

professionals: first, passive facilitators; second, active supporters of German hegemony over Europe; and third, 'the minority of killing professionals', among them 'an elite corps of young lawyers in the SS and Gestapo under the direction of the talented Werner Best' (p. 24).

Two contributions, one on State Secretary Wilhelm Stuckart, the other on the President of the People's Court (*Volksgerichtshof*) Roland Freisler, provide a more detailed account of the unrestricted complicity in the most heinous crimes by well-educated middle-class lawyers whose passionate antisemitism was surpassed only by their unshakable dedication to Hitler.

A different approach is applied by Douglas Morris. Writing about 'Jewish Lawyers under Nazism', he not only analyses the degradation and exclusion of Jews from the German legal profession until 1938, but also points to 'sporadic examples of defiance'. A pertinent example is the response of Hugo Sinzheimer to Carl Schmitt's pamphlet 'Jewry in Jurisprudence' (1936), titled 'Jewish Classical Writers in German Jurisprudence' and published in 1938 in Amsterdam. In his book, Sinzheimer 'disproved the assertion of a specific Jewish mentality' and upheld the law's commitment to individual rights (p. 123). But the ultimate piece of intellectual resistance was Ernst Fraenkel's 'Dual State' (*Der Doppelstaat*). Written in 1938, it was the first critical analysis of the Nazi institutions. As the articles of this collection attest, *Der Doppelstaat* has become a classic since, whose interpretations always need to be taken into account when examining Nazi law and institutions.

In a collection of less than 190 pages (the remainder consists of English translations of key texts referred to in the articles) it might be easy to point to gaps. For example, the ideology and reality of civil law under Nazi rule has not been considered. Furthermore, the name Carl Schmitt is mentioned regularly as a key actor and interpreter of the legal developments of the 1930s. The 'immense' (p. 120) literature about him is referred to, but an article summarizing this literature would have been helpful in this book. However, such gaps do not diminish the value of this useful volume that nicely complements the other collections in this series by Berghahn Books on Medicine, Business, Arts, and Jewish life in Nazi Germany.

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***Culture in Dark Times: Nazi Fascism, Inner Emigration and Exile.* By Jost Hermand. Translated by Victoria Hill. New York and Oxford: Berghahn Books. 2013. xv + 252 pp. £ 75.00 (hardback).**

The translation of Jost Hermand's *Culture in Dark Times: Nazi Fascism, Inner Emigration and Exile* is a most welcome addition to the scholarship on the cultural history of the Nazi years. Originally published in German in 2010, *Culture in Dark Times* bolsters Hermand's well-deserved reputation, established over the last five decades, as one of our leading authorities on modern German literature, art and aesthetics.

Hermand investigates the fierce battles after Hitler's assumption of power over who would define and lay claim to Germany's cultural heritage. Divided into three parts, *Culture in Dark Times* juxtaposes the histories of the National Socialists, those artists who chose to stay in Germany and make the best of it after 1933, the so-called the 'inner emigration', and the émigrés. All three groups shared a passionate belief in the political salience of the 'most artistically ambitious art forms' and 'what found expression in the higher arts'. (p. xii) Within

each part, Hermand details how these groups pursued their own visions of culture via theatre, painting, sculpture, music, architecture, prose and poetry. The result of his extensive studies of these culture wars is impressive and erudite.

At the outset of the book, Hermand notes how often Nazi officials invoked 'culture' in their publications. Used almost as frequently as '*Volk*' and 'race', 'culture' signified for these men an 'eternally German culture' purified of all alien elements (p. 34). When it came to imposing their own ideals of timeless, racially pure Germanness, however, the Nazi Party faced a bitterly divided class society in Germany. Such divisions were exacerbated by ferocious rivalries within the party. Hermand highlights the antagonism between what he terms 'fanatics' and 'pragmatists' in the Nazi ranks. The former, mainly NSDAP ideologue Alfred Rosenberg and his Militant League for German Culture, frequently clashed with the 'pragmatists' grouped around Joseph Goebbels, Minister for Public Enlightenment and Propaganda. Rosenberg's aims of forging a new *völkisch* culture that would surmount distinctions of 'high' and 'low' went unfulfilled, yielding to Goebbels' far more flexible position on cultural matters. According to Hermand, the propaganda minister—normally regarded as one of the more radical members of the Nazi Party, at least with respect to anti-Jewish policy—advocated a 'cultural politics of limited pluralism' that won Hitler's blessing (p. 45). As head of the Reich Chamber of Culture, Goebbels reined in the extreme proponents of immediate racial-cultural revolution, accommodated the tastes of those steeped in the literature and art of bourgeois tradition (Goethe, Beethoven, Brahms), and, at the same time, made plenty of escapist fare available to movie-goers. For Hermand, this 'repressive tolerance', a term he borrows from Herbert Marcuse, allowed the Nazi regime to appeal to a broad cross-section of the German population to a frighteningly successful degree (p. 42). Opportunities for immersion in the apolitical culture sponsored by Goebbels facilitated compliance with the dictatorship's policies.

In the section on 'inner emigration', the shortest of the book, Hermand distinguishes between 'resistance literature' and the much more ambiguous works of artists who laboured in the Third Reich 'between aversion and accommodation' (p. 145). These men and women were forced, he shows, to embed any messages of dissent in coded language, themes and storylines. If they dared to assert their politics more openly, they risked far worse consequences. The same held for visual artists and musicians. To illustrate, Hermand deftly moves between a discussion of the famed sculptor Ernst Barlach, Catholic intellectuals such as Gertrud von Le Fort and Reinhold Schneider, and the unjustly forgotten composer Karl Amadeus Hartmann. He also documents the pitiable case of the painter Otto Dix, once among the most significant artists in Weimar Germany but eventually reduced to painting portraits of the children of Foreign Minister Joachim von Ribbentrop. Almost all of those who went into 'inner emigration', Hermand emphasizes, experienced perpetual marginalization during the Nazi years.

*Culture in Dark Times* closes with a rich, extensive discussion of the efforts of German émigré artists and filmmakers to secure a cultural heritage from fascist barbarism. Stressing the role of writers, Hermand admires those who did not 'simply retreat to bourgeois classicism' but instead produced works that gestured 'toward the future' beyond the Third Reich (p. 220). While he does not neglect the now iconic refugees such as Bertolt Brecht, Thomas Mann and Theodor W. Adorno, Hermand also devotes significant and deserved attention to figures no longer (if they ever were) familiar to an Anglophone audience, such as Lion Feuchtwanger, Anna Seghers, Ernst Toller and Arnold Zweig. In a vivid chapter on the locales of refuge, he covers not only Paris and Hollywood but, crucially, Moscow, Prague, Zurich, London and Amsterdam, as well as Mexico City and Palestine. Throughout, Hermand rightly combats any facile notion of anti-fascist solidarity among the exiles. Vastly different circumstances and ideological commitments, compounded by serious difficulties in communication, he insists,

hindered unity against Hitler. He maintains, though, that the success of these intellectuals was ultimately 'limited in most Western democracies because of policies of appeasement toward the Third Reich' yet 'nevertheless, despite everything, they did contribute to a culture of resistance, which is remarkable and deserves lasting appreciation' (p. 211).

In this final section of *Culture in Dark Times*, Hermand does not deny his readers the opportunity to argue with him. For instance, he contends of Mann's *Doctor Faustus* that 'there is little evidence in this novel of any kind of critical perspective on fascism' (p. 218). Reiterating a by now quite familiar line of criticism, he also asserts that Adorno's contribution to *Dialectic of Enlightenment* and his subsequent *Philosophy of New Music* is a settling of 'accounts with everything that transgressed his German-elitist concept of culture' (p. 245). Such unconvincing evaluations, encumbered with old stereotypes, testify to the necessity for new readings of Mann and Adorno's exile writings.

One could question as well Hermand's turn to the redundant phrase 'Nazi fascism', which never really receives clear justification in the book. In addition, although he notes how inflated the concept of culture is currently—that much of what passes for 'culture' to people in the early twenty-first century would not have been recognizable as such a century earlier—Hermand, unfortunately, does not develop this interesting historical claim. Still, despite these modest shortcomings, this monograph has so much to offer. While lacking footnotes, it includes a quite useful bibliography for researchers. Students of the Nazi years can learn a great deal too from how Hermand masterfully interweaves analyses of three immensely complicated cases. Finally, the breadth of knowledge on display is remarkable. Along with David Dennis' 2012 *Inhumanities: Nazi Interpretations of Western Culture*, Hermand's *Culture in Dark Times* will be an extremely valuable work for scholars engaging with the imbrication of culture with barbarism in Germany's twentieth century.

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***A Fatal Balancing Act: The Dilemma of the Reich Association of Jews in Germany, 1939–1945.* By Beate Meyer. Translated by William Templer. New York and Oxford: Berghahn Books. 2013. viii + 441 pp. \$100/£63 (hardback).**

In Beate Meyer's meticulously researched book, *A Fatal Balancing Act*, she explores the behaviour of German-Jewish functionaries in the Reich Association of Jews in Germany between 1939 and 1945. Meyer tries to understand their motivations for remaining in the German Reich and assuming an official position in the Reich Association. She explores in detail how they oriented their behaviour within the institution vis-à-vis those in power, and how they balanced protecting themselves and the Jewish community with carrying out orders from the Reich Security Main Office. The strength of the book lies in the sophisticated and nuanced analysis, the encyclopaedic detail she provides of the challenges the functionaries faced, and of the organizational changes and constraints during Nazi rule. The book is organized around five chapters, with an introduction and a conclusion.

In Chapter 1, 'From Forced Emigration to Assisting with the Deportations', Meyer traces the history of the representation of German Jews from 1932 to 1938; the *Kristallnacht* pogrom; the official establishment of the Reich Association on 4 July 1939; and how the functionaries dealt with the 'territorial solutions' of Lublin and Madagascar, early deportations, and Jewish education and welfare. Chapter 2, 'Walking on a Thin Line', focuses on