

# Nazi racist copycats

***Hitler's American Model: The United States and the making of Nazi race law***

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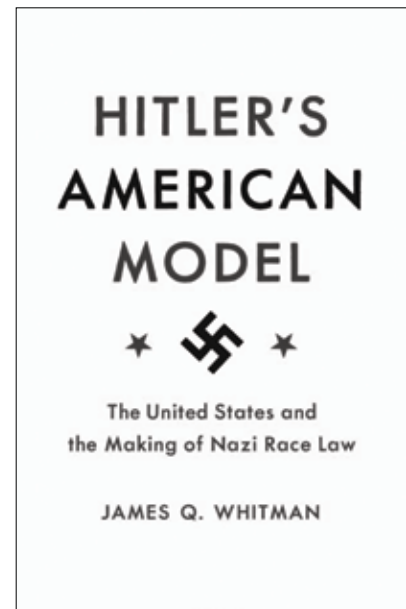
This book documents the major influence of American law and policy on Nazi Germany relating to inferior race claims based on Darwinian eugenics. Dr Whitman is well qualified to write on this topic, as he is Professor of Comparative and Foreign Law at Yale Law School and also has a Ph.D. in history. He concludes that only two nations in history have ever formally, in detail, codified racism, the United States and Nazi Germany. While the United States was the leader in racist law, it was not the only country that passed racist laws (p. 138). For example, South Africa penalized extramarital sex between some races while those same races were free under the law to intermarry. America, on the other hand, did not penalize extramarital sex between blacks and whites but most states outlawed interracial marriage (p. 79). Whitman also documents the fact that the Nazi Holocaust was the result of intensive work by leading American and German scientists, lawyers, and other professionals, especially in the medical field, including both doctors and nurses. Hitler was “praising America well before the Nazis took power” for its racist practices, such as its Jim Crow and other laws that limited the activities of Blacks, such as separate accommodations (p. 53). In “*Mein Kampf*” Hitler praised America as nothing less than ‘the one state’ that had made progress toward the creation

of a healthy racist order of the kind the Nuremberg Laws were intended to establish” (p. 2).

The Nazis also saw much to despise in America’s traditions, including the commonality of mixed marriages between the Aryan race and what they viewed as less evolved races, such as the Slavic peoples, especially Poles. Whitman also realizes that the topic he has spent several years researching may make him some enemies, but concludes that the history must be documented in detail. He points out that his is the first extensive study of this neglected topic, although he notes that other historians have come to the same general conclusion as he has.

As Whitman wrote, during the period immediately following WWI, “the United States was not just a global leader in assembly-line manufacturing and Hollywood popular culture. It was also a global leader in ‘scientific’ eugenics” (p. 8). As a result, the Nazis “looked to the United States as a ‘model’ ... [and] there was an active back-and-forth traffic between American and Nazi eugenicists” (p. 8). In the end, “American law remained a regular Nazi point of reference, just as it had been for Hitler before. America remained the leader, and the Nazis repeatedly turned to the American example when developing their own immigration and citizenship law” (p. 50). This and similar statements were backed up by 31 pages of small print notes, including many sources in the original German, a language the author reads and writes fluently.

The 1935 Nuremberg Laws were designed to reduce the eugenic degeneration of the superior Aryan race. Included in the Law was the “Protection of German Blood and German Honour”, which forbade marriages, and all extramarital intercourse, between Jews and Germans (pp. 24–25; figure 1). The Nazis had to rely on the American



experience because there “were no other models for miscegenation legislation that the Nazis could find in the world” (p.12). To reduce the likelihood of superior races breeding with inferior races, the Nuremberg Laws also forbade the employment of German females under age 45 in Jewish households. Also, part of the law was the Reich Citizenship Law, which declared that only those of German, or closely related, blood were eligible to be Reich citizens. Jews and other less evolved races (*Untermenschen*) were classed as state subjects without citizenship rights. This was the first step that led to the Holocaust.

The Holocaust developed gradually over the 12 years of Nazi rule of Germany, which imposed its ideology on the conquered nations in WW2. After Hitler’s ascent to power he left the non-German race question to the lawyers, academics, and eugenicist experts (p. 50). Professor Otto Koellreutter (1883–1972), chair of Public Law in Munich, was one of the prime leaders dealing with the legal aspects of racism in Germany. Nazi lawyers regarded America “as the innovative world leader in the creation of racist law” they used as



Figure 1. Because of widespread intermarriage, to implement the Nuremberg law required the above complex chart to determine who was a Jew

a basis for developing German racist laws (p. 5). The leading Nazis wanted to “reach out the hand of friendship to the United States on the basis of a shared commitment to white supremacy” (p. 7).

The Germans were very careful to do everything, initially at least, strictly according to law. In the early 1930s, racial annihilation was even ‘difficult to imagine’ by Germans until many years later. It was not to emerge until 20 January 1942, when 15 high-ranking Nazi Party and German government officials gathered in the Berlin suburb of Wannsee to discuss and coordinate the implementation of what they called the “Final Solution of the Jewish Question” (pp. 48–49). Until then, the proposed solution to the problem was far less drastic, namely to force Jews to emigrate, ideally by persuasion but, if necessary, by coercion such as by street violence. Although the Nuremberg Laws stripped Jews and others of German citizenship, they were still protected under the law (p. 49).

An important inspiration for Nazi Germany was the American immigration laws. For most of American history, the United States was a

refuge for both the oppressed and others. It was only in 1879, when bills banning Chinese immigration were enacted by congress, that this began to change. In 1921 (i.e. after WWI), an American quota law inspired by Darwinian Eugenics, which restricted the immigration of races regarded as inferior, heralded the beginning of a drastic change. It was these American laws to which Germans paid very close scholarly attention.

U.S. court decisions, especially regarding immigration policies and what some call the genocide of Native Americans, were major sources of inspiration behind Nazi policy against both the Jews and other people that the eugenic scientists considered members of inferior races. American policy also was very influential in inspiring the Nazi goal of *Lebensraum*, expanding the Germanic population into the East and reducing, or making slaves of, the Slavic peoples (Poles, Russians, and other Eastern populations) that lived in the East (note that the word ‘slave’ is derived from Slav).

Following Hitler’s rise to power, *Lebensraum* became an ideological goal of Nazism and provided justification for German territorial

expansion into East-Central Europe. The native populations of America were decimated by wars, relocation to reservations, murder, and disease, which many saw as God’s will to allow Europeans to move into the area. Consequently, the Nazis reasoned, that was hardly any different from the decimation of the native population of Eastern Europe to allow ethnic Germans to move into the land the Slavs once occupied. Some even referred to Ukrainians and other Slavic people as ‘Indians’. The Nazis also studied the situation of ‘second-class’ citizens in America, specifically Blacks, Puerto Ricans, Filipinos, Chinese, and Native Americans, reporting their findings in various books published in Germany (pp. 59–65).

Land reservations for Native Americans was a factor justifying the concentration camps for Jews, only a few of which were officially death or extermination camps. (This is not to deny the fact that many thousands were murdered in the concentration camps, or died because of the deliberately atrocious conditions.) This is one reason why the Nazis were able to get away with carrying out the Holocaust for so long. It was not until after World War II when the Allies liberated the death camps that we knew for certain the extent of the Nazi genocide goal. The main extermination camps were Treblinka, Belzec, Chelmno, and Sobibór, which served as ‘death factories’, each murdering hundreds of thousands with carbon monoxide. Auschwitz II–Birkenau was a combination concentration/extermination camp which murdered the most of all, about 1.1 million, using cyanide.

Anti-Semites, eugenicists, and racists inspired by Darwinism in the US helped to inspire those in Germany, and vice versa. The US was “a global leader in ‘scientific’ eugenics”, so naturally the German scientists would have to rely on American research and law (p. 8). The author covered only

briefly the well-documented important influence of Darwin and mentioned evolution only in connection with the evolution of racism (p. 114). Conversely, he discussed the eugenics idea and movement 28 times, such as on page 8, where the author documents that eugenics was the basis of both the Nazi German and American discrimination laws and policy.

The support of the US policy to Nazi Germany went well beyond the eugenics contribution. United States bankers and industry, even the weapons industry, invested heavily in the Nazis' war machine. Nazis borrowed ideas from US books, such as the American racist best seller titled *The Passing of the Great Race* and other propaganda developed during World War I (p. 8). This 1916 book on scientific racism by American eugenicist, lawyer, and anthropologist Madison Grant (1865–1937; figure 2) advocated creating a eugenics program for the Nordic population, and is considered one of the major works of 20<sup>th</sup> century racism based on eugenics.

Grant's book drew on the scientific theories of genetics, the then-known writings of previous eugenicists, and especially Darwinian evolution, to create a clearly written synthesis aimed



Figure 2. Madison Grant

at general readers. The 1918 revised edition was endorsed by several leading American biologists including Columbia University Professor, and later President of the American Museum of Natural History, Henry Fairfield Osborn, Sr (1857–1935; figure 3). In his Preface, Osborn listed the greatest danger in America as the replacing of Nordic races by those he deemed inferior.<sup>1</sup> Adolf Hitler wrote to Grant to personally thank him for writing it, referring to Grant's book as 'my bible'.

The US immigration laws that Germany relied on to craft their own laws blocked admission of significant numbers of Jewish refugees. A notorious example was refusing admittance of over 900 Jewish refugees who sailed on the *St Louis* from Hamburg, Germany, to the West in 1939. The ship was forced to return to Europe, where many of the Jews on the ship later died in Nazi German camps. The most infamous example is when the State Department rejected the Frank family's attempts to enter the United States, including the teenaged diarist Anne Frank (pp. 53, 116, 149).

Another area of special interest to the Nazis was laws against Whites marrying Blacks, usually black men marrying white women. Anti-miscegenation laws had been in place in 30 states in the United States since colonial days (p. 78). Marriage to a slave was never legal and Black-White intermarriage was illegal in all the seven states of the lower South. Furthermore, those who entered such a marriage sometimes faced harsh penalties including fines or even jail terms.

A major concern in America was how to draw the line between Blacks and Whites in a society in which white men had many children with black slave women. Most American laws used the 'one drop of blood' rule, which meant the law was one black ancestor made a person Black. The Nazis thought this too restrictive and, after debating such concerns, such as whether two or three Jewish



Figure 3. Henry Fairfield Osborn, Sr

grandparents made one a Jew, ended up with a very complex set of laws. In the end, leading Nazis reportedly stated, "we will determine who is a Jew", because some important German generals and others were Jewish by German definition.

In America, laws against intermarriage changed only in 1967 when the Supreme Court case *Loving v. Virginia*, 388 U.S.1, invalidated all laws prohibiting interracial marriage. Ironically, interracial marriage, rather than causing the degeneration of the race as the eugenicists argued, has been shown to actually cause the opposite because in interracial marriages many autosomal recessive mutations are less likely to be expressed. For example, the marriage of a Caucasian and an African rarely results in sickle cell anemia or cystic fibrosis because expression of these genetic diseases requires two damaged genes, and a White is very unlikely to have the sickle cell anemia gene and a Black very unlikely to have a cystic fibrosis gene.<sup>2</sup> Likewise, blue eyes, rather than being an indication of a superior race, are now believed to result from mutations.<sup>3</sup>

A major theme of the book is the fact that decisions related to racism, law, and practice were not made by



Hitler or some Nazi politicians, but rather by a wide range of highly educated professionals including lawyers, biologists, geneticists, medical doctors, and academics. This fact was reflected in the conclusions of Austrian neurologist and psychiatrist, Holocaust survivor Viktor Frankl (figure 4):

“If we present a man with a concept of man which is not true ... as a mere product of instinct, heredity and environment, we feed the nihilism to which modern man is, in any case, prone. I became acquainted with the last stage of that corruption in my second concentration camp, Auschwitz. The gas chambers of Auschwitz were the ultimate consequence of the theory that man is nothing but the product of heredity and environment—or as the Nazi liked to say, ‘of Blood and Soil’. I am absolutely convinced that the gas chambers of Auschwitz, Treblinka, and Maidanek were ultimately prepared not in some Ministry or other in Berlin, but rather at the desks and lecture halls of nihilistic scientists and philosophers.”<sup>24</sup>

The longest chapter in Whitman’s book, chapter 2, titled “Protecting Nazi Blood”, documents in detail the fact that the core of the Holocaust was the concern that inferior races would reproduce with the superior Aryan race,



Figure 4. Viktor Frankl

and consequently dilute the superior race, resulting in degeneration of the race. Called *Mischmasch* (a mishmash race mixing) or race defilement, the eugenicists taught that the penetration of Jewish blood into the German blood produced ‘sick societies’ that, in turn, themselves became degenerate (p. 74). The purpose “of the Nuremberg laws was to safeguard Germany from such degeneration, making it ‘forever impossible for Jewdom to mix itself [*Vermischung*] with the German Volk” (p. 74). This conclusion was based on the scientific consensus that existed both in Germany and the United States as well as much of the Western world. Hitler’s infamous book *Mein Kampf* asserted that only “one drop of Negro blood placed in the veins of the purest Caucasian destroys the inventive genius of his mind and palsies his creative faculty” (p. 77). Criminalization of marriage is rare in legal history, and even Australia “did not follow American’s menacing lead”. Germany, though, did (p. 78). And thus:

“... it is with the blood laws that we discover the most provocative influence of direct Nazi engagement with American legal models, and the most unsettling signs of direct influence. American law was expressly invoked in the key radical Nazi documents establishing the framework for the Blood Laws ... American models were championed by the most radical Nazi faction, the fiercest advocates of a stringent ban on sexual mixing” (pp. 76–77).

Unfortunately, these radicals prevailed and their framework eventually ended up in the Nuremberg blood laws that eventually led to the Holocaust. And the ultimate source of the race mixing belief was Darwinian eugenics, specifically American Darwinian Eugenics.

Ironically, the Nazis “found American law too harsh to be embraced by the Third Reich” and so attempted to take a much more humane approach in this area. This could be partly because in 1935 there

were close to 550,000 full or three-quarter Jews, 200,000 half Jews, and 100,000 quarter Jews in Germany (p. 80). As a result, most existing mixed marriages were largely left alone. The goal was to prevent by law future mixed marriages, or at the least to encourage the Germans in existing mixed marriages to divorce the inferior race member (p. 85). The first step to reduce mixed marriages was an attempt to convince the German population by extensive propaganda that marriage to a Jew was ‘sick’. (p. 75). When this approach failed, an attempt to exclude Jews from many areas of society was attempted. The American Jim Crow laws, which were the model Germany emulated, did not work with German Jews because, in contrast to American negroes, the Jews were generally very wealthy and well educated and, also, did not differ much in appearance from Aryans (p. 99).

Eventually, as Germany deteriorated, many persons with one Jewish parent lost their German citizenship and consequently faced increasing difficulties in Germany (p. 91). At this point, many left the country. Soon it was realized that what was required was a “clearly delineated and scientifically acceptable definition of who counted as a racial Jew” (p. 105). For this task, the esteemed scientists at leading German Universities were consulted to attempt to make these determinations scientifically.

Ghettoization was the next step in the road to the Holocaust, and next was confinement in concentration camps, and the last step was the ‘final solution’ or the total elimination of all inferior races, Jews first, then Slavic peoples, and eventually all races except Aryans.

## Summary

This book carefully documents that the central foundation behind not only the Holocaust but the War itself was based on the goal to eventually eliminate all the inferior races to

give the superior Aryan race room to expand and eventually fill the earth. Thus, Darwinian Eugenics was a critical, but not the only, cause of the most destructive war in history in terms of lives and property lost. One Harvard study evaluated the 901 major wars that occurred between 500 BC and AD 1918, and concluded the number of combatants and casualties involved in World War II<sup>5</sup> made it 28 times more consequential than all wars before WW I put together.<sup>6</sup> One mistake in the book was that Whitman constantly referred to The National *Socialist* Workers Party as politically far right instead of its actual position, which is socialist, as in the name of the party, or politically left, as documented by *New York Times* bestselling author Dinesh D'Souza.<sup>7</sup>

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