

The Reich Citizenship Law (September 15, 1935) and the First Regulation to the Reich Citizenship Law (November 14, 1935)

Abstract

The Reichstag passed the so-called Nuremberg Laws (or “Nuremberg Racial Laws”) on September 15, 1935, during the Seventh Reich Party Rally of the NSDAP in Nuremberg. Henceforth, these laws formed the basis of the Nazi persecution of the Jews. The “Law for the Protection of German Blood and German Honor” (“Blood Protection Law”) aimed to isolate the Jews racially and socially by prohibiting them, under pain of severe punishment, from marrying or having sexual relations with non-Jews. In addition, Jews were prohibited from employing Aryan housemaids younger than forty-five. They were also barred from flying the new, official swastika flag. The following Reich Citizenship Law stripped all Jews of the political rights deriving from German Reich citizenship and relegated them to the status of second-class citizens. In the following months, the regime used this legal demotion to push the Jews out of a number of professions, occupations, and programs of study for which Reich citizenship was required. In order to effectively enforce these laws, however, the question of who exactly was a Jew needed to be clarified with precision. An official definition was provided by the First Regulation to the Reich Citizenship Law of November 14, 1935 (or the Implementing Decree of November 14, 1935), also reprinted below. It defined who was a “full Jew” or a “mixed-breed” [*Mischling*] in the National Socialist sense.

Source

I. The Reich Citizenship Law of September 15, 1935

The Reichstag has unanimously adopted the following law, which is herewith promulgated.

§ 1.

- (1) A subject of the State is a person who belongs to the protective union of the German Reich, and who therefore has particular obligations towards the Reich.
- (2) The status of subject is acquired in accordance with the provisions of the Reich and State Law of Citizenship.

§ 2.

- (1) A citizen of the Reich is only that subject who is of German or kindred blood and who, through his conduct, shows that he is both willing and able to faithfully serve the German people and Reich.
- (2) The right to citizenship is acquired by the granting of Reich citizenship papers.
- (3) Only the citizen of the Reich enjoys full political rights in accordance with the provision of the law.

§ 3.

The Reich Minister of the Interior in conjunction with the Deputy of the Führer will issue the necessary legal and administrative decrees for implementing and supplementing this law.

Nuremberg, September 15, 1935

Führer and Reich Chancellor
Adolf Hitler

Reich Minister of the Interior

Frick

II. First Regulation to the Reich Citizenship Law of November 14, 1935

On the basis of § 3, Reich Citizenship Law, of September 15, 1935 (*Reichsgesetzblatt I*, page 1146) the following is ordered:

§ 1.

(1) Until further regulations regarding citizenship papers are issued, all subjects of German or kindred blood who possessed the right to vote in Reichstag elections at the time the Citizenship Law came into effect shall, for the time being, possess the rights of Reich citizens. The same shall be true of those to whom the Reich Minister of the Interior, in conjunction with the Deputy of the Führer, has given preliminary citizenship.

(2) The Reich Minister of the Interior, in conjunction with the Deputy of the Führer, can withdraw preliminary citizenship.

§ 2.

(1) The regulations in § 1 are also valid for Reich subjects of mixed Jewish blood [*Mischlinge*].

(2) An individual of mixed Jewish blood is one who is descended from one or two grandparents who were fully Jewish by race, insofar as he or she does not count as a Jew according to § 5, Paragraph 2. One grandparent shall be considered as full-blooded if he or she belonged to the Jewish religious community.

§ 3.

Only the Reich citizen, as bearer of full political rights, exercises the right to vote in political affairs or can hold public office. The Reich Minister of the Interior, or any agency empowered by him, can make exceptions during the transition period, with regard to occupying public offices. The affairs of religious organizations will not be affected.

§ 4.

(1) A Jew cannot be a citizen of the Reich. He has no right to vote in political affairs; he cannot occupy a public office.

(2) Jewish civil servants will retire as of 31 December 1935. If these civil servants served at the front in the World War, either for Germany or her allies, they will receive in full, until they reach the age limit, full pension to which they were entitled according to the last salary they received; they will, however, not advance in seniority. After reaching the age limit, their pensions will be calculated anew, according to the last salary they received, on the basis of which their pension was calculated.

(3) The affairs of religious organizations will not be affected.

(4) The employment status of teachers in Jewish public schools remains unchanged until new regulations for the Jewish school system are issued.

§ 5.

(1) A Jew is anyone who descended from at least three grandparents who were fully Jewish by race. § 2, par. 2, second sentence will apply.

(2) A Jew is also anyone who descended from two fully Jewish grandparents, if:

(a) he belonged to the Jewish religious community at the time this law was issued or joined the community later;

(b) he was married to a Jewish person at the time the law was issued or married one subsequently;

(c) he is the offspring from a marriage with a Jew, in the sense of Section 1, which was contracted after the Law for the Protection of German Blood and German Honor became effective (*Reichsgesetzblatt I*, page 1146 of September 15, 1935);

(d) he is the offspring of an extramarital relationship with a Jew, according to Section 1, and is born out of wedlock after July 31, 1936.

§ 6.

(1) In case Reich laws or orders by the NSDAP and its organizations make demands for racial pureness that exceed § 5, they will not be affected.

(2) Any other demands for pureness of blood that exceed § 5 can only be made with the consent of the Reich Minister of the Interior and the Deputy of the Führer. If any such demands have been made, they will be void as of January 1, 1936, if they have not been approved by the Reich Minister of the Interior in agreement with the Deputy of the Führer. These requests must be made to the Reich Minister of the Interior.

§ 7.

The Führer and Reich Chancellor can grant exemptions from the regulations laid down in the law.

Berlin, November 14, 1935

Führer and Reich Chancellor
Adolf Hitler

Reich Minister of the Interior
Frick

Deputy of the Führer
R. Hess (Reich Minister without Portfolio)

Source of English translations: The Reich Citizenship Law of September 15, 1935, and the First Regulation to the Reich Citizenship Law of November 14, 1935. In United States Chief Counsel for the Prosecution of Axis Criminality, *Nazi Conspiracy and Aggression*, Volume IV. Washington, DC: United States Government Printing Office, 1946. Documents 1416-PS and 1417-PS, pp. 7–10. English translation credited to Nuremberg staff; edited by GHI staff. Available online at:

https://www.loc.gov/item/2011525363_NT_Nazi_Vol-IV/

Source of original German texts: Reichsbürgergesetz vom 15. September 1935, *Reichsgesetzblatt*, 1935, Part I, p. 1146ff (available online at:

<https://alex.onb.ac.at/cgi-content/alex?aid=dra&datum=1935&size=45&page=1288>), and Erste Verordnung zum Reichsbürgergesetz vom 14. November 1935, *Reichsgesetzblatt*, 1935, Part I, p. 1333 (available online at:

<https://alex.onb.ac.at/cgi-content/alex?aid=dra&datum=1935&size=45&page=1479>); both are reprinted in Paul Meier-Benneckenstein, ed., *Dokumente der deutschen Politik*, volume 3: *Deutschlands Weg zur Freiheit 1935*, edited by Axel Friedrichs. Berlin, 1937, pp. 153–54, 157–58.

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