

The *Erbhof* Law: Myth and Reality of the New Peasantry

One of the most characteristic and significant ideas in Darré's political theory concerned the *Erbhof* law, that is the law of hereditary entailment, guaranteeing a single heir to farm property, issued on 29 September 1933. This law had the same background as all the other anti-urban and ruralistic theories from the end of the nineteenth century. In Darré's particular case, the idea of security of tenure for peasant holdings, the primary regenerative cells of the people, was bound up with the idea of racial selection to form a future élite from the German *Bauerntum*, destined to become the ruling class: the *Neuadel*.¹ Moreover, the idea of the *Erbhof* was widely supported by those in favour of consolidating the peasantry. Historically, the idea had a solid legal tradition that already ensured the undivided inheritance of holdings, or at least safeguarded their economic and productive integrity, in many areas in Germany. In fact, forms of undivided inheritance were prevalent in nearly all of the southern, north-central and eastern regions. The exceptions were the western and south-western provinces, where the French tradition had taken root during the Napoleonic occupation.

The *Erbhof* law was preceded by a law of 15 May, issued by the Prussian government and drafted by National Socialist leaders in the Ministry of Agriculture (Backe and Secretary of State Willikens) and in the Ministry of Justice (Kerrl). Although they had consulted Darré, they had gone behind Hugenberg's back, the Minister having actually expressed a number of objections on the subject.² The text of the first law took into account existing traditional local laws in various areas, given that it was made obligatory only in areas where traditional forms of undivided inheritance already existed. Elsewhere it was optional, that is on request of interested parties. Furthermore, compared to the later law, this act gave the testator much more freedom to decide, even allowing him to ignore the fundamental principle of inheritance through the male line and the first-born. But this law essentially contained the principles that were to be implemented later in a

stricter law enforced throughout the Reich: the single heir had definite privileges compared to the other children; the definition of the *Bauer* (with all its attendant privileges) was closely linked to racial criteria; and the economic freedom of the owner of a holding was strictly limited by a number of protective clauses.³

As soon as he was made Minister, Darré drafted a much more drastic bill: the state's need for a healthy *Bauerntum* prevailed over all other considerations. After publicly expressing his desire to issue a law that would completely and definitively protect the peasantry, he personally assumed the responsibility for drawing up the bill – as is clear from a letter sent to Backe on 5 August 1933.⁴ The fact that Darré drafted the bill without even consulting the other ministers and regional governments involved gives an indication of its importance for him.

The main points of the law were: holdings were indivisible, to be handed down to the oldest or most deserving son; the inheritance hierarchy, specifically defined by the law, placed the testator's sons and the sons of his children's sons first, then parents, followed by brothers and their sons; wives, daughters and their daughters came fourth and were followed by sisters and their children and lastly by other female heirs. From the economic point of view the *Erbhof* had a very special status: it could not be bought or sold, and neither it nor its parts could be mortgaged. In his economic and financial activities, the owner could make use only of his net revenue, and only on this basis could debts be contracted. On no account was property to be involved. The smallest size of *Erbhof* was to be the equivalent of an *Ackernahrung* (approximately 7.5 hectares), which was defined as the size of allotment 'indispensable to feed a family independently from the market and the general economic situation'. The maximum size was not specified, although as a rule it was estimated at about 125 hectares – but there were many exceptions.⁵ The dignified position of *Erbbauer* could be held only by individuals of Germanic breeding and flawless moral conduct.⁶

For non-inheriting children the law provided only for the payment of compensation. But this sum was far too small to permit them to set up their own economic activity in the way that had actually been foreseen by article 30 of the law itself. As some commentators pointed out, the law froze all possibility of upward social mobility for non-inheriting children, at least until a radically new impetus would be given to settlement.⁷

To get round this drawback, whose dangers were obvious right from the earliest stages of the enforcement of the law, the Ministry of Agriculture hastily specified that, in cases of proven need, the

Erbhof special courts (we shall return to them later) could overrule the principle of indivisibility. At the same time it was stressed that new settlement holdings would be considered *Erbhöfe*, with all the related advantages.⁸

In fact, the law was essentially based on a very limited concept of 'private property', in that the prerogatives of the owner took second place to the priority needs of the *Gemeinschaft* or the *Volk*. The peasant or *Erbbauer* had definite duties towards the latter, as regards both his family and economic life.⁹

The draft bill, debated in a cabinet meeting of 26 September, inevitably aroused fierce objections and raised issues which later turned out to be the actual weaknesses in the law. According to critics, peasants exempted from the normal functioning of the market were subject to a special protective regime which harmed not only the others (especially creditors, whose rights were annulled by the *Erbhof* principle of non-mortgageability) but even themselves: *Erbhofbauern* would not have access to credit facilities and therefore would lose the possibility of improving their economic position. Furthermore, the fundamental objection was raised that the law went against the whole existing legal system by introducing the unacceptable notion of a privileged status. For his part, the president of the Reichsbank objected that the law paid little heed to the economic efficiency of individual producers: this would cause a dangerous loss of enthusiasm among peasants. Moreover, the cost of implementing the law, to be borne by the community, would be so high as to make it impracticable, especially at a time when the country's economy was far from healthy.¹⁰ But Darré and Hitler, who agreed on the demographic and racial need for the law, had their way, and the bill was approved with very few modifications.¹¹

But the attacks on the *Erbhofgesetz* continued at a ministerial level. In April 1941 Darré complained about the Secretary of State for Justice, Huber, who had proposed bringing *Erbhöfe* back into the domain of normal mortgage jurisprudence, thus ending their special status. On this occasion too the Minister recalled the Führer's unequivocal position in favour of the law.¹²

Despite the widespread cultural traditions favouring forms of undivided inheritance, the contents of the new law appeared radical even to the advocates of 'ruralism'. For different reasons, businessmen were also suspicious of it, in so far as it took a large slice of landed property off the market and therefore outside the normal working of the capitalist economy, creating the basis for a static society made up of self-sufficient family productive units.

The impact of such a 'revolutionary' law (although it would be more accurate to describe it as reactionary) was so great that Darré was forced to order a temporary ban on public debates, supposedly illustrating the law but actually generating a good deal of bitter criticism.¹³ Representatives of the large eastern estates demanded to receive similar protection,¹⁴ and the press close to industrial and financial circles objected (really rather feebly) against the freeze on credit for production purposes.¹⁵ But by far the most significant criticisms were put forward by Max Sering, the doyen of German agronomists and a great defender of the peasant world.¹⁶ Starting from the same aims and a very similar cultural model to that of Darré, Sering maintained that the law was alien to the true peasant tradition and too rigidly privileged existing land ownership. Openly opposing Darré, Sering argued that the legal-constitutional model chosen, privileging the single heir over the younger children, was the expression of an élitist 'aristocratic right' totally alien to the peasant mentality, which was based on the internal strength of the extended family.¹⁷ In his opinion the law would not achieve its goals, which he basically shared, but would only further heighten the demographic and economic crisis of the peasantry: indivisibility would discourage the traditional *Geburtenfreudigkeit* of the rural population, thus restricting demographic growth; and from the economic point of view, the elderly expert maintained that the law was too rigid and would freeze both the entrepreneurial freedom of the peasant and the possibility of a social dynamic from below. Significantly, Sering criticised excessive state interference in a sphere that should be ordered primarily by old customs and the predominant sensibility in the rural world. He proposed revising the original draft, making it more flexible and more like the previous Prussian law for which he had been an adviser. In particular, the illustrious agronomist demanded that the testator be given greater freedom of choice, and that husband and wife be allowed to leave each other land. This would bring back the principles of the Civil Code (BGB), and disinherited children would receive greater protection.¹⁸

At the time of the debate on the draft bill, the Prussian Minister of Finance had put forward criticisms of a completely different nature – but these were more to do with the balance of power within the National Socialist political leadership than anything else. He was of the opinion that the peasantry (meaning the RNS) would be given too much freedom.¹⁹

Another authoritative conservative also spoke out, criticising the new law. In a memo presented to Hitler in August 1934, the former

Secretary of State von Rohr – whose backing Darré had even sought when the bill was going through the decisional centres²⁰ – declared it to be abstract, schematic and harmful to farmers' entrepreneurial spirit. He predicted that it would create a new social figure: the confident, well-protected peasant who was wholly inactive, even from a demographic point of view.²¹

The criticism from such a prestigious expert as Sering was a severe blow to Darré's plans, and even more so because it was widely covered by the national and foreign press. The Minister reacted very strongly: after rejecting (with rather vague reasons) the objections put forward by the economist, he set in motion a systematic slander campaign aimed at isolating whoever dared criticise this cornerstone of *Blut und Boden* ideology. According to Darré, Sering's criticisms were dangerous for two reasons: firstly because they coincided with, and legitimised through scientific reasoning, the widespread incomprehension of those directly involved, and secondly because they were openly exploited by foreign enemies of National Socialism. He insisted on both of these points, and repeatedly asked Hitler and the Minister of the Interior, Frick, that the elderly economist be punished.²²

Eventually he had his way: the research institute directed by Sering lost its government funds and the economist was accused of having Jewish blood. Despite the support of Schacht and other members of the business world, for whom he had become the opposition standard-bearer against Darré,²³ Sering gradually disappeared from the scene and died in oblivion in November 1939, abandoned by all. Only two papers in the German press mentioned his death: the *Frankfurter Tageszeitung* of the 14 and 22 November and the *Weltwirtschaft Braunschweig* of 14 November. Other publications, such as the SS's *Das Schwarze Korps* of 7 December, sullied his memory, blaming him for the mistakes in the agrarian policy implemented during the First World War, and pejoratively describing him as 'der Schweinmörder', which was a reference to the drastic cuts in the pig herd made during the war because of the shortage of feeding-stuffs.²⁴

The radical nature of Sering's criticisms allows a very clear distinction to be made between the racist ideology of *Blut und Boden* and its background of ruralistic and *völkisch* ideas. The ideology, in fact, was soon to take a much more extreme form.²⁵ Here we see the distance between Sering's *Bauernfreundlichkeit*, which was shared by the whole of German agronomical science at the end of the nineteenth and the beginning of the twentieth centuries, and the élitist approach of Darré and his assistants who – as we have seen –

made the settlement programme and SS racial selection its concrete expression.²⁶ Sering had become the spokesman of a pro-farmer conservative outlook which radically criticised the measure. This criticism was backed by negative reactions or distrust in large sectors of the population who considered that the law clearly harmed many members of peasant families. Police reports and other regime sources offer a definitely one-sided account of the incomprehension that the *Erbhof* law met with throughout the country.²⁷ It is significant that as late as November 1935, two years after the intense systematic education campaign which Göring considered essential if the peasantry were to accept the new legislation and its radical innovations,²⁸ Darré still felt the need publicly to defend the law and reject criticism, which accused the law of being abstract and 'romantic'.²⁹

Another aspect of the ill-concealed hostility towards the new legislation (in addition to objections to the cumbersome bureaucratic procedures required) was the clear discrepancy between the number of holdings that, according to provisional calculations, should have been classified *Erbhöfe* (more than a million farms – a total area of approximately 18–19 million hectares) and the number of *Erbhöfe* actually recognised: 689,635 – a total surface area of just over 16 million hectares. Moreover, the sources do not allow us to establish whether the number of *Erbhöfe* was smaller than expected because of the severity of the selection criteria or because those who were entitled to, did not apply for recognition. The category with the lowest percentage of farms applying to be included in the list of *Erbhöfe* was that of the small holdings: only 12.9 per cent of holdings from 5 to 10 hectares (15.5 per cent in terms of the total land in the category). The number of large estates applying was also low: 33.2 per cent of farms from 100 to 200 hectares (29.1 per cent of the total surface area). These figures show how loosely the criteria concerning the minimum and maximum size of the *Erbhof* were applied. As many as 5,916 farms of over 100 hectares (a total surface area of 783,563 hectares) plus 2,661 holdings of under 5 hectares (a total surface area of 8,193 hectares) were classified as *Erbhöfe* – a rather large number of exceptions to the law.

The regional distribution of the *Erbhöfe* shows a significant number of variations from area to area: the density of this new kind of holding was obviously greater in regions where a law on undivided inheritance was already in force. But the small number of *Erbhöfe* in central-western and East Elbian regions very clearly shows how little impact the new law made on age-old traditions and behaviour.³⁰

One of the most conspicuous consequences of the law was the freezing of credit flows, caused by the special hyper-protected legal position of farmers. As it was impossible to touch farm property, creditors found they could not recoup debts from *Erbbauern* in arrears. On the National Socialist side, the head of the sector in the RNS leadership, Arthur R. Herrmann, suggested that the peasants united to form *Verbände*, which could collectively meet the costs of debts contracted by individual members. In this way, creditors would have some kind of guarantee.³¹ Industrialists, on the other hand, asked that severe penalties be introduced for defaulting farmers and that the qualitative standard of would-be *Erbbauern* be subject to more rigid controls.³² The various positions – as can be seen – were rather divergent. This was also because in Darré's view, as well as in that of the advocates of 'peasant socialism', the exemption of the *Erbhof* from the laws of the market, and especially from the mechanisms of indebtedness, constituted an irrevocable milestone in the age-old and now finally victorious struggle against the 'Jewish spirit'. In this sense, it was an example to be emulated and applied to other sectors of the economy.³³

In fact, many farmers exploited this situation to get into debt, often in unproductive ways, seriously harming creditors. The RNS attempted to combat this disturbing trend by issuing a circular, reminding farmers that they were responsible for meeting their obligations and settling debts contracted in purchasing seed and fertilisers. These debts were to be paid out of the harvest (the so-called *Früchtepfandrecht*) – otherwise all faith in the system would be irremediably shaken.³⁴

The other side of the coin was that *Erbbauern* could not obtain credit facilities for business purposes. It was primarily Schacht who, after having already opposed Darré's agrarian policy, prevented the *Erbbauern* from obtaining access to credit facilities. In so doing he influenced the whole banking system, whose distrust of essentially irresponsible economic actors meant that it was practically impossible for *Erbbauern* to obtain medium- or long-term credit. From the tribune of the *Reichsbauernstag*, held in Goslar in November 1937, Darré went so far as to denounce publicly a manoeuvre aimed at destroying the very principle of the *Erbhof*: 'I have established that completely debt-free farms, which were perfectly entitled to receive business credit facilities, were not given them, because it was hoped that in this way the very principle of *Erbhof* would be weakened and the law itself demolished'.³⁵ The lack of credit facilities obviously reduced the possibilities for farm improvements. Only after considerable pressure from the banks

and the Minister of Justice did Darré yield on the basic principle of the irresponsibility of the farmers and on the immunity of farm property: a decree of 21 December 1936 specifically limited the privileges of the *Erbbauer*, making it easier for a farmer to be replaced whenever he proved incapable of running his holding from an economic point of view.³⁶

This was a more severe application of the concept of *Abmeierung*, already provided for in the draft of the 1933 law. What was meant by this category, also derived from old German law to accentuate further the 'traditional' veneer which the regime wished to give the new law, was quite simply that the peasant lost not so much his right to his property, which in theory he kept, as his right to make use of it.³⁷

In the case of the moratorium measures for the difficult property situation affecting many would-be *Erbhöfe*, in view of the consequences of the serious agricultural crisis, Darré attempted to impose a solution that completely guaranteed the *Erbbauern*, by reducing taxes to a minimum.³⁸ He presented a draft bill, which provided for sharing of responsibility by all farmers, and thus basically rewarded those in debt (whether it was their fault or not) rather than those who had managed to keep their books balanced.

In an attempt to make up for this obvious unfairness, the RNS ideologues suggested rewarding farmers who were less in debt, by giving them bonds for the purchase (in an unspecified future) of settlement holdings for their disinherited children at very favourable conditions.

There was a unanimous reaction to this proposal: the Ministers of Finance and Economics, as well as the head of the Reichsbank, violently attacked the bill, forcing Darré to withdraw it.³⁹ What Grundmann defined as 'a victory for the conservatives and their traditional notion of profitability'⁴⁰ was, however, short-lived. For with a decree of 20 June 1936, the *Erbhöfe* also became subject to debt relief at very advantageous conditions: as much as 80 per cent of debts could be written off through loans at very reduced rates, and farm property could still not be touched. The decree did include, however, at least two conditions imposed by the advocates of economic 'rationality': firstly, debt relief would only be given after a favourable opinion had been expressed by the local offices of the RNS, which had to evaluate the economic solidity of the farm; secondly, debts contracted after a farm had become an *Erbhof* could not be written off – this was intended to win back the confidence of the credit system.⁴¹

The problem of access to credit facilities, vital for any modernis-

ation of the productive set-up of peasant farms, was never solved, given that the banks were still rather reluctant to take risks with producers who were protected against having to repay. Similarly, it cannot be said that the massive contributions made towards reducing *Erbhöfe* debts produced very positive results. Despite the billions that the government shelled out for debt-relief schemes for this kind of holding,⁴² their financial situation improved for only a short time. According to the statistics, as early as mid-1936 the *Erbhöfe* were deeper in debt than other farms in the eastern and north-eastern regions.⁴³ It cannot be established how far this high level of indebtedness was due to the special conditions in which these farms had to work, or to a general decline in the agricultural economy. The fact is, however, that the problem of credit and debt relief was never solved, despite government intervention. Thus Darré's plan to create an economic category completely protected from the 'diabolical' mechanisms of the capitalist market was thwarted.

The social contradictions which emerge in the law were to some extent solved or at least attenuated by the activities of special courts, the *Anerbengerichte*, created to settle controversies arising out of the enforcement of the law. They were divided into three levels of appeal courts, the supreme court being held at Celle, and were made up partly of professional judges and partly of farmers, chosen for their honesty and moral uprightness. Although appointed by the Ministry of Justice, these judges were mainly members of the RNS and in theory had to safeguard its interests. But they actually made many rulings which were exceptions, and by bending the over-severe law they met many peasants' requests. These exceptions mainly concerned decisions which had been unfavourable to female heirs, and the courts took more heed of local customs which varied greatly from area to area. Many appeals concerned the right to buy or sell land and to obtain credit for improvements to the economic structure of farms. Again, the courts often tended to meet the genuine economic needs of the *Erbbauern*, rather than applying the law to the letter.⁴⁴

The large number of appeals (from 1935 to 1939 there were as many as 24,000, an average of one for every 29 *Erbhöfe*) gives an idea of the complex work the courts had to tackle, as well as the intense reaction which the law had aroused by interfering with rigid schemes in the complex and long-standing structure of rural society. The activities of the courts paved the way to a gradual acceptance of the law, whose main points were partly negated by some of the rulings made by the special courts. An internal RNS

report dated September 1934, concerning Mecklenburg, read as follows: 'The law is more fully understood when farmers realise that court rulings correspond to their own ideas.'⁴⁵ From the outset, RNS bodies were at pains to spread the idea that the principles in the law were not rigid, but should be considered as 'guidelines'. And this statement also helped to dispel the gloom.⁴⁶ Lorenzen-Schmidt's comments on Schleswig-Holstein can be cited as an example: 'Despite the opposition of the rural population, the *Erbhof* law has been accepted in the region, thanks primarily to the fact that it has been enforced in fairly reasonable ways.'⁴⁷

The enormous work involved in the legislative and judicial revision of the *Erbhof* law clearly shows how German farmers resisted Darré's project for a static, immutable, subsistence economy. It can be said, therefore, that the project of the Minister and theoretician of *Blut und Boden*, whose utopian vision was very far from the concrete real-life needs of the peasant economy, was a failure.

But there were also particularly negative consequences for the National Socialist regime. The law worsened the position of disinherited sons and daughters, whose chances of acquiring any form of property were very limited. In part, this was also due to a slowing-down in the settlement policy – examined in Chapter 6. In the end, despite the lack of accurate information and the brief time the law had to make its effects felt, the National Socialist leaders themselves had to concede (naturally, not in public but in their bureaucratic correspondence) that the law had played a part, along with causes of a more general nature, in the inexorable decline of the rural population.

The weighty correspondence containing answers from Landesbauernführer and members of the Reichsbauernrat to the memo-questionnaire sent to them by Darré in view of the coming 1939 census⁴⁸ reveals that the local leaders were fully aware of the harmful consequences of the *Erbhof* law for demographic growth. They called for both a greater flexibility in enforcing the law and more concern with disinherited sons, for whom vocational schools ought to be created and the chances of obtaining a settlement holding improved. These proposals were made, however, in February 1938, which was too late, for by then much less heed was paid to the demands of agriculture. In fact, the deep qualitative changes caused by the war and its imperative productive needs meant that the *Erbhofgesetz* was suddenly shelved, and with it the underlying ruralistic ideology.

Notes

1. See Chapter 6, note 76.
2. Cf. J. E. Farquharson, *The Plough and the Swastika: The NSDAP and Agriculture in Germany 1928-1945*, London-Beverly Hills, 1976, pp. 107ff., and especially the well-documented monograph by F. Grundmann, *Agrarpolitik im Dritten Reich*, Hamburg, 1979. In fact Hugenberg publicly stated that he had had to accept a law that, in his opinion, gave too much power to the state: letter published in *Der Nationale Wille*, 10 June 1933, in BA, N1 Schmidt-Hannover, vol. 75.
3. Grundmann, *Agrarpolitik*, pp. 36f.
4. In BA, N1 Darré II, AD vol. 20.
5. Darré had deliberately ruled out any extension to the upper limit of the range of farm sizes which could apply for the status of *Erbhof*. This can be explained by his prejudice against the estate owners. Initially, however, he did consider making the upper limit 300 hectares: letter from Wagemann, Prussian Minister of Justice, 13 June 1933, in BA, NS 26, vol. 952.
6. According to the Minister only those who worked as a duty to the race and the people could be considered *Bauern*. Whoever worked in agriculture with the main purpose of making money should be considered *Landwirt*. Quoted in H. Krietenstein, 'Die Stellung des Nationalsozialismus zum Problem der deutschen Agrarverfassung', Dissertation, Bochum, 1937, p. 65.
7. Cf. H. Weigmann, *Siedlung und sozialer Aufstieg der Landarbeiter*, Berlin, 1934, p. 134. But F. Wenzel, in an article entitled 'Reichserbhofgesetz und Siedlung', *NS Landpost*, 16 December 1933, optimistically claimed that the law would considerably help disinherited sons to become owner-occupiers. He did not, however, explain his reasons for this conviction.
8. Circular from Kummer, 6 March 1934, in BA, R 2, vol. 19047.
9. The Germanic concept of 'property', intended as *Gemeinnutz*, as opposed to *Eigennutz* (i.e. that whose aim was private, individualistic profit), is described by H. Merkel, 'Eigentum', *Odal*, no. 4, 1935, pp. 550ff.
10. Cf. the letter from the board of the Reichsbank to Darré, 29 September 1933, in K. H. Minuth (ed.), *Die Regierung Hitler*, Boppard, 1983, vol. I, pp. 875ff.
11. The proceedings of the debate are in BA, R 43 I, vols 1465 and 1301. Hitler had already spoken out in favour of the law strengthening the *Bauernrum* in a speech given before the Landwirtschaftsrat on 5 April: DZAM, Rep. 87B, vol. 20587. The proof that Hitler agreed with the bill makes the statements of Meinberg and Reischle for the defence in Darré's trial really rather unconvincing. They claimed that the Führer had stubbornly opposed the *Erbhof* bill, which over-idealised the peasantry, in a top-level meeting in September 1933 at Obersalzberg, and that it was only after a great deal of insistence from Darré that Hitler finally consented: Book 6 of the defence, DZAP 99 US 7, vol. 553, pp. 20, 29.
12. BA, N1 Darré II, vol. 27.
13. Circular of 11 October 1933, in BA, R 16 I, vol. 2051.
14. See letters to the Führer from Albrecht zu Stolberg-Wernigerode, 16 October, and the Deutsche Adelsgenossenschaft of 18 October, asking for an increase in the upper limit for farms eligible for *Erbhof* status. Darré brusquely dismissed any proposal to modify the law in this way: BA, R 43 I, vol. 1301.
15. BA, R 43 I, vol. 1301. Cf. J. Sinz, 'Die deutsche Bauernhöfe', *Wirtschaftsdienst*, 8 December 1933; G. Kokotkiewicz, 'Der Agrarkredit nach Erlaß des Reichserbhofgesetzes', *Deutsche Bergwerkzeitung*, 28 December 1933, and 'Neue Weg der Agrarpolitik', *Deutsche Führerbriefe*, 12 September 1933.
16. M. Sering, *Erbhofrecht und Entschuldung unter rechtsgeschichtlichen, volkswirtschaftlichen und biologischen Gesichtspunkten*, Leipzig, 1934.
17. One of Sering's most important followers, Constantin von Dietze, was of a different opinion. He had no difficulty in collaborating with the regime and even

carried out important duties as an international representative. See his article, 'Das Anerbenrecht und das preußische Erbhofgesetz', *Der Ring*, 26 May 1933.

18. Sering, *Erbhofrecht*, pp. 37ff.

19. Cf. the minutes from the cabinet meeting, 26 September 1933, in BA, R 43 I, vol. 1465.

20. Cf. the correspondence between Darré and Backe in August 1933, in BA, NI Darré II, vol. AD 20.

21. Cf. the text of the memorial, in BA, R 43 II, vol. 193.

22. For the subsequent ostracism of Sering, see the proceedings in DZAP, 61 Re 1, vol. 442 and BA, R 43 I, vol. 1301.

23. According to the later evidence of Dietze, Schacht gave Sering his full backing. For example he printed, at his own expense, the aforementioned booklet criticising the law and ensured that it was widely read and in the right places. The financier's aim was to demolish Darré's policy, which he considered abstract and unrealistic: cf. E. N. Peterson, *Hjalmar Schacht*, Boston, 1954, p. 244.

24. But two years earlier his eightieth birthday had been given wide coverage by the press, which paid homage to him along with leading figures such as Schacht and top military men like Blomberg and Raeder.

25. On the long-term evolution of ruralistic ideologies, see D. Conte, 'Note su dinamica elettorale, associazionismo agrario e ideologia ruralistica tra anni Venti and Trenta in Germania', in G. Corni and D. Schiera (eds.), *Cultura politica e società borghese in Germania fra Otto e Novecento*, Bologna, 1986, pp. 285–314. A more traditional account is given by H. Haushofer, *Ideengeschichte der Agrarwirtschaft und Agrarpolitik in deutschen Sprachgebiet*, vol. II, Munich, 1958.

26. It would appear to be somewhat simplistic to trace a direct line of descent from the ideas of Sering to the ideology of Darré, as G. Heitz has done in the article, 'Max Sering und die Apologie der inneren Kolonisation', *WZU Rostock*, vol. 17, 1968. Even when the bill was being drafted for Prussia, Backe had suggested adopting an even more élitist approach so as to create an almost hand-picked body of peasants, bearers of the supreme values of the *Volk*: cf. his letter of 15 April 1933, in BA, NI Darré I, vol. 66.

27. See the reports from the RNS in Mecklenburg and Hanover in autumn 1934, in DZAP, 36.03, vols 58 and 60, and a letter from the Baden LBF, November 1933 (in DZAP, 36.01, vol. 1871). For Bavaria, see I. Kershaw, *Popular Opinion and Political Dissent in the Third Reich*, 2nd edn, Oxford, 1984, pp. 43f. Cf. also the numerous reports made by police offices in Hanover. Throughout 1935, they record widespread complaints about the law and about a number of specific aspects such as the difficulty in getting credit facilities and the marginalisation of female heirs: K. Mlynek (ed.), *Gestapo Hannover meldet*, Hildesheim, 1986, pp. 84, 119, 145, 159, 426. Grass-roots critics of the law are also reported by the *Deutschland-Berichte der SOPADE 1934–1940*, 7 vols, Frankfurt, 1980, pp. 50ff., 465ff., 887f.

28. Cf. the letter to Darré, 3 August 1934 (BA, R 43 II, vol. 143), in which the sender expresses his profound anxiety about the mood of the peasants as described in the Regierungspräsidenten reports.

29. *Reichsbauerntag* speech, 17 November 1935.

30. Grundmann, *Agrarpolitik*, pp. 66ff.

31. Lecture given in Goslar, 12 November 1934, in BA, R 16 I, vol. 2051, and his article 'Vorschläge zur Frage des Erbhofkredits', *Wirtschaftsdienst*, 20 December 1935.

32. Editorial in the *Deutsche Volkswirt*, no. 35, 27 May 1938.

33. See the article full of praise by the principal theoretician of 'romantic economics': Gottfried Feder, 'Das Kernstück der Bauernbefreiung', *VB*, 29 January 1934.

34. Fourth section RNS circular, 15 December 1933, in DZAP, 36.01, vol. 1729.

35. Darré, *Aufbruch des Bauerntums*, Berlin, 1942, p. 57.

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36. Rgbl., I, p. 1082.

37. Decree of 21 December 1936, in Tornow, *Chronik der Agrarpolitik und Agrarwirtschaft des Deutschen Reiches*, Hamburg-Berlin, 1972, pp. 39f.

38. Even in the text justifying the *Erbhof* bill, the Minister had stressed it was essential that all existing debts should be annulled: BA, R 43 I, vol. 1465.

39. The proceedings concerning the modalities for credit facilities for these holdings are in, among others places, DZAP, 36.01, vol. 1729, and BA, R 43 I, vol. 1301. See also the different positions expressed by G. Kokotkiewicz, *Vergangenheit, Gegenwart und Zukunft des Agrarkredits*, Berlin, 1934; A. Feige, 'Die künftige Kreditversorgung der Erbhöfe', *Deutscher Volkswirt*, 16 November 1934; the editorial in no. 35 of the same publication, 27 May 1935; and W. Fork, *Das deutsche Agrarkreditproblem der Gegenwart*, Würzburg, 1937. In general, see Grundmann's critical reconstruction, *Agrarpolitik*, pp. 80ff.

40. Grundmann, *Agrarpolitik*, pp. 50ff. The quotation is from p. 54.

41. 'Was bringt die Erbhofentschuldung?', *Wirtschaftlicher Pressedienst*, 25 June 1936.

42. Grundmann's estimate, *Agrarpolitik*, p. 87.

43. Indebtedness in RM per unit of land on 1 July 1936:

Region	Smaller than Erbhof	Size Erbhof	Larger than Erbhof
East Germany	—	771	619
Central Germany	—	715	781
North-West Germany	—	575	566
South-West Germany	497	449	—

Source: *Probleme des Agrarkredits*, Berlin-Stuttgart, 1939, pp. 210f.

44. Cf. Grundmann, *Agrarpolitik*, pp. 145ff.; Farquharson, *Plough and the Swastika*, pp. 125-40.

45. Cf. the first section RNS report, July 1934, in DZAP, 36.03, vol. 68, and the article by the Landesgerichtsdirektor, Wilhelm Saure, whom Darré appointed ministerial adviser for the *Erbhof* law on 5 October 1933 (BA, R 16 I, vol. 2051): 'Falsche Behauptungen und ihre Widerlegung', *Deutsche Zeitung*, 17 June 1934.

46. Cf. DZAP, 36.03, vol. 60.

47. K. Lorenzen-Schmit, 'Landwirtschaftspolitik und Landwirtschaftliche Entwicklung in Schleswig-Holstein', *QGSH*, vol. 8, 1983, p. 285. In Bavaria too, as is clear from a speech by Frank, temporary measures had been issued to accustom people gradually to the new law: DZAP, 25.01, vol. 2064.

48. The extensive correspondence is in BA, R 16, vol. 1272 and in BA, NI Darré II, vol. 4. On the subject of the declining population, see E. Wiegand, 'Die bevölkerungspolitische Lage im Bauerntum', *Odal*, vol. 7, 1938, and C. v. Dietze, 'Bäuerliches Erbhofrecht und Bevölkerungspolitik', *Deutsche Agrarpolitik*, vol. 2, 1933, pp. 7ff.