The Logic of Terror: Martial Law and the Persecution of Jews in the Protectorate of Bohemia and Moravia

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This essay examines Nazi repressive policies in the Protectorate of Bohemia and Moravia during two periods of martial law, in the autumn of 1941 and the summer of 1942, with particular attention to the position of Jews within these campaigns of repression. It asks whether the persecution of Jews in the Protectorate should be understood solely within the framework of anti-Jewish policy, or whether it was also connected to broader arrest operations carried out in the name of security and the suppression of resistance.

The analysis draws on Hannah Arendt's concept of the "objective enemy," which she used to distinguish the functioning of secret police in totalitarian regimes from that in traditional authoritarian systems. As Arendt observed, the key difference lies in the shift from pursuing "suspects" to targeting "objective enemies," defined not by their actions but by government policy itself. [1] From this perspective, Nazi repression was not limited to punishing concrete acts of resistance but extended to groups that the regime defined as inherently dangerous.

This approach also reflects the institutional transformation of the German police under Heinrich Himmler, *Reichsführer-SS*. After Himmler became Chief of the German Police in 1936, the goals of the SS increasingly merged with those of the police apparatus, both uniformed and plainclothes. Preventive arrest became a central instrument of repression, enabling the regime to target individuals and groups classified as potential enemies of the state.

Drawing on court records, archival documents, and deportation databases, the present study argues that martial law in the Protectorate functioned as an important instrument of this security logic.[2] The repression carried out during these periods did not affect only those directly involved in resistance activity. Jews were also systematically included in

[1] Hannah Arendt, The Origins of Totalitarianism. New Edition with added Prefaces (Harcourt Brace: New York, 1973), 423.

[2] This essay forms part of a broader research project on Nazi security policy and the persecution of Jews in the Protectorate of Bohemia and Moravia. The broader results of this research will be discussed in greater detail in a forthcoming article in *S:I.M.O.N. – Shoah: Intervention. Methods. Documentation.*

arrest campaigns justified in terms of restoring "peace and order," illustrating how racial persecution and security policy could become intertwined in the everyday practice of Nazi rule.

Security Policy and Mass Arrest Campaigns

In some regions of occupied Europe, particularly in the Soviet Union and the Balkans, Jews were frequently killed as alleged partisans or as individuals suspected of orchestrating partisan resistance on ideological grounds. If the basic structures of Nazi occupation and the actors implementing them did not differ fundamentally from region to region, an important question arises: were Jews also targeted in other parts of occupied Europe as part of broader repressive measures directed against resistance and opposition?

Using the example of arrest campaigns during the first and second martial laws in the Protectorate of Bohemia and Moravia, this study examines the proportion of Jews among those persecuted and asks whether the security logic observed in the East can also be identified in territories that appeared comparatively stable within the Nazi occupation system.

To understand how this logic operated in practice, it is necessary to examine the institutions responsible for implementing Nazi security policy, above all the police apparatus of the Third Reich. Mass arrests became a central instrument of Nazi rule and accompanied the regime's expansion across Europe. This policy relied not only on military force but also on the mobilization of the regime's security institutions, among which the police played a particularly prominent role.

Alongside the Security Police (*Sicherheitspolizei*), units of the Order Police (*Ordnungspolizei*) formed an essential pillar of the occupation system. From the earliest stages of territorial expansion, these forces served as instruments of what Nazi authorities described as the "pacification" of newly conquered territories.

The *Einsatzgruppen* of the Security Police and SD, later associated with mass shootings behind the Eastern Front, had already functioned from the beginning of the Reich's expansion as instruments of terror tasked with the "pacification" of conquered territories. Although the structures of repression were similar across occupied territories, the level

of violence varied according to local conditions and strategic priorities. As Klaus-Michael Mallmann has shown, after the brutal repression in Poland, commanders of the *Einsatzgruppen* were instructed to behave more "impeccably" toward the populations of Western Europe.

Several men who later commanded *Einsatzgruppen* in the East had previously served in the Protectorate of Bohemia and Moravia, including Otto Rasch and Walter Stahlecker. In later phases of the occupation, other members of what Jens Banach has described as "Heydrich's elite," such as Horst Böhme and Erwin Weinmann, assumed leading positions in the Security Police and SD there. Although these officials had demonstrated their willingness to employ extreme violence elsewhere, their policies in the Protectorate were comparatively restrained. This contrast illustrates a key feature of Nazi occupation rule: the radicalization of perpetrators did not necessarily produce identical patterns of violence in every occupied territory. At the same time, within the Protectorate itself, Weinmann's arrival marked a significant shift toward harsher repression and collective punishment.

The First Martial Law in the Protectorate and the Persecution of the Jewish Population

The dynamics described above can be observed particularly clearly in the Protectorate of Bohemia and Moravia. Looking at the first waves of arrests in the former Czechoslovakia as a systemic component of Nazi occupation policy, a similar pattern becomes visible. The *Einsatzgruppen* operated in cooperation with uniformed police units. Following the conquest or occupation of a territory, the *Einsatzgruppen* established Security Police and SD offices, while Order Police units were stationed in larger cities. Together with rural branches of the Security Police and SD, they ensured the maintenance of what the occupation authorities described as "peace and order."

When we speak of the declaration of the so-called first martial law, we are referring to one of the waves of arrests that took place in the Protectorate of Bohemia and Moravia. It should be noted, however, that such waves of arrests did not occur only immediately after the occupation of new territory, but also during the occupation itself, even at times when the territory was already under stable control. Some of these arrests in the Protectorate also clearly correlated with developments in Nazi Germany; in other words, they were not

necessarily linked to an increase in unrest or resistance activity within the territory. A good example is the preventive arrest of persons considered hostile to the Reich on the basis of the so-called Card Index A (*A-Kartei*), which took place during the invasion of Poland in the autumn of 1939. Another example is the wave of arrests and repression that followed the assassination attempt on Hitler in the summer of 1944. In such cases, it would therefore be futile to look for causal explanations within the Czech lands themselves.

In the autumn of 1941, Reinhard Heydrich replaced Konstantin von Neurath as acting Reich Protector. Back then, after three months of fighting on the Eastern Front, victory over the Soviet Union was nowhere in sight. This situation was reflected in growing resistance and sabotage across occupied Europe, including the Protectorate of Bohemia and Moravia. Although resistance there was relatively limited, the Nazi authorities regarded it as a serious threat to a territory they considered an integral part of the Reich. On 20 September 1941, the head of the Security Police and SD in the Protectorate, SS-*Obersturmbannführer* Horst Böhme, issued a directive establishing special commissions at Gestapo and Criminal Police offices to record and evaluate acts of sabotage. In the context of military setbacks and declining arms production in the Protectorate—reaching up to 35 percent in some sectors—the regime demanded more decisive action. Hitler therefore concluded that Neurath was no longer a suitable leader, a view echoed by Joseph Goebbels, who wrote in his diary that the time had come for individuals willing to act decisively.

Immediately upon his arrival, on September 27, 1941, Heydrich declared martial law, justifying the measure as necessary to *protect* both the Reich and the Protectorate from "enemy elements" and to combat subversive enemy propaganda.[3] The Head of the Reich Main Security Office (hereafter RSHA) assumed this position at the end of September 1941 and, in his very first speech, explained the reason for his presence here with the following words: *As I was leaving, the Führer said to me: "Remember, wherever I see the unity of the Reich threatened, I will select an SS commander and send him on behalf of the Reich to*

[3] Detlef Brandes, Češi pod německým protektorátem (Prague: Prostor, 2019), 331.

preserve the unity of the Reich." From these words of the Führer, you can deduce the overall mission of the SS and thus my special mission here."[4]

Heydrich's "special mission" ultimately escalated into the harshest wave of persecution the Protectorate's population had ever faced. The establishment of a new order in the occupied Czech-Moravian territory also brought harsh anti-Jewish measures, which were linked to the fact that Heydrich had been tasked with the "*final solution to the Jewish question*" since the summer. Shortly after his arrival, he ordered the closure of all synagogues and prayer rooms, denouncing them as meeting places for "*subversive Jewish elements*" and "*hotbeds of illegal whispered propaganda.*" [5] Simultaneously, he instructed the state police to take repressive measures—including preventive detention—against Czechs who demonstratively displayed friendly behaviour toward visibly marked Jews in public. [6] In his speech on October 2, Heydrich portrayed Jews and Freemasons as the leaders of a global conspiracy whose goal was to destroy National Socialism and to render Germany "*small and ruined.*"[7]

Although anti-Jewish measures constituted a cornerstone of Nazi anti-Semitic policy, they were not its only instrument. Analysis conducted as part of research on the first martial law in the Protectorate of Bohemia and Moravia shows that, alongside the planning of the "Final Solution to the Jewish Question," Nazi police and security forces also targeted Jews through large-scale arrest campaigns that at first glance appear to have been directed primarily against the Czech population.

During the first martial law, people were most often tried not only for acts of resistance but also for economic crimes. In the majority of cases, the verdict was formally justified as a "*violation of public order and safety.*" Martial law criminalized disruptions to economic production and supply, the unauthorized possession of weapons or explosives, and public gatherings. Moreover, individuals who were aware of such acts and failed to report them could also be prosecuted, making charges possible against virtually anyone. In practice,

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[4] Heydrich's speech to occupation authorities at Černín Palace, Prague (October 2, 1941), doc. no. 9., in: M. Kárný (et al.), *Protektorátní politika*, 69.
[5] Livia Rothkirchen, *The Jews of Bohemia and Moravia: Facing the Holocaust* (Lincoln and Jerusalem: University of Nebraska Press and Yad Vashem, 2005), 124.
[6] NA, ÚŘP, f. sg. I-3b-5851, ka. 389, doc. no. 4, in: M. Kárný (et al.), Protektorátní politika, 90.
[7] NÁ, ÚŘP, d., ka. 53, Heydrich's speech to the leaders of the occupation authorities in the Protectorate gathered in Prague at the Černín Palace on October 2, 1942, doc. no. 9., in: M. Kárný (et al.), *Protektorátní politika*, 103.

however, the harshest punishments were most frequently imposed for economic offences. In Prague, for example, a large proportion of those arrested and executed were butchers accused of failing to surrender food supplies or of participating in black-market activities, reflecting the increasing importance of economic control for the Nazi war effort.

However, the persecution of Jews during the first martial law did not end with executions and acts of humiliation. With few exceptions, those arrested during the martial law and subsequently "handed over to the Gestapo" were deported to the Mauthausen concentration camp—an almost certain death sentence, as the vast majority perished within weeks or months. Mortality in the camp rose sharply during the autumn and winter of 1941–1942, when increasingly brutal killing methods were introduced, including gas vans, ice showers, and practices derived from the T4 euthanasia program; in the spring of 1942, a gas chamber was also put into operation.

The present analysis focuses in greater detail on Moravia, where more comprehensive data on the number of arrests during the period of the first martial law have been preserved. The proportion of Jewish victims during the first martial law can be clearly illustrated by the example of the well-documented martial court in Brno. Available documentation and a comparison of two online databases reveal that a total of 1,146 people from all over Moravia were arrested and tried here in the fall of 1941, of whom 155 were Jews, representing 13.5% of all cases. An even more striking example is the city of Brno itself, where a total of 237 Czechs and 117 Jews were arrested.

These figures suggest that Jews were not targeted only within the framework of explicitly anti-Jewish measures but were also systematically included in broader arrest campaigns, which reinforces the interpretation of Nazi repression as a security policy directed against groups defined as "objective enemies".

The *Heydrichiáda*: The Second Martial Law and the Persecution of the Jews in the Protectorate

While the first state of emergency marked the beginning of a new phase of repression in the Protectorate of Bohemia and Moravia, the second state of emergency—known as the *Heydrichiáda*—represented its most radical escalation. It was declared immediately after the assassination of Reinhard Heydrich in June 1942 and is generally, and quite legitimately, perceived as the greatest wave of repression directed against the Czech population of the Protectorate. The scale of executions, mass arrests, and collective punishments, such as the destruction of Lidice and Ležáky, therefore dominates both historiography and the collective memory of the Czech nation. This study, however, seeks to examine the *Heydrichiáda* within the broader context of Nazi security policy. As in the case of the first martial law, the repression was not directed exclusively at individuals directly associated with the resistance, but also at broader groups whom the regime defined as potential or "objective" enemies.

At the same time, it is important to emphasize the role of calculated planning, which from the outset took precedence over the spontaneity of the repressive measures carried out by the Nazi leadership. Immediately after the assassination of Heydrich, SS-*Obersturmbannführer* Karl Hermann Frank, the Higher SS and Police Leader in the Protectorate of Bohemia and Moravia, departed for Hitler's headquarters. In this capacity, he was directly subordinate to Himmler and was also responsible for "security and order" in the region. Himmler, Hitler, and K. H. Frank discussed the extent to which the "Czechs" should be punished. Notably, K. H. Frank managed to mitigate Hitler's proposal to execute 10,000 Czechs, arguing above all that such extensive repression would have negative consequences for production in the arms industry.[8]

Records of discussions at Hitler's headquarters indicate that, although the number of executions was calculated, there was no expressed intent to annihilate the Czech nation as a whole.[9] To our knowledge, the only higher-ranking official who publicly addressed the 'Czech question' as a collective problem at that time was the Reich Governor of Vienna,

[8] NA f. 114, sg. 114-10-2, Protokoll! doc. no. I/49, in: V. Šustek, Atentát, Vol I, 212.
[9] Vojtěch Kyncl, *Bez výčitek…Genocida Čechů po atentátu na Reinharda Heydricha* (Historický ústav Akademie věd: Prague, 2012).

Baldur von Schirach, who declared on June 5: 'Just as I will make this city *judenfrei*, I will also make it *tschechenfrei*' Yet this type of rhetoric met with immediate criticism within the Nazi leadership. In a letter to Goebbels dated June 8, Martin Bormann emphasized that such expressions were unacceptable. [10]

As for the Jews and the second martial law, it should be emphasized that in this case it is no longer so easy to recognize that they, too, were targets of Nazi repression. First, because their deportations to concentration camps were already intensifying at that time, and second, because the long-standing notion of the so-called "punitive transports" following the assassination of R. Heydrich has proven to be a historiographical myth. What, then, did the punishment of Jews look like during the *Heydrichiáda*, if this wave of repression can even be interpreted in the spirit of Hannah Arendt's theory concerning the persecution of objective enemies by the secret police?

Several indications suggest that even during this state of emergency, the SS Security Service of the Reich Leader monitored the mood of the Jewish population in the Protectorate. A report dated 7 June 1942, for example, stated that the assassination attempt on the acting Reich Protector had caused near panic among Jews in Bohemia and Moravia; many feared that Jewish involvement could trigger stricter anti-Jewish measures. At the same time, however, Jews reportedly felt a certain sense of relief once it became clear that no Jew had participated in the attack and that the martial courts had convicted relatively few Jews. Nevertheless, the situation for Jews remained highly uncertain, as is evident from several surviving diaries.

The atmosphere of fear must have been palpable during the search operation that took place in the Terezín ghetto on 16 June, during which prisoners were forced to march past tables displaying photographs of the assassins' belongings and to sign a statement declaring that they did not recognize them. Although this procedure was largely symbolic, no one could be certain that executions or other forms of escalation of the entire "operation" would not follow, since factual circumstances often played little role in the logic of Nazi persecution. Fear was further intensified by reports of the destruction of Lidice and the murder of its inhabitants, as it was precisely work detachments from

[10] BAB, NS 19, sg. NS 19/1969 doc, no. I/80, in: V. Šustek, Atentát, Vol. I, 339–340.

Terezín that were tasked with burying the men shot in Lidice. These Terezín gravediggers later recalled the horrific moments when prisoners feared that they themselves might become victims of Nazi persecution. Postwar testimonies also indicate that the assistance of Jewish prisoners, both during executions and in the disposal of bodies, was common practice.

Just one day after the assassination attempt, Propaganda Minister Joseph Goebbels noted in his diary that the regime must respond to such an act with "the most brutal means" in order to prevent it from becoming a common form of resistance. At the same time, he hinted that the crackdown would also target Jews and spoke of the possibility of mass arrests in Berlin. A few days later, Goebbels considered various theories regarding the origin of the assassination attempt—ranging from the British secret service to Bolshevik paratroopers to alleged Jewish involvement—and concluded that "in any case, we will take our revenge on the Jews." These notes illustrate the way in which the Nazi leadership interpreted the assassination attempt: not merely as a security incident, but as an opportunity for the demonstrative and exemplary punishment of groups defined as enemies of the regime.

During the *Heydrichiáda*, Jews were also subjected to an escalation of anti-Semitic propaganda. Moreover, the assassination of Heydrich marked a turning point in the Protectorate press, where Jews were increasingly portrayed as a threat to European civilization, against which Nazism claimed to be waging a defensive war. This shift reflected the broader line of Nazi propaganda that, as Jeffrey Herf has argued, from the end of 1941 openly legitimized the extermination of the Jews. The radicalization of propaganda rhetoric was particularly evident in newspapers such as *Venkov* and *Polední list*, as well as in organized demonstrations that portrayed Nazi repression as a necessary measure to protect the Czech nation from the alleged influence of the government-in-exile and the Jews. At the same time, the authorities sought to exploit tensions between the government-in-exile and the domestic resistance, while Gestapo informants (*V-Leute*) spread fears of communism among the population.[11]

[11] Jeffrey Herf, The Jewish Enemy. The Nazi Propaganda During World War II and the Holocaust (Cambridge Massachusetts US: The Belknap Press of Harvard University Press 2008), 137.

Of the 121 preserved execution reports, the majority of victims were shot. Jews as well as homeless and mentally disabled people, who were regarded as racially inferior or socially dangerous according to Nazi ideology, were more frequently executed by hanging. There was therefore a certain continuity in the executions with the procedures introduced in the fall of 1941. The execution reports from this period were far from uniform. In some cases, the Jewish origin of victims was explicitly stated; in others, it was omitted, and their identity must be inferred from context. In the case of the second martial law, the data reveal an even more pronounced disparity than the first one.

Although the execution of 66 Jews may seem marginal compared to 1,521 Czech victims, the opposite is true when viewed proportionally. By 27 May 1942, only 51,475 Jews remained in the Protectorate of Bohemia and Moravia, making the probability of execution among them approximately 0.13%. For the non-Jewish population—about 6.95 million—the probability was roughly 0.022%. In other words, being Jewish in the Protectorate during the Heydrich terror entailed a sixfold higher risk of execution than being Czech. This disparity suggests that Jews were not only victims of racial persecution but were also incorporated into broader arrest campaigns conducted in the name of restoring order.

Conclusion

This study draws on Hannah Arendt's concept of the "objective enemy," which she identified as a key distinction between the functioning of secret police in authoritarian and totalitarian regimes. The analysis of the first and second martial laws in the Protectorate of Bohemia and Moravia proceeds from the assumption that the arrest operations carried out by the SS and police followed a largely uniform and systematic pattern across the occupied territories of the Third Reich.

The case of the Protectorate builds on research from eastern and southeastern Europe, where Jews were frequently labeled as partisans or collaborators and persecuted as such. At the same time, the rotation of high-ranking SS and police officials between different administrative units of the Reich suggests that similar systems of repression could be transferred to other regions, even if the specific forms of violence varied according to local conditions.

The empirical evidence presented here indicates that the persecution of Jews in the Protectorate cannot be understood solely within the framework of explicitly anti-Jewish policies. During both states of emergency, Jews were also included in broader arrest campaigns targeting groups defined as enemies of the regime. In this sense, the case of the Protectorate illustrates how the category of the "objective enemy," as formulated by Arendt, functioned in practice.

Racial persecution and security policy were therefore closely intertwined within the everyday practice of Nazi police institutions. The example of the Protectorate suggests that similar mechanisms may have structured repression in other occupied territories of the Third Reich, even where the violence did not reach the extreme brutality characteristic of the Eastern Front.

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