

2 Nazi Germany and Religion—Some Thoughts on the Legal Framework Set by Religion Policy in a Polycratic Government System

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Abstract This chapter addresses the question of which goals were pursued by the Third Reich, and more precisely by its government and party functionaries, concerning institutionalized religion. It questions the interpretation developed in the early postwar period and primed by Theology that the Nazis strove for the destruction of institutionalized religion and the forced secularization. If one can even make out at all a central theme in Nazi religion policy, it would be pragmatism: In the initial phase, Adolf Hitler imposed secularism on high party functionaries in order to curtail loyalty to any other authority than the Nazi party. Several times, decisions in religion policy were also taken for the purpose of upholding Germany's reputation abroad. After National Socialism had been consolidated by the mid-1930s, Hitler lost interest in religion policy and left it to Reich Church Minister Hanns Kerrl, to Chancellor of the Nazi party Martin Bormann, to the Nazi party's Representative for Ideological Training Alfred Rosenberg, and later to the director of the Reich Security Main Office Reinhard Heydrich. These functionaries negotiated each decision in religion policy anew, both concerning the orientation of the two large churches (which experienced developments toward Neopaganism or German Christians within their rows) and smaller religious communities such as Jehovah's Witnesses and the Church of Jesus Christ of Latter Day Saints. Mostly, the involved actors, public authorities, and party departments acted autonomously and on their own behalf when it came to political or administrative imperatives and institutionalized religions. However, since a clear list of responsibilities was never established and the security police, party offices, and other interest groups could always assert their own beliefs in religion policy, the result was a constant process of negotiation occurring.

2.1 *Introduction*

In the early postwar period, historical research on the role of religion in Nazi Germany was mainly primed by Theology, and especially by Protestant Theology. It portrayed Nazi Germany as having allegedly planned to destroy the churches and Christianity. Even evidence proven to contradict such a theory was interpreted in this way in order to attribute a victim status and an alleged threat of destruction by National Socialism to Christianity (Nowak 2007: 215). It was only at the beginning of the 1990s, once Theology had lost ground as a basis for Church Historiography, that research adopted a more nuanced impression of the relationship between institutionalized religion and National Socialism (Gailus 2011). Nevertheless, the image of an anti-Christian National Socialism still prevails when it comes to assessing the behavior of individual religious actors or institutions during the Third Reich (for some examples, see Deines 2007: 102 f.; Liedtke 2012: 25, 186, 189, 191; Strohm 2011: 74).

Taking into account newer research, I will elaborate on the goals that were pursued by government and party representatives in the Third Reich concerning institutionalized religion or religious communities. If Nowak declares the “theory of destruction” developed over decades not to hold true and labels the heterogeneous behavior of the Nazi party and state as a development of “office Darwinism and a duality of public authorities and party offices” (2007: 215), then we can depart from this assessment and ask whether we are even able to talk of a specific Nazi religion policy having been pursued by the Nazi state. As a preliminary requirement for this, we first have to clarify what stance National Socialism—which does not necessarily mean the Nazi state—assumed toward religion.

2.2 *The Separation of Party and Religion*

During the Weimar Republic, the secularization process that had already begun in imperial Germany further intensified. By secularization, we mean “the regression of religious ties and privatization of religious practice” (Wohlrab-Sahr and Burchardt 2011: 61). This development did not necessarily mean the large-scale leaving of the church, since at least formally, more than 90 percent of the German population were still members of one of the two large churches during the Weimar Republic. As one can see from the official statistics on religion from 1939, this would not change during the years of National Socialism (Junginger 2011). If anything we can speak of a religious awakening and pluralization in German society for the first years of the Nazi regime, so that the application of the term “secularization” is actually difficult to justify (cf. Gailus 2007). The still common

description of the Nazi era as a period of forced secularization can rather be traced back to the Church Historiography of the early postwar period, which was primed by Theology. The loss of political power of the Protestant *Landeskirchen* during the Weimar Republic and the Third Reich was used by literature on Nazi religion policy written in the postwar period as a kind of combative term. It designated the loss of political participation by the churches, something imposed by the Nazi state. However, secularization is a term by which “the religious system”—in this case, the two large churches—“define[s] the aggregate condition of its societal environment” (Luhmann 1982: 227). This means that the term secularization becomes useless for referring to the position taken by the Nazi party and state, since it designates a development in society instead of singular political actions.

By contrast, the term secularism is better adapted to designate the nature of the relationship between National Socialism and religion. Wohlrab-Sahr and Burchardt suggest using this term in order to refer to:

“The ideological policy objectives, that is, the explicit ideology of separation [of policy and religion, translator’s note], to movements and measures derived from it,” (Wohlrab-Sahr and Burchardt 2011: 61, editor’s translation).

Since Hitler (1889–1945) understood the Nazi party and state to be the exclusive representatives of the *Volksführung* (*Volk* leadership), he esteemed such an institutional separation of policy and religion to be something of central importance. Institutionalized religion, and above all the two large churches, continually vied with the Nazi party and state for societal control over the German *Volk* (Buchheim 1953: 82 f.). This meant that in order for the Nazi regime to reign supreme the churches had to have their political influence curbed, also within the Nazi party (Siegele-Wenschkewitz 1974: 202–207).

Both Hitler’s behavior during the first years of the Nazi dictatorship and that of Bormann (1900–1945), the Chancellor of the Nazi party, during the regime’s later years have to be interpreted against this background. Hitler forbade the Protestant *Landeskirchen* from exercising any influence on party and state. At the same time, he oversaw the withdrawal of leading party functionaries from positions within the church. Banning the *Landeskirchen* from exercising any influence can be explained by the fact that the regime’s power was not yet consolidated, both concerning domestic affairs and international relations. Hitler and Reich Minister of Interior Affairs Wilhelm Frick (1877–1946) thus instructed both party and state not to intervene in the power struggle that had broken out in the Protestant church at the end of 1933. Another consequence to be avoided was the partisanship of the different factions within the Protestant church regarding

the use of state or party offices for their own ends (Denzler and Fabricius 1995: 55).

Apart from neutrality in the church struggle within the Protestant church, denominational conflicts within the Nazi party—and above all between Catholic and Protestant party functionaries—had to be avoided by the enforced retreating of party members from church positions. This measure was undertaken with the goal of preventing a possible undermining of party unity due to reasons of difference in one's denomination or church policy. Thus, Bormann's classified circular letter from 1941—in which he demanded the elimination of church influence on the *Volk* leadership—was an attempt to roll back church influence within the party. However, on the senior party levels this policy was only implemented to a rudimentary degree right up until the fall of the regime (Nolzen 2011).

The secularism pursued by Hitler was mainly aimed at eliminating all church influence on the Nazi party and state, and thus on the *Volk* leadership. On the other hand, party and state functionaries had to refrain from bias toward a certain denomination or religious organization. The religious doctrine of the church concerned was irrelevant for Hitler. The only important element, one that determined his entire thinking, was the greater power and control that could be gained for the Nazi party and state (Buchheim 1953: 80; Piper 2012: 167–178). It was the propagandized *Volksgemeinschaft* (*Volk* community) that should be implemented, in order to overcome all class boundaries and to establish the *Volk's* unity. The initial purpose of such an understanding was not social integration; rather it was meant to facilitate the exclusion of “the other” (Bajohr and Wildt 2009: 9)—in practice this denoted *fremdrassig* Germans (Germans of other races), such as Jews or those people who were defined as Jewish by the Nazi state. As a consequence, the central idea of the Nazi *Volk* community was expressed by anti-Semitism:

“Since the project of making Germany and Europe “free of Jews” was both a policy goal and a measure in order to establish the *Volk* community by racist exclusion,” (Wildt 2008: 15, editor's translation).

For this reason, the Nazi state's policy toward Jews has to be excluded from this particular analysis as, from a Nazi perspective, the latter did not constitute a religious community but rather an independent race.

Hitler showed little interest in religion policy and did not take any measures in this policy field after the regime's consolidation period ended in the mid-1930s. He preferred to focus instead on the rearmament of the German Wehrmacht and on his expansion policy, in order to conquer more *Lebensraum* for the German *Volk*.

2.3 *National Socialism as a Polycratic Government System*

In accordance with these priorities, any measures that the Third Reich took regarding religion policy were almost never initiated by Hitler himself. Like Hitler's prevailing idea of secularism, they were rather negotiated through a differentiation process within the Nazi "polycracy." Within a government system, the term polycracy designates "a pluralism of mostly autonomous rulers that can come into conflict with each other under certain conditions," (Hüttenberger 1976: 420 f.). It is thus a type of regime

"not relying on a universally recognized constitution, but developing according to an uncontrolled growth of the current power relations. The single rulers' positions and competences result from their internal relations during the different periods of historical development," (Hüttenberger 1976: 420 f., editor's translation).

As in many other policy fields, the Nazi polycracy manifested itself in the unclear division of responsibilities concerning religion policy. Public authorities on the national level, different ministries, and central party offices and organizations each held partial responsibility for such policy. Away from the national level, meanwhile, the *Länder* continued to hold some residual competences for the churches—above all when it came to financial affairs, decisions on the appointment of clergy and staff, and to questions of denominational schools (Boberach 1992).

Rulers at the lower and local levels, such as mayors, could also exercise some influence on the type of treatment that churches received within their realms of responsibility. Cases of conflicting views between local representatives of the Nazi party and state were resolved by a negotiation process within the polycratic power structure. Since the rulers depended on each other, they had to come to a mutually satisfactory arrangement. This might have resulted in an outward picture of a "monolithic regime" acting out of a uniform ideology being given (Hüttenberger 1976: 442). However the internal power structure of Nazi Germany shows in truth a different composition, as described by Kershaw:

"The Third Reich's internal administration was fragmented to such a large extent and so badly coordinated that the schedules of competences and authority which overlapped, bore conflicts, and contradicted each other can appropriately be labeled as chaotic," (Kershaw 1988: 143, editor's translation).

Despite this, it would be wrong to assume that the regime was for this reason inefficient. On the contrary, the competition between the governing bodies allowed for a dynamic mobilization within the "sphere of executive politics"—which at the same time caused a "high elasticity for the regime, understood as a smooth elasticity and ability to adapt to varying frameworks" (Hachtmann 2011: 67).

2.4 *The Role of Religion as an Object of Negotiation*

Since Hitler withdrew completely from religion policy after the end of the regime's consolidation period in the mid-1930s and thereafter only intervened occasionally in internal conflicts between the single rulers, conflicts concerning religion policy were settled on the national level between the Church Ministry led by Kerrl (1887–1941), the Nazi party Chancellery led by Bormann, Rosenberg (1892–1946) as the Nazi party's Representative for Ideological Training, and later the leader of the Reich Security Main Office Heydrich (1904–1942) (Bormann 2013: 260). Despite their dismissive stance toward the churches, the latter three should not be perceived as forming a monolithic front against Christianity that took measures against the churches. For instance, Bormann criticized the Nazi *Lebensfeiern* (celebrations of life), created as an alternative to Christian celebrations, given that they would never be able to successfully establish themselves in German society, with its Christian priming (Piper 2012: 347–349). Bormann did not consider the creation of a Nazi “surrogate faith” a realistic goal, or an adequate measure by which to repress the churches' influence in religion policy. The internal conflicts that arose between the different party functionaries and ministries regarding competence for and the arrangement of such *Lebensfeiern* (Piper 2005: 419–423) show that these plans were mainly informed by personal interests and religious ideas. Furthermore, we have to consider that Rosenberg as late as 1940 planned to compose a German book on religion together with Reich Bishop Ludwig Müller (1883–1945), who was supported by the Nazi German Christians. However, this project was never ultimately undertaken (Blaschke 2011: 49). Such a project would have been unlikely to be realized if Rosenberg had been hostile toward all kinds of Christianity.

Every single representative of the Nazi power structure tried to implement his own religious ideas by silencing competitors and forging convenient alliances. This is how Rosenberg and the Führer's Deputy Rudolf Heß (1894–1987) were able to prevent the enacting of the church elections planned by Hitler in 1937, which lay within Kerrl's assigned competences. The same point applies to the centralization of the Protestant church that was favored by Kerrl for the benefit of the German Christians, a feat that would not be implemented because of Heß's and Rosenberg's opposition to it. It was mainly Heß who feared that such a measure would lead to too strong an intervention by the state in internal church affairs, something that he rejected. Although Hitler had already instructed Kerrl to carry out the church elections and campaigned for them, he afterward let

himself be persuaded otherwise by Heß and Rosenberg and thus withdrew his further support for the original plan (Grünzinger and Nicolaisen 1999).

This negotiation process shows clearly the heterogeneous concepts and internal disputes concerning the treatment and distribution of responsibilities vis-à-vis institutionalized religion that existed in the Third Reich. As long as no directive by the Führer to which one could refer existed, the negotiation processes and power disputes on responsibilities, competences, and policy interpretations were carried out at lower levels. The only functionaries holding a stable position within the Nazi power structure were Hitler himself, Reich Propaganda Minister Joseph Goebbels (1897–1945), and Hermann Göring (1893–1946). This means that during the Nazi regime's twelve years no power equilibrium between the single functionaries operating below the Führer level was ever able to develop (Hüttenberger 1976: 431, 436).

Within the negotiation process, ideological claims and reflections belonging to “religious hegemony” had less meaning than was often assumed to be the case in postwar Historiography. The treatment of religious communities was affected to a much higher extent by pragmatism, above all when it came to external affairs and power implementation within the German state and society. For instance, even as late as March 1933 the Prussian Security Police Office expressed its concerns regarding a possible prohibition of the community of Jehovah's Witnesses. It feared a political conflict with the US would ensue, also because the American consul general in Germany had spoken out against public measures regarding Jehovah's Witnesses (Hacke 2011: 42 f.). The eventual outlawing of the community some months later was due to the pressure exerted by the two large churches, which had campaigned in favor of such a prohibition since the Weimar Republic years. Since the Nazis had been in power only for some months in 1933, they aimed to achieve a positive relationship with the churches by taking drastic actions against smaller religious communities (Hacke 2011: 48 f.). This way, Nazi representatives could avoid possible conflicts with the churches and consolidate their power—doing so at the same time also by making concessions to the churches on certain controversial issues. The actual process of prohibiting the Jehovah's Witnesses was a protracted one that took two more years, since several courts interpreted the application of the “Directive on the Protection of *Volk* and State” from 1933 (also known as the *Reichstagsbrandverordnung*)—on which most bans against religious communities were based—in different ways (Weber 1955: 111 f.).

A further example of the ambiguous stance of Nazi representatives and authorities on religious communities was the case of the Church of Jesus Christ of Latter Day Saints. Speakers of this church, also known as Mormons, underlined

their shared traits with the new regime as soon as 1933 (Petersen 2012: 267). The Church Ministry, created in 1935 and assigned to Kerrl, soon began to collect incriminating evidence that would enable the outlawing of this community. However, the ministry was never successful in carrying out this plan, since the *Geheime Staatspolizei* rejected the prospect of taking action against the Mormons (Petersen 2011: 135). The crucial factor that saved the latter was not only their declared allegiance to the Nazi regime, but also their perceived political influence in the US. The Nazis thus assumed that police action against the Mormons would have spurred a larger diplomatic conflict with the US than in the case of Jehovah's Witnesses, who lacked such political connections. This explains why the Foreign Office intervened as late as during the Second World War against the plan of *Schutzstaffel* (SS) Director Heinrich Himmler (1900–1945) to ban the Mormons. For the Foreign Office, the perceived image of Germany abroad was of a much larger importance than internal ideological controversies regarding religious communities, also since the US was not yet participating in the war (Petersen 2011: 144, 2012: 286).

The treatment of the Russian Orthodox Church and the Old Catholic Church in Germany also evidence a pragmatic approach being taken by the National Socialist public authorities. The Old Catholic bishop took an oath of allegiance to the German Reich on December 17, 1935, although this measure was not necessary in any sense for membership of the Nazi state (Weber 1955: 102 f.). This ceremony rather has to be interpreted as a symbolic act of loyalty by which the religious community wanted to prove its obedience to the state (Ring 2008: 486–489), with the Church Minister gratefully accepting such an avowal of allegiance.

The heterogeneous behavior shown by different authorities on the national and the local level regarding religious communities also becomes evident in their relationship with the Old Catholic Church:

“The state bodies and the party do not show proof of a uniform stance towards [the Old Catholic Church in Germany, translator's note]. Sometimes, regional differences could be made out, sometimes, different institutions pursued different goals in church policy,” (Ring 2008: 809, editor's translation).

The Security Service, the Nazi party's and the SS's secret police, were mostly hostile to religion and strove to avail themselves of the Old Catholic Church so as to fragment the religious landscape, above all against the interests of the Catholic Church. The Ministry of Propaganda often criticized the Old Catholic combative organ *Der romfreie Katholik*, since it feared a possible disturbance of the peaceful concord between denominations. By contrast the Reich Security Main Office, to

which the Security Service had belonged since 1939, favored this kind of negative press directed against papal authority. It esteemed that the Old Catholics did not constitute any political or ideological danger and that some resistance among Catholics against Roman Catholicism would be a welcome thing (Ring 2008: 417).

The public authorities' stance on the Russian Orthodox Church in Germany was just as contradictory, being mostly primed by political pragmatism. On March 14, 1936, Prussian Prime Minister Göring granted this church the status of a corporate body in public law. The involved ministries, above all the Church Ministry, harbored by taking this measure the intention of promoting a positive image of the Nazi state abroad. In addition to this, the building of the Orthodox *Christi Aufersteher* Cathedral in Berlin (inaugurated in 1938) was financed by public subventions. On the other hand, several ministries and Hitler himself declined to contribute to the financing of the church building, so that the Church Ministry had to carry the main burden for this.

The Church Ministry hoped to gain allegiance from and influence over the Russian Orthodox Church by promoting such measures. In addition to this, the ministry also aimed to develop a positive impression of Nazi Germany among the Orthodox churches in the Balkans, so that they would pressure their respective governments to integrate themselves into an "anti-Bolshevist front," (Shkarovskij 2004: 11–29). The Church Ministry and the Foreign Office made several attempts to establish Orthodox seminaries, but these measures were never to be successful because of the resistance shown to them both by the party chancellery as well as by other such authorities (Shkarovskij 2004: 11–29).

In this example, the Church Ministry was primarily motivated by the desire to acquire wider loyalty and by the wish to create a favorable image of Germany abroad. If certain measures such as the creation of Orthodox seminaries were not successful, this was because of the intervention of several party and state offices. To a certain degree, instrumentalization was intended—but only as far as not to favor one religious community over other ones. If the dangers of such preferential treatment or, as shown by the example of the Old Catholic Church, of conflicts between denominations arose then other state authorities would intervene. Maintaining the harmony between denominations was of central importance for the regime.

The different actors involved, such as public authorities or party offices, acted on their own behalf most of the time when it came to political or administrative imperatives enacted toward institutionalized religion. However, since a clear division of responsibilities was never established and the security police, the different party offices, and other interest groups always tried to pursue their own

interests, the result was the negotiation process already described—what the outcome of this would be was not always clear in advance. Even the neutrality of party and state vis-à-vis religious communities mandated by Hitler and labeled as secularism was not enforced in a strict manner, since the Church Ministry tried on several occasions to intervene in the internal disputes of the Protestant *Landeskirchen*.

The central idea underlying this polycratic power structure was the common claims to power and responsibility for *Volk* leadership that were adhered to by the Nazi party and state (Buchheim 1953: 82). There was a genuine interest on their part in achieving complete control over the whole population, encompassing all social strata and classes (Hüttenberger 1976: 438)—and thus also all religious communities, including the large churches. A religious community's ideological proximity to National Socialism—and, thus, to better opportunities to control it—did not necessarily result in more benign treatment by the Nazi state and party. If a particular religious worldview was esteemed by the responsible ministries to be too strange, this could have negative consequences for the religious community adhering to it. For instance, the Saxon Ministry of Interior Affairs banned the *Bund für Runenkunde* in July 1934, since these “rune gymnasts” and their activities were likely to ruin National Socialism's reputation as a serious political movement—despite the membership therein of many high-up party functionaries (Wedemeyer-Kolwe 2012: 470–472).

The situation in the territories that were annexed from 1938 onward, the *Reichsgaue*, concerning the responsibilities of party and state offices would witness a completely different development track to the one in the so-called *Altreich* (that is, the territory which belonged to the German Reich until 1937). A lack of space forbids this issue from being developed further here. In the *Reichsgaue*, there was no parallel structure of party and state offices, rather the responsible *Gau* leader oversaw the whole public administration. This decreased the influence of the state and party offices hailing from the *Altreich* and increased the power of party organizations—above all, of the SS (Nolzen 1997: 249–251).

For instance, the concordats with the Catholic Church that were in force for the *Altreich* did not apply to the territories annexed after 1937. In the *Warthegau*, a region surrounding the city of Poznań (Posen) occupied by and incorporated into the German Reich in 1939, all institutionalized religious communities were granted the legal status of associations in private law. Concerning the *Warthegau*, however, we have to consider the fact that it was mainly inhabited by Catholic Poles (Stasiewski 1959: 49 f.), whom the Nazis hoped to decrease the Catholic Church's influence over—and thus to soften their resistance to German settlements.

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