



# The so-called Göring's regulation of February 27, 1940: the disbanding of Polish organizations in Germany

Stanisław Żerko

---

**On February 27, 1940, a regulation of the Council of Ministers for the Defense of the Reich, referred to by some as the "Göring regulation", banned Polish minority organizations in Germany. Considerable confusion surrounds this document. It has been wrongfully claimed that the regulation deprived Poles living in Germany of the status of a national minority. Such uncertainty warrants a more thorough examination. A full English version of the regulation is provided below.**

Days after the Nazi Reich invaded Poland, the German government took steps to prevent the operation of organizations of the Polish minority in Germany (which numbered about 1.5 million). Issued by the Gestapo headquarters on September 4, 1939, the regulation called for shutting down and sealing the premises of Polish organizations. This measure alone effectively prevented the activities of Reich citizens of Polish descent.

Three days later, on September 7, the Reich Ministry of Internal Affairs convened a conference on the standing of Polish organizations attended by several members of the Union of Poles in Germany. Established in 1922, the Union was the main organization of Reich citizens of Polish descent. During the meeting, Polish members were informed that the activities of the Union as well as any Polish minority institutions, schools, and associations, would be suspended. This applied additionally to banks and business associations, as well as Polish press and printing houses. Students of Polish schools were ordered to transfer to German equivalents whereas Polish schools teachers were told they would be barred from employment in German schools. The Union of Poles in Germany was also obliged to issue notices of termination to

**Editors:**  
Stanisław Żerko

**Correction:**  
Hanna Różanek

---

**Instytut Zachodni**  
**im. Z. Wojciechowskiego**  
ul. Mostowa 27A  
61-854 Poznań

☎ (+48) 61 85 27 691  
✉ [izpozpl@iz.poznan.pl](mailto:izpozpl@iz.poznan.pl)  
🌐 [www.iz.poznan.pl](http://www.iz.poznan.pl)



its employees. A commissioner was appointed to issue current orders. The Law of March 9, 1937 on securing Reich borders and on retaliatory measures was quoted as the relevant legal basis. Specific additional decisions were announced on the continued existence of Polish organizations and associations.

Soon afterwards, on September 11, secret ministerial counselor August Schmid, who had attended the aforementioned September 7 meeting of the Ministry of Internal Affairs meeting, was appointed commissioner and vested with broad authority. Schmid had at his disposal an apparatus that took stock of the assets of Polish organizations. However, the stocktaking did not proceed smoothly as many Polish workers were dismissed and/or thrown in jail while many others left for Poland prior to September 1.

This provisional status was regulated on February 27 of the following year by the Council of Ministers for the Defense of the Reich (*Ministerrat für die Reichsverteidigung*). Established by Hitler on August 30, 1939, the council was chaired by General-Field Marshal and Prussian Prime Minister Hermann Göring.

Signed into law by Göring, Reich Minister of Internal Affairs Wilhelm Frick (to whom the document referred to as the General Plenipotentiary for Reich Administration), and Minister of Reich Chancellery Hans Lammers, the regulation banned all activities of the Polish minority in Germany. Any existing organizations were dissolved while no new ones could be established. Under the law, those who carried on the activities of Polish organizations or formed any new ones faced punishment. The regulation reaffirmed the existence of the commissioner tasked primarily with oversight over the disbanding of Polish organizations.

The regulation said nothing specific about property ownership other than that the dissolved organizations would not have the discretion to dispose of their own assets as they saw fit. In practical terms this meant that the assets of Polish organizations would be seized by Reich authorities. Such assets comprised real estate (including several townhouses) and deposits in Polish banking institutions (the Slavic Bank of Berlin, and people's and farmers' banks). The shutdowns affected four printing houses, fourteen warehouses, sixty Polish elementary schools, two middle schools, fourteen kindergartens, thirty five financial and credit institutions and every Polish library and community club, including the so-called Polish Houses. Payments owed to the partners of Polish organizations were withheld. The president of the Opole regency justified such actions as follows in his letter of June 1, 1940: "Whoever collaborates commercially with Polish organizations and effectively upholds



the Polish identity, deserves no amiable treatment". On the other hand, on April 4, 1940, the Reich Ministry of Internal Affairs ordered the confiscation of the personal assets of Polish activists who had fled to Poland before the outbreak of the war or had been imprisoned in concentration camps.

Starting in early September 1939, a great number of activists and members of the Union of Poles in Germany were detained. Such arrests peaked on September 11 and 12. The total number of those apprehended can only be approximated. Between 1200 (according to Mirosław Cygański) and 2,000 individuals (according to Wojciech Wrzesiński) were then placed in concentration camps. Some two hundred of them died.

Due in part to incomplete documentation, it is difficult to accurately appraise the assets of which Polish organizations were deprived. After the war, Polish organizations in the Federal Republic of Germany recovered some of the pre-war properties of the Union of Poles in Germany (including the Polish House in Bochum, which was recovered in 1956). A number of other assets were also collected. West German courts argued that the losses of Polish organizations could not be assessed. However, certain sums were returned to such organizations in West Germany after the war. On August 30, 2013, the German government announced a settlement which awarded a total of PLN 625,500 Deutsche marks to the post-war Union of Poles in Germany.

The regulation of February 27, 1940 was not yet in effect at the time of the entry into force of the constitution of the Federal Republic of Germany in 1949. Article 123 of that Constitution automatically rendered any legal acts contrary to its provisions null and void. The regulation breached the constitutional right of association and the principle of equality. The demand to annul the 1940 regulation that has been put forward in Poland for quite some time, is unfounded given that the regulation has been invalid in Germany since 1949. It is also untrue that the 1940 regulation affects in any way the current legal status of German citizens of Polish descent. That the Polish community in Germany does not enjoy the status of a national minority is due to completely different reasons. The regulation of February 1940 makes no mention of this at all. The criteria that Germany applies in determining which community to recognize as a national minority have nothing to do with that regulation.

#### Annex

Regulation of February 27, 1940 Polish national minority organizations in the German Reich

The Council of Ministers for the Defense of the Reich hereby issues and signs into law the following regulation:



§1

1. The activities of Polish minority organizations in the German Reich (associations, foundations, societies, cooperatives, and other organizations) shall be banned. The establishment of any new Polish minority organizations shall be prohibited.

2. Any existing boards of Polish minority organization shall cease their activities. Such boards shall not dispose of the enterprises of such organizations or of any assets that are either legally or economically linked to such enterprises.

3. When in doubt as to whether a given organization is to be deemed one of a Polish minority, that determination shall be made by the Minister of Internal Affairs.

§2

1. The Minister of Internal Affairs shall be empowered to appoint a commissioner for Polish minority organizations.

2. The Commissioner shall perform his duties on the basis of guidelines from the Minister of Internal Affairs, to whom he shall report. For specific cases, the Commissioner may delegate his powers.

§3

1. The Commissioner shall manage Polish minority organizations to disband them and may act effectively for or against such organizations.

2. The Commissioner shall have the power to dissolve Polish minority organizations.

3. The dissolution of Polish minority organizations shall be the duty of the Commissioner. The Minister of Internal Affairs may lay down guidelines for the relevant procedure in consultation with the Minister of Justice.

4. With respect to organizations entered in an official register, the Commissioner may modify their register entries at his/her discretion.

§4

The Commissioner shall not be obliged to respect any such decisions laid down in the charter of a given organization or made by its general meeting of members as constitute a basis for the appointment of the organization's board, the selection of the responsible entity or the appraisal of the value of the organization's assets.



## §5

No claim shall be entertained for compensation for actions taken pursuant to this Regulation.

## §6

Any individuals who, contrary to §1 hereof carry on their activities or establish new Polish minority organizations shall be punishable by either fine or imprisonment, or both.

## §7

The Minister of Internal Affairs shall issue any such legal and administrative provisions as are necessary to execute and supplement this Regulation.

## §8

The applicability of this Regulation to the annexed eastern territories, including the former Free City of Gdańsk and the Protectorate of Bohemia and Moravia, shall remain open for separate decisions.

---

**Prof. dr hab. Stanisław Żerko** – Historian, research interests: Germany's foreign policy, Poland's foreign policy, history of international relations.