

SECRET

THE GERMAN ARMED FORCES AS CRIMINAL ORGANIZATIONS

I

INTRODUCTION

The Treaty of Versailles limited Germany to a military establishment sufficient only to maintain internal order and to police its boundaries. The steps by which Germany circumvented those provisions of the treaty have been the subject of many books and articles.^{1/}

The "Black Reichswehr," the secret training of general staff members, the training of luftwaffe pilots by subterfuge and secret design and construction of weapons of all kinds are matters that have been well documented.

Since the forthcoming trials are predicated in part on the proposition that a violation of a political treaty subjects a state and its responsible leaders to punishment, it can be argued that the entire German military organization is illegal and that therefore those in command are subject to punishment. The defense to such a contention would probably rest in part on the argument that the United States, Great Britain, France and Russia continued to maintain diplomatic relations with Germany after her rearmament was openly acknowledged and that those powers subsequently sent military attaches to Berlin and permitted the German Government to maintain military attaches in its embassies in foreign capitals.

To admit the validity of such a defense is to approve larceny by trick. German claims for increased armament were always justified on defensive grounds, on the contention that

^{1/} e.g. Blood Ryan - "The great German Conspiracy" Lindsay Drummond Ltd London 1941
Hans Ernest Fried "The Guilt of the Germany Army" Macmillan 1942 (and bibliography appended)
O. Lehman Russbuehlt "Aggression" Hutchinson & Co. Ltd. London 1942.

SECRET

--2--

since the other powers had not disarmed, Germany was entitled to a military establishment commensurate with her size and world position. Subsequent events, however, established that German armed might was not only illegally created, but that it operated in partnership with the Nazi Government in a program of conquest, and that its responsible leaders ordered and approved acts in violation of the 1939 treaty with Russia, the Hague Conventions and the Geneva Convention relating to the treatment of Prisoners of War.

II

THE EVIDENCE

A. The German General Staff

1) The difficulty with proof of criminal design lies in the fact that it is the normal function of any General Staff to plan successful invasion of other countries. The United States General Staff undoubtedly had detailed plans for invasion of Canada and of Mexico. Proof of that fact would not establish that it thereby intended to invade Canada or Mexico or that it advocates such invasion.

2) The principal case against the General Staff (des Heeres) known to the writer of this memorandum is that it was outlawed by the Treaty of Versailles and was reestablished and trained by illegal means to accomplish a continuing purpose of German conquest. The kind of a war it planned is well described in an article entitled "Gotterdammerung" and which appeared in Deutsche Wehr, the official organ of the German General Staff under date of 13 June 1935. The following excerpt is quoted in Blood-Ryan "The Great German Conspiracy" (Mentioned supra) at p. 92.

--3--

"In such a war [as was then contemplated....] there will no longer be victors and vanquished, but survivors and those whose name is stricken from the list of nations. Many an apparently invincible Colossus in reality stands on feet of clay, and what one or two generations ago was impossible has to-day already become possible: with a single powerful blow to break a nation's spiritual backbone, to destroy it for ever and trample it in the dust.

"Just this is the essence, the numbing aspect of the war of annihilation. The elite lies torn to shreds and poisoned on the battlefields. The survivors, a leaderless, demoralised mob of human beings crushed and broken by nameless horrors and suffering, by unspeakable terror, stand defenceless and without any will before their victors--clay in the potter's hands....Their number does not matter....Fifty million trembling fellaheen are not more difficult to bring into subjection than five; for many million times nought is still nought. A nation will no longer want something from its opponent, but will put an end to its opponent--make an end of it, once and for all."

B. The Wehrmacht

1) Evidence against the armed forces as a whole is far better than that against the General Staff as a unit. Numerous public statements were made in official and quasi official publications showing the close coordination between the Army and the Government. Those statements tend to show that the Army, Navy and Luftwaffe were not impartial organizations doing the bidding of the State, but were partners with the Nazi government in the plans and program of the National Socialist scheme.

a. Cooperation with Himmler and Goering in "Germanizing" Conquered Areas. In 1943, an official pamphlet was issued setting forth the pertinent regulations governing the settlement of German war veterans in conquered territories.^{1/} The High Command decree of 11 December 1942 controlling resettlement is published therein.

^{1/} Der Reichsführer SS, Rasse- und Siedlungshauptamt-SS, Bestimmungen über die Erfassung, Auswahl und Zuführung der siedlungswilligen Angehörigen der Waffen-SS für die wiedergewonnenen Siedlungsraume (Berlin 1943).

b. Approval of Nazi Race Theories.

An official account of the Russian campaign was presented by the High Command for popular reading in 1943.^{2/} In it the Russians were described as "Nicht ebenbürtigen" i.e. inferior or on a lower level of race.

c. Partnership Between Armed Forces and Party.

1) An article in the Army year-book 1940 openly stated that the armed forces "Must be considered besides the party as the three fold promoter of the idea of a Greater Germany in the New Reich and that they derive certain tasks from this fact; tasks of which they are conscious." ^{3/}

2) In a book issued in 1939 under the imprimatur of the Nazi party, the following was stated:

"In those days (i.e. of the Weimar Republic) the concept of the 'unpolitical soldier' originated. Correctly interpreted, this term was nothing else but the camouflage of a thoroughly political attitude, an attitude which opposed the undisciplined and unpatriotic party gangs (Parteiklüngel is used here in a derogatory way in reference to the multi-party system of the Weimar Republic) with soldierly discipline and German nationalism." ^{4/}

^{2/} Oberkommando der Wehrmacht, Kampf gegen die Sowjets, Berlin 1943.

^{3/} Jahrbuch des deutschen Heeres 1940 ed. by order of the Oberkommando des Heeres by Major Martin, Leipzig, 1940. Marawski in an article "Das Heer als Förderer des grossdeutschen Gedankens" states on p. 32: "Schon heute kann man feststellen, dass die deutsche Wehrmacht neben der partei in dreifacher Hinsicht als Förderer des grossdeutschen im neuen Reich anzusehen ist und dass ihr daraus ganz bestimmte Aufgaben erwachse, deren sie sich auch bewusst ist."

^{4/} Dönnevert p. 7 says: "In jenen Tagen entstand der Begriff vom 'unpolitischen Soldate.'" Reichtig betrachtet, war dieses Wort weiter nichts als die Tarnung einer durchaus politischen Haltung, die dem undiziplinierten und vaterlandlosen Parteiklüngel soldatische Disciplin und deutsches Nationababewusstsein entgegenstellte."

--5--

Again in the same book the following is found:

"The Armed Forces will however, consequently undergo change from the 'unpolitical soldier' of the Reichswehr (i.e. army of the Republic) to the political, i.e. Nazi convinced soldier." 5/

Vice Admiral Canaris is quoted on p. 45 of that volume as saying: "The officer corps must take the lead in living and realizing National Socialism." 6/ Col. Waeger of the Army High Command wrote therein:

"A future war will not alone affect the soldier on the front, but the whole people...It is the high task of the Armed Forces to train those who carry the arms, and beyond this to cultivate the military spirit. The NSDAP with its auxiliaries has made its business to give to the whole nation a basic military attitude." 7/

3) Blomberg, the then Minister of War wrote an introduction to a book published in 1935 in which he said in part:

"The Armed Forces protect the German nation and its space. They serve the Führer through unrestricted faith and obedience, the state through preparedness, the nation through enthusiastic devotion to the common national socialistic idea, to which Germany owes her regeneration." 8/

- 5/ Donneverrt p. 27: "Die Wehrmacht wird umgekehrt golgerchtig den Weg vom 'unpolitischen Soldaten' der Reichswehr zum politischen, d.h. nationalsozialistische überzeugten Soldaten gehen."
- 6/ Vice Admiral Canaris on p. 45: "Das Offizierkorps muss im gelebten und verwirklichten Nationalsozialismus vorangehen."
- 7/ Col. Waeger of OKH p. 56: "Ein kommender Waffengang wird jedoch nicht allein den Soldaten an der Front, sondern das ganze Volk erfassen...Den Waffenträger heranzubilden, darüber hinaus den soldatischen Geist zu pflegen, ist die hohe Aufgabe der Wehrmacht. Die soldatische Grundhaltung dem ganzen Volke zu vermitteln, hat auch die NSDAP. mit ihren Gliederungen zum Ziel gesetzt."
- 8/ Hermann Foertsch, major, Die Wehrmacht im nationalsozialistischen Staat Hamburg 1935. Blomberg, then minister of war says in the introduction: "Die Wehrmacht schützt das deutsche Volk und seinen Lebensraum. Sie dient dem Führer durch rückhaltloses Vertrauen und Gehorsam, dem Staat durch Einsatzbereitschaft, dem Volk durch die begeisterte Hingabe an die gemeinsame Idee, der Deutschland seine Wiedergeburt verdankt."

In the same book itself, the author says:

"Only through their position above the parties, the Armed Forces were able to preserve themselves for the Führer and Reich Chancellor as a united, strong, and military power. Adolf Hitler acknowledged this when he stated in September 1933: 'If the Army had not stood by our side in the days of the revolution, we would not stand here today,' and when he assured that he would support with his whole heart the spirit of the army. Thus, the attitude of the Armed Forces during the Nazi revolution was logical...We know that armies have often made revolutions, intervened in revolutions or have ended revolutions. Such an attitude was out of question for the German Armed Forces; because what the national socialist revolution desired, was also the wish of the Armed Forces." 9/

2) The most damning evidence against The Wehrmacht known to the writer is contained in a series of orders captured at Flensburg and termed "Orders of the Führer." Microfilm copies were examined in the custody of MIS, Room 2D 819 the Pentagon, Washington. The pertinent orders are as follows:

MIS FILE	MIS PAGE	DATE	SIGNATURE	SUBSTANCE
10	4	2 Aug 1940	Keitel	Hitler's decree of quasi incorporation of Alsace & Lorraine into Reich
10	5	2 Aug 1940	Keitel	Ditto for Luxembourg
4	3	12 Oct 1940	Hitler	Civilian prisoners shall be used to remove bombs
11	5-12	12 Nov 1940	Hitler & Jodel	Ausland Ab. to work in Spain against Gibraltar & British intelligence - presupposes cooperation with Spain-sending German units under cover into Spain.

9/ Foertsch says on pp. 20-21: "Allein durch ihre überparteilich Haltung hat sich die Wehrmacht dem Führer und Reichskanzler als ein geschlossenes, festes, soldatisches Machtmittel erhalten können. Das hat Adolf Hitler anerkannt, als er im September 1933 feststellte: 'Wenn das Heer nicht in den Tagen der Revolution auf unserer Seite gestanden hätte, dann ständen wir heute nicht hier,' und als er versicherte, dass er sich mit ganzem Herzen für DEN Geist dieser Armee einsetzen werde. So war auch in der nationalsozialistischen Revolution die Haltung der Wehrmacht folgerichtigWir wissen, dass Armeen oft Revolution gemacht haben, in Revolutionen eingegriffen oder Revolutionen beendet haben. Für die deutsche Wehrmacht kam diest Haltung nicht in Frage. Denn was die nationalsozialistische Revolution erstrebte, war auch der Wunsch der Wehrmacht."

--7--

MIS FILE	MIS PAGE	DATE	SIGNATURE	SUBSTANCE
12	3 - 12	18 Dec. 1940	Hitler, Keitel, Jodel	"Barbarossa Plan" for invasion of Russia
9	1-4	5 Mar 1941	Keitel	Order for program of cooperation with Japan contemplating joint action and ultimate Japanese attack on Singapore and possibly on U.S.
12	13-20	13 Mar 1941	Keitel Supp to Order 21	Division of Russian Territory into auton- omous states when taken. Himmler given full authority to carry on anti-Communitic activities. OKH to deal with Himmler. In occupied territory Army command to collobrate with Reichs Commisar to help in his political task. Harness economy to Germany. Army re- tains jurisdiction over enemy parachutists, rebellion and sabotage.
5	14	25 Mar 1941	Jodel & Keitel	Unrestricted Sub War- fare in N. Atlantic
5	15	16 Apr 1941	Jodel	Above order continued in effect by Hitler
1	30-34	23 May 1941	Hitler & Keitel	Order #30 sending of undercover mission to Irak to strengthen Irak defense. Military members to be considered volunteers and wear Irak insignia. Arms to be supplied by Chief OKW.
12	26-27	13 July 1941	Keitel Supp to Order 33	Security of cong. East territories achieved only if resistance is broken by terror rather than through legal means.
6	1-5	16 Sept 1941	Keitel	Communitic Rebellion - Harsh measures
7	7 at 11	22 Sept 1941	Hitler & Keitel	Has ordered Todt to use Russians unscrupu- lously for building a railroad.

SECRET

--8--

MIS FILE	MIS PAGE	DATE	SIGNATURE	SUBSTANCE
5	19	9 Dec.1941	Keitel & Jodel	Unrestricted sea warfare on U.S. (before war)
12	93-98	18 Aug 1942	Hitler	Order 46 collaboration between OKW & SS on re partisans in the East.
6	6-12	18 Oct 1942	Hitler	Killing partisan groups
6	13-16	18 Oct 1942	Hitler	Killing Commandos no quarter

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