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Denied a Certificate of Fitness to Marry: The Nuremberg Race Laws as a Threat to Black German Futures

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The 1935 Nuremberg Race Laws were one of the cornerstones of Nazi racial policy. Among other racial restrictions, they prohibited marriages and sexual relationships between German Jews and so-called Aryans. Wilhelm Frick, the Minister of the Interior, extended them to also cover men and women racialized as Black. The fact that this extension remains widely unknown is emblematic of the wider public and academic ignorance of Black experiences under the Nazis racial state. Using a wide range of new source materials, this article considers the application of the Race Laws, in word and spirit, as part of a more general assault on Germany's Black residents, their children, and their white partners, which the Nazi regime undertook to protect German "racial purity." In multiple localities Nazi policing forces intervened in the private lives of Black residents, resorting to violence, in particular the very real threat of sterilization, with the aim of preventing the development of future generations of Black Germans.

Within weeks of publication, an article in the 1941 *Legal Calendar for Trade and Lawyers* caused consternation among prominent Nazi figures leading to its suppression. Entitled "Is it permissible to marry a Negro?" it identified a loophole in the existing Nazi marriage laws as set out in the September 1935 Nuremberg Laws. While these laws explicitly prohibited marriages between those categorized as Jews and those as Aryans, the author speculated that

the legislation allowed, on a case-by-case basis, for so-called Aryans to continue to marry, without consequence, others of perceived "alien blood," particularly those racialized as Black. The author argued that were such mixed marriages to be carried out legal mechanisms did not exist to invalidate them, in contrast to marriages between Jews and Aryans, and further that neither partner could be pursued for Rassenschande—for simply being involved in a mixed sexual relationship. Angered by this provocative piece, which was essentially "advertising" legal ambiguities, the party leadership in Saxony complained to Martin Bormann's Staff of the Deputy Führer, which then brought the article to the attention of Walter Tiessler.² Tiessler, head of the Nazi propaganda unit the Reich Ring for National Socialist Propaganda and People's Enlightenment (Reichsring für nationalsozialistische Propaganda und Volksaufklärung), sent a threatening letter to the National Socialist Lawyers' League and the editor of the *Calendar* lawyer and notary Dr. Pfeiffer.³ The letter warned them that Tiessler's department would ban the Calendar, and that such articles were not simply undesirable, but, more significantly, harmful to the population. Weeks later Joseph Goebbels' Ministry of Propaganda sent an additional letter to the journal's publishers.⁴ While it conceded that, in strict legal terms, unspecified elements of the article were accurate, it also condemned it for contradicting the National Socialist ethos. The letter informed them that the article had caused bewilderment among the party leadership, and that if they repeated such statements they too would be banned.

Around the same time as the unknown author of the *Calendar* article theorized that mixed marriages between Black people and Aryans were legally permissible, Black men and women in multiple localities began confronting the very real consequences of the November 1935 extension of the Race Laws, which covered those racialized as Black.⁵ This extension classified Black people as "racial aliens," who, alongside Jews, Sinti, and Roma, were declared a threat to the "purity" of German "blood." Contrary to the legal ambiguity

suggested in the *Calendar* article, in practice mixed marriages were effectively impossible, and mixed couples were invariably denied permission to marry. Moreover, Nazi police forces, primarily the Gestapo and criminal police, frequently enforced the spirit of the laws to intervene in Black residents' personal lives with ever increasing degrees of violence. This was especially the case after the outbreak of the Second World War as political interest in German colonial revisionism declined and violence against racialized minorities in general, foremost Jews, escalated. In line with the Nuremberg Laws, the regime especially targeted mixed partnerships capable of producing children, viewing them as a danger to German "racial purity." In most cases this typically concerned the German-born children of men from Germany's former African colonies, who had reached adulthood and/or sexual maturity by the 1930s.

Literature on Nazi racial policy is vast, and scholars have carried out considerable work on the development, introduction, and implementation of the Nuremberg Race Laws. Researchers, however, have largely neglected the collective and individual consequences of these laws on people racialized as Black, even though the extension of these laws was a rare example of Nazi racial policy directly targeting Germany's Black residents. Despite ground-breaking work by Katharina Oguntoye, Tina Campt, Marianne Bechhaus-Gerst, Clarence Lusane, and Peter Martin among others, academic and public knowledge about the Black experience under Nazism remains extremely limited and often confined to single biographies. German writers Alice Hasters and Ciani-Sophia Hoeder have written about the "silencing" of the Black German past, as well as their own self-led efforts to uncover this history given its absence in German school curriculums. The political scientist Jaimee Swift has similarly pointed to the "erasure" of the experiences of Black people during the Nazi period. One exception is the small body of work on the so-called "Rhineland children." This group comprised children born in the 1920s, to white German women and French colonial

troops from North and West Africa and Asia, who were part of the French occupation of the Rhineland. Systematically targeted by the Nazis, these children were illegally sterilized in 1937, as they approached sexual maturity. Reiner Pommerin's 1979 text remains the most comprehensive work on this group, though much is still unclear about the children's fate after 1937, and their forced sterilizations remain largely under researched. More recent work by Tina Campt, Julia Roos, and Michael Lauter has brought to light the actors and agencies involved in the persecution of these children at a local level, as well as their individual stories. Though not the focus of this article, I will consider how policies towards the "Rhineland children" influenced policies and practices concerning the larger Black population in Germany.

Nazi policies against those classified as Black were part of a longer tradition that attempted to prevent mixed marriages and specifically relations between Black people and Germans. The history of these policies demonstrates a continuity in anti-Black racism, while also revealing the increasingly radical and destructive nature of Nazi interventions into the private lives of Black residents. This article further develops my previous research with Eve Rosenhaft, that hypothesized that Nazis' policies towards Black people "contained at least the germs of a progressively 'racial' annihilationism." Here, I argue that the extension of the Race Laws to cover all Black residents and their application at a local level—when seen in conjunction with the decision to sterilize the Rhineland children—were key measures toward achieving racial annihilation.

Both initiatives were part of an overarching policy that deliberately restricted the births of Black Germans and Black Europeans. According to the 1948 United Nations' Convention on the Prevention and Punishment of the Crime of Genocide, this points to a genocidal intent in Nazi anti-Black policies. In the aftermath of the regime's collapse, as the world struggled to comprehend and prosecute Nazi atrocities, the UN Convention specified

five acts as genocide which were, "committed with intent to destroy, in whole or part a national, ethnical, racial or religious group." Among these, and most applicable in the case of Germany's Black population, was that of "imposing measures intended to prevent births within the group." Nazi violence towards Black people intersected with policies and practices toward a range of racial outsiders, which took their most extreme forms in the annihilation of the European Jews and the mass murder of Sinti and Roma. While Black residents were not subjected to mass murder, the Nazis successfully utilized warnings, violence, incarceration, and sterilization to separate existing mixed partnerships, preempt future ones, and, crucially, prevent mixed couples from having children. In drawing upon considerable new quantitative and qualitative evidence, I demonstrate that in many localities local officials understood the purpose of Nazi anti-Black policy and acted upon it at ground level.

Recovering evidence of the Black experience of Nazi Germany can be challenging due to multiple factors, including the small size of the Black population. More significant is the dearth of archival information pertaining to Black residents' fates especially during the final years of Nazi rule, from 1940 onwards, when they were subjected to increasing violence. This is in no small part due to the Nazis' willful destruction of records, as well as their deliberate obfuscation of people's fates on surviving documents. Consequently, the experiences of many Black residents remain unknown. In employing a range of largely unseen materials, this article points to potential sources that offer opportunities for further research. These sources include materials pertaining to several marriage applications lodged by mixed couples. Additionally, I make use of uncovered testimonies from Black men and women, their white partners, friends, and neighbors, which they submitted as evidence in postwar reparations applications made in West Germany. These testimonies provide rare insight into how Black residents understood and reflected upon their experiences of the Nazi

period. For many the introduction of the Nuremberg Race Laws was a defining point in their lives.

Precursors

As multiple authors have demonstrated, various governmental, social, and religious institutions in German-speaking Europe expressed concern about mixed marriages and mixed relationships in general.¹⁵ Throughout the nineteenth century these concerns focused on relationships that breached religious divisions, particularly, but not exclusively, relationships between Jews and Christians. With the advent of an overseas German Empire from 1884 onwards and especially following the outbreak of wars in German Southwest Africa (GSWAf) in 1904 and German East Africa (GEAf) in 1905, these concerns took on a racial dimension. Given the very limited presence of white European women in Germany's colonies, sexual relationships involving white men and African women were common. The very existence of these relationships and the birth of children of both African and German parentage was deemed an existential threat to a colonial order based on racial hierarchies. The German colonial administrations in GSWAf in 1905 and in GEAf in 1906, subsequently introduced marriage bans. In 1912, Wilhelm Solf, former Governor of Samoa and now Head of the Imperial Colonial Office in Berlin, banned mixed marriages in Samoa. 16 These measures reflected fears of "racial pollution" in the colonies, and, by extension, worries related to German citizenship law, which determined that the wives and children of German citizens inherited their legal status. The marriage bans effectively denied both wives and children access to German citizenship, and, in the colonial setting, implicitly defined who was and who could be German in racial terms.

In the period immediately prior to the First World War hysteria about the potential consequences of perceived "race mixing" and the potential growth of an African German

population began to gain political currency in Germany, especially among nationalist groups. This was foregrounded in the 1912 *Reichstag* debate about the legality of the mixed marriage ban in Samoa; a debate that was just as much about the specter of mixed sexual relations in Germany's African territories and the legal status of the progeny born out of such unions. The *Reichstag*, led primarily by the Catholic Centre Party and Social Democrats, for a complex variety of moral, religious, and legal reasons opposed the ban. Instead, the governmental body asked that legislation be drawn up to recognize colonial mixed marriages, and clarify the rights of children born out of both legitimate and illegitimate relationships. By the outbreak of World War I this was still to happen. As Fitzpatrick argued, in 1912 the two largest political parties had refused "the conceptualization of German identity through a strictly racial prism"; however, as the debate had demonstrated, all major political parties broadly agreed that "race mixing" was undesirable. 18

Pre-1914 fears of mixed relationships occurring in Germany were less prevalent and received far less attention in the media or from politicians. The Black population in Germany was far smaller than the total white settler population across all of Germany's overseas territories. It too was male dominated and consisted of several thousand young men from almost all territories in Africa, as well as the Caribbean and United States; however, it was largely made up of men and boys from Germany's African colonies, foremost Cameroon and Togo. This was a mobile presence and few individuals looked to stay long-term.

Nonetheless, mixed relationships, almost exclusively involving Black men and white women, developed, and a growing number of couples sought to legalize their partnerships. In contrast to the colonial arena, no explicit prohibition prevented them from doing so in Germany. As Lorke has shown, in general, marriages between German citizens, especially women and foreigners, were increasingly regulated from 1900 onwards. This was in the context of the increasing migration of foreign workers into Germany and the subsequent rise of binational

marriages. Marriages involving non-European, non-white partners fed German society's growing anxieties that such unions transgressed perceived cultural and racial boundaries. Lorke's work examines Chinese citizens' attempts to marry their German partners, revealing how, at a local level, civil registrars acted as "gatekeepers" of marriage—delaying or even preventing marriages they deemed unsuitable by using a range of tactics (e.g. delaying the issuing of identity certificates needed to marry).²¹

African men from Germany's colonies similarly found their attempts to marry frustrated. As colonial subjects as opposed to citizens, they frequently lacked identity documents, such as proof of citizenship or a birth certificate, required by civil registrars. In multiple instances it was not local officials, who in some cases were willing to marry couples despite a lack of documentation, but rather bureaucrats in the colonial office in Berlin or in Germany's African colonies, who increasingly tried to delay marriages. ²² Beholden to the preservation of the racial hierarchy, which was necessary to justify colonial rule, colonial bureaucrats were especially concerned that African men would return to the colonies with white wives and Black German children. In 1895, the colonial authorities initially granted funds to Hamburg-based Mandenga Diek—at the time an unmarried man—to return to Cameroon to set up a shoemaking workshop. When Diek asked to use these funds three years later they denied him explicitly because he had since married his white partner and wished to travel with her and their daughter. Officials stressed that enabling the Dieks to settle in Cameroon would not "be in the interests of maintaining white authority" 23—thus the fact that he had entered into a mixed marriage precluded him, a colonial subject, from returning home. The case of the Tanzanian language instructor Mtoro bin Bakari, more dramatically illustrates this point. Bakari married his German partner, Bertha Hilske, in Berlin in 1904. When he and his wife attempted to enter GEAf a year later, the German authorities in the colony refused to grant them permission to disembark, forcing them to return to Germany.²⁴

Increasingly, after the Bakari case and the introduction of mixed marriage bans in the colonies, it appears that bureaucrats in the colonial office attempted not simply to delay such marriages, but instead to prevent them altogether. In 1912, officials sought to intervene when the employers of David Bismarck, believed to be from Togo, but actually from Liberia, requested papers so Bismarck could marry. Once informed, however, that not only was Bismarck's partner pregnant, but also that he had no intention of leaving his base in Hamburg, they reluctantly withdrew their objections. Yet, it was a further seven years before the couple was married. In 1913 following the *Reichstag* debate on mixed marriages in the colonies, the Togolese man Theodor Assiambo, based in Mannheim, was not so fortunate, as colonial bureaucrats actively prevented him from marrying his white partner. 26

Three years later the Cameroonian Max Bebe Same, living in Berlin, approached the Foreign Office requesting identity papers so that he could marry. Colonial bureaucrats refused to provide them and instead informed the local registry office that his attempt to marry should be hindered or better still prevented. By the time this had been communicated to the registry office, however, Same and his partner had already married. A longer discussion within the government ensued on the desirability of marriages between men from Germany's African territories and white women in Germany. This resulted in Solf, the Head of the Imperial Colonial Office, sending a June 1916 report to the Prussian Ministry of the Interior. Solf wrote that his office routinely rejected Black colonial residents' requests for the necessary documentation that would enable them to marry. He viewed such marriages as inherently "immoral" on account of the perceived low cultural status of the African partner—a view point which belied his views of a racial hierarchical order. Though Solf argued that mixed marriages needed to be prevented, no ban was forthcoming.

In the postwar period, with Germany shorn of its colonies following the Versailles Peace, colonial bureaucrats' ability to intervene in mixed relationships appears to have greatly decreased. This did not prevent them from occasionally attempting to do so. In 1927, Marta Lehmann, wife-to-be of the Cameroonian Theophilus Wonja Michael, was informed of the negative consequences she would face should she marry him.²⁹ These were not enough to persuade her to leave Michael, and the couple married weeks later. Despite the efforts of the German authorities in Germany and in Africa, well over one hundred marriages involving men and a handful of women racialized as Black with white Europeans took place prior to the Nazi seizure of power.³⁰ The vast majority of these took place between 1914 and January 1933 and most involved men from Germany's former African colonies of Togo and Cameroon. A further four mixed marriages followed between 1933 and the introduction of the Nuremberg Laws.

Anti-Black Policies

When the Nazis seized power in January 1933, the Black presence was small, but hyper visible. Contemporary reports estimated as few as three hundred individuals in the whole of Germany to three thousand Black people in Berlin alone. In 1946 the Berlin-born Black German Magdalena Garber suggested there were around two thousand Black people in the country at the time; a more realistic figure, but one which did not include the five hundred to eight hundred Rhineland children. The bulk of this resident population was made up of men from the former German colonies, their German-born children, and in some cases grandchildren. They faced increasing political, economic, and social marginalization. At a local level, party fanatics and hangers-on targeted and victimized individual Black residents and their families. Local Nazi party officials forced several families from their homes to make way for party supporters, while protests forced others out of their livelihoods as petty traders and performers. Verbal assaults were not uncommon. In June 1933, members of the SS, in a racially motivated attack, murdered the Black German performer and activist Lari

Gilges in Dusseldorf.³⁴ Months later in Hamburg, following complaints from Black residents, the police were forced to issue a public statement warning members of the public against abusing Africans from the former colonies and their white wives.³⁵

Specific policies which referred to Black people were rare. Instead, discriminatory legislation introduced at a national level and directed primarily against Jews and/or "racial aliens" in general applied to them, much as it did to the Sinti and Roma. For example, the Aryanization of German cultural life greatly restricted Black residents' means of making a living, most of whom were working as performers by 1933. The Nazification of the education system stigmatized their children and prevented them from completing their education. Over the 1930s, however, lingering German hopes of revising the post-World War I peace settlement to regain the former African colonies, particularly within the Colonial Office and Foreign Office, could act as a brake on anti-Black policies and practices. After the outbreak of the Second World War, however, this colonial revisionism offered Black residents little protection from increasing Nazi violence. And, while largely kept in check until the wartime period, from the outset leading Nazi fanatics showed an unhealthy interest in mixed sexual relationships between those racialized as Black and white Germans.

"Race mixing" was anathema to the Nazis' vision of their *Volksgemeinschaft*—
"people's community"—a racial utopia, where "purity of blood" and a concept of "race" were key factors in determining belonging. Those deemed to be "racial aliens," undesirable or unfit because of their racial and/or genetic make-up, were to be excluded from this new Germany in development. While antisemitism was at the heart of Nazi racial policies, leading figures within the party had already turned their attention to Germany's Black population pre-1933.

Foremost among them was Wilhelm Frick, the first Nazi representative to hold a ministerial post when he became Minister of the Interior and of Education in Thuringia. In 1930, alongside introducing his infamous ban on Black performers and what he dubbed "Negro

culture" in Thuringia, Frick proposed an amendment to a public order bill calling for the criminal prosecution of anybody "who contributes to the racial deterioration or subversion of the German people by consorting with people of Jewish blood or members of the colored races." The amendment failed to come to fruition, but it foreshadows future Nazi policies after their rise to power.

Five years later, in 1935, Frick and others developed and introduced a legislative framework meant to exclude those seen as "racial undesirables" and prevent them from having children. Eventually this legislation, collectively came to be known as the Nuremberg Race Laws. First and foremost, these targeted Germany's Jewish population. Under the terms of the Law for the Protection of German Blood and Honor and its First Implementation Decree, those categorized as Jews were now prohibited from marrying or having sexual relations with Aryans. Jews and their partners faced imprisonment or hard labor if prosecuted. In legislating against "miscegenation" James Whitman has shown that Nazi jurists and fanatics took inspiration less from previous mixed-marriage bans in Germany's colonies, but more from anti-"miscegenation" laws in the United States. American laws offered a contemporary model, and legitimation, for criminalizing marriages involving partners perceived to be "racially different," as well as examples of "draconian penalization," which could be conferred against those breaking the law.³⁷ The sources Whitman draws upon further demonstrate that legal experts whose thinking fed into the Race Laws were concerned about "racial pollution" caused by other sections of the population including Black people. At the very least, this hints at an overlap between anti-Blackness in practice in the United States and anti-Blackness in Nazi Germany. For example, Hans Kerrl's influential 1933 text, National Socialist Criminal Law, referred to "Negroes and other coloreds," who, alongside Jews, needed to be excluded from Germany's "community of blood," partly through marriage prohibition.³⁸ Pointing to segregation laws in the American South, Kerrl and others argued

that in Germany even consorting in public with Black people was a "violation of racial honor" which should be criminalized. This extreme was never legally codified, but Frick, now Reich Minister of the Interior, issued an order in November 1935, extending the scope of the Nuremberg Laws to "other alien races." Here he specified marriages to "Gypsies, Negroes and their mongrels" were to be prohibited as he believed that these relationships would produce undesirable progeny.³⁹

Local registry offices and local health authorities were responsible for enforcing the new marriage laws. These offices required couples in "problematic" partnerships to first seek a certificate of fitness to marry (Ehefähigkeitszeugnis) from a local health office. This was not a new piece of documentation. 40 Non-German citizens who wished to marry German partners had long since been required to provide evidence that there was no legal impediment to the marriage. Under the Nazis, however, this existing requirement allowed the regime to prevent marriages on racial grounds. Health authorities could simply refuse to issue certificates to individuals deemed to be of "alien blood," often following invasive medical examinations of both partners to determine the degree of "racial pollution." Frick's definition of "Black" also reflects the United States' anti-Blackness measures, namely the one-drop rule practiced in many states.⁴¹ In a confidential directive that Frick sent to civil servants and health authorities in January 1936, he outlined who fell under the new legislation. Genealogical information going back three generations defined who was considered a Jew, "half-Jew," or Roma and Sinti. 42 Frick warned officials to be especially attentive when dealing with individuals showing physical signs of "Negro blood," as he claimed it was "so strong" that it left traces up to eight generations later.

The extended Race Laws especially impacted on German-born children of men from the former African colonies. Coming of age in the 1930s, they were beginning to seek sexual and/or marital partners. Frick's strict laws regarding individuals of Black ancestry, needs to

be seen in light of a secret meeting he called in March 1935. ⁴³ At the meeting Arthur Gütt, representative of Frick's Interior Ministry, hinted that officials were already considering marriage bans and changes to the scope of the *Ehefühigkeitszeugnis* as a means of preventing "racial pollution." ⁴⁴ The focus of the meeting, however, was a discussion over the fate of the Rhineland children, who were entering puberty. The decision was made to sterilize them.

Under the terms of the existing legislation, namely the 1933 Law for the Prevention of Genetically Diseased Offspring, individuals could be forcibly sterilized once a local Hereditary Health Court diagnosed them with one of a variety of genetic physical or mental health disorders. ⁴⁵ Though participants of the 1935 meeting conceded that the law did not allow forced sterilization on the basis of perceived race alone, they nonetheless deemed sterilization to be the most foolproof and cheapest means of preventing the Rhineland children from procreating and polluting Germany's "racial purity." ⁴⁶ Two years later in 1937, following a direct order from Hitler, and with Frick's support, around four hundred children were forcibly and illegally sterilized. ⁴⁷

Significantly, the Nazi regime viewed the Rhineland children as an internal political concern because of their citizenship status. The majority grew up in Germany with their mothers, whose citizenship they inherited under German citizenship law. Nazi and state departments present at the 1935 meeting were informed that the League of Nations bore no responsibility for the children, and hence would have no legal right to intervene on their behalf.⁴⁸ The medic Herbert Linden, a further representative of Frick's Interior Ministry, suggested to those present that by taking action against the Rhineland children, participants should also consider dealing with other "bastards" present in Germany.⁴⁹ The representative of the Foreign Office, however, stressed the foreign policy repercussions if children born in Germany to so-called Aryans and former colonial subjects or other "alien races" were systematically sterilized. Under the terms of the Versailles Settlement African men from the

former colonies, their children, and their wives were under the diplomatic protection of the mandate powers, foremost the British and French, which had taken over Germany's colonies. Neither power had shown much interest in the wellbeing of their charges, rendering them effectively stateless, but the Foreign Office was already wary of the impact Nazi racial policies could have on hopes of regaining the colonies as well as on diplomatic ties to Asian and African states like Japan and Liberia.⁵⁰

Frick's extension of the Race Laws in November 1935 to cover Black residents, now offered a further means of attempting to prevent the growth of future generations of Black Germans. Over the following weeks, local and national newspapers publicized his announcement. A year later legal experts Hans Globke and Wilhem Stuckart in their semi-official commentary on the laws confirmed that the legislation was to be applied to all those racialized as Black.⁵¹

Applying the Race Laws

Once the Race Laws came into effect, marriage became practically impossible for a generation of German-born Black residents, with the notable exception of partnerships where both partners were racialized as Black. Prior to 1945, two such marriages are known to have taken place, though even here Nazi officials raised concerns about the desirability of racial outsiders marrying one another. Almost two dozen Black residents, sixteen of whom were born in Germany, are known to have attempted to marry their white partners. Some did so unaware that the Race Laws applied to them, while others hoped to persuade the authorities that they could obtain an exemption on account of personal circumstances. In particular, pregnancy or the calling up of the male partner for military service led to marriage applications. In all but two exceptional cases permission was denied. In multiple instances where evidence exists, health officials justified their denial by referencing §6 of the First

Implementation Decree for the November 14, 1935 Law for the Protection of German Blood and German Honor, which concerned the birth of "undesirable offspring."

In Berlin, among those seeking to marry were Maria Tomaschek and her German partner Hans Nitschke. Tomaschek, the daughter of an Austrian trader and an African woman, was born in Tabora, Tanzania in 1908 during the period of German colonial rule. After her mother's death she grew up in the care of German missionaries whom she accompanied to Germany in 1920, when the missionaries were expelled from the now British mandate territory. 54 In 1938 with the growing prospect of war in Europe, she and Nitschke began the process of trying to get married. The couple had been together for several years, shared a home, and had a young son. In May 1938, they were required to present genealogical details of their respective families to the health authority in Berlin-Tiergarten. This was followed by an extensive medical examination, and an interview in November 1939, at which point the health registrar refused their application under the terms of the Race Laws.⁵⁵ Because of the presence of "alien blood," Maria would be permanently ineligible to marry. In addition to making negative comments on Maria's and her son's racial and biological characteristics, the health examiner criticized her personality and overall appearance. Hans in April 1940, who had been called up to the Wehrmacht and was about to be sent to the front, and Maria in November 1940, wrote letters of appeal to the Mayor of Berlin, Julius Lippert, pleading for an exemption.⁵⁶ Maria pointed to her education and employment as evidence of her suitability as a marriage partner. She ended her letter by emphasizing that having lived in Germany for over twenty years she had "developed a strong sense of Germanness." Local officials rejected their appeals and reaffirmed the marriage ban.

Elsewhere in Berlin and across Germany several other mixed couples were similarly denied the right to marry. This included children and grandchildren of African men who had struggled to marry their partners in the pre-1914 period. The Hamburg-born daughter of

David Bismarck, Hertha, was twice denied the right to marry, first in 1937 and again in 1941. On the first occasion she addressed an appeal to Frick asking for an exemption. In this, like Tomaschek, she underlined that she, as well as her late Liberian father, both felt and saw themselves as German. Frick's Office rejected her appeal. On the second occasion Hertha hoped she could obtain permission to marry because her new partner was legally stateless. The health registrar, however, determined that he was an ethnic German, and following a further appeal upheld this rejection. Also, among those wishing to marry were a daughter and a grandson of Mandenga Diek. In summer 1940, Karl-Heinz Diek attempted to marry his white German partner, Irma Franke, who was expecting the couple's third child. Health authorities in Hamburg refused to grant permission and instead issued Diek a permanent marriage ban. Despite this, the couple continued to live together much to the ire of the local Nazi party warden and local fanatics who began to harass the family.

In applying to marry and thereby unwittingly drawing attention to their relationships, mixed couples could quickly find themselves in considerable danger. Following a negative decision from a health register, the criminal police and/or the Gestapo were typically informed about the existence of the partnership. While the existing legislation banned mixed marriages between Black people and Germans, it did not explicitly allow the state to pursue Black men and women for *Rassenschande*, having sexual relations with those categorized as Aryans. This contrasted with the situation in which one partner was categorized as Jewish; a point made by the author of the *Legal Calendar*, and also the conclusion reached in a handful of police investigations into Black European couples. ⁶⁰ Nonetheless, in multiple instances policing agencies acted in the spirit of the laws once they became aware of mixed couples' existence, taking decisive measures to end these relationships.

Tomaschek and Nitschke were separated during his period of service, but this did not stop the police from pursuing her. In July 1942, the Gestapo arrested Maria and held her as a

political prisoner, taking her to the state police hospital in Berlin.⁶¹ There she was sterilized on eugenic grounds. This formulation "eugenic grounds" appears on records pertaining to the sterilization of a handful of Black residents. The authorities likely used this term as a cloak of legality to what were in reality illegal, forced sterilizations of men and women on account of their perceived race. Around a year later Maria died of tuberculosis in the Dr. Heim hospital in Berlin-Buch, where death rates were notoriously high and countless patients were likely murdered.⁶² In the state police hospital she shared a room with the thirty-three-year-old daughter of a German woman and Cameroonian man, who was born and lived in Augsburg.⁶³ Like Maria, she had unsuccessfully applied to marry her white German partner, who had also been called up to fight. This led to her being ordered to attend the Anthropological Institute in Munich with her white mother and brother. There all three were subjected to degrading examinations and photographed by racial scientists. In the Berlin state police hospital, she, like Maria, was sterilized on eugenic grounds. Both women were warned that they were still permanently prohibited from marrying so-called Aryans. From the scant evidence available this seems also to have been the case for several of the Rhineland children who sought to marry.64

In 1941, the Gestapo ordered Karl-Heinz Diek, Franke, and Diek's mother to report to the local health office in Hamburg, and the couple was told they had to separate by the end of six months. Shortly before the deadline, the criminal police arrested Diek, taking him to Berlin's state police hospital. He later testified to being initially held in the same cell as an unnamed fourteen-year-old Black German boy. Diek was informed that the next day, an operation was to be carried out on me, which I would have to put up with, if I didn't want something more unpleasant to happen. Diek was sterilized and discharged days later despite not having fully recovered. Back in Hamburg local officials reiterated that he and Franke were not to live together. In 1944, Mandenga Diek's daughter from his second

marriage, Dorothea, was similarly denied the right to marry.⁶⁸ Shortly thereafter, the local Nazi Racial Policy Office contacted her to demand she attend a meeting with them. Later police forces in Danzig (Gdansk) pursued her to forcibly sterilize her, but she managed to evade them by going into hiding.

The state presented some mixed couples with a choice—sterilization of the Black partner, or if they did not agree, worse would await them. This was intimated to Karl-Heinz Diek, and, before she acquiesced, authorities warned the Black German woman from Augsburg that she faced being sent to a concentration camp if she resisted. Indeed, incarceration appears to have been employed as a further means to forcibly split couples who received marriage bans. This was in keeping with the punishment applied to Jews convicted of *Rassenschande*, as well as to some Sinti and Roma whom the Nazis pursued on account of the Race Laws. ⁶⁹ In a postwar interview the Cameroonian Gregor Kotto revealed that after he and his white partner were refused permission to marry both were sent to a camp. ⁷⁰ Kotto was eventually released after agreeing to permanently separate from his partner. In a similar case in Chemnitz, the state also forcibly separated the Liberian Joe Barre Mowan and his white partner, with whom he had two young daughters, after denying them a marriage license. Here, however, officials sent Mowan's partner to a labor camp, while ordering Mowan to break off all contact with his children. ⁷¹

From the limited documentary evidence, it appears that not all Black partners who applied to marry were pursued with the same degree of ruthlessness. The historical timing, local contexts, and mitigating circumstances, seem to have spared some from the most severe consequences. As hinted at in the example of Mowan, those who were citizens or at least subjects of rival states appear to have a degree of protection not afforded to former German colonial subjects and their children. Despite being twice denied permission to marry and on both occasions being compelled to cease contact with her partners, the Liberian Hertha

Bismarck was spared incarceration and sterilization. This was the same for Elsa Jadique, who enjoyed the active support of a regime, which was friendly towards the Nazis. Jadique sought to marry her German partner Kurt Fackeldey in Berlin around the same time as Maria Tomaschek. Through her Abyssinian father Elsa held Italian citizenship, and her application was even supported by the Italian consulate in Berlin, which issued her with their own certificate of permission to marry. In this instance the local health office while refusing to grant permission, was uncertain if they could grant an exception. It sought further guidance from the office of the Mayor of Berlin, which in turn sent the couple's file to Frick's Interior Ministry. In June 1940, the latter confirmed that §6 of the First Implementation Decree prohibited Elsa from marrying.

Citizenship status, and, in the first example, timing likely also explain two exceptional cases in which Black residents were ultimately able to marry their white partners. In February 1936, within months of the Race Laws being applied to Black people, the fifty-four-year-old performer Jimmy Overgrand married his younger partner the trapeze artist Hildegert Schlosser in Berlin. While both were born in Germany, neither appears to have held German citizenship at this point. Overgrand was a United States citizen by virtue of his African-American father, while Schlosser was a Swedish national. This likely explains why they were given dispensation to marry. Concerned about increasing violence against Black people, they fled Germany in 1941. The Berlin-born Josefa Boholle, daughter of a Cameroonian man, was allowed to marry her Dutch partner Cornelis van der Want. Boholle, her father, and her siblings were among a handful of Black residents who successfully applied for German citizenship pre-1933. Despite an investigation into their legal status in 1935, they were allowed to retain their citizenship because of the family's connection to the former colonies. In 1943 Josefa and Cornelis were granted permission to marry. Just over a year later, however, both were arrested and imprisoned in Stutthof concentration camp. While

the official reason given for their arrest was listening to foreign radio broadcasts, in their postwar reparation's application Josefa, Cornelis, and witnesses suggested that Josefa's "race," as well as the couple's mixed relationship were significant reasons for their incarceration.⁷⁶

More remarkable still is the testimony of Martha Dannhorn, serialized in the *Pittsburgh Courier* in 1949. Born in Nuremberg in 1914, the daughter of white German woman and African-American performer, Dannhorn grew up with her German stepfather and mother. Around 1938, she was refused permission to marry her partner Herbert Stark, with whom she was expecting a child.⁷⁷ The couple was subsequently subjected to a series of physical assaults and sought refuge in the small town of Berching, sixty kilometers south of Nuremberg. There, according to Dannhorn, the local mayor, sympathetic to her plight, married the couple in secret, an act which directly contravened the Race Laws. In 1944, shortly after the birth of a second child, a close friend, who revealed that he was a member of the security forces, informed Dannhorn that "my marriage had been automatically annulled because Herbert and I had married against the law." She and her children were to be sent to Auschwitz. Only the timely arrival of American forces prevented this from happening.

Widening the Net

The ways in which the Race Laws were applied to Black residents at a local level went beyond simply preventing them from marrying. After November 1935, engaging in or being accused of engaging in sexual or even romantic relations with white Germans could be extremely dangerous for Black men, women, and youths, and their white partners. This was more in keeping with a version of the Race Laws drafted by the Nazi Party's Office of Colonial Policy in September 1940 for any future German empire in Africa. These would have outlawed both marriages *and* non-marital sexual relations between Germans and those

racialized as Black. Black men prosecuted under the laws would have faced a death sentence, or, in limited circumstances, imprisonment.

A range of health, welfare, and educational agencies, as well as the public at large were effectively involved in policing the population, alerting policing forces to relationships or perceived problematic individuals. Again, it was the specter of children born out of mixed relationships that put Black people at most risk. Already in March 1936, the welfare authorities in Bremen insisted that the Togolese man Johannes Kohl separate from his white German partner Hermine Schläfereit. 80 Kohl was a recipient of state financial support and well-known to the local authorities. He and Schläfereit had been together for several years and had two young children. In a report on the couple, which was in keeping with the logic of the Race Laws, a welfare official wrote: "it is to be feared that Kohl and Schläfereit will have further children. This must be prevented at all costs, aside from the fact that a Negro living together with a German most certainly needs to be prevented, no matter the cost."81 The welfare office requested that the police expel Kohl from Germany. Local authorities in Saxony initiated similar steps in 1937 to separate an unnamed Black man from his white partner, with whom he had a young child. 82 After the man launched a legal challenge against this decision the state's Supreme Administrative Court ruled that his presence posed a real "danger to the purity of the German race," undermined the existing moral order, and even potentially endangered national security. Just what actions were taken in Saxony remains unknown. In a rare example of French interest in the rights of a mandate subject, the French embassy raised Kohl's case with the German Foreign Office. 83 It objected to Kohl being forcibly returned to Togo, which was now under French mandate control. In order not to upset hopes of colonial revisionism, the Foreign Office with support of Frick's Interior Ministry intervened and asked the Bremen authorities to find other means to separate the couple. Thus, the criminal police threatened to take Schläfereit into protective custody if she

did not leave Kohl, and warned the couple that they would face prosecution should they have more children. 84 Kohl found alternative accommodation and kept his distance from his partner and children until after the fall of the regime. In many respects they were fortunate. Their case is a prime example of how foreign policy considerations could spare couples the more draconian consequences that awaited others after the outbreak of war and once the colonial agenda had receded into the background.

The impending birth of a child could be calamitous for mixed couples. In Vienna, after the Nazi annexation of Austria, Harry K., son of a Cameroonian performer and his white German partner, came to the attention of local officials. He had moved with his parents and siblings from Berlin to the Austrian capital in 1939, because his father was unable to find work in Nazi Germany. By the end of 1942, his relationship with his Austrian partner became visible after she became pregnant. He was sterilized at the Steinhof Psychiatric hospital in February 1943, three months before she gave birth. In his postwar testimony Harry K. clearly remembered the words of Richard Günther, head of Hereditary and Racial Welfare within the Central Health Department, who informed him that "in Germany's Third Reich the reproduction of unworthy Negro mongrels would no longer be tolerated."85 In Hannover, a similar fate befell Ewanne N., also the son of a Cameroonian man and a German woman. In February 1944, local youth and welfare authorities became aware that Ewanne and his partner Ursula O. were expecting a child. It brought their relationship and pending engagement to the Gestapo's attention. In its report the welfare office expressed disappointment that it was too late to enforce an abortion, as well as its surprise that Ursula O's parents were in favor of the couple marrying. 86 It anticipated that the Gestapo would take "the necessary action against Ewanne, who was guilty of Rassenschande." The local Criminal Secretary added that there was no question of the couple being allowed to marry. This conclusion was confirmed a month later when the criminal police interviewed Ewanne, but the applicability of

Rassenschande was ruled out.⁸⁷ In September 1944, Ewanne was sterilized on "eugenic grounds" in Hannover's Nordstadt hospital. His sister Erika was also sterilized after she and her white German partner were denied the right to marry.⁸⁸

Authorities and the public also harassed older couples who had married pre-1933, some of whom had been married for decades. White wives were bullied and pressured through informal and formal appeals to their racial consciousness. In Frankfurt local Nazis visited Luise Misipo wife of the Cameroonian Dualla Misipo multiple times, and warned her to leave her husband.⁸⁹ The Misipos fled to France in March 1937. In Danzig from 1937 onwards Emilie Diek, wife of Mandenga, was regularly ordered to the city's Office of Racial Policy and urged to leave her husband, whom she had been married to for seventeen years. 90 She attributed a serious heart attack she suffered in 1939 to the stress of this harassment. Also beginning in 1937 the sixty-year-old Togolese man Bonifatius Folli in Berlin was harassed because of his mixed marriage. He unsuccessfully attempted to return to Togo. 91 Even less fortunate were the parents of Ewanne N. and Erika N., who were forced to separate by local officials in Hannover in May 1937 after almost twenty-four years of marriage. 92 They were one of several long-term couples whose marriages succumbed to this pressure. For local, state, and Nazi functionaries Family N. were particularly problematic because their financially precarious position, social marginalization, and perceived visible otherness had led several local agencies to continually scrutinize their private lives.

Having been prevented from marrying his then partner in 1913 by the intervention of the Colonial Department, in 1929 Theodor Assiambo married his new partner, Anna Maria Kirberg. Assiambo was a recognizable figure in Wiesbaden who had served in the First World War, was a member of the *Stahlhelm* veteran's organization, and worked as a concierge and performer. The couple already had three children by 1933. When Anna Maria was expecting another child in 1937, local health, youth, and policing agencies increasingly

monitored the family. 93 A district medical officer moved for her to be sterilized under the terms of the 1933 sterilization legislation, justifying this not in terms of hereditary illness as per the law, but rather on account of her mixed marriage. 94 In January 1938, three months after having given birth, she was sterilized, an act which greatly impacted Theodor's health. Officials removed the child from the family and it died weeks later. Within weeks of Theodor's death in 1941, the state also removed Anna Maria's three older children from her care, citing a report from the local health office, which was infused with racialized stereotypes and spoke to fears of "miscegenation." The report claimed that Anna Maria's two daughters were in danger of moral corruption should they stay with their mother, and emphasized the considerable danger that the girls themselves, aged only ten and elevenyears-old, posed to those around them. As "mixed-race" children the state perceived them to be sexually mature at an early age, and referenced the fact that they spent time late at night near army barracks. 95 Officials ordered the institutionalization and sterilization of both girls. They were to be sent to the Hadamar Killing Facility, 96 but the collapse of the Nazi regime prevented this from happening. Their younger brother was also sterilized around 1942, aged ten-years-old.⁹⁷

In Wiesbaden those racialized as Black, adults and children, and their white partners were particularly vulnerable. Organized action against the Rhineland children coalesced with persecution of other Black residents as means of preventing "race mixing". The city had been occupied by French forces following the war, and authorities had surveilled children born to colonial troops for several years. Authorities identified eighty-nine such children living in and around the city in 1934, thirty-nine of whom they subjected to anthropological examinations by the racial hygienist Wolfgang Abel a year previously. ⁹⁸ Local authorities forcibly sterilized an unknown number of these children just as they turned their attention to the Assiambo family, and Ronald Roberts, another Black German youth. The Gestapo

accused Roberts, the fifteen-year-old son of a Barbadian man and German woman, of holding hands with a white girl. ⁹⁹ They ordered him to attend a local hospital, but he refused. Instead, as rumors started to circulate concerning the sterilization of Black youths in the area he fled. Roberts later wrote: "I had no intention of being castrated; I swore to myself that they would have to kill me first." At the war's end, a similar incident led the Gestapo to order Lydia Dirlenbach to report to their office. ¹⁰⁰ An onlooker had reported seeing her in public with Arthur Sewonu, son of a Togolese man. Both, however, were spared further consequences by the collapse of the Nazi regime.

Responses

Black residents responded to increasing pressure on their private lives in several ways. Many unmarried couples abandoned their hopes of marriage and having a family and separated. Others tried to continue relationships in secret, some successfully, others less so, but like Jews, and Sinti and Roma they and their partners ran the considerable risk of being denounced. Berlin-born Theodor Wonja Michael, aged ten when the Race Laws were introduced, later wrote that he and many of his contemporaries lived with the constant threat of sterilization. ¹⁰¹ As knowledge about actions taken against the Rhineland children, as well as other Black residents spread some went into hiding and parents concerned for the safety of their adolescent children sought safe spaces for them. In December 1943, the Black German Josy Bachert was visited by the Gestapo and asked about the whereabouts of her thirteen-year-old son, as well as information about other Black Germans. Knowledgeable about what had happened to several families, Josy and son fled Berlin. ¹⁰² They returned five months later, hopeful that they had escaped attention. Soon, however, they received an order to attend the Office of Racial Policy in Babelsberg. This Josy did with her German husband, dressed in his military uniform, but without her son. The couple were informed that to preserve the

"purity of the German race" their son was to be sterilized. The end of the war spared him this fate.

Others, like Zoya Aqua-Kaufmann fled Germany altogether. Her relationship with an older married white German man and the birth of their son in February 1941, put both Zoya and her child in danger. As she later testified her flight was partly in response to action taken against the Tanzanian Mohamed Husen. 103 Husen, a well-known figure in the Black community, was arrested in 1941 and later incarcerated in the Sachsenhausen concentration camp after being denounced for having an extra-marital affair with a white German woman. ¹⁰⁴ In fear for her life, Zoya and son went into hiding, eventually fleeing to Prague. There they were denounced and imprisoned in Pankratz prison from November 1944 until May 1945, when they were liberated by Russian troops. The Black German Charlotte Rettig used her job as a dancer to escape to Denmark in 1939, around two years after the state forcibly institutionalized her Cameroonian partner Benedikt Gambe, who suffered mental health problems. She managed to prolong her stay in Copenhagen through marrying the significantly older Danish citizen Ernst Ovesen. 105 This was despite the misgivings of the Danish authorities, who suspected the couple of entering a sham marriage. Copenhagen also served as refuge for E. E., daughter of a Cameroonian man and his German wife. E. E. was denied the right to marry her Danish partner and the couple attempted to leave for Denmark in 1944. Evidence suggests that before they managed to do so she was a further victim of forced sterilization.¹⁰⁶

Conclusions

By the time the Nazis seized power in 1933, there was a long history of anti-Blackness in Germany and anti-"miscegenation," which grew in the colonial period and further developed during the *Schwarze Schmach* (Black shame) campaign against the Rhineland occupation.¹⁰⁷

The Nazis drew upon these precedents, as well as Jim Crow laws from the United States to develop anti-Black policies and practices. Nazi measures became increasingly radical and destructive as evidenced firstly by the systematic sterilization of the Rhineland children and secondly by the extension of the Nuremberg Race Laws to cover all Black residents, which rendered marriage effectively impossible for Black residents, particularly German-born young adults. The laws defined Black residents as racial outsiders who posed a threat to the German nation. Yet the regime's dogged pursuit of these couples and individuals went beyond the scope of racial legislation, revealing an administration that sought to prevent "racial pollution" or the births of "undesirable progeny," regardless of legality. Consequently, Black residents, their white partners, and their children were increasingly exposed to the very real threat of incarceration and sterilization. Simply being in a relationship, sexual or otherwise, and/or having children became increasingly dangerous, and potentially life threatening, as the regime sought to prevent future generations of Black Germans from being born. These crimes point to a genocidal intent in Nazi policies towards Black people, which multiple local authorities understood and enacted. Thus, the Nazi persecution of Black residents was part of a larger structure of systematic racism targeting racial outsiders, particularly Europe's Jews.

With respect to the Sinti and Roma communities, there are at least superficial similarities between their persecution and the persecution of Black people. Frick named both groups when he extended the Nuremberg Laws, and as Anton Weiss-Wendt has argued forced sterilization is a crucial component in demonstrating genocidal intent towards Sinti and Roma. Here too central and local agencies combined to implement these measures. Heinrich Himmler's 1938 order for the register of all so-called "Gypsies" in Germany, a key step towards escalating action against them, bears at least passing resemblance to his October 1942 order for the statistical registration of all Black people in Germany and occupied

Europe. 110 Information on Black residents was sent to Arthur Nebe's Reich Criminal Police Bureau, the central body involved in driving and implementing policy and practice against the Sinti and Roma. Additionally, the 1942 order coincided with Himmler's decision to enact the large-scale deportation of European Sinti and Roma to Auschwitz-Birkenau. Collective and consistent action against Black residents did not follow Himmler's 1942, order and genocidal intent, ultimately did not lead to systematic sterilization and mass murder. Yet those who survived the Third Reich were frequently left traumatized and many pointed to the introduction of the Race Laws as a key moment in their persecution. The postwar Black resident population was considerably smaller than that of the prewar period. This was the result of multiple factors including the impact of sterilization, individuals actively deciding not to have children, and because of significant emigration from Germany at the war's end. At the same time in the aftermath of the collapse of the Nazi regime, several couples who had been forcibly separated reunited, while others who had continued their relationships in private were now able to live together openly. Around two dozen marriages involving Black residents and their white partners, now no longer prohibited, took place between 1945 and 1950.111

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Notes

- ¹ "Darf man ein N###r heiraten?," *Juristischer Kalender für Handelsgewerbe und Rechtwahrer 1941*, February 17, 1941, [n.p.]. The text is reproduced in a Report of the Gauleitung Saxony for the Staff of the Deputy Führer, March 19, 1941, Bundesarchiv Berlin (BArch) NS 18/631, p. 11. In order to avoid the reproduction of racist and discriminatory terms, the practice of obscuring racial slurs used in the titles of historical publications has been used throughout.
- ² Letter Tiessler to National Socialist Lawyers' League and Dr. Pfeiffer, March 25, 1941, BArch NS 18/631, p. 10.
- ³ Letter Tiessler to National Socialist Lawyers' League and Dr. Pfeiffer, March 25, 1941.
- ⁴ Letter Koch to Prussian Print and Publishing AG, June 28, 1941, BArch NS 18/631, p. 1.
- ⁵ "Verbot von Rassenmischehen," *Ministerial-Blatt für die Preussische innere Verwaltung* 96 (1935): 1426–34; also Wilhelm Frick, "Das Reichsbürgergesetz und das Gesetz zum Schutz des deutschen Blutes und der deutschen Ehre vom 15. September 1935," *Deutsche Juristen-Zeitung*, 23, no. 40 (1935): 1391.
- ⁶ Among others see, Michael Burleigh and Wolfgang Wippermann, *The Racial State: Germany 1933–45* (Cambridge, UK: Cambridge University Press, 1991); Patricia Szobar, "Telling Sexual Stories in the Nazi Courts of Law: Race Defilement in Germany, 1933 to 1945," *Journal of the History of Sexuality* 11, nos. 1–2 (2002): 131–63; Alexandra Przyrembel, "*Rassenschande*": *Reinheitsmythos*

und Vernichtungslegitimation im Nationalsozialismus (Göttingen, Germany: Vandenhoeck and Ruprecht, 2003); Nathan Stolzfus, "Societal Influences on the Promulgation and Enforcement of the Nuremberg Laws," Soundings 94, nos. 3–4 (2011): 375–91.

⁷ Katharina Oguntoye, Eine Afro-Deutsche Geschichte. Zur Lebenssituation von Afrikanern in Deutschland von 1884 bis 1950 (Berlin: Hoho, 1997); Clarence Lusane, Hitler's Black Victims: The Historical Experiences of Afro-Germans, European Blacks, Africans, and African Americans in the Nazi Era (New York: Routledge, 2003); Tina Campt, Other Germans: Black Germans and the Politics of Race, Gender, and Memory in the Third Reich (Ann Arbor: Michigan University Press, 2004); Peter Martin and Christine Alonzo, eds., Zwischen Charleston und Stechschritt: Schwarze im Nationalsozialismus (Hamburg: Dölling und Gallitz, 2004); Marianne Bechhaus-Gerst, Treu bis in den Tod: Von Deutsch-Ostafrika nach Sachsenhausen—Eine Lebensgeschichte (Berlin: Links, 2007). For an overarching discussion see, Robbie Aitken and Eve Rosenhaft, Black Germany: The Making and Unmaking of a Diaspora Community, 1884–1960 (Cambridge, UK: Cambridge University Press, 2013).

⁸ Alice Hasters, *Was weiße Menschen nicht über Rassismus hören wollen aber wissen sollten* (Munich: hanserblau, 2021), 52–53, 64–68; Ciani-Sophia Hoeder, "Totgeschwiegen," *Süddeutsche Zeitung Magazine*, July 9, 2020, accessed November 26, 2024, https://sz-magazin.sueddeutsche.de/willkommen-bei-mir/geschichte-afrodeutsch-88967.

⁹ Jaimee Swift, "The Erasure of People of African Descent in Nazi Germany," *Black Perspectives*, April 18, 2017, accessed November 26, 2024, https://www.aaihs.org/the-erasure-of-people-of-african-descent-in-nazi-germany/.

¹⁰ Reiner Pommerin, Sterilisierung der Rheinlandbastarde: Das Schicksal einer farbigen deutschen Minderheit, 1918–1937 (Düsseldorf, Germany: Droste, 1979).

¹¹ Important recent work includes Campt, *Other Germans*; Julia Roos, "An Afro-German Microhistory: Gender, Religion, and the Challenges of Diasporic Dwelling," *Central European History* 49, no. 2 (2016): 240–60; Gisela Tascher, "NS-Zwangssterilisation: Handeln auf Befehl des

Führers," *Deutsches Ärzteblatt* 113, no. 10 (2016): 420–22; Michael Lauter, *Der schwarze Kaiser*: *Die Geschichte des Josef Kaiser aus Speyer* (Ubstadt-Weiher, Germany: Regionalkultur, 2022); Julia Roos, "Constructing Racial Visibility: Biracial 'Occupation Children' in the Third Reich, 1933–1937," *Holocaust and Genocide Studies* 37, no. 1 (2023): 22–24.

¹² Aitken and Rosenhaft, *Black Germany*, 233.

¹³ William Schabas, "Genocide and Crimes against Humanity: Clarifying the Relationship," in *The Genocide Convention: The Legacy of 60 Years*, ed. H. G. van der Wilt, J. Verliet, G. K. Sluiter, and J. Th. M. Houwink ten Cate (Boston and Leiden: Martinus Nijhoff, 2012), 5, 9.

¹⁴ Throughout the article, I have followed all archival usage and record restriction policies for the materials I consulted pertaining to the Nazi period. I have therefore, anonymised the names of some individuals in keeping with the policies of individual archives or at the request of relatives who have provided me with information.

¹⁵ Among others see, Kerstin Meiring, *Die Christlich-Jüdische Mischehe in Deutschland 1840–1933* (Hamburg: Dölling and Gallitz, 1998); Helmut Walser Smith, *Protestants, Catholics and Jews: Germany, 1800–1914* (Oxford and New York: Berg, 2001), 191–208; Dagmar Freist, "Crossing Religious Borders: The Experience of Religious Diversity and its Impact on Mixed Marriages in Eighteenth Century Germany," in *Living with Religious Diversity in Early Modern Europe*, ed., C. Scott Dixon, Dagmar Freist, and Mark Greengrass (Burlington, VT: Ashgate, 2009), 203–24; Julia Moses, "From Faith to Race? 'Mixed Marriage' and the Politics of Difference in Imperial Germany," *The History of the Family* 24, no. 3 (2019): 466–93.

Among others, Lora Wildenthal, German Women for Empire, 1884–1945 (Durham, NC: Duke University Press, 2001); Robbie Aitken, Exclusion and Inclusion: Gradations of Whiteness and Socio-Economic Engineering in German Southwest Africa 1884–1914 (Oxford: Peter Lang, 2007), 109–17.
 Helmut Walser Smith, "The Talk of Genocide, the Rhetoric of Miscegenation: Notes on the Debates in the German Reichstag Concerning Southwest Africa, 1904–14," in The Imperialist Imagination: German Colonialism and Its Legacy, ed. Sara Friedrichsmeyer, Sara Lennox, and

Susanne Zantop (Ann Arbor: University of Michigan Press, 1998), 102–24; Matthew P. Fitzpatrick, "The Threat of 'woolly-haired grandchildren': Race, the Colonial Family and German Nationalism," *The History of the Family* 14, no. 4 (2009): 356–68.

- ¹⁹ Robbie Aitken, "A Transient Presence: Black Visitors and Sojourners in Imperial Germany, 1884–1914," *Immigrants and Minorities* 34 (2016): 233–53.
- ²⁰ Christoph Lorke, "Challenging Authorities through 'Undesired' Marriages: Administrational Logics of Handling Cross-Border Couples in Germany, 1880–1930," *Journal of Migration History* 4, no. 1 (2018): 61.
- ²¹ Christoph Lorke, "Undesired Intimacy: German–Chinese Couples in Germany (1900s–1940s)," *The History of the Family* 24, no. 3 (2019): 565.
- ²² Aitken and Rosenhaft, *Black Germany*, 95–102.
- ²³ Comments added to draft letter from Colonial Department to Senate Hamburg, August 2, 1898, BArch R1001 4215, p. 47.
- ²⁴ Ludger Wimmelbücker, *Mtoro bin Mwinyi Bakari* (Mkuki na Nyota: Dar es Salaam, 2009), 45–47.
- ²⁵ See comments on letter, Imperial Colonial Department to F. H. Schule, January 15, 1912, and Imperial Colonial Department to F.H. Schule, February 7, 1912, both BArch R1001 5428, p. 4, p. 7.
- ²⁶ See commentary on Assiambo from June to August 1913 in BArch R1001 5428, pp. 8–18.
- ²⁷ See handwritten additions to letter, Colonial Department to Public Prosecutor, February 24, 1916, BArch R1001 5581, p. 93; advisor's comments on case of Max Bebe Same, undated (around April 1916), BArch R1001 4457f, p. 118.
- ²⁸ Letter, Colonial Department to Prussian Interior Minister, June 1916, BArch R1001 4457f, pp. 121–23.
- ²⁹ Letter Mansfeld to Foreign Office, July 12, 1927, BArch R1001 4457f, p. 44.
- ³⁰ For the entire period documents pertaining to 112 marriages were collected from the following archives: BArch, Hessisches Hauptstaatsarchiv Wiesbaden (HHStAW), Landesarchiv Berlin (LAB),

¹⁸ Fitzpatrick, "The Threat," 364.

Staatsarchiv Bremen (StAB), Staatsarchiv Hamburg (StAHam), Staatsarchiv Würzburg (StAW), as well as the city archives of Cologne, Crailsheim, Dresden, Dusseldorf, Frankfurt a.M., Hannover, Mannheim, Mulheim an der Ruhr, and Munich. The number of marriages was likely slightly higher, because the current archival base largely excludes the small number of marriages between African Americans and white Germans.

- ³¹ Several newspapers reproduced these figures. Among others see; Franz Herbach, "Schwarze Europäer," *Aachener Anzeiger: Zweites Blatt*, December 3, 1929, 7; "N###rtheater in Berlin," *Dresdner Volkszeitung*, January 2, 1931, [n.p.].
- ³² Garber is incorrectly referred to as Madeleine Guber in the article. Bill Smith, "Negroes in Germany Set Styles Until Nazis Started Hate Drive," *Pittsburgh Courier*, September 7, 1946, 13.
- ³³ For much of this section, see Aitken and Rosenhaft, *Black Germany*, 234–50.
- ³⁴ Frank Sparing, "Hilarius Gilges—Ein von der SS ermordeter Arbeiter und Kommunist," in Zwischen Charleston und Stechschritt, ed., Martin and Alonzo, 549–56
- ³⁵ "N###r besser als Juden: Deutsche Rassenkunde," Deutsche Freiheit, September 1, 1933, 4.
- ³⁶ See "Verhandlungen des Deutschen Reichstags und seiner Vorläufer

Aufbau des Angebots," Verhandlungen des Reichstags, vol. 440, item 1741; vol. 427, p. 4476; vol.

428, p. 5567, accessed November 26, 2024, https://www.reichstagsprotokolle.de/bundesarchiv.html.

- ³⁷ James Q. Whitman, *Hitler's American Model: The United States and the Making of Nazi Race Law* (Princeton, NJ: Princeton University Press, 2018), 79.
- ³⁸ Whitman, American Model, 83–87. Also Hans Kerrl, Nationalsozialistisches Strafrecht: Denkschrift des Preußischen Justizministers (Berlin: Decker, 1933), 47–49.
- ³⁹ "Verbot von Rassenmischehen," 1426–34.
- ⁴⁰ Christoph Lorke, "Shifting Racial Boundaries and their Limits: German Women, Non-European Men, and the Negotiation of Sexuality and Intimacy in Nazi Germany," *Genealogy* 4, no. 30 (2020): 2.

- ⁴¹ The one drop rule practiced in several US states worked on a basis of hypodescent and effectively categorised anyone with an ancestor racialised as Black as also being Black, regardless of their physical appearance.
- ⁴² Directive, Reich Minister of the Interior to Civil Servants and Inspectorates, January 3, 1936, BArch R18/3514, reproduced at https://www.sintiundroma.org/de/set/020304 (accessed November 26, 2024).
- ⁴³ See Minutes of Working Group II, March 11, 1935, Politisches Archiv des Auswärtigen Amts, Berlin, Inland I-Partei R99166, pp. 77–184.
- ⁴⁴ Minutes of Working Group II, p. 103. See also Arthur Gütt's comments in his, *Bevölkerungs- und Rassenpolitik* (Berlin: Spaethe and Linde, 1936), 31.
- ⁴⁵ Paul Weindling, *Health, Race and German Politics between National Unification and Nazism 1870–1945* (Cambridge, UK: Cambridge University Press, 1993), 522–25.
- ⁴⁶ Minutes of Working Group II, p. 87.
- ⁴⁷ Tascher, "NS-Zwangssterilisation," 420–22.
- ⁴⁸ Minutes of Working Group II, p. 86.
- ⁴⁹ Minutes of Working Group II, pp. 94, 98-99.
- ⁵⁰ Lothar Gruchmann, "'Blutschutzgesetz' und Justiz: Entstehung und Anwendung des Nürnberger Gesetzes vom 15. September 1935," *Vierteljahrshefte für Zeitgeschichte* 31, no. 3 (1983): 419; Pommerin, *Sterilisierung*, 102–4; William Jones, "Liberia May Drive All Germans from Republic," *Baltimore Afro-American*, December 9, 1933, 11.
- Among others, "Die Nürnberger Rassengesetze," *Westfälische Landeszeitung: 2. Blatt*, November 30, 1935, [n.p.]; "Die Nürnberger Rassengesetze," *Münsterländische Volkszeitung: Beilage*, November 30, 1935, [n.p.]; "Mischehen sind verboten," *Nachrichten für Stadt und Land (Oldenburg)*, December 4, 1935, 2; "Wer kann Reichsbürger werder?," *Dresdner Nachrichten*, December 2, 1935, 2; Wilhelm Stuckart and Hans Globke, *Kommentare zur deutschen Rassengesetzgebung* (Munich: Beck, 1936), 136.

- ⁵² See letter from Kurt Struve, Health Authority in Hamburg, to Reich Minister of Justice concerning the marriage of Anumu to Balckzukat, March 12, 1942, in StAHam, 213-1 1213, p. 2. Ministerial adviser Herbert Linden raised similar concerns about Sinti and Roma marrying one another; see, Michael Zimmermann, *Rassenutopie und Genozid: Die nationalsozialistische 'Lösung der Zigeunerfrage'* (Hamburg: Christians, 1996), 91.
- ⁵³ See Manga Ngando's comments in Christine Alonzo, "Kann denn Liebe Sünde sein?," in *Im Netz der Moderne: Afrikaner und Deutschlands gebrochener Aufstieg zur Macht*, ed. Peter Martin and Christine Alonzo (Hamburg: Dr. Kovaç:, 2012), 263, 265–67.
- ⁵⁴ Letter Tomascheck to Lippert, November 6, 1940, LAB A Pr.Br.Rep. 057/2062, p. 236.
- ⁵⁵ Examination Form Tomaschek, November 14, 1939, LAB A Pr.Br.Rep. 057/2062, p. 241.
- ⁵⁶ Letter Nitschke to Lippert, April 7, 1940, and letter Tomascheck to Lippert, November 6, 1940 both in LAB A Pr.Br.Rep. 057/2062, p. 231, p. 236.
- ⁵⁷ Request for a Marriage License, October 25, 1937, StAHam 351-11 37091, pp. 44–46.
- ⁵⁸ Letter Hertha Songiewka (Bismarck) to the Reparations Department, Hamburg, May 20, 1952, StAHam 351-11 37091, p. 1.
- ⁵⁹ Letter Diek to Advice Centre for Reparations Claims, June 14, 1946 and Certificate from Health Office, May 10, 1940, both in StAHam 351-11 40076, pp. 1–2, 6.
- ⁶⁰ See cases of Mohamed Nagel, Ermittlungssache gegen Nagel, Mühamed wegen Rassenschande, LAB A.Rep. 358-02, no. 3706; Mohamed Husen in Bechhaus-Gerst, *Treu bis in den Tod*, 142; and case of Ewanne E. discussed below.
- ⁶¹ See the medical File for Martha (sic) Tomaschek, July 1942, BArch R19/4045.
- ⁶² Andreas Schmitt, "'Leuchten wir mal hinein...': Das Waldhaus Charlottenburg in Sommerfeld/Osthavelland 1905–1945: Ein Stück Berliner Tuberkulosemedizin" (PhD diss., Freie Universität Berlin, 1999), 156.

- ⁶³ Gernot Römer, *Die grauen Busse in Schwaben: Wie das Dritte Reich mit Geisteskranken und Schwangeren umging. Berichte, Dokumente, Zahlen und Bilder* (Augsburg, Germany: Wißner, 2009), 12–18.
- ⁶⁴ See Hans Hauck's comments in Campt, *Other Germans*, 73. See cases of Josef and Suzanne Kaiser in Lauter, *Der Schwarze Kaiser*, 125–26; also, see the case of H. F. in Landesarchiv Speyer, O 44 "Gesundheitsamt Speyer," p. 3112.
- ⁶⁵ Letter Diek to Advice Centre for Reparations Claims, pp. 1–2.
- ⁶⁶ Expert Report, Liebermann to Reparations Department, Hamburg, September 9, 1969, StAHam 351-11 40076, 23–33, 27.
- ⁶⁷ Letter Diek to Advice Centre for Reparations Claims, 2.
- ⁶⁸ CV Dorothea Reiprich (Diek), September 9, 1953, Landesamt für Bürger- und Ordnungsangelegenheiten (LABO) Reg.Nr. 27/849, M8–10; Dorothea Diek to Reparations Department, Berlin, September 20, 1959, LABO Reg.Nr. 27/849, E5.
- ⁶⁹ Szobar, "Telling Sexual Stories," 139; Guenter Lewy, *The Nazi Persecution of the Gypsies* (New York: Oxford University Press, 2000), 42.
- ⁷⁰ Edward Toles, "Berlin Inter-Marriage Awaits Red O.K.," *Chicago Defender*, July 28, 1945, 11.
 Kotto is incorrectly referred to as Ratto.
- ⁷¹ Hadija Haruna-Oelker, "Gupha Voss," in *Spiegel Blicke: Perspektiven Schwarzer Bewegung in Deutschland*, ed. Denise Bergold-Caldwell et.al., (Berlin: Orlanda, 2015), 217. See comments of Gupha Voss in David Okuefuna's documentary film *Hitler's Forgotten Victims* (1997).
- ⁷² See the various documents in LAB A Pr.Br.Rep. 057/2062, pp. 185–95.
- ⁷³ Marriage Certificate Overgrand/Schlosser, February 8, 1936, LAB Personenstandsregister: Heiratsregister der Berliner Standesämter Berlin XC accessible via Ancestry.com
- ⁷⁴ Testimony Jimmy Overgrand, March 7, 1950, HHStAW, 518/78502, p. 22
- ⁷⁵ See discussion in Aitken and Rosenhaft, *Black Germany*, 237–38.

- ⁷⁶ See Questionnaire: Josefa van der Want, November 27, 1945; CV Josefa van der Want, January 2, 1946, letter Cornelis van der Want to Reparations Department, Düren, February 24, 1950, all in StAHam 351-11 42010, p. 6, p. 7, pp. 30–31. Also comments of Dorothea Diek in *Farbe bekennen: Afro-deutsche Frauen auf den Spuren ihrer Geschichte*, ed. May Opitz, Katharina Oguntoye, and Dagmar Schultz (Berlin: Orlanda, 1986), 75–76.
- ⁷⁷ "Martha Stark my 13 Years under the Nazi Terror," *Pittsburgh Courier*, June 18, 1949, 7.
- ⁷⁸ "Martha Stark my 13 Years under the Nazi Terror," *Pittsburgh Courier*, June 25, 1949, 7.
- ⁷⁹ Birthe Kundrus, "Von Windhoek nach Nürnberg? Koloniale 'Mischehenverbote' und die nationalsozialistische Rassengesetzgebung," in *Phantasiereiche: Zur Kulturgeschichte des deutschen Kolonialismus*, ed. Birthe Kundrus (Frankfurt am Main: Campus, 2003), 122–25.
- ⁸⁰ See documents in the file StAB B.6. No 374/4,13/5 Johannes Kohl.
- ⁸¹ Report of the Welfare Office, March 26, 1936, StAB B.6. No 374/4,13/5 Johannes Kohl, p. 55
- 82 "Sächsische Oberverwaltungsgericht," Jüristische Wochenschrift, 67/11, March 12, 1938, 704.
- ⁸³ Letter, Foreign Office to Bremen State Office, March 23, 1936, StAB B.6. No 374/4,13/5 Johannes Kohl, p. 54.
- ⁸⁴ Report, Criminal Secretary, Bremen, May 7, 1937, StAB B.6. No 374/4,13/5 Johannes Kohl, 63.
- 85 Written Testimony Harry K., April 21, 1955, LABO Reg.Nr. 212/039, M3-4.
- ⁸⁶ Letter, Office for Welfare and Youth Welfare to Gestapo, Hannover, February 9, 1944,
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- ⁸⁹ Luise Misipo, "Account of Persecution," March 17, 1958, HHStAW 518/2649/22, pp. 4–5.
- 90 CV, Emilie Diek, October 6, 1954, LABO Reg.Nr. 6/691, M 18–19.

- ⁹¹ Holger Stoecker, "Sprachlehrer, Informant, Küchenchef. Der 'preußische' Afrikaner Bonifatius Folli aus Anecho (Togo) im Dienste der Berliner Afrikanistik," in *Unbekannte Biographien:*Afrikaner im deutschsprachigen Raum vom 18. Jahrhundert bis zum Ende des Zweiten Weltkrieges, ed. Ulrich van der Heyden (Berlin: Kai Homilius, 2008), 233–34.
- 92 Alonzo, "Kann denn Liebe Sünde sein?," 266.
- 93 Explanation of Events: Anna Maria Assiambo, undated (1956), HHStAW 518/53620, p. 3.
- ⁹⁴ Achim Baumgarten, Nicht Deutscher, aber deutscher Untertan: Das Schicksal von Akapo Assiambo, dem "ersten Schwarzen in Simmern" (Simmern: Stadt Simmern, 2020), 118.
- ⁹⁵ Decision, Magistrate Wink Wiesbaden, April 16, 1942, HHStAW 518/52336, p. 24. See also the comments made about the Black German Gert Schramm by local agencies which suggested institutionalising him. Gert Schramm, *Wer hat Angst vorm schwarzen Mann* (Berlin: Aufbau, 2011), 26–28.
- ⁹⁶ Testimony O. Assiambo, July 29, 1956, HHStAW 518/52336, pp. 3–4.
- ⁹⁷ Accompanying Letter, T. Assiambo, July 10, 1956, HHStAW 518/52337, pp. 3–4.
- ⁹⁸ Pommerin, *Sterilisierung*, 44. Also Roos' discussion of local and state actors in Wiesbaden,
- "Constructing Racial Visibility," 22-24.
- ⁹⁹ The Persecution of Black People in Nazi Germany: Ronald Roberts' Story, online exhibition, The Wiener Holocaust Library, accessed November 26, 2024,

https://wienerholocaustlibrary.org/exhibition/the-persecution-of-black-people-in-nazi-germany-ronald-roberts-story/.

- ¹⁰⁰ "Lydia's Geheimis," *Der Spiegel*, December 4, 1948, 7.
- ¹⁰¹ Theodor Wonja Michael, *Deutsch sein und schwarz dazu: Erinnerungen eines Afro-Deutschen* (Munich: dtv, 2013), 52–53.
- ¹⁰² Testimony of Jose Bachert, July 2, 1969, LABO Reg.Nr. 404/579, p. 9.
- ¹⁰³ Letter Zoya Aqua-Kaufmann to Reparations Office, Berlin, March 16, 1952, LABO Reg.Nr. 1/652C30-2.

- ¹⁰⁴ See Bechhaus-Gerst, *Treu bis in den Tod*, 136–50.
- ¹⁰⁵ See the file on Rettig in Danish National Archives, 1353/5 Rigspolitichefen Tilsynet med Udlændinge, 68151.
- ¹⁰⁶ E. E. is likely the unnamed friend referred to by Magdalena Garber in Smith, "Negroes in Germany Set Styles." I also base my conclusion on email correspondence with V.B., a relative of E. E., Email to author, August 8, 2022.
- ¹⁰⁷ A racist epithet for France's colonial troops stationed in the German Rhineland after World War I.
 It was part of a propaganda campaign decrying the alleged sexual crimes of Black troops.
- ¹⁰⁸ Also, Eve Rosenhaft, "Blacks and Gypsies in Nazi Germany: The Limits of the 'Racial State,' History Workshop Journal 72 (Autumn 2011): 161–71
- ¹⁰⁹ Anton Weiss-Wendt, "Introduction" in *The Nazi Genocide of the Roma: Reassessment and* Commemoration, ed. Anton Weiss-Wendt (New York and Oxford: Berghahn, 2015), 5, 9.
- ¹¹⁰ Aitken and Rosenhaft, *Black Germany*, 274–76.
- ¹¹¹ Evidence of postwar marriages was found in HHStAW, StAHam, StAW, LABO, the city archives of Crailsheim and Hannover and the Arolsen Archives. I am grateful to Jackie White for information concerning the Garber family, correspondence July 10, 2019 and to Barbara Everly for information concerning her mother Helene Brell, correspondence July 3, 2017.