

Law for the Restoration of the Professional Civil Service (April 7, 1933)

Abstract

During the first years of the Hitler regime, Germany's Jewish population suffered arbitrary violence and harassment—especially from the SA. Discriminatory laws and regulations aimed at their socioeconomic isolation and marginalization meant that they were also the victims of state persecution. As part of the Nazi “coordination” [*Gleichschaltung*] of all public offices, the Reich Ministry of the Interior, under the leadership of Wilhelm Frick (1877–1946), issued the “Law for the Restoration of the Professional Civil Service” (the so-called Civil Service Law) on April 7, 1933. This law excluded all racial and political “enemies” of the regime from the civil service. Henceforth, all public sector employees were required to provide a so-called certification of Aryan ancestry [*Ariernachweis*] documenting their racial purity. Frick, who, as a Reichstag delegate, had called for the exclusion of all Jews from the civil service as early as 1924, soon went on to issue a series of additional regulations, which forced Jews out of the judicial system and the administration as well.

Source

Law for the Restoration of the Professional Civil Service (April 7, 1933)

The Reich government has enacted the following law, which is hereby promulgated:

§ 1.

1. For the restoration of a national professional civil service and for the simplification of administration, civil servants may be discharged from office in accordance with the following regulations, even when there are no grounds for such action under existing law.
2. For the purposes of this law, the term “civil servant” means immediate [*unmittelbare*] and mediate [*mittelbare*] officials of the Reich, immediate and mediate officials of the federal states [*Länder*], officials of local governments [*Gemeinde*] and local government associations, officials of public corporations and of institutions and enterprises with the same status. The stipulations apply also to social insurance agency employees who have the rights and duties of civil servants.
3. “Civil servants,” for the purposes of this law, also includes officials in temporary retirement.
4. The Reichsbank and the German State Railway Co. are empowered to make corresponding regulations.

§ 2.

1. Civil servants who attained their status after November 9, 1918, without possessing the required or customary training or other qualifications, are to be dismissed from service. Their former salaries will be accorded to them for a period of 3 months after their dismissal.
2. They possess no right to allowances, pensions, or survivors' pensions, nor to continued use of the official designation, title, official uniform, and official insignia.
3. In cases of need, a pension, revocable at any time, equivalent to a third of the normal base pay for the last position held by them may be granted to them, especially when they are caring for dependent relatives; reinsurance according to the provisions of the Reich's social insurance law will not occur.
4. The stipulations of Section 2 and 3 will be applied in the case of persons who come under the provisions of Section 1 and who had already been retired before this law became effective.

§ 3.

1. Civil servants of non-Aryan descent are to be retired; honorary officials are to be removed from official status.

2. Section 1 does not apply to civil servants who were already employed on August 1, 1914, or who fought during the World War at the front for the German Reich or who fought for its allies or whose fathers or sons were killed in the World War. With the agreement of the appropriate special minister or the highest authorities of the federal states, the Reich Minister of the Interior can permit further exceptions in the case of officials who are abroad.

§ 4.

Civil servants whose former political activity affords no guarantee that they will act in the interest of the national state at all times and without reservation can be dismissed from service. They are to be accorded their former salary for a period of 3 months after their dismissal. Thereafter, they will receive $\frac{3}{4}$ of their pension and corresponding survivor's benefits.

§ 5.

1. Every civil servant must acquiesce to being transferred to another office in the same or equivalent sector, even one carrying a lesser rank or regular salary—reimbursement of the approved relocation expenses will occur if the transfer is made on account of service-related needs. If a civil servant is transferred to an office carrying a lesser rank and regular salary, he retains his previous official title and the official income of his former position.

2. In place of a transfer to an office of lesser rank and regular income (Section 1), within one month of the transfer the civil servant can demand to be retired.

§ 6.

To simplify administration, civil servants can be retired even if they are not yet unfit for service. If civil servants are retired for this reason, their places may not be filled again.

§ 7.

1. Dismissal from office, transfer to another office, and retirement will be ordered by the highest Reich or federal state agency, which will render a decision that is final and not subject to appeal.

2. The dispositions according to Articles 2–6 must be made known to those affected by September 30, 1933, at the latest. [...]

§ 8.

A pension will not be granted to civil servants dismissed or retired in accordance with Articles 3 and 4 if they have not completed a term of service of at least 10 years. [...]

Berlin, April 7, 1933

Reich Chancellor

Adolf Hitler

Reich Minister of the Interior

Frick

Reich Minister of Finance

Count Schwerin von Krosigk

Source of English translation: Law for the Reestablishment of the Professional Civil Service (April 7,

1933). In United States Chief Counsel for the Prosecution of Axis Criminality, *Nazi Conspiracy and Aggression*, Volume III. Washington, DC: United States Government Printing Office, 1946, Document 1397-PS, pp. 981–83. English translation credited to Nuremberg staff; edited by GHI staff.

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