
This declaration is particularly important and justified, since the foreign press has already made the most of Professor J. Franck’s tender of resignation in its propaganda against Germany. As far as we are informed, the declaration of the university lecturers reprinted above was also triggered by this commentary in the foreign press.

*  

Due to the holidays[6] it was not possible to obtain the signatures of all the professors; but it can be readily assumed that they approve of the above declaration.[7] As we know from a well-informed source, a majority in the University Lecturer’s League disapproves of Professor Franck’s declaration. It has even irritated his fellow Jews at the Berliner Tageblatt, which immediately recognized that Professor Franck had made a fatal step that the government cannot overlook idly.[8]

12 Law against the Overcrowding of German Schools and Universities [April 25, 1933]


The Reich government has passed the following law, which is proclaimed here-with:[1]

5Prof. A. Kleinert (University of Halle), is preparing a study on the scholars and scientists who had signed this document, to find out whether and to what extent their signatures had in fact helped to promote their careers (personal communication).

6According to the university course catalog, the summer term started officially on April 20, 1933 and ended on July 31, 1933.

7This sounds suspiciously like an excuse, since university professors were generally adverse to signing any petition, document or press release of a political nature, regardless of whether they agreed with it or not. These reservations about political activities of any kind were considered a matter of course among university teachers; cf., e.g., Ringer [1969], Freise [1983].

8Cf. Berliner Tageblatt 62, Wednesday, April 19, 1933, no. 180, ed. A (morning), ca. p. 9: ‘Ein Nobelpreisträger legt sein Amt nieder’. The newspaper Berliner Tageblatt was commonly thought to be under the complete control of Jews. Its editors did not agree with Franck’s decision to resign: ‘From all points of view we deeply regret Franck’s resignation. Though we very much respect his motivations, we nevertheless believe that his cause would have been better served if he had stayed at his post as professor.” Cf. also Göttinger Tageblatt 45, No. 91, Wednesday, April 19, 1933, p. 3.

1According to Götz von Olenhusen [1966], this law was issued on the initiative of the culture policy department at the → RIM under W. → Frick, reflecting the fear of a growing ‘academic proletariat’ since the economic depression of the late 1920’s. However, in the early 1930’s the number of students was actually already on the decline.
§ 1 The number of pupils and students at all schools, excluding mandatory schools [Pflichtschulen] and at universities is to be limited to the point that basic education is assured and the professional demand is satisfied.

§ 2 At the beginning of each school year the state governments determine how many new pupils each school may admit and how many new students each university department may enroll.

§ 3 At schools and university departments where the attendance figure is particularly heavily disproportionate to professional demand, the number of already enrolled pupils and students is to be reduced, without causing undue hardship, during the course of the 1933 school year toward establishing a more proportionate ratio.

§ 4 Acceptance of new enrollees must be carefully proportioned so that out of the total attendance at each school and university department, the proportion of Reich Germans of non-Aryan descent in the sense of the Law for the Restoration of the Professional Civil Service of the 7th of April, 1933 (Reich Law Gazette), I p. 175, does not exceed the proportion of non-Aryans in the German Reich’s population. The quota will be set uniformly for the entire Reich region.

In reducing the number of pupils and students in accordance with § 3, a suitable ratio must likewise be set between total attendance and the number of non-Aryans. In this event, a differing ratio that is higher than the quota may be taken as a basis.

Paragraphs 1 and 2 do not apply to Reich Germans not of Aryan descent whose fathers had fought at the front during the World War for the German Reich or for its allies; nor do they apply to offspring from marriages that had taken place before this law came into effect where one parent or two grandparents

---

2These cover the first eight years of schooling.
3The annual demand for university graduates was later set at 8–10,000. However, see the Introduction, pp. xlviff., on the subsequent shortage of students.
4See doc. 7.
5The quota later chosen on the basis of a census dated June 1933 was a maximum of 1.5% of new enrollees at each institution. Some of the official statistics published at that time to support the claim that there was a disproportionately large number of Jews in public office had actually been forged, according to Götz von Olenhusen [1966], pp. 179f.; cf. Noakes & Pridham (Eds.) [1990]b, Vol 1, pp. 522f. Gołczewski [1988] notes on p. 90 that the quota system was a familiar anti-Semitic tool in modern history, used in csarist Russia, for instance. It reappeared in the programs of almost all right-wing movements. It was considered an efficient measure with the appearance of legality. The United States Immigration Law of 1924 that went into effect in 1929 was a similar quota system aimed at particular ethnic groups; cf. Stuewer [1984], p. 29. The dire situation at American colleges and universities as a result of budget cuts during the Great Depression and indications of anti-Semitic leanings there are described in Rider [1984], pp. 123–129.
6A 5 % maximum of non-Aryan’s was tolerated: Götz von Olenhusen [1966], p. 179.
7This provision is modelled on the exemption rule of the Law for the Restoration of the Professional Civil Service of April 1933 and probably was also adopted on Hindenburg’s insistence; see here doc. 7, § 3, No. 2. These restrictions were soon retracted, however, with the Nuremberg Laws of 1935.