

THE “CRIME OF JEWISHNESS”  
CRIMINAL JUSTICE AND ANTI-JEWISH POLICIES IN EUROPE  
(1933-1945)

**International Conference**

**October 22-23, 2010**

**Memorial Caen**

Organized by Laurent JOLY, Virginie SANSICO, Nikolaus WACHSMANN  
*CRHQ-Caen, Université de Caen, Birkbeck University of London*

**With support of**

***CNRS, Memorial Caen, Fondation pour la Mémoire de la Shoah,  
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The different stages in the destruction of the European Jews – from legal persecution to systematic extermination – have been explored in great detail by historians, both in regard to the development of Nazi decision making and in terms of the policies implemented in individual states. Recent research has amply underscored the fundamental role of the law as the basis for the various anti-Jewish policies, starting in 1933; several studies have been dedicated to anti-Jewish legislation and its application by civil and administrative courts. By contrast, the more complex – but no less crucial – role of criminal law (along with police and judicial repression associated with it) in the chain of anti-Jewish persecution has been rather more neglected by scholars. But the application by “ordinary” state institutions of what could be termed “anti-Semitic criminal law” constituted an important field of action for Nazi Germany and its allies. Our conference focuses on the role of European states’ criminal justice systems in the implementation of anti-Jewish policies between 1933 and 1945, seeking to provide the first survey of international scholarship. Panels will pay particular attention to the comparative dimension, in order to shed light on both local specificities and broader policies adopted across Nazi-dominated Europe.

Friday, October 22, 2010

(morning  
9h45-12h20)

**9h45-10h :**

**Welcome:** Stéphane Grimaldi (Director of the Caen Memorial) or Denis Peschanski (President of the Caen Memorial's Advisory Council)

**10h-10h20 :**

**Introduction:** Virginie Sansico

## ***I. The 3<sup>rd</sup> Reich and the Invention of the “Jewish Criminal”: Ideology, Doctrine, and Law***

**10h20-10h40 :**

- *From ritual murder to the “Jew as criminal” : crime and Jews in Vienna in the early Twentieth Century* (Daniel M. Vyleta, University of Wisconsin)

**10h40-11h : discussion**

**11h-11h15 : break**

**11h15-11h55 :**

- *Visual Discourse and Jews in the News, 1933-1948* (Michael Berkowitz, University College of London)

- *“Degenerate Law”: Nazi Jurists and the “De-Jewification of Law”* (Johann Chapoutot, University of Grenoble 2)

**11h55-12h20 : discussion**

**12h20-14h15 : lunch**

(afternoon  
14h15-17h30)

## ***II. The “Criminalization” of Jews in European Legislation***

**14h15-15h15 :**

### **Legal Repression Against Jews and National Rationales**

- *Jewish vs. non Jewish Criminality and its Prosecution in the Third Reich* (Eric A. Johnson, Central Michigan University)

- *The “Jewish Criminal” and the “New Fascist Man.” Mirror Effects in Italian Anti-Jewish Legislation (1938-1945)* (Silvia Falconieri, University of Naples)

- *Penalization and the Process of Legitimizing Antisemitic Law: the Example of the June 2, 1941 Statute of French Jews* (Laurent Joly, CNRS-CRHQ)

**15h15-15h45 : discussion**

**15h45-16h : break**

**16h-17h :**

#### **Multiple Offenses and Fields of Intervention**

- *Race Defilement: Questions of Honor, Images of Jewishness in Court, 1935-1945* (Alexandra Przyrembel, University of Göttingen)

- *German and Polish Courts and the Jews in Occupied Warsaw: the Case of "People Leaving the Ghetto without the Armbands"* (Jan Grabowski, University of Ottawa)

- *"Il giudeo criminale." The Legal Repression of Foreign Jews in Italy* (Valeria Galimi, University of Siena)

**17h-17h30 : discussion**

Saturday, October 23, 2010

(*morning*  
*9h45-12h35*)

### **III. Criminal Anti-Jewish Repression: Mechanisms and Actors**

#### **The Attitude of the Legal Professions**

**9h45-10h45 :**

- *The Jurisdiction as Precursor for the Financial and Economic Exploitation of the Jewish Minority* (Christiane Schoenmakers, University of Oldenburg)

- *The Italian Judges and Antisemitic Law* (Giuseppe Speciale, University of Catania)

- *Jews and Judges: the Role of the Judiciary in anti-Jewish Policy in the Netherlands (1940-1945)* (Geraldien Von Frijtag, University of Utrecht)

**10h45-11h15 : discussion**

**11h15-11h30 : break**

**11h30-12h10 :**

#### **"Ordinary" or "Political" Justice ?**

- *The Role of Justice System in the Implementation of Antisemitic Legislation. The Case of the Criminal Court in Grenoble* (Tal Bruttman, EHESS)

- *Justice and the Jewish "Delinquent." The Example of the Courts in Lyon* (Virginie Sansico, CRHQ-CNRS)

**12h10-12h35 : discussion**

**12h35-14h : lunch**

(afternoon  
14h-16h45)

#### ***IV. Justice and the “Final Solution”: Criminal Repression and Policies of Extermination***

**14h-15h :**

- *Civil Service Lawyers and the Holocaust. State-Secretary Dr. Wilhelm Stuckart in the Ministry of Interior and his Role in Preparing the "Legal" Framework for the Holocaust* (Hans-Christian Jasch, Memorial House of the Wannsee Conference in Berlin)
- *The Persecution of Jews in Occupied Poland by Criminal Justice, 1939-1945* (Maximilian Becker, Max-Planck-Institute for European Legal History)
- *Criminal Justice and the Implementation of the Holocaust in Llov-Lemberg, 1941-1942* (Ulrich Frisse, University of Western Ontario)

**15h-15h30 : discussion**

**15h30-15h45 : break**

**15h45-16h45 :**

**Final Round Table**

***From the Criminalization of Jews to the Final Solution: An Appraisal and Historiographical Perspectives***

Hosted by Nikolaus Wachsmann (Birkbeck University of London)

With Michael Berkowitz, University College of London), Denis Salas (Magistrate, Professor at the French National School for the Judiciary, Secretary General of the French Association for the History of Justice), Eric A. Johnson (CMU), Danièle Lochak (University of Paris X), etc.