

# Gun Control in Germany, 1928-1945

by William L. Pierce

A common belief among defenders of the Second Amendment to the U.S. Constitution is that the National Socialist government of Germany under Adolf Hitler did not permit the private ownership of firearms. Totalitarian governments, they have been taught in their high school civics classes, do not trust their citizens and do not dare permit them to keep firearms. Thus, one often hears the statement, "You know, the first thing the Nazis did when they came to power was outlaw firearms," or, "The first thing Hitler did in Germany was round up all the guns."

One can understand why many American gun owners want to believe this. They see in the current effort of their own government to take away their right to keep and bear arms a limitation of an essential element of their freedom and a move toward tyranny, and they want to characterize the gun-grabbers in the most negative way they can. Adolf Hitler has been vilified continuously for the past 60 years or so by the mass media in America, and certainly no politician or officeholder wants to be compared with him. If the gun-confiscation effort can be portrayed convincingly as something of which Hitler would have approved, it will have been effectively tarred.

This identification of the inclination to deny citizens the right to keep and bear arms with National Socialism and Adolf Hitler has been strengthened recently by clever magazine advertisements which show Hitler with his arm outstretched in a Roman salute under a heading: "All in favor of gun control raise your right hand." A Jewish group, Jews for the Preservation of Firearms Ownership (JPFO), quite noisy for its size, has been especially zealous in promoting the idea that the current gun-control effort in America has its roots in Germany during the Hitler period. This group has gone so far as to claim in several articles published in popular magazines read by firearms enthusiasts that the current restrictive legislation being proposed by the U.S. government is modeled on a gun-control statute enacted by Germany's National Socialist government: the German Weapons Law (Waffengesetz) of March 18, 1938.

Again, one can understand the motivation of the JPFO. Many non-Jewish firearms owners are well aware that the movement to restrict their rights is led and promoted primarily by Jews, and anti-Jewish feeling has been growing among them. They know that the controlled news media, which are almost unanimously in favor of abridging or abolishing the Second Amendment, are very much under the influence of Jews, and they know that the most vocal anti-gun legislators in the Congress also are Jews. It is natural for a group such as the JPFO to mount a damage-control effort and attempt to prevent anti-Jewish feeling from becoming even stronger among gun owners. Their strategy is to deflect the blame from their kinsmen in the media and the government and direct it onto

their most hated enemies, the National Socialists -- or at least to create enough smoke to obscure the facts and keep the gun-owning public confused.

Unfortunately for those who would like to link Hitler and the National Socialists with gun control, the entire premise for such an effort is false. German firearms legislation under Hitler, far from banning private ownership, actually facilitated the keeping and bearing of arms by German citizens by eliminating or ameliorating restrictive laws which had been enacted by the government preceding his: a left-center government which had contained a number of Jews.

It is not just that the National Socialist firearms legislation was the opposite of what it has been claimed to have been by persons who want to tar modern gun-grabbers with the "Nazi" brush: the whole spirit of Hitler's government was starkly different from its portrayal by America's mass media. The facts, in brief, are these:

- The National Socialist government of Germany, unlike the government in Washington today, did not fear its citizens. Adolf Hitler was the most popular leader Germany has ever had. Unlike American presidents, he did not have to wear body armor and have shields of bulletproof glass in front of him whenever he spoke in public. At public celebrations he rode standing in an open car as it moved slowly through cheering crowds. Communists made several attempts to assassinate him, and his government stamped down hard on communism, virtually wiping it out in Germany. Between upright, law-abiding German citizens and Adolf Hitler, however, there was a real love affair, with mutual trust and respect.
- The spirit of National Socialism was one of manliness, and individual self-defense and self-reliance were central to the National Socialist view of the way a citizen should behave. The notion of banning firearms ownership was utterly alien to National Socialism. In the German universities, where National Socialism gained its earliest footholds and which later became its strongest bastions, dueling was an accepted practice. Although the liberal-Jewish governments in Germany after the First World War attempted to ban dueling, it persisted illegally until it was again legalized by the National Socialists. Fencing, target shooting, and other martial arts were immensely popular in Germany, and the National Socialists encouraged young Germans to become proficient in these activities, believing that they were important for the development of a man's character.
- Gun registration and licensing (for long guns as well as for handguns) were legislated by an anti-National Socialist government in Germany in 1928, five years before the National Socialists gained power. Hitler became Chancellor on January 30, 1933. Five years later his government got around to rewriting the gun law enacted a decade earlier by his predecessors, substantially ameliorating it in the process (for example, long guns were exempted from the requirement for a purchase permit; the legal age for gun ownership was lowered from 20 to 18 years; the period of validity of a permit to carry weapons was extended from one to three years; and provisions restricting the amount of ammunition or the number of firearms an individual could own were dropped). Hitler's government may be criticized for leaving certain restrictions and licensing requirements in the law, but

- the National Socialists had no intention of preventing law-abiding Germans from keeping or bearing arms. Again, the firearms law enacted by Hitler's government enhanced the rights of Germans to keep and bear arms; no new restrictions were added, and many pre-existing restrictions were relaxed or eliminated.
- At the end of the Second World War, American GIs in the occupying force were astounded to discover how many German civilians owned private firearms. Tens of thousands of pistols looted from German homes by GIs were brought back to the United States after the war. In 1945 General Eisenhower ordered all privately owned firearms in the American occupation zone of Germany confiscated, and Germans were required to hand in their shotguns and rifles as well as any handguns which had not already been stolen. In the Soviet occupation zone German civilians were summarily shot if they were found in possession of even a single cartridge.
  - Jews, it should be noted, were not Germans, even if they had been born in Germany. The National Socialists defined citizenship in ethnic terms, and under Hitler Jews were not accorded full rights of citizenship. National Socialist legislation progressively excluded Jews from key professions: teaching, the media, the practice of law, etc. The aim was not only to free German life from an oppressive and degenerative Jewish influence, but to persuade Jews to emigrate. The German Weapons Law of March 18, 1938, specifically excluded Jews from manufacturing or dealing in firearms or munitions, but it did not exclude them from owning or bearing personal firearms. The exclusion of Jews from the firearms business rankled them as much as any other exclusion, and in their typically ethnocentric fashion they have misrepresented the law involved as an anti-gun law in an effort to cast their enemies in a bad light.

It should be noted in passing that the restrictions placed on Jews by the National Socialists had the intended effect: between 1933 and 1939 two-thirds of the Jews residing in Germany emigrated, reducing the Jewish population of the country from 600,000 when Hitler became Chancellor in 1933 to 200,000 at the outbreak of the Second World War in 1939. Jews in the United States, looking at this period from their own narrowly focused viewpoint, have described these peacetime years of the National Socialist government as a time of darkness, terror, and regression, whereas for the German people it was a time of hope, joy, and spiritual and material renewal.

Much the same type of distortion is seen in the portrayal of the United States in the early 1950s: the so-called "McCarthy Era." Senator Joseph McCarthy (Republican, Wisconsin) used his position as chairman of the Senate's Government Operations Committee to expose the widespread communist infiltration of the U.S. government and other U.S. institutions which had taken place during the Second World War. A substantial majority of the communists who were dragged reluctantly out into the light of day by his efforts were Jews. As a result, the controlled media always have portrayed the period as one of terror and repression, when everyone was frightened of Senator McCarthy's "witch-hunt." Of course, it was nothing of the sort to non-Jewish Americans, who were not intimidated in the least. History viewed through a Jewish lens -- i.e., through media controlled by Jews -- always is distorted in a way corresponding to Jewish interests and concerns.

Both the German Weapons Law of March 18, 1938, enacted by the National Socialists, and the Law on Firearms and Ammunition of April 12, 1928, which was enacted by an anti-National Socialist government, are given below in full, first in facsimile and then in English translation. A little background information first, however, may help the reader to understand their significance.

After Germany's defeat in the First World War (a defeat in which Germany's Jews played no small part, demoralizing the home front with demonstrations and other subversive activity much as they did in America during the Vietnam war), the Kaiser abdicated, and liberals and leftists seized control of the government in 1918. Hitler, recovering in a military hospital from a British poison-gas attack which had blinded him temporarily, made the decision to go into politics and fight against the traitors he felt were responsible for Germany's distress.

The tendency of Germany's new rulers after the First World War was much the same as it is for the liberals in America today: they promoted cosmopolitanism, internationalism, and egalitarianism. By 1923 economic conditions in Germany had become catastrophic, and there was much public unrest. The communists had made major inroads into the labor movement and were a growing threat to the country.

Hitler had indeed gone into politics, and his National Socialists battled the communists in the streets of Germany's cities and gradually came to be seen by many patriotic Germans in the working class and the middle class as the only force which could save Germany from a communist takeover and total ruin. Hitler's National Socialists continued to win recruits and gain strength during the 1920s. The communists, with aid from the Soviet Union, also continued to grow. The political situation became increasingly unstable as the government lost popular support.

The government's response was to substantially tighten up restrictions on the rights of German citizens to keep and bear arms. The Law on Firearms and Ammunition of April 12, 1928, was the most substantial effort in this regard. This law was enacted by a left-center government hostile to the National Socialists (the government was headed by Chancellor Wilhelm Marx and consisted of a coalition of Socialists, including many Jews, and Catholic Centrists).

Five years later, in 1933, the National Socialists were in power, Hitler headed the government, and the communist threat was crushed decisively. The National Socialists began undoing the social and economic damage done by their predecessors. Germany was restored to full employment, degeneracy and corruption were rooted out, Jews and their collaborators were removed from one facet of national life after another, and the German people entered a new era of national freedom, health, and prosperity.

Finally, in 1938, the National Socialist government got around to enacting a new firearms law to replace the one enacted by their opponents ten years earlier. The highlights of the 1938 law, especially as it applied to ordinary citizens rather than manufacturers or dealers, follow:

- Handguns may be purchased only on submission of a Weapons Acquisition Permit (Waffenerwerbschein), which must be used within one year from the date of issue. Muzzle-loading handguns are exempted from the permit requirement. [The 1928 law had required a permit for the purchase of long guns as well, but the National Socialists dropped this requirement.]
- Holders of a permit to carry weapons (Waffenschein) or of a hunting license do not need a Weapons Acquisition Permit in order to acquire a handgun.
- A hunting license authorizes its bearer to carry hunting weapons and handguns.
- Firearms and ammunition, as well as swords and knives, may not be sold to minors under the age of 18 years. [The age limit had been 20 years in the 1928 law.]
- Whoever carries a firearm outside of his dwelling, his place of employment, his place of business, or his fenced property must have on his person a Weapons Permit (Waffenschein). A permit is not required, however, for carrying a firearm for use at a police-approved shooting range.
- A permit to acquire a handgun or to carry firearms may only be issued to persons whose trustworthiness is not in question and who can show a need for a permit. In particular, a permit may not be issued to:
  1. persons under the age of 18 years;
  2. legally incompetent or mentally retarded persons;
  3. Gypsies or vagabonds;
  4. persons under mandatory police supervision [i.e., on parole] or otherwise temporarily without civil rights;
  5. persons convicted of treason or high treason or known to be engaged in activities hostile to the state;
  6. persons who for assault, trespass, a breach of the peace, resistance to authority, a criminal offense or misdemeanor, or a hunting or fishing violation were legally sentenced to a term of imprisonment of more than two weeks, if three years have not passed since the term of imprisonment.
- The manufacture, sale, carrying, possession, and import of the following are prohibited:
  1. "trick" firearms, designed so as to conceal their function (e.g., cane guns and belt-buckle pistols);
  2. any firearm equipped with a silencer and any rifle equipped with a spotlight;
  3. cartridges with .22 caliber, hollow-point bullets.

That is the essence. Numerous other provisions of the law relate to firearms manufacturers, importers, and dealers; to acquisition and carrying of firearms by police, military, and other official personnel; to the maximum fees which can be charged for permits (3 Reichsmark); to tourists bringing firearms into Germany; and to the fines and other penalties to be levied for violations.

The requirements of "trustworthiness" and of proof of need when obtaining a permit are troubling, but it should be noted that they were simply carried over from the 1928 law: they were not formulated by the National Socialists. Under the National Socialists these requirements were interpreted liberally: a person who did not fall into one of the prohibited categories listed above was considered trustworthy, and a statement such as, "I often carry sums of money," was accepted as proof of need.

The prohibitions of spotlight-equipped rifles and hollow-point .22 caliber ammunition were based on considerations that the former were unsporting when used for hunting, and the latter were inhumane.

Now read the German firearms laws for yourself, either in the original German exactly as they were published by the German government in the Reichsgesetzblatt or in the complete English translations which are provided here. If you want to skip over most of the legal gobbledygook and go directly to the most pertinent part of the National Socialist Firearms Law -- the part pertaining to the purchase, ownership, and carrying of firearms by private citizens -- turn to page 35 (Part IV of the Law). Note, as already mentioned above, that two separate and distinct types of permits are referred to: a Weapons Acquisition Permit (Waffenerwerbschein), required only for purchasing a handgun; and a Weapons Permit (Waffenschein), required for carrying any firearm in public. Interestingly enough, as also mentioned above, a hunting license could take the place of both these permits.

When you have read the two laws reproduced here, you will understand that it was Hitler's enemies, not Hitler, who should be compared with the gun-control advocates in America today. Then as now it was the Jews, not the National Socialists, who wanted the people's right of self-defense restricted. You will understand that those who continue to make the claim that Hitler was a gun-grabber are either ignorant or dishonest. And you will understand that it was not until 1945, when the communist and democratic victors of the Second World War had installed occupation governments to rule over the conquered Germans that German citizens were finally and completely denied the right to armed self-defense.

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