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Translation: II01 Concept letter by the Dutch Secretary-general of the Interior to Reichskommissar regarding the Jewish question

Department of Inland Affairs

The Hague, 11 March 1942

Re: Letter to the Reich Commissioner
Personal

Dear Mr Secretary of State,

In view of your friendly offer to advise me with respect to my planned letter to the Reich Commissioner concerning the Jewish question, I take the liberty of sending you the text of the letter I intend to send to the Reich Commissioner, so that I can voice a final word in relation to the measures to be taken against the Jews.

Before I discuss this issue with the Reich Commissioner, I would greatly appreciate it if you would express your opinion on the concept enclosed.

Respectfully yours,

General Secretary in the Ministry of the Interior

To the Reich Commissioner

During a discussion with the General Commissioner for Security, the Higher SS and Police Leader (**Höherer SS- und Polizeiführer**), Mr Rauter, which I had requested in connection with the transfer of Jews from Zaandam, Hilversum and Arnhem to Amsterdam, I asked if this measure would also be applied to Jews from other parts of the country and what one intended to do with the Jews, I found out that there would be no more discussions of the Jewish question between the German and Dutch authorities and that I was to refrain from interfering. The legal basis cited was that, in the view of the occupation authority, Jews were not to be considered Dutch.

This announcement, which was delivered in the politest form, has not failed to leave a deep impression on me.

I will have to obey the order issued, but following my conscience and paying respect to the tradition of the Dutch people and their view of the law, I consider it my duty to express my grave misgivings to you, Mr Reich Commissioner, and appeal to you one last time.

The measures against the Jews implemented by the German side since the occupation are very much contrary to the view of the law the Dutch people have paid homage to for the last century and a half, since the French Revolution.

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Up until this great revolution, in our country, as everywhere else, the Jews were aliens. They saw their legal patronage as going back to the Frankish kings, later to the German kings and Kaiser and the territorial princes. They were under their protection.

Because they were regarded as aliens they had no political rights and only enjoyed some civil rights.

In actual fact, the Jews found themselves to be in an even more unfavourable situation as other aliens although they had already been living in the country for centuries: legally, this resulted from the circumstance that they did not belong to a state federation which could have asserted their legal claims on the basis of reciprocal treatment.

As a consequence of the principle of equality, the great revolution brought with it the emancipation of the Jews, in this country as well. They were adopted into the national community and enjoyed the same civic and political rights as other citizens. This equality has continued ever since and is anchored in positive law. In view of this positive law, it is indisputable that the Jews, who meet the requirements demanded by the law of 12 December 1892, are Dutch and enjoy all the rights associated with being Dutch nationals. The occupation authority has not altered this positive right and it is therefore still enforce to this day.

The Land Warfare Convention obliges the occupier to respect the laws in force in the occupied country. It can only change this law in the case of an absolute necessity; but as long as it is not changed, it has to be respected.

Besides these historical and legal reasons I would like to – finally – recall the basic convictions of the Dutch people. Unmistakeably there exists a factual difference in the Dutch people between Jews and non-Jewish Dutch, but the Dutch people considers it to be a violation of their sense of justice if the Jews are not able to enjoy the same legal protection as other Dutch nationals. This is why the measures against the Jews are leaving such a deep impression on the Dutch people and why these are regrettably worsening the people's relationship to the occupation authority.

Translated by Jeremy Schreiber