

LOUIS NIZER



# What To Do With Germany

With a Foreword by

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## FOREWORD

THIS book by an American lawyer is concerned with two different though connected matters—the first, an elaborate history of German thoughts and actions, from the days of Julius Cæsar down to present times, so far as the history bears on the causes of the two world wars; the second, a reasoned statement by the author of the steps and measures which in his opinion are expedient and indeed necessary for the purpose of obtaining permanent peace after the complete defeat of the Huns.

The reader who is interested in Nazi mentality—and what thinking person is not?—will find a carefully considered and detailed historical statement of facts (including some illuminating quotations) which he would only with much trouble and research obtain elsewhere. Particularly is that the case in relation to the singular German methods employed after the end of the last war for avoiding the natural consequences of defeat and the express terms of the Treaty of Versailles, and for nullifying the provisions for the trial of “war criminals.” Even more difficult to collect are the amazing facts in relation to the gigantic and unparalleled system of loot and spoliation used by Hitler and his gang since September, 1939, in all occupied territories—mainly with a view to preventing their economic recovery after the war is over. I regard this part of the book as of great value, and anyone who aspires to form sound views on how Germany should be treated after her defeat should read and ponder it.

The other part involves the decision of a score of questions, some of the greatest difficulty. I have myself written and spoken on several of them, and, being well acquainted with their complexity, I know how difficult it is to get the most intelligent people to agree as to their solution. Most of the

questions, owing to their peculiar nature, have to be separately considered from three different angles. Are the proposed plans just, wise and practical? I do not propose to give my own views in this place, but I will make one observation which the reader should bear in mind. We must be careful to remember that Russia and Poland and six other countries have suffered far more from German cruelty and satanic barbarity than we have, and they must take a most important part in framing the terms of peace. It will be very difficult to secure a general assent to any proposals which are necessarily of an exceedingly contentious nature, since they are related to the ethical ideas of the victors and the strange psychology of the vanquished. We should aim at what is feasible in the extraordinary circumstances which will surround us when the "cease fire" has been sounded.

None the less, whether we finally agree with all Mr. Nizer's opinions or not, we shall do well to consider his suggestions and the well-stated arguments by which he supports them.

MAUGHAM.

## PREFACE

“PEACE hath her victories no less renowned than war,” wrote John Milton. The great tragedy of the twentieth century is that peace has suffered defeats even after wars have been won for her. In 1918 an agonized world laid down its guns. Peace was here, but we turned our backs on her as though she nourished herself, as though the same intense planning and torrents of energy which win wars are not necessary to maintain peace. The Germans were democratized, but not made safe for democracy. We were smug about the newly instituted Republic as though democracy were a mere format of government instead of an expression of the people’s yearning for self-regulation. As a result, within twenty years, the peace so dearly won had been squandered. Only then did we discover that our unpreparedness for peace had made that period a prelude to another war. And ironically enough we were unprepared for that, too.

During a war there is no confusion of immediate objectives. One must win—or perish. Where choice is thus limited, the temptation to procrastinate and to compromise is likewise diminished. There is a penalty of death for error or even hesitancy. But peacemaking is leisurely. It permits all the devices of indecision—commissions, committees, experiments, debates.

The day is approaching when another chance, perhaps the last chance, will be given to us to win a renowned victory for peace. On that day word that the war has ended will be flashed around the world and will be echoed by gleeful church bells and hysterical whistles. Millions of hearts will stop for a second in solemn prayer. Then a wave of ecstasy will sweep across the world. Emotional riots will break out everywhere. Hundreds of New Year celebrations will be crowded into one

## PREFACE

night of delirious joy. Children, astonished by the madness of their parents, will scream and dance in contagious imitation. Churches will be crowded with worshippers too stirred to pray. Men in fits of gratitude will indulge in philanthropic orgies. Women, too pained to cry during the war, will learn to cry with overwhelming joy. There will be bonfires in our hearts, and from them will ascend a wave of religious gratitude to the heavens. Peace will be here. Peace! We will go berserk with triumph and peace. And that will be the most dangerous moment in all history!

Will we again waste the sacrifice of millions of people because we are not prepared to think? Will we simply rearrange our prejudices and reclothe our demagogy? Or will we, with knowledge of the causes of the disaster, grimly set ourselves to the task of winning the peace and preventing World War III now?



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## MEDICINES WITHOUT CURE

IN the short span of twenty-five years the Germans have erupted twice, dislocated all humanity, and forced us to abandon peaceful pursuits. Judged by ordinary criminal standards, her crimes are so great as to exceed our concepts of punishment. This is a perplexing phenomenon. We know readily what to do with a truant boy or with a vicious murderer. But what shall we do with millions of murderers? Our rules for punishment disintegrate when the criminal gang is a whole nation. For this reason, the customary penalties for individual offences become inapplicable to mass crime.

*1. Extermination and Sterilization*

We still shudder at the hanging or electrocution of a convicted murderer. But we lull our squeamish sensibilities by citing the religious doctrine, "An eye for an eye—" and justify the punishment as a deterrent to others. But what shall we say of the proposed extension of this doctrine to an extermination of the entire German people! A dozen resistant reasons instantly spring to mind. "The entire German people is not responsible; one can't convict a whole people"; "such punishment apes the abnormal cruelty of the condemned and makes us his imitators"; "you can't kill 80 millions"; "it would create another crisis in Europe to wipe out one of its largest and most efficient populations," etc., etc.

The French were accustomed to saying, "We must destroy Germany or make peace with her—and to destroy her is an absurdity." But as the French have since learned, it is not easy to make peace with her.

Others, stirred to consuming hatred by German brutalities, suggest that they be destroyed as a race by eugenic sterilization.

They argue that if compulsory serum treatments are justified by their benefits to the community, sterilization of the German people might similarly be considered a protective measure to

immunize the world forever against the virus of Germanism. They point out that the surgical procedure is simple, painless and does not even deprive the patient of normal instincts, or their gratification. Vasectomy, the operation on the male, simply requires a slight incision, since the sperm duct lies just beneath the skin. The operation takes only ten minutes to perform and the patient may resume work immediately afterwards. Ligation of the Fallopian tubes, the operation which renders the female sterile, is more difficult but not much more dangerous.

There are about 50 million German men and women within the procreation ages, and it is estimated that twenty thousand surgeons performing about twenty-five operations daily could sterilize the entire male population of Germany within three months and the entire female population in less than three years. At the normal death rate of two per cent. or one and a half million persons yearly, the German people would practically disappear within two generations.

We reject this proposal, but not because of German protests. They have forfeited all right to protest, for they themselves set this precedent. It is estimated that in Germany 300,000 people have been sterilized and in Poland 700,000 people. They have not been beyond the abolition of education so as to make populations slave-fit, the physical and mental corruption of the masses by pornographic and drug incitation, and the systematic extermination of whole peoples.

So we will not heed the voice of Nazi protest. Too often have they claimed protection by hypocritical resort to the moral and ethical inhibitions of their enemies, which they themselves scorn as contemptible weakness. But our own consciences cannot be easily stilled if we resort to unmoral retaliation. If a world of justice is to be built, revenge must be avoided. For in its wake are thousands of injustices and the lingering hatreds which are the devils of the future. Would not the innocent be punished with the guilty? When would the penalty cease? Would not the present generation of German children, dispersed throughout the world, defeat the purpose?

Above all, religious and ethical concepts deprive us of the

will to abolish a people. The horror of scientific mutilation is stronger than all the cold justification which logic can marshal. For though inhumanity begets inhumanity, we are ashamed of the offspring. The moral restraints upon us are the residue of centuries of slow civilizing processes. We need not be ashamed of them. Let us direct them into channels which will strengthen the regard for such values.

We must not emulate the abnormal even in wreaking vengeance upon them—certainly not in constructing a world of justice. The measuring yardstick of appropriate penalty must accord with common religious and ethical concepts. A programme of compulsory eugenic sterilization or wholesale executions would arouse violent dissents in religious and other circles and breed new disunity among the victors. It would martyrize Germans, who would, of course, rebel *en masse*. Unless there were universal confidence in the justice of the remedy, it would fail as a practical measure. Moral sanction must precede physical application.

Furthermore, sterilization might solve the German problem for future generations but it would constitute no present solution. To safeguard posterity is admirable, but there is a more immediate duty to ourselves and our children.

We must forego the solution of sterilization.

Such abnegation is far from misplaced sentiment. We shall see that there are methods available for stern punishment. At present it is enough to conclude that capital punishment or sterilization for millions of people is impracticable, and violates those moral precepts which limit even legalized murder.

## 2. *Breeding, a Mendelian Theory*

Nor can we accept the suggestion of Professor Earnest A. Hooton, anthropologist of Harvard University, that we breed German aggressiveness out of its people. He would force the bulk of the present German army to work as labour units in devastated areas for a period of twenty years or more. Single men would be permitted to marry women living only in these areas. By such outbreeding he would reduce the birthrate of "pure Germans" and neutralize aggressiveness.

The theory of race purity is no more valid when turned against the Nazis than when offered by them against others. Aggressiveness is not a biological trait. At one time in history the Dutch and Turks were aggressors. To-day they are peaceful. The eugenic solution ignores the educational, economic and social conditioning which affect a people's traits.

### *3. Political Dismemberment*

What, then, of other remedies? Shall we slice Germany into many segments and by such dismemberment inflict capital punishment on her nationhood rather than on her people? The suggestion is enticing and has already received wide consideration. It rests upon the assumption that the recuperative powers of the German people will be stunted if Germany is divided into small or minority groups. Germany originally consisted of many separate States differing in culture, origin and language.\* One by one they were conquered by the Prussians. Many believe that dismemberment of the Reich into its original units might revive their national and ethnological differences. Thus hatred for the Prussians might be sowed among the Germans themselves.

But such a partition might well give added incentive to the extreme nationalism which permeates Teutonic peoples. German unity has been one of the most successful propaganda arguments of Pan-Germanism since the nineteenth century. Philosophers like Fichte and Hegel advocated it.

In 1866 Prussia became the predominant state in Germany

\* It is often overlooked that Germany is composed of two elements which differ racially and culturally. The original German tribes, who were influenced by Western civilization early in their history, lived in the Western and Southern parts of present-day Germany. The inhabitants of the territory east of the River Elbe, however, were Slavic in origin and tongue. These Slavic groups were conquered and enslaved 700 years ago by German knights whose descendants are the Junkers of to-day. They lost their cultural heritage slowly and, in fact, there is, within fifty miles of Berlin, a large group (300,000) which still retains its Slavic tongue. In the days of Frederick the Great, only one-third of his "Prussians" spoke German. The balance remained faithful to their Slavic languages. After Bismarck had created the German Reich in 1870, the conflict continued between the Western Germans and the Junkers. Bismarck wrote in his Memoirs that the Prussians were hated by the Rhinelanders, who called the Junkers "Spree-Kosaken" (Cossacks of the River Spree).

by virtue of her victory over Austria. The slogan of the "unity of German blood" was exploited by Bismarck as the driving force for a new Pan-German effort. He dissolved the former distinctions among Bavaria, Prussia, Saxony, Wuerttemberg and Hanover.

The separation, after the last war, of fragments of the German people, as in Danzig and the Polish Corridor, punished but did not weaken Germany. It decreased Germany's population by a fractional percentage, but the same policy toward Hungary, Austria and Bulgaria helped to sow the dragon's teeth for the future.

The fanatical belief of the present generation in German unity would make recourse to the old divisions an impracticable device. It would be a mere invitation for the Germans to wipe out the fictitious boundary lines. After previous defeats, they have been dismembered only to regroup, their strength increased by the inspiration of a new cohesion.

So popular with Germans is this notion of unity that it has been cleverly exploited as an additional excuse for world conquest. For in every country there are Germans, and, according to the blood theory, they always remain such. There are approximately 33 million Germans outside of the German Reich. Of the 15 million in the western hemisphere, 10 million live in the United States.\* They cannot, according to this theory, divest themselves of exclusive loyalty to the German state even by acquiring citizenship in another.

If nothing is done to eradicate this fundamentally corrupt belief, then mere segregation will be of no avail. Indeed, it will provide the impetus for unity movements which will plague the world. It will create a whole series of minority

\* The Reich's claims are higher than these generous estimates. According to the United States Census of 1930, there were in the United States 1,608,814 persons born in Germany, 3,254,618 whose fathers were born in Germany and whose mothers were foreign-born, 2,009,671 persons one parent of whom was born in Germany and the other in the United States. Thus there was a total of 6,873,103 German-Americans of first and second generation. By 1940 this figure had been reduced to 5,236,612. According to the 1940 Census, 4,949,780 persons reported that German was their mother tongue. The figure of 10,000,000 in the text is a liberal allowance to include those not listed in the Census, such as Germans of mixed parentage.



problems. It will create economic barriers as well as political intrigues.

Furthermore, division does not destroy or even suspend German sovereignty. On the contrary, it creates many smaller German sovereignties and to this extent multiplies the problem. For each sovereignty will claim its own police force, if not, indeed, its own army. We have seen how German deception makes the two indistinguishable. The proximity of the several small German nations would add to the difficulty of preserving their separateness. It would create economic and political problems for other nations, for whom the divided entities would be real, while for their own purposes the many Germanys could consider the distinctions amongst them dissolved.

If we join segments of Germany to other surrounding nations, then we Balkanize another virile portion of the European continent, with all of the class and national feuds magnified. Currencies, trade, political and military alignments—all ascend to their old roles of devilment.

#### *4. Compulsory Migration*

Similarly unacceptable is the proposal that the Germans be shipped out of Germany to colonization areas. This theory inclines to the belief that Germans, being scattered, will be shorn of military power while preserving their constructive abilities. Once more we need not heed the horror of the Nazis at such extreme measures. It was they who taught us that whole populations could be transported mercilessly—500,000 Czechs were summarily moved from Czechoslovakia to Germany; 4,320,000 Poles were transported from their native land (after 900,000 had been put to death). Nor had the Nazis any scruples about the compulsory transmigration of 2,350,000 Frenchmen, 468,400 Dutchmen, 13,000 Norwegians, 532,000 Belgians, 60,000 Danes, all robbed of their possessions, driven from their soil to other nations of foreign tongue and custom. No, German protest against the colonization theory is the least impressive of the arguments against it.

But virtually emptying the Central European basin would not be a contribution to economic reconstruction. Aside from the problems of allocation and compulsory migration of at

least fifty million people, what are the assurances for ultimate advantage to peace? This plan might well be compared with that of eradicating a communicable disease by spreading its carriers thinly throughout the world.

Psychologically, these proposals of segregation are efforts to escape from the problem rather than solve it; to substitute the satisfaction of an extreme effort for a solution. Just as extermination is a vengeful remedy, so political dismemberment and dispersion are escapist devices.

### *Justice—Not Sentimentality or Cruelty*

The surest sign of our not having thought the problem through is the prevalence of the pat extremes commonly advocated—"kill them" or "forgive and forget."

We must shun the maudlin theorist who suffers heart-throbs for the meanest criminal and "his family" while wagging a sombre but unfeeling head for the victim because he "can no longer be restored to life anyway." In the international sphere there is his counterpart—the statesman who suggests that only complete forgiveness will forestall military resurgence.

Justice would drop her scales and turn her blindfolded eyes in shame if such incredible cruelties as our enemies inflicted on the whole world were not punished. Swift, certain and appropriate penalties must be handed out. We shall examine this subject later.

We must be sure that the new peace is not a mere interim during which the Germans, unrepentant, prepare another onslaught. If we are not wise enough to prevent forever German resurgence, *Der Tag* is inevitable and our sacrifices will have been in vain. We have never won until we are assured that the attack will not recur.

No reliance can be placed on German "repentance" or new-born realization of past error. No confidence can be had in their self-reform, or in goodwill bribed with generosity.

Is there a solution for the German problem which will remove its recurrent threat to world peace?

There is.