The Jews of the Channel Islands and the Rule of Law, 1940–1945

'Quite contrary to the principles of British justice'

DAVID FRASER

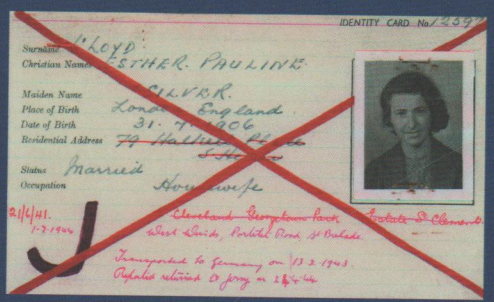
From 1940 to 1945 the Channel Islands were the only part of Britain to fall under German Occupation. During that period, local courts continued to function and to apply Island law. Lawyers, judges and government officials in Jersey and Guernsey continued to swear oaths of allegiance to the British Crown. But German anti-Semitic laws and other measures were introduced and became part of the legal system.

This book examines the ways in which officials co-operated in the implementation of legal measures against the Islands' Jewish community and their property. Resident Jews were registered by Island authorities and lists of Jewish property were compiled and submitted to the Germans by local lawyers, and bureaucrats. Jews were banned from employment and from appearing in public. Businesses were 'Aryanized'. Wireless sets were confiscated because their owners were Jewish, and many residents were deported. Throughout, the daily implementation of these anti-Semitic measures was placed in the hands of local Islanders.

Based on a thorough review of Island archival material and previously unknown evidence, this book offers the first jurisprudential and legal analysis of the moral and legal failures of law and lawyers to combat Nazi legality on British soil. Cases in which Jewish interests and individuals were protected by the intervention of locals are recorded, and throughout the factual record is compared and analyzed in light of the ethical norms which lawyers and government officials themselves claimed to be upholding.

A study is also made of the ways in which the collective memory in the Islands has been constructed so as to ignore and obfuscate the fate of Jews in order to combat more general assertions of 'collaboration'. This conflation of 'collaboration' and the issue of fate of the Jews has not just distorted the historical record, but also echoes many of the elements which may have led to the ease with which Island officials implemented legalized anti-Semitism.

David Fraser is Lecturer in the Faculty of Law at the University of Sydney. He is the editor of *The Money Trail*, *Thinking Through the Body of the Law*, and *Faces of Hate: Hate Crime in Australia*.



Cover illustration:
Identity Card belonging to Esther Pauline Lloyd, showing Jewish registration markings. Reproduced with the permission of the Jersey Archive Service. And notices requiring the registration of Jews and the marking of Jewish businesses, *Jersey Evening Post*, 21 October 1940. Reproduced with the permission of the *Jersey Evening Post*.

sussex
ACADEMIC
PRESS
Brighton • Chicago • Toronto

ISBN 978-1-84519-678-3
9 781845 196783
www.sussex-academic.com