

# **THE EXCLUSION OF JEWS FROM ROMANIAN SOCIETY DURING THE ANTONESCU GOVERNMENTS WITH AND WITHOUT THE IRON GUARD: ANTISEMITIC LEGISLATION, ROMANIANIZATION, AND EXPROPRIATION**

## **Marshal Antonescu on Romanianization**

When he assumed power in September 1940, Ion Antonescu outlined his policy priorities and stressed, “The program I will submit to your collective judgment is rooted entirely in the tenets of integral nationalism.”<sup>1</sup> According to the Conducator, “integral nationalism” meant intolerance of ethnic pluralism and the elimination of “foreigners,” especially Jews, from all facets of Romanian society as part of a project of ethnic homogenization of the Romanian nation. “Integral nationalism” was the foundation of the Romanianization program adopted by Antonescu, and the anti-Jewish measures he signed into law were the main instruments for conducting the process. According to Mihai Antonescu, the enforcement of this legislation “contributed to the shedding of the foreign plague from Romanian ownership structures and cracked down on Jewish domination in Romanian economic life.”<sup>2</sup>

Outlined by Antonescu as early as September 1940, Romanianization was presented as a large-scale “national-social reform,” and it would outlast Antonescu’s removal of the Legion from government. Immediately after the repression of the Legionary rebellion in 1941, Antonescu declared:

This state shall base its policies on the primacy of Romanianism in all domains of life. I pledge to unhesitatingly enforce all reforms necessary for the elimination of foreign influences and the safeguarding of our national interest. The struggle of the grand German National Socialist revolution and fascist achievements shall serve as guideposts of experience to be adapted to Romanian needs in order to graft on our realities the

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<sup>1</sup> *Monitorul Oficial* (henceforth: *Official Gazette*), no. 206, September 6, 1940, p. 5114.

<sup>2</sup> Mihai A. Antonescu, *Doi ani de guvernare. 6 septembrie 1940 - 6 septembrie 1942* (Dacia Traiana: Editura Nationala) p. 150.

new world supported by the achievements in organization of these peoples.<sup>3</sup>

Antonescu's Romanianization policies were not the outcome of a decision made in the context of the necessities of war. Rather, they expressed his adherence to the doctrine of extreme right nationalism rooted in the developments in Romania during the second half of the nineteenth century. For him, Romanianization was a crucial problem, the cornerstone of the new state he intended to create.

To this end, the Conducator announced he would issue laws outlining the main principles of Romanianization and the stages in which this process would unfold.<sup>4</sup> Antonescu never claimed that he would use violent, revolutionary means to achieve the objectives of Romanianization. Rather, in order to avoid an economic collapse, he envisioned Romanianization more as a gradual, staged process, in contrast to the Iron Guard's brutal, corrupt approach.<sup>5</sup> However, it is evident that Antonescu differed from the Legion only with respect to the methods, and not the desirability, of Romanianization. Yet, the legislation and "civilized means" promised by Antonescu were no less abusive in terms of the dispossession of Jewish property and rights.

### **The Racial Nature of Anti-Jewish Legislation Passed between 1940 and 1944**

The first law to frame the new legal status of Jews in Romania and express integral nationalism and Nazi-style political racism was signed on August 8, 1940, by King Carol II, Ion Gigurtu, president of the Council of Ministers, and I.V. Gruia, minister of Justice and law professor at the University of Bucharest.<sup>6</sup> This decree-law excluded the Jews from many of the benefits of citizenship granted to them by the 1923 Constitution by legally and politically distinguishing between "Romanians by blood" (*romani de sange*) and "Romanian citizens." Emphasizing the significance of "blood" and "race" to the nation and state was a basic principle of the Nazi worldview.<sup>7</sup>

According to this first law, "The concept of the nation can now be construed less as a legal or political community and more as an organic, cultural community based on the law of

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<sup>3</sup> Ion Antonescu, *Declaratiile domnului General Ion Antonescu facute presei* (Bucharest: Tipografia MAN, 1941), p. 15.

<sup>4</sup> Stenograma Consiliului de Cabinet of February 7, 1941, in *Evreii din România între anii 1940-1944*, vol. 1, *Legislatia antievreiasca* (henceforth: *Legislatia*), ed. Lya Benjamin (Bucharest: Hasefer, 1993), no. 92, p. 291.

<sup>5</sup> *Ibid.*

<sup>6</sup> Decree-law no. 2650 in *Legislatia*, no. 3, pp. 37-50.

<sup>7</sup> Lucy S. Dawidowicz, *Războiul împotriva evreilor. 1933-1945*, trans. Carmen Patac (Bucharest: Hasefer, 1999), p. 83.

blood, from which an entire hierarchy of political rights emerges; for the law of blood contains all cultural, spiritual and ethical opportunities...The defense of Romanian blood constitutes the moral guarantee for the acknowledgement of supreme political rights.”<sup>8</sup> In the Romanian context, the “laws of blood” referred to ethical, spiritual, and cultural characteristics, rather than to physical characteristics. On the basis of these general considerations, the law regulated the legal status of Jews in Romania with regard to their participation in religious, political, and economic life. It did not attempt to deprive the Jews of citizenship, since in the new context Romanian citizenship was irrelevant.

### *The Classification of Jews in Romania*

The August 8, 1940, law placed Jews into three categories. The first<sup>9</sup> category included Jews who had entered Romania after December 30, 1918; these Jews were subject to major prohibitions. The second category was comprised of those Jews who had been naturalized on individual basis until December 30, 1918, who had served in the army in either the 1877-1878 war of independence or World War I, war orphans, and the descendents of the excepted categories of Jews. But Jews in neither of these categories were considered to be part of the national community, and they were subject to restrictions on owning property in rural areas and in qualifying for public service jobs. Most Jews in Romania fell into the third category.<sup>10</sup> These were the Jews who had become citizens according to decree-laws of 1919. Jews in the first and the third categories were prohibited from taking public service jobs, buying property, pursuing military careers, becoming lawyers or notaries public, being appointed members of a corporate board, owning businesses in rural areas, liquor stores, movie theaters, publishing houses, publications, and Romanian media outlets. All Jews were prohibited from taking Romanian names.<sup>11</sup> Jewish religion and spiritual life were not considered to be integrated into the Romanian religious and spiritual community to which Jews were ordered to pay respect.<sup>12</sup> The law defined Jews by merging—in the spirit of the Nuremberg laws—the dual criteria of ritual and ancestry: a person was considered to be a Jew if he or she practiced Judaism or was born to parents of the Judaic faith, even if the same

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<sup>8</sup> See footnote 6.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

person had converted to Christianity or was an atheist. One could be considered Christian only if his or her parents had converted prior to the birth of the child.<sup>13</sup>

### *The Antonescu Regime and the Jews*

Although hostile to the Royal Dictatorship, Antonescu's regime did not abrogate this 1940 law. On the contrary, he used its principles as the ideological foundation for its anti-Jewish laws. Moreover, defining the Jew remained an essential problem in the context of the anti-Jewish legislation under Antonescu, too, even though that definition ultimately changed. For example, the new regime decreed that a person with even one Jewish parent, irrespective of whether that parent had converted to Christianity before the child's birth, would be considered a Jew, as "the mystery of baptism could not change the destiny of Jewish blood."<sup>14</sup>

Under Antonescu, every law included a special article on the definition of a Jew, and the criteria varied from one law to the next. The criterion of having at least one Jewish parent (regardless of whether one or both parents were Christians at the time of the child's birth) was preserved in the law nationalizing urban buildings and Jewish rural property. According to the laws on the situation of the Jews in the educational system and the Romanianization of forced labor in industrial enterprises, persons born to both Jewish parents or only a Jewish father were defined as Jewish, whereas the decree-law on doctors' professional associations defined Jews as an "ethnic group of the Mosaic religion or converts to Christianity." In contrast, the law on military obligations of Jews preserved the definition from the August 8, 1940, law, which held that Jews were those born to Jewish parents or a Jewish father, while the decree-law annulling apprenticeship contracts deemed a person Jewish simply by virtue of having only one Jewish grandparent—either maternal or paternal (i.e., the grandparent practiced Judaism or married into a family that did).

By defining Jewishness in different laws, the Romanian government demonstrated that political racism was at the heart of anti-Jewish legislation. Jews were not punished for what they did, but for what they were. Jewishness itself was the mark of inferiority and having it was criminalized. Accordingly, the government adopted measures to exclude Jews from Romanian society and defend the "Romanian blood." In order to ensure that this "defense" would have a real effect, the Antonescu regimes prohibited marriage between "Romanians by blood" and those whom it defined as "Jews." Also, Jews were prohibited

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<sup>13</sup> Ibid.

<sup>14</sup> Ioan Cezar Duma, "Criteriul sângelui," *Pandectele românizării* vol. 1, no.10 (November 8, 1941): p. 306.

from conversion to the Christian faith. These measures were taken because “the ethnic being of the Romanian nation must be protected against mixing with Jewish blood.”<sup>15</sup> The same motivation was used to prohibit Jews from hiring Romanian servants.<sup>16</sup>

On December 16, 1941, Ion Antonescu signed the law mandating a census of ethnic Jews. This law ordered that the Jews be counted in order to provide the government with a complete statistical picture of the Jewish presence in all domains of life and to enable a comprehensive definition of Jewishness—one that would conform to Romania’s national interest and racial principles.<sup>17</sup>

But the racial character of the anti-Jewish legislation was not defined only through the laws that expressly provided for the defense of “Romanian blood,” but also in regulations on the definition of the Jew and the discrimination of Jews relative to other ethnic groups in Romania. This body of laws adopted by the Antonescu regimes fit the framework of racial laws that entered into force at the beginning of the 1940s in those European countries that became part of the political system of the continental Holocaust.

### **Statutory Exclusion of Jews from the Economic, Cultural, and Public Life in Romania**

Propaganda supporting the exclusion of Jews from Romanian society increased tremendously during the early 1930s. Extremist journals, such as *Sfarma Piatra* or *Porunca Vremii*, continuously denounced the Jewish “invasion” in various domains of life and exposed Jews who adopted Romanian names or pseudonyms. Nevertheless, at the end of 1937 antisemitic propaganda was not a state endeavor. It would become so only during the Goga government (December 1937-February 1938)<sup>18</sup>. The Gigurtu government passed the first law that was based on the principles of Nazi-style political racism in August 1940.<sup>19</sup> The proclamation of the National Legionary State in Romania in September 1940 led to the promulgation of Romanianization laws. During the period when Ion Antonescu governed with the Iron Guard (September 1940-January 1941), acts of terror against the Jewish population and extensive theft of Jewish property by the Legionnaires accompanied the anti-Jewish legislation.

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<sup>15</sup> Decree-law no. 711, March 7, 1941, in *Legislatia*, no. 33, p. 120.

<sup>16</sup> Decree-law no. 504, March 8, 1944, in *Legislatia*, p. 262.

<sup>17</sup> Arhiva Națională Istorică Centrală (ANIC), fond Președinția Consiliului de Miniștri, Cabinet, file 107/1991, p. 161.

<sup>18</sup> Decree-law no. 169, January 21, 1938, in *Legislatia*, no. 1, pp. 21-32.

<sup>19</sup> Decree-law no. 2650, August 8, 1940, in *Legislatia*, no. 3, pp. 37-50.

### *The Expropriation of Jewish Property Located in Rural Areas*

Romanianization of the Jewish property through legislation began with the expropriation of rural Jewish property. What distinguished the Antonescu legislation on rural property (the laws of October 4, 1940, November 12, 1940, and May 4, 1941) from the August 8, 1940, Gigurtu law was that the latter allowed Jewish landowners to sell their property to blood Romanians, with the Romanian state having first bid in the case of multiple offers.<sup>20</sup> The laws under Antonescu, on the other hand, ordered the nationalization of rural Jewish property upon the official publication of these laws in *Monitorul Oficial* (the Official Gazette). Among the types of “rural property” subject to expropriation were arable and infertile land, hay lands, orchards and vineyards, animal farms and animal stock, vegetable gardens, pastures, forests, ponds, lakes, cereals in stock, tools, mansions and all buildings, railways and other means of transportation, and agricultural, food-processing, and lumber-processing equipment. In short, these laws prohibited Jews from acquiring or owning any form of rural property on Romanian territory. Together with the deportation of Jews who lived in the countryside to the cities, the expropriation of rural Jewish property ensured the complete Romanianization of Romanian villages.<sup>21</sup> As a result of their enforcement, the Romanian state became the owner of 40,035 hectares of land worth 5,063,364,350 lei, 47,455 hectares of forests worth 2,585,980,700 lei, and 323 cereal mills and breweries, as well as other industrial equipment important to the rural economy, worth 1,851,341,940 lei.<sup>22</sup>

In terms of Jewish property in the territories liberated by Romanian troops after Romania entered the war (June 22, 1941), a special law was adopted on September 3, 1941, which ordered the nationalization of Jewish possessions in Bessarabia and Northern Bukovina “without any notice or any other formalities.”<sup>23</sup> By implementing this law, the Romanian state became the new owner of 27,091 hectares of arable land and 141 pieces of agricultural equipment.<sup>24</sup> The property of the Jewish deportees to Transnistria from the counties of Câmpulung Moldovenesc, Suceava, Dorohoi, Rădăuți were legally declared abandoned property and given to the National Center for Romanianization (NCR) for clearance.<sup>25</sup>

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<sup>20</sup> Decree-law no. 3347, October 4, 1940, in *Legislatia*, no. 18, pp. 82-84; Decree-law no. 1120, May 2, 1941; Decree-law no. 3347, in the Official Gazette, October 5, 1940; and no. 3810 in the Official Gazette, November 17, 1940, in *Legislatia*, no. 39, pp. 144-147.

<sup>21</sup> Radu Ioanid, *Evreii sub regimul Antonescu* (Bucharest: Hasefer, 1997), p. 34.

<sup>22</sup> *Trei ani de guvernare*, September 6, 1940-September 6, 1943 (Bucharest, 1944), p. 144.

<sup>23</sup> Decree-law no. 2507, September 3, 1941, in *Legislatia*, no. 46, pp. 164-165.

<sup>24</sup> *Trei ani de guvernare*, p. 145.

<sup>25</sup> *Legislatia*, no. 73, pp. 227-228.

*The Romanianization of Jewish Capital and the Case  
of Commercial and Urban Property*

Knowing that the Romanianization of trade and industry could not be achieved overnight, the Antonescu regime did not pass a comprehensive law for the expropriation of Jewish industrial and trade enterprises in the Old Regat and southern Transylvania. The strategists of Romanianization viewed the process as a gradual one, which required the preparation of the “Romanian element” to occupy the spaces in the economy that would soon be vacated by Jews and also required the accumulation of capital necessary for the takeover. The replacement of the Jews could take place only then.

The first step of the Romanianization process was to take an inventory of Jewish trade and industrial property. The next step was to create a control mechanism over the stock and fixed capital of Jewish companies. Then, by the Decree-law no. 3361 of October 5, 1940, the government established a new position: Romanianization commissioner;<sup>26</sup> this marked the beginning of total government control over Jewish property. Most of the people appointed as Romanianization commissioners were Legionnaires. They were charged with organizing an economic system that would be “subordinated to the national interest and to the primacy of Romanian ethnicity” by formal Romanianization the Jewish companies. Although he prided himself on this institutional control mechanism borrowed from the Nazis, Ion Antonescu cautioned during a government meeting of December 13, 1940, that it could also lead to what he called a “catastrophe.”<sup>27</sup>

Indeed, the system did become abusive, with many commissioners blackmailing owners. As a consequence, the Romanianization commissioners were replaced with civil servants from the Ministry of National Economy as of January 18, 1941, according to Decree-law no. 562.<sup>28</sup> The prospect of an economic disaster was avoided by stopping the disorderly transfer of ownership over trade and industrial goods.<sup>29</sup> Government control over Jewish trade and industrial property was further enhanced when Decree-law no. 51 of January 20, 1942, which instituted government control over corporate boards, entered into force.

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<sup>26</sup> *Legislatia*, no. 13, pp. 68-69.

<sup>27</sup> *Problema evreiască în stenogramele Consiliului de miniștri, 1940-1944*, ed., Lya Benjamin (Bucharest: Hasefer, 1996), no. 60, p. 168 (henceforth: *Stenograme*).

<sup>28</sup> *Legislatia*, no. 28, pp. 101-103.

<sup>29</sup> *Ibid.*, p. 101.

Special controllers supervised the Romanianization of capital, the labor supply, and distribution at the company level. Each Jewish company was thus affected.<sup>30</sup>

Through Decree-law no. 351 of May 2, 1942, the NCR exercised control over company incorporation as well as mergers and acquisitions.<sup>31</sup> The government had priority in cases of public auction or private sale of the Jewish property that was prohibited from changing ownership without authorization from the Ministry of National Economy. Decree-law no. 196 of March 13, 1942, prohibited Jews from “concealing” their capital and other property under Romanian names. Jews were required to declare all property in enterprises whose Jewish capital was more than twenty-five percent and had been transferred to Romanian individuals or companies or to Romanian institutions within thirty days of the publication of the law.<sup>32</sup> At the same time, the law allowed for commercial partnerships between Jews and Romanians with the expectation that commercial partnerships would create better opportunities than expropriation. The Romanian Ministry of Justice wrote, “A partial or total expropriation at the beginning of the Romanianization process would have provoked a gap in the life of businesses, which would have led to stagnation, and we want to avoid that gap.”<sup>33</sup> It was thus possible to identify each share by name and to verify if the transfer of Jewish property to Romanians was based on authorizations required by the laws in force at that time. On the basis of Decree-law no. 196, the government registered 50,000 statements on company ownership, of which 2,902 were for limited liability companies and 42,747 for individual companies.<sup>34</sup>

#### *Registration of company stock*

The decree-law of March 3, 1941,<sup>35</sup> was aimed at the expropriation of Jewish capital and required the registration of stock in the owner’s name, which facilitated the nationalization of stock owned by Jews.<sup>36</sup> On March 25, 1941, the government issued a new law requiring the extension of this government control to limited liability companies. Subsequently, 432,811 shares evaluated at 191 million lei were nationalized.<sup>37</sup> The measure

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<sup>30</sup> *Legislatia*, no. 28, p.101.

<sup>31</sup> Titus Dragoș, *supra*, p. 52.

<sup>32</sup> *Ibid.*, *supra*, p. 52.

<sup>33</sup> *Legislatia*, no. 62, pp. 195-198.

<sup>34</sup> *Supra*, footnote 56.

<sup>35</sup> Decree-law no. 533 of March 3, 1941, *loc. cit.*, no. 32, pp. 117-119.

<sup>36</sup> Jean Ancel, *Contributii la istoria Romaniei. Problema evreiasca*, trans. Carol Bienes (Bucharest: Hasefer, 2001), vol. 1, part 2 (1933-1944): p. 68.

<sup>37</sup> *Curierul Israelit*, Organul Uniunii Evreilor Romani, vol. 34, series 2, no. 3 (October 1, 1944), p. 6.

affected 2,639 industrial and trade companies. Dozens of limited liability companies having a capital base estimated at 840 million lei were transferred into Romanian hands.<sup>38</sup>

The aim of this control was to stop and suppress the development of Jewish and foreign capital (with the exception of German and Italian capital) and to enhance the capital endowment of ethnic Romanians. The government subjected those Jews, who due to temporary state economic interests were left in possession of their commercial property, to a continuous state of uncertainty. They were sometimes accused of abusive commercial practices or sabotaging Romanianization, which resulted in serious administrative, non-judiciary punishments for the owner and his family. Typical in this regard was the following order of the President of the Council of Ministers to the Ministry of Interior:

By order from the Marshal we have the honor to ask you to order that all Jews who break legal provisions on prices and restrictions on the sale of certain products be deported at the Bug River. This measure is aimed both at combating disobedience of the law and the elimination of parasitic Judaic elements who live off breaking domestic law from crowded urban areas. Their deportation shall be conducted on the basis of a decree or resolution drafted jointly by the Ministry of the National Economy and the Undersecretary of State for the Supply of Army and Civilian Population. From this point of view, the Ministry of Interior shall only carry out the actual deportation.

Deportation formalities shall be kept to a minimum, and in the case that the above-mentioned type of Judaic element is caught red-handed, his entire family shall be deported with him without trial. The Marshal wishes that the decree or resolution should be applied retroactively and that no mercy shall be shown toward these elements. The required decree or resolution shall be presented to the Marshal no later than July 25, 1942.<sup>39</sup>

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<sup>38</sup> A. Simion, *Preliminarii politico-diplomatice ale insurectiei romane of August 1944* (Cluj Napoca: Dacia, 1979), p. 122.

<sup>39</sup> ANIC, fond of Ministerul de Justiție, Direcția Judiciară, file 154/1942, pp. 1-2.

*Chronology of the Romanianization of Jewish Urban Trade and Industrial Property*

1940

October 2: Jews may not rent pharmacies (Decree-law no. 3294).<sup>40</sup>

November 19: Jews may not sell merchandise produced under state monopoly (Decree-law no. 3758).<sup>41</sup>

November 19: The Romanianization of movie production companies, movie theaters and tour operators (Decree-law no. 3850).<sup>42</sup>

December 3: Nationalization of all ships belonging to Jewish companies and individuals.<sup>43</sup>

1941

March 1: Beginning of Romanianization of the steel trade and steel production (Decree-law no. 491).<sup>44</sup>

March 14: Beginning of Romanianization of the leather trade and leather production (Decree-law no. 655).<sup>45</sup>

October 9: Nationalization of Jewish mortgage credits as well as Jewish hospitals and Jewish health centers.<sup>46</sup> By August 1, 1943, the NCR had taken over 564 mortgage credits worth 180 million lei.<sup>47</sup>

May 2: Nationalization of bakeries, pasta factories, and equipment of cereal mills, breweries, drug factories, and mining and oil drilling companies (Decree-law no. 1120).<sup>48</sup>

November 28: Beginning of Romanianization of Jewish pharmacies, drug warehouses, and pharmacy offices (Decree-law no. 3275).<sup>49</sup>

1942

August 6: The town of Panciu (a center of the brewing industry) was declared an ethnically pure Romanian city.<sup>50</sup>

1943

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<sup>40</sup> *Legislatia*, no.11, pp. 64-65.

<sup>41</sup> *Legislatia*, no. 11, pp. 64-65.

<sup>42</sup> *Legislatia*, no. 17, pp. 79-81.

<sup>43</sup> *Legislatia*, no. 22, pp. 21-22.

<sup>44</sup> See *Monitorul Oficial*, March 1, 1941, no. 51, p. 260.

<sup>45</sup> *Monitorul Oficial*, no. 62, March 14, 1941, p. 530.

<sup>46</sup> *Legislatia*, p. 138.

<sup>47</sup> *Ibid.*

<sup>48</sup> *Legislatia*, no. 39, pp. 144-147.

<sup>49</sup> *Legislatia*, no. 52, pp. 175-177.

<sup>50</sup> *Legislatia*, no. 70, p. 222.

November 10: Nationalization of the Romania Mare mill in Bucharest, along with all its buildings, equipment, tools, merchandise, raw materials, and animals (Resolution no. 969 of the Presidency of the Council of Ministers).<sup>51</sup>

The government established the Romanian Credit Institute, an institution annexed to the Undersecretary of State for Romanianization, Colonization, and Inventory, to address the perceived urgency of Romanianization, which demanded immediate capitalization of the new owners (April 29, 1941).<sup>52</sup> The Romanian National Bank (*Banca Nationala a Romaniei*) helped the effort with a credit of 3 billion lei.<sup>53</sup>

### *The Legionary Approach*

After September 1940 the Legionnaires occupied numerous Jewish factories, workshops, and stores at gunpoint. They forced the owners to sign sale contracts or mere receipts for “transfer of ownership.” Official statistical data concerning Romanian territory (except Bucharest) showed that Jewish property worth 1 billion lei was sold for 216 million lei, of which only 52 million was actually paid—and most of this money had been robbed from the Jews.<sup>54</sup> In addition, the Legionnaire robberies caused damages to Jewish property amounting to 380 million lei.<sup>55</sup>

After the removal of Legionnaires from power in January 1941, the property abusively taken from the Jews by the Legionnaires was transferred to the Chamber of Commerce as part of the process of Romanianization instead of being restituted to its owners. The Legionnaires who could prove that they had acquired Jewish property in accordance with the laws of the time remained the lawful owners of that property.<sup>56</sup>

### *Romanianization through Company Closure*

Because of the many restrictive measures in force, most Jewish companies (15,987 out of 20,140) were shut down by their owners or ex officio by the Chamber of Commerce between September 6, 1940, and June 1, 1943.<sup>57</sup>

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<sup>51</sup> *Legislatia*, no. 83, pp. 253-255.

<sup>52</sup> *Monitorul Oficial*, no.100, April 30, 1941.

<sup>53</sup> Dragoș, *supra*, p. 78.

<sup>54</sup> *Curierul Israelit*, *loc. cit.*

<sup>55</sup> *Ibid.*

<sup>56</sup> *Stenograme*, pp. 199-200.

<sup>57</sup> *Curierul Israelit*, *loc. cit.*

### *Romanianization by Consent*

According to data used by Mihai Antonescu, 149 Jewish businesses were sold to Romanian owners between December 1941 and July 1942.<sup>58</sup> In general, the sales were disadvantageous to Jews, who had to sell thriving businesses at ruinous prices.

Romanianization angered the representatives of Romania's "historical parties," the National Peasant Party and the National Liberal Party. In December 1940, C.I.C. Bratianu, head of the National Liberal Party, wrote to Ion Antonescu, "the closing of Jewish businesses (which Romanians cannot afford to buy) and the terror spread by irresponsible youth [i.e., the Legionnaires] force many industrialists and retailers to sell their businesses for little money to minority shareholders subsidized from abroad or by foreign organizations. Instead of nationalization we are witnessing a de-nationalization that makes things worse in the economy. Every day I learn that companies belonging to Jews and other people passed to German or *Siebenburgische* [Transylvanian] Saxon hands."<sup>59</sup>

### *Romanianization of Jewish Buildings in the Cities*

Jewish buildings in cities were nationalized by law on March 28, 1941. The measure was regarded by the Antonescu regime as a "measure to improve national security and make Romania stronger, a way to honor the old traditions of Romanian Christian nationalism and culturally unite the country with the new European celebration of national freedoms."<sup>60</sup> The declared objective of this law was to breathe a nationalist Christian spirit into state policies on private ownership. In more concrete terms, it meant the consolidation of an ethnic Romanian middle class, which the regime saw as "the foundation of an authentic [step toward] national state building."

Article 1 of the March 28 decree-law mandated the nationalization of all immovable property situated in urban areas belonging to Jewish companies and individuals. Article 19 prohibited Jewish individuals and companies from acquiring ownership of such property. Moreover, the decree-law forever prohibited Jews from acquiring property in Romania, except in situations in which the law would provide for their concentration in specific urban centers. However, in contrast to the nationalization of Jewish rural property, which allowed no exceptions, in this case several categories of Jews were exempted from the provisions of the law: Jews naturalized through individual acts of Parliament up to August 15, 1916;

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<sup>58</sup> *Curierul Israelit*, loc. cit.

<sup>59</sup> Simion, *Preliminarii*, p. 119.

<sup>60</sup> *Legislatia*, no. 35, pp. 122-131.

decorated Jewish war veterans; war orphans who had been baptized Christians twenty years before, if married to ethnic Romanians; Jews baptized as Christians for over thirty years; and the descendants of the preceding categories. These exemptions were to be granted on an individual basis by the Council of Ministers.

The large majority of the Jews who did not benefit from exemptions were forced to transfer ownership of the property in question, which had to be free of mortgage and any other financial obligations, to the NCR. In return, the NCR was to provide reimbursement with a three percent interest rate; but payment of this reimbursement was postponed until the end of the war. The law was subsequently changed, however, and the requirement to issue notice of property transfer was dropped, as it had been the right of the previous Jewish owner to use the property; he henceforth became a tenant and could be evicted at any moment.<sup>61</sup> As a consequence of the enforcement of this statute, 75,385 apartments assessed at 50 billion lei were nationalized by December 1943,<sup>62</sup> and 38,202 appeals were filed in court by those who thought they belonged to the exempted categories. Only 2,016 of these appeals were resolved.<sup>63</sup> In Bessarabia and Northern Bukovina, 9,281 urban properties and 8,973 rural properties (with 16,779 annexes) belonging to Jews were also nationalized.<sup>64</sup>

*Romanianization of Property Belonging  
to the Jewish Communities: Statutory Romanianization*

On June 20, 1942, the Antonescu regime issued a law that modified previous statutes on expropriation of Jewish immovable property. This law decreed the nationalization of all immovable property belonging to Jewish communities, with the exception of synagogues, Jewish cemeteries, and temples built to serve as synagogues.<sup>65</sup> Subsequently, on November 9, 1943, a law was issued stipulating that abandoned Jewish cemeteries were to be transferred to the ownership of local municipalities.<sup>66</sup>

On the basis of Decree-law no. 499 of July 3, 1942, the Council of Ministers adopted many resolutions on the expropriation of Jewish property in all counties of Romania between 1942 and 1944.<sup>67</sup> Between July 14, 1942, and August 23, 1944, the Antonescu regime expropriated 1,042 Jewish community buildings, including temples, synagogues, schools,

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<sup>61</sup> Decree-law no. 903, October 9, 1941, in *Official Gazette*, no. 240, October 10, 1941, p. 6079.

<sup>62</sup> *Legislatia*, no. 99, p. 344.

<sup>63</sup> *Trei ani de guvernare*, p. 146.

<sup>64</sup> *Ibid.*

<sup>65</sup> *Legislatia*, no. 67, p. 217-220.

<sup>66</sup> *Legislatia*, no. 82, p. 252-253.

<sup>67</sup> *Legislatia*, appendix, pp. 429-485.

hospitals and clinics, orphanages, cemeteries, ritual bathhouses, administrative buildings, and rabbis' homes.<sup>68</sup> Additionally, even before Decree-law no. 499 went into effect, Legionnaires and then various departments of the government (e.g., Defense and Labor) had already requisitioned numerous buildings of the Jewish community.

*The National Center for Romanianization: Its Role  
in Romanianization and the Administration and Liquidation  
of Expropriated Jewish Property*

Romanianization, a complex process, required an adequate institutional framework, which was based on cooperative efforts by the Ministry of the National Economy, the Ministry of Labor and Social Welfare, and the Ministry of Interior. The government also established certain special institutions, such as the Division for Romanianization, Colonization and Inventory and the National Center for Romanianization (NCR; established in May 1941).

The NCR was a specialized institution directly subordinated to the Presidency of the Council of Ministers, and its main function was the expropriation of Jewish property. The establishment of the NCR centralized all Romanianization activities and bureaucratically structured the supervision of expropriation as well as the administration and liquidation of the expropriated property. The NCR was a repressive institution that approached the Jewish population with a police mentality. It used the services of paid informers and projected discretionary power with regard to Jewish properties. The NCR made high profits for the government (about 2 billion lei a year) from renting out the nationalized Jewish property, and it also liquidated nationalized Jewish property through sale.<sup>69</sup>

When Decree-law no. 231 of February 2, 1944, entered into force the NCR appeared ready to assume further functions in the planned colonization of territories newly occupied by the Romanian army. However, on September 1, 1944, the NCR was downgraded and became an administrative agency subordinated to the Office for the Liquidation of the NCR and of the Settlement of Migration Problems (Decree-law no. 445). The total value of nationalized Jewish property—including extorted property, which was subsequently sanctioned by the judiciary and the executive—was roughly 100 billion lei (in 1941, one U.S. dollar was worth 110 lei, and in 1943 one U.S. dollar was worth 400 lei).<sup>70</sup>

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<sup>68</sup> *Legislatia*, no. 99, p. 345.

<sup>69</sup> Decree-law no. 231, February 2, 1944, in *Legislatia*, no. 86, pp. 259-261.

<sup>70</sup> Anel, *Contributii*, p. 51.

*Romanianization of the Labor Force.*

*The Ghettoization of Jewish Independent Professionals*

The exclusion of Jews from various types of jobs began in 1937 with the inauguration of the Goga government; however, the process gained a powerful momentum during the Antonescu regimes, when Jews were excluded from all fields of work. Even though some of the measures taken were sometimes self-contradictory and were temporarily postponed, the active Jewish population experienced a period of sharp professional degradation to an extent that was specific to countries that imposed legal racial discrimination.<sup>71</sup>

Independent artists were the first to be affected by the legalized discrimination. On September 8, 1940, the Ministry of Religion and Culture issued Resolution no. 42181, which stipulated that all state and private theaters and opera houses were obliged to dismiss Jewish actors and singers.<sup>72</sup> A subsequent decision allowed Jewish performers to be hired by private Jewish theaters.<sup>73</sup> The new laws then began to target the professions. For example, Jews were forbidden to practice as pharmacists (through the laws of October 2, 1940, and November 21, 1941).<sup>74</sup> The August 8, 1940, law forbade Jewish attorneys belonging to categories 1 and 3 from practicing law and forced them to liquidate their businesses in six months, while the Antonescu government's October 16, 1940, decree-law went even further, excluding Jewish lawyers from the second category, as well. They had the right to work, but only for Jewish clients. The disabled and war orphans as well as those decorated for military valor were exempted from the law.<sup>75</sup>

One of the most severe laws against Jewish labor was Decree-law no. 3825 of November 15, 1940, on the Romanianization of the business labor force.<sup>76</sup> In the words of Wilhelm Filderman, this law basically "abolished the right of Jews to live,"<sup>77</sup> since all companies were required to fire their Jewish employees by December 31, 1941. The only exceptions were Jewish institutions with a religious or cultural character, Jewish veterans

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<sup>71</sup> Fondul de fișe individuale completate în cadrul anchetei organizate de Congresul Mondial Evreiesc între anii 1945-1947 în legătură cu pierderile suferite de populația evreiască din România în anii prigoanei. Unregistered document, Archive of CSIER.

<sup>72</sup> Resolution no. 42181, *Legislatia*, no. 6, pp. 57-58.

<sup>73</sup> Resolution no. 44400, September 21, 1940, *Legislatia*, no. 10, p. 63.

<sup>74</sup> Decree-law no. 3294, October 1940, and Decree-law no. 3275, November 28, 1941, in *Legislatia*, no. 11, pp. 64-65 and no. 52, pp. 175-177.

<sup>75</sup> Decree-law no. 3487, October 16, 1940, in *Legislatia*, no. 15, pp. 71-73. See paragraph entitled, "Caracterul rasial al legislației anti-evreiești."

<sup>76</sup> *Legislatia*, no. 16, pp. 74-82.

<sup>77</sup> *Legislatia*, p. 363.

with combat disabilities from the 1916-1918 war, and war orphans.<sup>78</sup> Despite temporary suspensions and deadline extensions, this statute led to the greatest growth of unemployment among active Jews. According to a June 13, 1943, Department of Labor report on the Romanianization of the labor force, the number of Jewish employees dropped from 28,225 on November 16, 1940, to a mere 6,506 on March 1, 1943. Similarly, the number of companies with Jewish employees dropped from 8,126 to 4,301.<sup>79</sup>

Jewish doctors were also subject to discrimination. Unlike the decree-law of August 8, 1940, which excluded Jewish doctors belonging to categories 1 and 3 from the ranks of state physicians, the November 1940 law stipulated that all Jewish workers, including those from category 2, be excluded from the field of healthcare. Doctors' professional associations expelled their Jewish colleagues and prohibited them from caring for Christian patients. According to the law, Jewish physicians' associations were to be created at the county level, but even they could accept only those who had registered in Romania prior to 1919.<sup>80</sup> Jewish physicians were also forbidden to publish research in professional reviews and hold membership in research institutions. All Jewish physicians who could still practice had to wear a badge and carry a stamp identifying them as Jewish. Moreover, doctors with Jewish spouses were also prohibited from practicing. In addition, if sick, Jews could not be received in a Romanian hospital or treated by Romanian physicians. The result of these prohibitions was to deprive Jews of adequate healthcare, though the stated purpose for the adoption of these harsh regulations was to "maintain, develop, and improve the health of ethnic Romanians."<sup>81</sup>

According to the association of Romanian engineers' decision of February 2, 1942, the Jews from the first and third categories and those from the second category registered after August 9, 1940, were expelled from this association (*Colegiul Inginerilor*). There were expelled engineers from the fields of construction, the navy, metallurgy, chemistry, and others. This exclusion from the unions and associations also meant that they were forbidden to practice their profession as independent workers.<sup>82</sup> The same fate later befell Jewish architects as well as Jewish members of unions and other professional associations. Nevertheless, in June 1943 the government issued the guidelines for the "use" of Jews with

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<sup>78</sup> *Legislatia*, no. 16, pp. 74-82.

<sup>79</sup> *Stenograme*, no. 169, pp. 74-82.

<sup>80</sup> Decree-law no. 3789, November 12, 1940, in *Legislatia*, no. 19, pp. 85-88.

<sup>81</sup> Ioanid, *Evreii sub regimul Antonescu*, p. 40.

<sup>82</sup> Consiliului Colegiului Inginerilor Resolution, February 3, 1942, in *Legislatia*, no. 58, pp. 191-192.

university degrees for various public services.<sup>83</sup> Craftsmen and apprentices were also excluded from the labor market, and both of these categories were forbidden from doing any other skilled job.<sup>84</sup> A number of restrictions were imposed on the freedom of Jewish merchants.<sup>85</sup> Exclusion from professional associations also affected Jewish painters, sculptors, composers, journalists, and writers. Books written by Jewish authors and records containing music written by Jewish composers were banned in public libraries and bookstores.<sup>86</sup>

It is worth noting, however, that the government took steps to keep several types of Jewish workers working in exchange for high fees established by law (many times the fees were higher than the income).<sup>87</sup> These Jews were exempted from protective labor regulations. As a result, they lost their right to leave pay and were discriminated in terms of their wages; for example, they did not receive raises equivalent with the rate of inflation, as Romanian workers did. Even as late as January 10, 1944, companies with Jewish employees had to take measures to pair these employees with ethnic Romanians (Department of Labor Resolution no. 102064).<sup>88</sup> The timing of the twinning system shows that Antonescu never gave up on the complete Romanianization of labor. The only improvement under his government was when he later agreed that the actual replacement of Jewish workers would take longer. In addition, whenever an employer wanted to hire a new worker, he had to submit papers showing that the new worker was a Christian or an Aryan. These statutory labor provisions literally deprived Jews of the right to work.

#### *Statutory Regulations on the Situation of Jews in the Education System*

Decree-law no. 3438 of October 11, 1940, mandated the exclusion of Jews—students and teachers alike—from all levels of the education system. Article 3 of the law unequivocally stipulated, “students born of Jewish parents shall not be admitted to Romanian/Christian primary, secondary, and high schools [or] universities, irrespective of their religion.”<sup>89</sup> The same regulation was declared applicable to Jewish teachers, professors, and school administrators.

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<sup>83</sup> Presidency of the Council of Ministers Decision no. 17, June 15, 1943, in *Legislatia*, no. 76, p. 242.

<sup>84</sup> Decree-law no. 1981 of July 10, 1942, in *Legislatia*, no. 68, pp. 220-221; Ministry of Labor, Health and Social Protection Decision no. 97484, March 8, 1941, in *Legislatia*, no. 34, pp. 121-122.

<sup>85</sup> Matatias Carp, in the archive of CSIER.

<sup>86</sup> *Supra*, fn. 85.

<sup>87</sup> Directive no. 38811, January 5, 1942, in *Legislatia*, no. 55, pp. 181-183.

<sup>88</sup> *Legislatia*, no. 85, pp. 256-257.

<sup>89</sup> *Legislatia*, no. 14, pp. 70-71.

In this way, the *numerus clausus* of Decree no. 153377 of August 29, 1940, which stipulated that no more than 6 percent of students in a class should be Jewish, transformed into a *numerus nullus* decree: no Jewish student was allowed to attend Romanian schools unless he or she was either a Christian convert and direct heir of a decorated, disabled, or dead veteran of the war of independence; a disabled or decorated veteran of the 1916-1918 war; or a descendant of a disabled or decorated veteran of the 1916-1918 war and had converted to Christianity by August 9, 1940. The October 11, 1940, law did allow Jewish students to attend Jewish private schools; however, these schools were forbidden to advertise, and the state would not recognize the graduation papers they issued, which basically made them worthless in the labor market. In February 1941, under pressure from the representative of the Holy See in Bucharest, Antonescu allowed Jewish students who had converted to Christianity to attend classes at confessional schools (mostly Catholic). He also allowed Christian students who had only one Jewish parent to attend non-Jewish private schools. At the same time, however, he decreed that ethnic origin would be noted on graduation papers, and Jewish graduates would be subject to the statutory provisions applicable to Jews.<sup>90</sup>

The situation for Jewish university students was the worst since Jews were not allowed to set up their own universities. Still, Jewish leaders managed to obtain permission for Jewish university students to attend non-university-level classes at the College for Jewish University Students and the School of Arts for Jews, and to receive medical and technical training. Jewish professors struggled to make these classes like actual university-level classes. For example, students took regular exams and had official transcripts.<sup>91</sup> However, the parallel Jewish education system was ultimately disrupted by the requisition and subsequent nationalization of some Jewish school buildings and by the legal obligation of all Jewish students over the age of fifteen to join work detachments.<sup>92</sup> Like Jewish students, Jewish teachers were excluded from the public education system, so some joined Jewish private schools.<sup>93</sup> Their salaries were paid exclusively by the Jewish communities, and the Romanian government offered no subsidy.

### *The Status of Jewish Religion*

According to the August 8, 1940, decree-law, “the Romanian government guarantees that all faiths have the right to be protected from all injunctions since they do not harm public

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<sup>90</sup> Decree-law of February 20, 1941, see Carp, list, CSIER Archive.

<sup>91</sup> Memorandum, September 22, 1944, in *Legislatia*, no. 101, pp. 351-358.

<sup>92</sup> Eliza Campus, *Viata evreilor din București. 1940-1944. Monografie, dactilograma*, Archive of CSIER, file 5.

<sup>93</sup> *Supra*, fn. 89.

order, morality, and security. By this statute, to be integrated into the Constitution, the spiritual life of Jews is not regarded as integrated into the spiritual life of the Romanian society. Rather, it will be regarded only as owing respect to the Romanian community, on the basis of its guaranteed freedom.”<sup>94</sup>

Immediately after Antonescu came to power, the Ministry of Religion and Culture issued Ruling no. 42352 of September 9, 1940, which stipulated that only “historical denominations” enjoyed state protection and were authorized to function on Romanian territory. With regard to Judaism, the resolution did not go further than acknowledging its existence. Its activities were to be regulated by subsequent government regulations issued on September 17, 1940, which severely limited its freedom.<sup>95</sup> As a consequence of Jewish community leaders’ protests, the September 9 regulations were later abrogated.<sup>96</sup>

Between late 1941 and early 1942, the government excluded Judaism from the right to claim state subsidies<sup>97</sup> and replaced the Federation of Jewish Communities in Romania (FUCE) as an institution of community leadership with the government-controlled Jewish Center (*Centrala Evreilor*).<sup>98</sup> Besides being the object of repressive legislation, Jewish religious institutions were often vandalized or destroyed. Several Jewish cemeteries, including the historical cemeteries in Iasi and Bucharest, were destroyed, and in Piatra Neamt municipal authorities demanded that Jews pay fees to the Chamber of Legionary Aid for the right to bury Jewish dead in the local cemetery. In Bucharest, Jews were made to exhume their dead who were buried in Christian cemeteries, and the police prevented Jews in several towns from praying. After July 15, 1942, Jews could no longer practice the ritual slaughter of animals and birds.<sup>99</sup> The many abuses committed against Judaism went unpunished, thereby proving that the self-proclaimed nationalist, Christian, totalitarian state had withdrawn its protection of this religion.<sup>100</sup>

### *Exclusion from Political Life*

The exclusion of Jews from political life began around the time that Carol II’s Front for National Rebirth was renamed the Party of the Nation, a self-proclaimed “single and totalitarian party placed under the supreme leadership of His Majesty, King Carol II.” Jews

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<sup>94</sup> *Supra*, fn. 6.

<sup>95</sup> Resolution no. 42352, September 9, 1940, in *Legislatia*, nos. 7, pp. 58-59.

<sup>96</sup> See Decision no. 43832.

<sup>97</sup> Decree-law no. 846; see Carp, list, CSIER.

<sup>98</sup> Decree-law no. 3415 on December 16, 1941, in *Legislatia*, no. 53, p. 178.

<sup>99</sup> Carp, list, CSIER.

<sup>100</sup> *Supra*, fn. 6.

were expressly forbidden to join this party, and since eligibility for public service was conditional on being a member of the Party of the Nation, Jewish public servants were immediately fired, irrespective of their positions. As a summer 1940 report of the Presidency of the Council of Ministers shows, prior to Antonescu's political takeover, Jews had been "excluded from the habitual application of ordinary laws applicable to all other Romanian citizens" and were the only minority in Romania subject to discrimination.<sup>101</sup> Although Jews could still vote during the Royal Dictatorship, they were deprived of this right under Antonescu. It must be noted here that Antonescu called the people of Romania to cast their votes in two referenda in 1941 (on February 26 and November 9), and each time Jews were expressly forbidden to participate.<sup>102</sup>

### *The Military Status of Jews*

The exclusion of the Jews from the Romanian society also entailed their dismissal from the army. "The military obligations, being obligations of honor," stipulated the Decree-law of August, 8, 1940, "are to be converted for Jews in the first and third categories into tax or labor obligations. Those obligations are decided pursuant to every Jew's income and military situation and according to the state's and public institutions' needs. The Jews in the second category are forbidden from pursuing professional careers in the military."<sup>103</sup>

According to the decree-law on the military status of Jews adopted in December 1940, all Jews were excluded from military service and pre-military training obligations and were required instead to pay military fees or perform labor. The duty to pay military fees was imposed by the Ministry of Finance directly, according to tables of names compiled by the military authorities. These obligations were to last as long as the rest of the citizenry was mobilized to fulfill military service. Those who were deemed physically unfit for military service had to pay exemption fees, as well. According to the law, during a lengthy period of mobilization or war, the Jews could be used for the benefit of the army or for community work.

Jewish professionals with university degrees were supposed to be used according to their qualifications and to receive a per diem. Jews who already possessed military

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<sup>101</sup> *Stenograme*, no. 22, p. 62.

<sup>102</sup> *Legislatia*, no. 49, pp. 170-171.

<sup>103</sup> For the military status of the Jews, see *Legislatia.*, no. 25: Decretul-lege relativ la statutul militar al evreilor (December 4, 1940); *Legislatia*, no. 29: Decizia Ministerului Apărării Naționale nr. 23 325 27 ianuarie 1941 privitoare la medicii, farmaciștii, veterinarii, inginerii și arhitecții evrei folosiți eventual în serviciile Armatei; *Legislatia*, no. 43, Regulamentul Ministerului Apărării Naționale nr.2030 din 12 iulie 1941 asupra Decretului-lege nr. 3984 din 4 decembrie 1940.

identification had to have the word “Jew” stamped in red ink on the cover, and the rest were given a special “military booklet for Jews.” Jewish doctors, pharmacists, veterinarians, engineers, and architects requisitioned by the army during the prolonged drafts or the war had to wear special uniforms that also showed their ethnic origin.<sup>104</sup> The military status of the Jews was regulated through several laws that specified the obligations, conditions, and circumstances for forced labor and the additional taxes.

These laws stipulated that military service was to be replaced with community work for the Ministry of National Defence or other ministries and institutions. For the duration of these activities, the Jews were under military jurisdiction. According to the regulation referring to the decree-law on the military status of Jews, the community work was mandatory for Jewish men between eighteen and fifty years old.

Work was done in “camps and battalions of mandatory community labor” that fell under the regime of military order and discipline.<sup>105</sup> Decree-law no. 1851 of June 22, 1942, transferred the organization of Jewish forced labor to the Army High Command.<sup>106</sup> The Army High Command assigned work details to all Jews drafted to the work detachments. These workers were subject to the rigors of the military code and wore their own civilian clothes as well as a yellow band marked with the name of their recruiting center on the left sleeve.<sup>107</sup>

One month later, in order to distinguish between “community work” (*munca de folos obstesc*), which Romanian youth had to perform gratis as part of their patriotic education, and the free work done by the Jews, the latter was called “compulsory” or “forced” labor (*munca obligatorie*).<sup>108</sup> On June 23, 1942, a resolution of the Ministry of National Defense obliged Jews holding a university degree to work ninety days a year for the government.<sup>109</sup> Jewish forced labor was employed for a variety of infrastructure projects, such as laying railway tracks and roads, building fortifications, and providing maintenance services for the military. The skilled men were used in the army and in military factories. Young men between the ages of eighteen and twenty and adults between forty-one and fifty years old worked in their towns of residence. Theoretically, only the Jews between eighteen and fifty years old were supposed to do mandatory work. But, in actuality, people older than fifty or younger than eighteen were used for mandatory labor on numerous occasions. Thus, a communiqué

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<sup>104</sup> See the regulation regarding the decree-law on the military status of the Jews, in *Legislatia*, no. 43, p. 159.

<sup>105</sup> Decree-Law published in *Monitorul Oficial*, part 1, no. 155, July, 7, 1942, p. 5538.

<sup>106</sup> Decree-law no. 2068, July 20, 1942 published in *Monitorul Oficial*, part 1, no.167, July, 20, 1942, p. 6027.

<sup>107</sup> See Decree-law no. 3205, November 14, 1941 on the establishment and organization of the General Inspectorate of labor camps and corps, in *LA*, no. 50, pp.171-173.

<sup>108</sup> *Legislatia*, no. 25, p. 87, fn. 1.

<sup>109</sup> *Legislatia*, no. 29, p. 105, fn. 1.

transmitted by the High Command to the Jewish Center on January 10, 1943, stipulated that students older than sixteen were supposed to do mandatory work. These young people were used to shovel snow, for farm work, or for finding the victims of the Anglo-American bombings under the ruins. Additionally, the army could freely use Jewish women, aged eighteen to forty, for clerical work, cleaning, tailoring, and other tasks.

Punishments for disobedience ranged from deportation to Transnistria, along with one's entire family, to the death penalty. The Army High Command's Regulations on Jewish Labor (no. 555000 of July 27, 1942) stipulated specific punishments. In the case of a small transgression, such as being late for roll call or undisciplined behavior, commanders were to physically punish the offender. For repeated offenses as well as cheating, failure to show up for the assignment, abandonment of the work place without permission, and failure to inform the Recruitment Center about changes of address, the offender and his extended family (wife, children, parents) would be deported to Transnistria.<sup>110</sup> Forced labor—with 47,345 Jewish men, women, and teenagers sent to work detachments—was one of the methods used to marginalize Jewry from the Old Regat and southern Transylvania. The wages for this work were either minimal or nothing at all, and the Jewish communities had to provide work clothes, tools, healthcare, and food.<sup>111</sup> In 1943, 44,234 Jewish men performed mandatory work, and 21,078 were drafted for industry and commerce.

#### *The Regulation of the Situation of Romanian Jews*

According to Resolution no. 49 of the Presidency of the Council of Ministers, issued on October 30, 1941, Radu Lecca, a man close to German intelligence services, was appointed director of the Council of Ministers Division for the Regulation of the Situation of Jews in Romania.<sup>112</sup> Decree-law no. 2461 of September 6, 1943, terminated this agency, creating the General Commissariat for Jewish Problems, also led by Lecca. His mission was to make policy on the economic, social, and cultural aspects of the life of Jewish communities in a way that they would serve government interests.<sup>113</sup>

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<sup>110</sup> *Stenograme*, no. 142, p. 427.

<sup>111</sup> *Stenograme*, no. 187, p. 558.

<sup>112</sup> *Legislatia*, no. 48, p.170.

<sup>113</sup> *Legislatia*, no.81, pp. 250-251.

## **Wartime Anti-Jewish Legislation**

### *Exceptional Measures*

The Antonescu regime considered Jews to be internal enemies or natural allies of the external enemy, and this was particularly the case during the war against the Soviet Union. Antonescu even went as far as calling Jews “worse than our external enemies, because from these external enemies we can expect the occupation of Romanian territory, whereas from the internal enemy we can expect the poisoning and the corruption of the Romanian soul.”<sup>114</sup> The Marshal and his aides believed the Jews spied not only for Red Russia, but also for “Anglo-American imperialism”; hence, they were thought to be a tremendous danger to the security of the state.

As a consequence, the regime issued a body of legislative measures that created for the Jews a regulatory environment typical of a state of emergency—an environment that limited their liberties and threatened their lives. Thus, on May 6, 1941, all people having at least one Jewish parent were asked to surrender any radios able to send and receive messages within fifteen days of the publication of the law.<sup>115</sup> Failure to comply was punishable by imprisonment or fines.<sup>116</sup> The motivation behind the law was that Jews were believed to listen to anti-Romanian propaganda and then spread alarmist information, causing the Romanian population to panic.

On June 21, 1941, the Ministry of Interior issued Circular Order no. 4147, which relayed Antonescu’s order that Jews between the ages of eighteen and sixty living in the villages between Siret and Prut, an area close to the border with the Soviet Union, were to be deported to the Targu Jiu camp. According to this order, all Jews from the countryside were also to be evacuated to cities.<sup>117</sup> Within a week after the outbreak of the war against the Soviet Union and the publication of the execution of 500 “Judeo-communists” in Iasi, the Ministry of Interior issued Circular Order no. 4599, of June 30, 1941, which declared:

The Soviets plan and carry out acts of sabotage, disorder, and attacks behind the frontlines of the Romanian army by parachuting spies and armed terrorists who are often dressed as women. Together with local agents and the Jewish-communist population, they organize acts of sabotage, terrorism, and

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<sup>114</sup> *Stenogramme*, pp. 499-502.

<sup>115</sup> Decree-law no. 1253, May 6, 1941, in *Legislatia*, no. 40, pp. 147-149.

<sup>116</sup> *Supra*, fn. 113.

<sup>117</sup> *Legislatia*, pp. 339.

aggression. In order to put an end to all of these, Marshal Antonescu has ordered the following: (1) Jewish males from your city, if aged between 18 and 60, must be concentrated in Jewish districts or rounded up in schools and other bigger buildings, where they shall be guarded in order to prevent any disorder, (2) Jews shall not be allowed to move freely between 8 p.m. and 7 a.m., (3) Jewish religious or community leaders shall be taken hostage, and in case of any acts of rebellion, they shall be shot, (4) Please post public notices on the fate that awaits these hostages in case the Jews or the communists launch acts of sabotage, terrorism, and aggression.<sup>118</sup>

This order was sent to prefectures in Moldavia, to the Bucharest police department, and to the gendarmerie. Many internments were carried out based on this order. For example, a number of Jews were arrested or interned in Ploiesti, Campina, and Sinaia in the Tei-Targoviste concentration camp.

Immediately after the Iasi pogrom, Jews in several towns in Moldavia (Bacau, Galati, Iasi, Falticeni, Husi) were forced to wear the yellow star.<sup>119</sup> On August 5, 1941, claiming that he was addressing concerns of military commanders, Mihai Antonescu ordered that all Jews in Romania must wear the yellow star. On August 7, 1941, the Ministry of Interior relayed the order to local police stations. On September 3, FUCE announced that all Jews in Bucharest must wear a patch with the Star of David on the left side of the chest.<sup>120</sup> On September 9, as a result of Filderman's plea before Antonescu, the Marshal decided to abrogate the order on the yellow star.<sup>121</sup> Despite Antonescu's reversal on this matter, in some Moldavian cities and in Cernauti, the abrogation did not take full effect, and in Transnistria Jews had to wear the star for the rest of the war.

On the basis of Order no. 62 of July 24, 1941 (signed by General C. Voiculescu), Romanian authorities set up the first concentration camp in Chisinau.<sup>122</sup> Next, the Cernauti concentration camp was established in October 1941.<sup>123</sup> On September 19, 1942, Antonescu

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<sup>118</sup> *Evreii din Romania intre anii 1940-1944* (Bucharest: Hasefer, 1997), vol. 3, part 1: no. 120, p. 330.

<sup>119</sup> Radu Ioanid, *op.cit.*, p. 50.

<sup>120</sup> Lya Benjamin, *Prigoana si rezistenta in istoria evreilor din Romania. 1940-1944. Studii* (henceforth: *Prigoana*) (Bucharest: Hasefer, 2001), p. 160.

<sup>121</sup> *Stenograme*, no. 109, pp. 304-308.

<sup>122</sup> Jean Ancel, *Transnistria, 1941-1942* (Tel Aviv: Tel Aviv University, 2003), vol. 2, no. 8: p. 17.

<sup>123</sup> Carp, *Cartea neagra*, vol. 3: p. 152.

signed a law stipulating that all Jews who returned to Romania from Transnistria “in a fraudulent manner” would be executed.<sup>124</sup> According to Decree-law no. 552 of March 2, 1943, Jews sentenced to at least three months of prison or six months of camp internment were to be deported to Transnistria together with their families.<sup>125</sup> In the case of Jews sentenced for crimes that posed a threat to national security, their punishment was to be doubled.<sup>126</sup> Furthermore, according to a law of May 26, 1944, Jews who entered Romania illegally were to be sentenced to death. This law was aimed at Jews from Hungary and Northern Transylvanian who were fleeing the deportations there, which began on March 19, 1944. This law, however, was not enforced.<sup>127</sup>

*Jewish Material Obligations and Contributions:*

*Legislation and Means of Implementation*

Using the pretext that Jews did not have to risk their lives in combat, the government asked Jews to make contributions in money and goods that went far beyond their resources. After mass lay-offs, deportations, abusive taxes, and nationalizations, the Jewish minority was severely impoverished. With reference to the exceptional contributions made by Romanian Jews between 1941 and 1944, Matatias Carp drafted the following assessment in his *Cartea Neagra*: Jews paid 1,994,209,141 lei before May 20, 1942, for an imposed government bond (*Imprumutul Reintregirii*) requiring Jews to pay four times more than all other citizens; they paid 500 million lei for hospital equipment and 100 million lei for a disabled veterans’ fund (*Palatul Invalizilor*); they paid 1,800,135,600 in forced donations to the government in the form of items such as clothing, footwear, mattresses, and bed linen based on individual economic status (those who did not have the required items had to pay the equivalent value in cash, and failure to donate led to five- to ten-year prison sentences; a blanket amnesty was granted to these “debtors” only after the community paid 100 million lei to the government); Jews forfeited 3,034,148,141 lei in fees for exemption from compulsory labor for April 1, 1941, and August 23, 1944, and 144,024,375 lei in fees for exemption from snow shoveling obligations. The extraordinary contribution of 4 billion lei was imposed on the whole Jewish population by Ion Antonescu’s personal order in April 1943. This was achieved through pressure or blackmail, the only options being payment or deportation to

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<sup>124</sup> *Legislatia*, no. 71, pp. 229-230.

<sup>125</sup> *Legislatia*, no. 74, pp. 229-230.

<sup>126</sup> Decree-law no. 3802, November 12, 1940, in *Legislatia*, no. 20, p. 89; and Decree-law no. 236, February 5, 1941, in *Legislatia*, no. 30, p. 111.

<sup>127</sup> Decree-law no. 1069, May 26, 1944, in *Legislatia*, no. 89, pp. 278-279.

Transnistria; thus, the Jews paid 738,156,308 for the “exceptional contribution” ordered by Antonescu.<sup>128</sup> On August 26, 1943, the Council of Ministers ordered that fees paid for exemption from forced labor be transferred to the Social Works Council (*Consiliul de Patronaj a Operelor Sociale*).<sup>129</sup> On July 1, 1943, Radu Lecca confirmed that this Council received 410 million lei exclusively from these exemption fees.<sup>130</sup>

#### *Restrictions on the Freedom of Movement and Access to Food and Supplies*

A government order, issued on July 27, 1941, cancelled all travel authorizations granted to Jews.<sup>131</sup> Between June 27, 1941, and December 31, 1943, the government issued over twenty internal orders specifying the conditions in which Jews could obtain travel authorizations from the Ministry of Interior. Students and teachers were allowed to travel to school and return home. A limited number of authorizations were issued in cases of official summons, illness, and in even fewer cases, for business. Jews who traveled without authorization risked deportation. Also, on March 16, 1942, drivers’ licenses issued to the Jews were withdrawn.

Basic foodstuffs, such as bread, sugar, oil, and polenta, were rationed. The Jews were submitted to restrictive orders enacted by the central and local state authorities. Jews were allowed to shop in markets and stores only between certain hours, and peasants were forbidden access to Jewish houses. The food ration cards of the Jews with Romanian citizenship were specially marked, and Jews received less sugar and wheat than other Romanians. Jews were paying 15 lei for the bread ration instead of the 7 lei the Romanians paid. Moreover, two weekly rations given to the rest of the population were canceled for the Jews.

In general, documents from the period show a number of discriminatory measures that seriously affected the daily lives of the Jews—not just buying groceries (both in terms of access and money), but other aspects, as well. For example, since the tenants’ law did not apply to Jews, they were forced to pay higher rent than the rest of the population. During bombings they were denied access to public shelters, and they were not allowed to leave areas, like Bucharest, that were bombed. The daily lives of Jews took place under the constant threat of abuse and within the boundaries delineated by the discriminatory policies of the totalitarian regime.

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<sup>128</sup> Carp, *Cartea neagra*, vol. 1: p.68.

<sup>129</sup> *Legislatia*, no. 80, pp. 249-250.

<sup>130</sup> CSIER, fond 3, file 425, p. 60.

<sup>131</sup> *Legislatia*, pp. 331-339.

## **Conclusions**

The anti-Jewish legislation and administrative measures taken by the Antonescu regimes are characteristic of an extremist, totalitarian policy toward a minority ethnic group—in this case, the Jewish minority. Romanianization policies clearly evinced an ethnic restructuring of Romanian society to the exclusive advantage of ethnic Romanians. The emphasis on “blood” arguments was emblematic of a structurally racist regime, and the emergency laws and portrayal of Jews as internal enemies laid the foundation for the large-scale repression of the Jewish minority and the legitimization of this repression as an actual war.

This legislation, along with the policy that inspired it, reveals the intentions of Antonescu and the state apparatus. Considering the particular weight given to anti-Jewish legislation, it is obvious that the so-called Jewish issue was a principal preoccupation of the Marshal and of his circle, and their means of dealing with this issue imprinted a racial and discriminatory brand on the Antonescu totalitarian regime. Finally, the enforcement of the anti-Jewish legislation led to the legal and political segregation of Jews from the rest of the population. Jews were placed outside of legal provisions that ordinarily guarantee the safety of daily life in a modern state. Jews were exposed to abusive ad-hoc measures adopted by the state’s repressive organs and were completely deprived of the right to use the judicial system to defend themselves.