

Whitman, James Q. *Hitler's American Model: The United States and the Making of Nazi Race Law*. Princeton: Princeton University Press, 2017.

“There is currently one state in which one can observe at least weak beginnings of a better conception,” wrote Adolf Hitler in *Mein Kampf*. “This is of course not our exemplary German Republic, but the American Union” (45-46). In *Hitler's American Model: The United States and the Making of Nazi Race Law*, James Q. Whitman explores the influence that United States race law had on Nazi Germany, and in particular the Nuremberg Laws.

Whitman argues that the Nazis admired five aspects of the American model: immigration law, citizenship and second-class citizenship, anti-miscegenation law, how they handled the issue of who belongs in a racial group, and finally the common-law legal system. Whitman is overqualified to discuss this subject, being a Yale Law School professor of Comparative and Foreign Law, which is exactly the matter of discussion in this book.

In Chapter 1, Whitman shows how the Nazis found inspiration in American immigration and citizenship law. One strong example of this is Hitler praising how “the American Union categorically refuses the immigration of physically unhealthy elements, and simply excludes the immigration of certain races” (46). The Nazis also studied how the Americans had de facto and de jure second-class citizenship. Whitman directs us to numerous authors and publications who were amazed with American immigration and citizenship law, and one Nazi party magazine displayed a map, for reference, of “Statutory Restrictions on Negro Rights” (61).

The main idea here is not that there was any direct influence. In fact, the Nazis understood that the United States might very well fail, and that they are not explicit enough in their policy. But they felt legitimacy, because in a sense, America sought the same thing the Nazis did — to fight the “melting pot.” As Whitman put it, “it offered them confirmation that the winds of history were blowing in their direction” (71). The Nazis were to take the mantle, to succeed in this goal that they felt others yearned for. To do it right.

In Chapter 2, Whitman delves into what is perhaps the most compelling evidence of the American model’s direct influence on the Nazis, and that involves laws prohibiting mixed marriages, *criminally*, and how they navigated the difficult issue of determining who belongs to what race.

In a June 5, 1934 meeting central to Whitman’s argument, Nazi moderates and radicals, who shared a hatred towards Jews, debated the form of the notorious Nuremberg Laws and had disputed what legal measures were appropriate and practical. Whitman highlights this meeting because the prominent, influential attendees came with documents and information related to American race law. In fact, Whitman notes, “American law was the first topic of discussion at the meeting” (111). This crucial meeting was by no means just about America, but nevertheless it was riddled with mention of the United States’ policy, and we can deduce that their preparedness to discuss America indicates that they did so before — perhaps regularly.

Particularly interesting is that the Nazis touting the American model were not the “moderates,” but rather the extremists, exemplified by Roland Freisler, who pointed out how America did not allow the issue of defining racial groups, and rigid laws, to hinder their anti-colored quest. The radicals praised the “realist,” common-law legal system in the states, allowing for greater political influence in law. Also essential was that America provided

precedent for the criminalization of mixed-race marriages, which was indeed a provision in the Nuremberg Laws.

Whitman's point is not that we should blame the American model for influencing Nazi race law. The Nazis would have been able to craft their legislation anyway. The purpose of this exercise, Whitman maintains, is to reveal what this says about America of the 1920s and 1930s. What does it say about the United States when they were referenced by the Nazis when debating the implementation of antisemitic laws, and seen as a place where like-minded white people sought to "preserve" their kind? "What the history presented in this book demands that we confront are questions not about the genesis of Nazism, but about the character of America," Whitman writes (136). It is through this kind of historical survey that we can educate ourselves, and find a more accurate portrait of America during this period.

One particular strength of Whitman's work is his usage of the transcript of the important June 1934 planning meeting for the Nuremberg Laws. There are powerful instances of deference to American law that should make us shudder, and it is through this evidence that Whitman's arguments have the most power. Therefore he makes a strong case demonstrating how America provided an inspiration for legal "realism," anti-miscegenation laws, and legally fluctuating racial boundaries. A serious weakness, though, is seen in that Hitler hardly appears throughout the book. There are a few powerful quotes which help Whitman's point about immigration law and how Nazis, in the earlier years of Hitler's rule, found some sort of camaraderie in American racists. But the use of Hitler's words is scarce, which is problematic to any historical argument surrounding the Nazis, considering that the well-documented orator was the face of Nazism.

*Hitler's American Model* is an excellent piece of scholarly work which provides a well-argued analysis into how the Nazis looked towards the American model in seeking

precedent to develop their racist and antisemitic legislation. Whitman successfully demonstrates how the Nazis sincerely looked with awe at various aspects of the United States, and even brought up examples of American race law in their speeches, meetings, and literature. While more evidence of Hitler's mindset in this regard would have been useful, Whitman still overwhelmingly proves the presence of the American model in Nazi discourse, and provides the correct takeaway: what does it say about the history of America?