

Law for the Protection of National Symbols (May 20, 1933) and Prohibition on the Erection of Monuments to the Führer (December 10, 1933)

Abstract

Nazi propaganda relied on the careful adoption and deployment of national symbols of German heritage and culture to foster the population's support for and commitment to the movement. Yet despite their genuine desire to encourage popular enthusiasm for the party's aims and worldview, the Nazis remained cautious about relinquishing too much control over the movement's symbols to popular media and individual supporters. Less than five months after forming the new government, the Nazi regime implemented a set of laws—outlined in this document—which identified certain “misuses” of national symbols. Broadly speaking, these new laws formed part of the greater process of *Gleichschaltung*, or the “coordination” or Nazification of public offices, services, and of course, messaging. The laws prohibited a variety of acts such as erecting statues of Adolf Hitler, and even put controls on the singing or playing of certain cultural songs. The law set fines and even jail sentences for some practices, demonstrating how seriously the NSDAP took challenges to its strict interpretation of the German past and how vigorously it exercised authority over its representation of that past.

Source

Law for the Protection of National Symbols (May 20, 1933)

§ 1. It is forbidden to use the symbols of German history, the German state, and the national uprising in Germany publicly in a way that is likely to harm the sense of dignity of these symbols.

§ 2. The higher administrative authority of the place of manufacture shall decide whether an object has been put into circulation contrary to the provision of § 1. In this case, objects of this kind shall be subject to confiscation without compensation.

§ 3. The police authorities may seize the object even before the decision of the higher administrative authority if, at their discretion, a violation of the prohibition of § 1 has occurred. In such cases, they shall immediately notify the administrative authority responsible for the decision.

§ 4. The parties concerned may lodge an appeal against the decision of the higher administrative authority with the supreme local authority within 2 weeks. The appeal shall not have suspensive effect. The Reich Minister for Public Enlightenment and Propaganda and the respective state [*Land*] government superior to the higher administrative authority may also appeal the decision of the supreme state [*Land*] authority through a representative of the public interest appointed by them within the period specified in subsection 1. Until the decision becomes final, the confiscation ordered by the higher administrative authority shall be deemed to be a seizure.

§ 5. Compensation shall not be granted for the effects of a seizure even if a final decision is made that there has been no violation of the prohibition in § 1.

§ 6. In cases of doubt, the deciding authorities shall hear an expert who combines artistic understanding with a sense of national responsibility.

§ 7. Legally binding decisions according to §§ 2, 4 shall have effect for the entire territory of the Reich.

§ 8. Police orders may be issued for the implementation of § 1 in cases where the infringement consists in the singing and playing of certain songs or in other acts than the placing on the market of objects.

§ 9. Any person who, contrary to a decision under § 2 or § 4, intentionally or negligently puts objects into circulation shall be punished by a fine not exceeding one hundred and fifty Reichsmarks or by imprisonment. Any person who intentionally or negligently contravenes police regulations issued on the basis of § 8 shall likewise be punished.

§ 10. Existing provisions concerning symbols or emblems of the German Reich and the German states [*Länder*] shall remain unaffected.

§11. The legal and administrative regulations necessary for the implementation of this law shall be issued by the Reich Minister for Public Enlightenment and Propaganda, in agreement with the Reich Minister of the Interior, insofar as regulations concerning symbols and emblems of the German Reich are concerned. He may issue guidelines for the application of this law. The state governments shall determine which authorities are to be regarded as supreme state authorities, higher administrative authorities, and police authorities within the meaning of this law.

Hitler, Goebbels, Frick

Source: "Gesetz zum Schutze der nationalen Symbole," *Reichsgesetzblatt* 1, May 20, 1933, pp. 285–86. Available online at: <https://alex.onb.ac.at/cgi-content/alex?aid=dra&datum=1933&page=411&size=45>

Translation: Insa Kummer

Prohibition on the Erection of Monuments to the Führer (December 10, 1933)

The Führer has again decreed that no Hitler monuments, memorial plaques, or the like may be erected or placed during his lifetime. Insofar as this has already been done, the monuments and plaques are to be removed immediately.

Source: NSDAP/PK, ed., *Verfügungen, Anordnungen, Bekanntgaben*. Vol. I. Munich, 1943, p. 42.

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