures and thumbnail sketches of Barmat, Sklarek, and Kutisker—whom most Jews had wished to see brought to justice and duly punished—were frequently featured amid the gallery of so-called November Criminals. But this very term, “November Criminals,” has retrospectively limited the historical field of vision to the most prominent politicians: Friedrich Ebert, Philipp Scheidemann, and Walter Rathenau. However, those the right wingers called “Scheidemänner und Co.” were castigated as “Jewish” and recalled from time to time to reignite the supposedly heady days when the Freikorps were battling communists on the German street, crushing the “Jewish masters” of vast “criminal endeavors.” The illustrated slim volume Juden sehen Dich an compiled by Johann von Leers reconfigured various non-Jews as Jewish, including Matthias Erzberger, Konrad Adenauer, Albert Grzesinski, Erwin Piscator, and Charlie Chaplin.

Among Ebert, Scheidemann, and Rathenau, only Rathenau was Jewish. Rathenau’s vilification by the right was intense even by grotesque Nazi standards. Some ten years after his assassination by right-wing thugs, Rathenau’s photo was prominently displayed—with those of Bernard Baruch, Felix Frankfurter, Lord Leslie Hore-Belisha, Maxim Litvinov, and Kurt Eisner—in a poster declaring that “Those Who Pull the Strings—Are All
Jews!” An article in 1938 referred to Bernard Baruch as “the Rathenau America hates.” Like Rathenau, the right wingers claimed, Baruch—through his admitted “speculation”—had plunged the United States into “financial chaos.” A similar role was reportedly played by Fritz Mannheimer in France, Germany, and the Netherlands, who increased his fortunes by speculating on, and manipulating a collapse of, the stock exchange and futures market. Among the beneficiaries of his dirty dealings were the old, established Jewish banking houses and the German Social Democrats. The accusation of Friedrich Ebert’s involvement in the Barmat scandal was thought to have hastened his death, at the age of fifty-four, in 1925.

In 1933, almost as soon as they came to power, the Nazis devised a minutely choreographed apprehension and incarceration of Ebert’s son, Friedrich, known as Fritz. He was to be arrested and taken to the Oranienburg concentration camp along with Heilmann and four men who were charged with corruption in the radio-broadcast service of the former government—Hans Flesch, Alfred Braun, Kurt Magnus, and Heinrich Giesecke, none of whom were household names—and were said to be “corrupt criminals.” Heilmann, the editor of the Chemnitzer Volkstimme from 1909 to 1917, was a member of the Prussian Diet from 1919 to 1933 and of the Reichstag from 1928 to 1933 and was later killed in Buchenwald. He was singled out for abuse in Oranienburg as a “mob leader.” Despite the fact that Ebert, and possibly others, were not Jews, “whenever Nazi visitors came to the camp, the six were presented to them: ‘Just have a look at these Marxist criminals, profiteers, rogues, these greedy swine.’ ”

When the Nazi daily, the Völkischer Beobachter, relaunched in February 1926 after it had ceased publishing in the wake of the failed Beer Hall Putsch, Hitler himself said the paper should be glorified because of its leadership in inflaming the Barmat scandal: “The hatred of Jews, of the Marxist criminals, of racketeers like Barmat and Kutisker, was poured out in no other newspaper as much as the organ of the NSDAP, the Völkischer Beobachter.” The gutter press also rehashed the misdeeds of the Sklarek brothers, accused of running rigged gambling halls and selling drugs. It was alleged that they encouraged unwitting Germans to borrow increasing amounts of cash for “games of chance.” Having no real opportunity to win, the public was cajoled to gamble more and then gouged with outrageous interest. All these allegations, the Nazis asserted, were backed up by the vaunted “criminal statistics.” National Socialists lauded their handling of the Sklarek case as one of the best examples of “modern propaganda” in a monthly devoted to
professional journalists, *Unser Wille und Weg.* To the extent that the Sklarek family is recognized in the annals of Jewish history, it is noted for the scientific achievements of a family member who died in 1915; the *Great Jewish-National Biography* of 1925 records that he fought for Germany in 1864, 1866, and 1871, before founding a leading scholarly journal.

After Barmat, the figure who seemed to invoke the most scorn was Ivan Kutisker, who colluded with Barmat. Historian Martin Geyer has raised suspicion about whether Kutisker was in fact Jewish. No matter his origins, Kutisker, like Barmat, Holzmann, and others, was said to be an Eastern Jew—in this case, from East Galicia, with ties to his scheming brethren in Lithuania—whose intimates included Social Democrats and Zionists. Despite the fact that these men were “high-finance” archcapitalists, anti-Semitic polemicists had no problem connecting them to communist fronts in Belgium, Holland, and Moscow. The liberal “Jewish press,” it was alleged, obscured the network behind Kutisker’s crimes in his “defense.”

One reason that Kutisker and Barmat inspired such scorn is the suggestion that they had used public institutions, not simply unwitting shareholders and associates, in gaining and absconding with their fortunes. The Nazis said that “Judko (Julius) Barmat was the protégé [Schutzling]” of Social Democratic leader Gustav Bauer, “who with his brothers Henry and David stole 30 million Marks from the Prussian State.” Kutisker, “in league with Ivan Baruch and Michael Holzmann,” the Nazis charged, “swindled 14 million Marks from the Prussian State Bank.” Likewise, under a picture that seems to be retouched to make them appear as gangsters, it was reported that the “Sklarek brothers swindled the Berliner State Bank out of around 12.5 million, and another six to ten million disappeared without a trace.”

Camillo Castiglioni, in contrast, was primarily seen as undermining the German automobile industry, despite the fact that he remained active in BMW. In this respect the Barmat and Kutisker scandals reflect the anti-Semitism that flared up in the Panama Scandal in France’s Third Republic, with much of the public furor exacerbated because of the notion that the all-knowing government (as opposed to the unwary investing public) had had a hand in propping up shady and dishonest ventures. Yet in addition to causing a decline in the fortunes of Germans generally, Kutisker and Barmat, along with Sklarz, Jakob Michael, and Michael Holzmann, were accused of stoking inflationary fervor to swell their own fortunes.

Intriguingly, the Jewish “capitalist” and suspected swindler who comes closest to the kind of pro-Communist conspirator the Nazis bewailed is not
often featured, or even present, in their diatribes. Perhaps the sole once-affluent Jew in Germany who did hobnob with revolutionaries such as Trotsky and Lenin and sent cash to the Bolsheviks was (Alexander) Israel Helphand (1867–1924), also known as “Parvus.” Although such a character seems tailor-made for Nazi propaganda, those who were aware of Parvus might have deliberately avoided dealing with him, because Parvus had reputedly participated in the efforts of the Kaiserreich, even before the German collapse leading to the armistice, to lend secret (German) support to the Bolsheviks. He was, however, among the few men of his time to try both the capitalist and communist cards, and he died broke and miserable, not respected in any camp. His career, however, remains very much alive in debates about the “international Jewish conspiracy” in Russia.

The demonization of these “openly venal and corrupt” men also coincided with what the Nazis perceived as their Kulturkampf with left-liberal forces. Bernhard Weiss, the reviled (Jewish) vice president of the Berlin police, was accused of promoting illegal gambling and pornography. Rassenschändlich films, peep shows, and sex clubs were both frequented by and protected by “Isidor” Weiss, the Nazis complained. Ludwig Katznelenbogen, former director of the Schultheiss-Patzenhofer Brewery, came into disrepute for seeking to extend his control over beer brewing and the production of cement and yeast. The Nazis disregarded his conversion to Protestantism and particularly vilified him for his support of the avant-garde workers’ theater of Erwin Piscator, which was no doubt due to the interests of his non-Jewish actress wife, Tilla Durieux (1880–1971).

Although the right wing used these scandals for expressly anti-Semitic purposes, the scandals were not necessarily seen at their time as representing an “Aryan versus Jewish” conflict. Indeed, it was possible to attack many of these figures without raising their Jewishness as an issue. Germany’s Jews, Donald Niewyk writes, “applauded stern measures against the malefactors” Barmat and Sklarek. Seeking to underscore their social and cultural distance from the more recent immigrants, they emphasized that “no German Jew had been involved in either case”—revealing their disdain for the so-called Ostjuden. Levelheaded commentators realized that it was mainly non-Jewish Germans who were the “Kings of the Inflation,” sometimes called “Rat-Kings.” Yet it also was possible to use euphemisms to cloak anti-Semitic sentiments. “The Nazi slogans of ‘System’ and ‘Bonzen,’” Gerald Feldman
argues, “like all their other slogans, were combinations of lies, slander, and half-truths.”

(“System” apparently refers to a network of insiders and “Bonzen,” to party bosses.) As early as 1920 “the term Volksschädling had become a widely accepted code word for the Jew, a term used to identify those who injured the people but which also suggested a noxious insect whose elimination could only serve the public good.” It was common to describe the Sklarzes and their Genossen as parasites—without explicitly playing the Jewish card.
The specter of the November Criminals certainly must have lost a great deal of its power after the Weimar democracy was obliterated and the despised Treaty of Versailles overturned by Hitler’s diplomatic conquests. Nearly everything that was demanded had been secured even before World War II commenced in 1939. Despite the dramatic reversal of the nation’s fortunes, the outcry was reinvigorated after 1933 against the “swindlers,” the supposed supreme profiteers of the Nachkriegszeit, who had been connected to those in power. In this way the Nazis simultaneously hammered away at two main points: that the Social Democrats had never looked after the interest of the working class, instead aggrandizing the riches of the plutocracy, the Jewish Republic, some members of which were only a half-step from their Eastern European origins. Similar to Eduard Drumont’s charges against the Jews in France, the Nazis warned that even though the Jews’ numbers were small, they were a cancer in the German body politic. Furthermore, the Nazis repeatedly connected the Social Democratic associations and “high finance” criminal dealings of Barmat, Sklarz, and others to the Bolsheviks—who they claimed were the most bloodthirsty threat to humanity of all time. To be sure, the fact that individuals “of Jewish origin” were prominent among the Bolshevik leadership, particularly its security forces, made this charge all the more vivid. Of course, there were no such organic Jewish connections except in the anti-Semitic imagination, and this notion hinged on all the guilty parties’ acting first and foremost from a conspiratorial Jewish solidarity. The Nazis conveniently forgot that the Social Democrats, in their desire to cling to power, also had entered into a marriage of convenience with shady characters and literally with armies on the right—which was tragically crucial in giving the right wing a foothold to begin its ascent.

Even after 1933, despite the facts that anti-Semitism was deeply ingrained in German society and increasingly brutal anti-Jewish measures were being justified in the guise of war-related exigencies, the Nazis apparently believed that simply telling Germans, in broad terms, that they should hate Jews was insufficient. From the nineteenth century onward, discourses in support of “Jewish emancipation and rights ‘existed side by side’ to those extolling anti-Semitic prejudice.” It is little wonder that in anti-Jewish polemics Nazis frequently seized on “the criminality of the Jews” and strategically deployed the so-called history of Jewish criminality.