

AN ANALYSIS OF THE GERMAN POLICE SYSTEM  
UNDER NATIONAL SOCIALISM

by

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## PREFACE

Under the Weimar Republic in Germany there was no unified Reich police, only individual police forces, under the control of the various Laender, or states. After achieving power, the National Socialists turned the Reich into a police state, and the world added a new word to its vocabulary; Gestapo. The name came to be associated with an all-pervasive, powerful and centralized Reich police, run from the Reichsicherheitshauptamt, or RSHA, in Berlin. This office headed the units which made up the coercive arm of the Nazi government, a government which some early apologists claimed was at least efficient. The forces controlled through the RSHA were instruments of a terror that came to be feared throughout Europe.

This study is an attempt to answer several questions that arise on viewing this headquarters of a centralized terror. How did this centralized police develop? What were its functions? Was it as effective and efficient as its chiefs gave the world to believe? And finally, why were terroristic methods used throughout?

To Dr. Werner Henry Barth I wish to express my thanks, for his advice, encouragement and constructive criticism. His patience, which though frequently tried was never exhausted, is greatly appreciated.

## CHAPTER I

### THE IDEOLOGICAL BASIS FOR THE TERROR

"And if our comrade you won't be,  
We'll bash your head in--one, two, three."<sup>1</sup>

This bit of doggerel was quoted by Hitler in Mein Kampf to characterize the methods of the free trade unions in Germany. It serves equally well, if not better, to characterize the method of the Nazi party from its inception to its demise. One of the world's most extensive "head bashing" organizations was developed under the Nazi government of Germany, and "head bashing" accompanied the party, almost from its birth. Administered ultimately by the Reichsicherheitshauptamt (RSHA) in Berlin, the Nazis developed a vast terror arm which was to be feared throughout Europe, a terror arm which was an integral part of the Nazi machine.

Unless the RSHA was the result of a purely arbitrary exercise of sadism and brutality on the part of the leadership of the NSDAP,<sup>2</sup> it can only be understood in relation to the basic aims of the party, its power theory, and the circumstances under which these aims and this power theory were developed.

The Germany in which the NSDAP was born provided fertile soil for political extremes, and especially fertile soil for the extreme simplification of issues at which Hitler was a master.

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<sup>1</sup>Adolph Hitler, Mein Kampf (Boston, n.d.) p. 50.

<sup>2</sup>Nationalsozialistische Deutsche Arbeiter Partei.

The feelings of betrayal, of humiliation, of being surrounded by enemies were utilized to the full by the Nazis. A war had been lost, but according to current belief not through defeat in the field, but through betrayal at home. The "stab in the back" legend, which portrayed Germany's glorious armies, victorious in field, as having been betrayed by defeatist forces at home was a constant party theme. The country was pictured as being humiliatingly bound by the chains of Versailles, a treaty dictated by her enemies, and signed by a group which had, by its revolt at home, betrayed the troops in the field. Germany was disarmed in the face of armed enemies which incircled her. Her territories in the Saar and Upper-Silesia had been torn from her by force after she had been disarmed. France had, for a time, reoccupied the Ruhr. Germany had been burdened by reparations payments and had twice suffered wrenching economic distress. She was burdened with a wavering indecisive government which, except for a brief honeymoon in the twenties, the majority of her people were against. Humiliated, disarmed, and surrounded by enemies, Germany was a nation which could well succumb to a promise of firm, decisive leadership and a restoration of national pride.

The solution offered by the NSDAP was contained within the twenty-five points, which were adopted as the party platform in 1920 and declared immutable in 1926. It was a platform designed to capture the support of the masses. It demanded German union on the basis of self-determination, equality of rights with

other nations and abolition of the Versailles treaty conditions. It called for land for settling excess population, the exclusion of Jews from the nation, and a reduction in the number of non-citizens earning money in the Reich. Abolition of unearned incomes, confiscation of war profits, nationalization of trusts, and profit sharing of wholesale profits were included, as were land reform, old age benefits, a raised standard of health, and the state reconstruction of education. The paid army was to be replaced by a citizen army, the press was to be a strictly German press, the individual was called upon to work within the interests of the community for the general good, and the creation of a strong centralized power to realize all these gains was demanded.<sup>3</sup> It was a program that was nationalistic, anti-capitalistic, and anti-Semitic.

However immutable these twenty-five points were declared to be in principle, the practice was somewhat different. Parts of the program were subsequently dropped, and others emphasized, on a purely pragmatic basis. The twenty-five points represented more a means to an end than a dogma. To Hitler,

"Any idea may be a source of danger if it be looked upon as an end in itself."<sup>4</sup>

A major aim, if not the major aim, pursued throughout the life of the NSDAP, was the revival of Germany as a great Reich.

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<sup>3</sup>Louis L. Snyder, Documents of German History (New Brunswick, 1958) pp. 393-96.

<sup>4</sup>Hitler, Mein Kampf, p. 214.

This aim is exemplified throughout the history of the party in its drive for re-armament, in its actions to regain the 1914 boundaries, and having done so to expand them, and in the revival of the drang nach Osten.<sup>5</sup> To be great, in Nazi terminology, meant first to be strong. The leadership called for a revival of the national instinct for self-preservation, and above all for unity. Germany was to be made, by force if necessary, compact, coherent, and homogeneous. A united front was to be achieved through one party, and within that one party through a monolithic leadership. Only through unity could there be achieved the necessary total mobilization of all the energies of the population without which greatness could not be regained. As early as 1922, Hitler declared that,

"The only possible conditions under which a German State can develop at all must therefore be the unification of all Germans in Europe, education toward a national consciousness, and readiness to place the whole national strength without exception in the service of the nation."<sup>6</sup>

To achieve this goal the support, or at least the acquiescence of the masses was required. As Hitler put it,

"The movement must avoid everything which may lessen or weaken its power of influencing the masses...because of the simple fact that no great idea, no matter how sublime or exalted, can be realized in practice without the effective power which resides in the popular masses."<sup>7</sup>

The Nazi program was authoritarian throughout. Oversimplified, authoritarianism held that the wise few must rule the not-so-wise

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<sup>5</sup>The drive or push towards the east.

<sup>6</sup>Adolph Hitler, My New Order (New York, 1941) p. 48.

<sup>7</sup>Hitler, Mein Kampf. p. 107.

many, and for the sake of efficiency the wise few should be controlled by a single leader. The Nazis, however, added their own particular twist to authoritarianism, they based it upon race. In Nazi ideology some races are naturally superior to others, and have a natural right to govern inferior races. Within this superior race are certain superior individuals, and these have a right to rule over the superior race. To use Hitler's words,

"Just as in general I have to evaluate the nations differently on the basis of the race to which they belong, thus also the individuals within a national community....A view of life which, by rejecting the democratic mass idea endeavors to give this world to the best people, that means to the most superior men, has logically to obey the same aristocratic principle also within this people and has to guarantee leadership and highest influence within the respective people to the best heads. With this it does not build upon the idea of the majority, but on that of the personality....Organization has to start from the principle that for humanity blessing has never lain in the masses, but in its creative heads....It is in the interest of all to safeguard their most decisive influence and to facilitate their activity. Certainly, this interest is not satisfied and is not served by the rule of the masses who are either unable to think or are inefficient, in any case not inspired, but solely by the leadership of those whom Nature has endowed with special gifts."<sup>8</sup>

Herein are found the basic premises of the Nazi theory or view of society; mass, elite, and leader. The united masses under stimulus provided the weight and force of the movement, the elite provided the intelligence and direction, and above all was the leader in whose name everything was done, who was responsible for all, and whose acts could nowhere be called into question. Hitler put it this way,

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<sup>8</sup>Ibid., pp. 442-43, 446.



"The best State constitution and State form is that which, with the most natural certainty, brings the best heads of the national community to leading importance and to leading influence ...The State in its organization, beginning with the smallest cell of the community up to the highest leadership of the entire Reich, must be built upon the principle of personality. There must be no decisions by majority, but only responsible persons, and the word 'council' is once more reduced to its original meaning. At every man's side there stand councillors, but one man decides. The principle which once made the Prussian army the most marvellous instrument of the German people has to be some day in a transformed meaning the principle of the construction of our whole State constitution: authority of every leader towards below, and responsibility towards above."<sup>9</sup>

In practice this meant a dictatorship with ultimate authority resting in one man, who, by natural superiority, assumed and was entitled to it. As one Nazi writer put it, leadership is not designated by the people but authority presupposes rank and is valid against the people's will because people do not bestow it, but recognize it.<sup>10</sup> The Nazi concept of society meant a unified mass, a total nation, directed by an elite and expressing its unified will through one man, the Leader, who served as the unifying link that joined state, party, and people.

The concept of leadership itself had charismatic overtones. There was an element of the superhuman in their idea of a Leader "endowed with special gifts", of presupposed rank, not bestowed by the people but only recognized by them. This element of the superhuman fit well into the concept of a uniting of all power in one person. Further, if the unified will of the nation was to be expressed, it could be expressed most clearly and simply

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<sup>9</sup>Ibid., pp. 449-50.

<sup>10</sup>Franz L. Neumann, *Behemoth* (New York, 1942) p. 48.

through one person; if the unified will of the nation was to be exercised, it could best be directed by one person. This was the ultimate in unity.

The concept of the leader, was all-embracing and unlimited. He was not merely the wielder of the authority of the state, he was the authority of the state. Ernst Huber, one of the foremost theoreticians of the Third Reich, has given us a brief, but thorough exposition of the position of the Leader.

"The Fuehrer unites in himself all the sovereign authority of the Reich; all public authority in the state as well as in the movement is derived from the authority of the Fuehrer. We must speak not of the state's authority but of the Fuehrer's authority if we wish to designate the character of the political authority within the Reich correctly. The state does not hold political authority as an impersonal unit but receives it from the Fuehrer as the executor of the national will. The authority of the Fuehrer is complete and all-embracing; it unites in itself all the means of political direction; it extends into all fields of national life; it embraces the entire people, which is bound to the Fuehrer in loyalty and obedience. The authority of the Fuehrer is not limited by checks and controls, by special autonomous bodies of individual rights, but it is free and independent, all-inclusive and unlimited."<sup>11</sup>

The picture was one of total authority in the hands of one man. In theory, however, this was not the expression of the subjective, individual will of one man, but a rather mystical emanation of the authority of the Volk. The Fuehrer was the "bearer of the people's will", a collective will which he shaped within himself, and which embodies the unity of the people.

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<sup>11</sup> Ernst R. Huber, Constitutional Law of the Greater German Reich, 1939, quoted by Carl Cohen (ed.) Communism, Fascism and Democracy. The Theoretical Foundations (New York, 1962) p. 404.

In him were manifested the "natural laws inherent in the people."<sup>12</sup>

Thus the source of power as well as of unity was the Volk, the racial people.<sup>13</sup> It was from the racially superior people that the elite arose, and from the elite that arose the supreme leadership. It was by race that the elite was endowed, and it was from a basis of race that the Leader was endowed with his abilities and his power.

It can be readily seen that criticism of the gospel as revealed by such a one as the Fuehrer would be akin to heresy. Hitler made his attitude toward critics clear. In a speech in 1934 he declared,

"In my eyes criticism in itself is not an important function in life. The world can live without critics, it cannot live without workmen....Men whose sole activity is to express an opinion of the activities of others and to paint it in the darkest colors without ever themselves undertaking any practical responsibility--such men I will not tolerate. In the State everyone must in one way or another take his share in the struggle --and create. In this State there can be no right to carp, but only a right to do the thing better.<sup>14</sup>"

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<sup>12</sup>Ibid., p. 402.

<sup>13</sup>The word "people" is here used as a translation of the German "Volk" and in the following sentence "racial people" is used. However, Volk implies more than either of these translations. It contains an implication of kinship that transcends national geographic boundaries and one which may exclude some individuals within the national boundaries. Volk refers to the people in more of a tribal than a nationalistic sense. It comes closer to indicating brotherhood than citizenship, something to which one is born rather than something that one acquires. Because of the difficulty in finding a simple, yet adequate definition, the German word Volk has been frequently employed herein.

<sup>14</sup>Hitler, My New Order, pp. 283-84.

To put it more succinctly, shut up and work.

The race concept served a number of purposes. It set up a sort of tribal, rather than geographic, basis for the nation, a tribal relationship which stressed tribal mores, sacrifice of the individual for the good of the tribe, and tribal viewpoint toward the world wherein there are only members of the tribe and foes. Above all, for the survival of the race, purity of blood was demanded. One blood, one Volk, one will, one leader, these were the goals of the Nazis. Uniforms, marching columns, mass meetings, and discipline were all used to the full to promote this sense of unity, a unity militant, vigorous, and racially based.

The German was told that he was an Aryan, by blood a member of the race which alone originated the foundations of culture and of civilization, which provided the well-springs of culture and progress and upon whose continued racial purity depended the future of mankind. According to Mein Kampf,

"All the human culture, all the results of art, science, and technology that we see before us today, are almost exclusively the creative product of the Aryan. This very fact admits of the not unfounded inference that he alone was the founder of all higher humanity, therefore representing the prototype of all that we understand by the word 'man'. He is the Prometheus of mankind from whose bright forehead the divine spark of genius has sprung at all times...Exclude him--and perhaps after a few thousand years darkness will again descend on the earth, human culture will pass, and the world turn into a desert."<sup>15</sup>

The German was warned that in every mingling of Aryan blood with that of lower peoples the result was the end of the

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<sup>15</sup>Hitler, Mein Kampf. p. 290.

cultured people, and that only by keeping the blood pure could the natural superiority of the Aryan be maintained.

As for the individual, he must be subordinated to and sacrificed for the tribe, the racial people. His position was defined solely in terms of its relationship to the Volk, and in terms of his duties. Huber tells us that,

"The concept of personal liberties of the individual as opposed to the authority of the state had to disappear; it is not to be reconciled with the principle of the nationalistic Reich. There are no personal liberties of the individual which fall outside of the realm of the state and which must be respected by the state. The member of the people, organically connected with the whole community, has replaced the isolated individual; he is included in the totality of the political people and is drawn into the collective action. There can no longer be any question of a private sphere, free of state influence, which is sacred and untouchable before the political unity. The constitution of the nationalistic Reich is therefore not based upon a system of inborn and inalienable rights of the individual."<sup>16</sup>

The basis of all virtue was proclaimed to be individual sacrifice to the group, the basis of all goodness was that which served the interest of the Volk. And if the individual did not voluntarily comply with these dicta, he was to be compelled to, for,

"There is no freedom to sin at the expense of posterity, and hence of the race....The right of personal freedom recedes before the duty to preserve the race."<sup>17</sup>

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<sup>16</sup>Huber, Constitutional Law of the Greater German Reich, 1939, quoted by Carl Cohen (ed.) Communism, Fascism and Democracy The Theoretical Foundations, p. 404.

<sup>17</sup>Hitler, Mein Kampf. pp. 254-55.

There can be no compromise with such a racist view of life, nor with the concept of absolute leadership. Anything less than complete acceptance is necessarily opposition, opposition which, in the interest of racial self-preservation, must be stamped out, and the leadership must be willing to use whatever means are necessary. As Hitler said,

"An institution which is no longer determined to defend itself with all weapons practically gives itself up. Every half measure is then the visible symptom of internal decay which will and must be followed, sooner or later, by external collapse."<sup>18</sup>

The forces for stamping out opposition in the earliest years were the para-military formations of the party, but on the achievement of power this function of combatting opposition was shifted to a special organ, the Secret State Police.

"As, since the National Socialist Revolution, all open struggle and all open opposition to the State and to the leadership of the State is forbidden, a Secret State Police, as a preventive instrument in the struggle against all dangers threatening the State is indissolubly bound up with the National Socialist Auehrer State."<sup>19</sup>

With this "preventive instrument" in operation, with criticism banned, and with the concept of personal liberties abolished, there seemed to be no outlet for the frustrations, grievances, and hostilities of the individual German. Here, too, the racist theory of National Socialism provided the answer. It gave the German both a scapegoat and a racial enemy in the Jew.

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<sup>18</sup>Hitler, Mein Kampf, p. 246.

<sup>19</sup>Trial of the Major War Criminals before the International Military Tribunals (Nuremberg, 1949) IV, 238-39.

On the Jew was heaped the blame for all of Germany's misfortunes, and on him was vented the hatred of a frustrated people.

Hitler placed all of Germany's problems squarely on a racial basis when he wrote,

"Whether we consider questions of general justice or cankers of economic life, symptoms of cultural decline or processes of political degeneration, questions of faulty schooling or the bad influence exerted on grown-ups by the press, etc., everywhere and always it is fundamentally the disregard of the racial needs of our own people or failure to see a foreign racial menace."<sup>20</sup>

Time and again this "racial menace" was identified as the Jew. He was held responsible for the hatred of other people toward the Germans, for the anti-German coalition in World War I, and for the collapse of Germany.

"...the Jew today is the great agitator for the complete destruction of Germany. Wherever in the world we read of attacks against Germany, Jews are their fabricators, just as in peacetime and during the war the press of the Jewish stock exchange and Marxists systematically stirred up hatred against Germany until state after state abandoned neutrality and, renouncing the pure interests of the peoples, entered the service of the World War coalition....If we pass all the causes of the German collapse in review, the ultimate and most decisive remains the failure to recognize the racial problem and especially the Jewish menace."<sup>21</sup>

The Jew was identified not only as a menace from without but as a menace from within as well, a parasite, a threat to the continued existence of the German people and a defiler of German womanhood. Hitler maintained that the Jew,

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<sup>20</sup>Hitler, Mein Kampf, p. 328.

<sup>21</sup>Ibid., pp. 327, 623.

"...is and remains the typical parasite, a sponger who like a noxious bacillus keeps spreading as soon as a favorable medium invites him. And the effect of his existence is also like that of spongers: wherever he appears, the host people dies out after a shorter or longer period."<sup>22</sup>

For the less "scientifically" minded, the following was offered.

"With satanic joy in his face the black-haired Jewish youth lurks in wait for the unsuspecting girl whom he defiles with his blood, thus stealing her from her people. With every means he tries to destroy the racial foundations of the people he has set out to subjugate. Just as he himself systematically ruins women and girls, he does not shrink back from pulling down the blood barriers for others, even on a large scale. It was and it is Jews who bring the Negroes into the Rhineland, always with the same secret thought and clear aim of ruining the hated white race by the necessarily resulting bastardization throwing it down from its cultural and political height, and himself rising to be its master."<sup>23</sup>

The enemy was identified.

The racial concept not only provided an outlet for tension and hostility, and served as a foundation for unity and the leadership principle, but it also gave the National Socialists the material and ideological grounds for the territorial expansion that was to be the expression of a Germany restored to the position of a great Reich. Racism gave the leadership a basis for the tremendous push to increase the birth rate, a push highlighted by the closing of birth-control centers, crack-downs on abortions, prohibition of the advertising of contraceptives, and economic inducements to those of the proper blood to raise large families. Thus was the ground being prepared for a numerically

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<sup>22</sup>Ibid., p. 305.

<sup>23</sup>Ibid., p. 325.



strong master race. A racist basis was used in the demands to "liberate" the Volksgenossen, the racial comrades, from foreign sovereignties by incorporating them into the Reich. It furnished the excuse to go after the territories lost as a consequence of World War I, thus enlarging the Reich and marking the first step in territorial expansion. The racial concept furnished the basis of the cry for Lebensraum, the living space necessary for the expanding, and superior German race. It provided an excuse, that of racial preservation, for resuming the drang nach Osten into the less thickly populated areas of the east.

The achievement of the basic goal of the Nazi, restoration of Germany to power, followed closely the concepts outlined above. It was a two-phase operation. The first phase was one of internal consolidation, the second, one of national expansion. The first phase carried out the Gleichschaltung, the coordination or synchronization of party, government, and spheres of national life to create the desired unity of will centered in party and in the Leader. The party first achieved power, then consolidated that power, then purged its own ranks and consolidated the whole body politic. Once in effective possession of power the Nazis were in a position to begin phase two of the program, that of national expansion. The Saar was reunited with the Reich, the Rhineland remilitarized, the Volksgenossen in Austria brought into the Reich by the Anschluss, and the Sudeten Germans in Czechoslovakia brought back into the fold. Then the cry of

Lebensraum was increased and the drang nach Osten was under way.

This expansion was an essential part of the Hitlerian program outlined in Mein Kampf. Hitler had said that the highest goal for any foreign policy must be to bring the soil into harmony with the population and added that,

"...in setting an objective for our political activity, we must proceed in two directions: land and soil as the goal of our foreign policy, and a new philosophically established, uniform foundation, as the aim of political activity at home."<sup>24</sup>

The "uniform foundation" was established in the achievement of power by the NSDAP, the step which was labelled above as the first phase of the restoration of Germany to power and prestige. The second phase, land and soil, was viewed not only in the light of a goal to be striven for, but in the light of a vital necessity for the self-preservation of the German nation. In Hitler's words, the German nation,

"...without consideration of 'traditions' and prejudices... must find the courage to gather our people and their strength for an advance along the road that will lead this people from its present restricted living space to new land and soil, and hence also free it from the danger of vanishing from the earth or of serving others as a slave nation.

The National Socialist movement must strive to eliminate the disproportion between our population and our area--viewing this latter as a source of food as well as a basis for power politics --between our historical past and the hopelessness of our present impotence. And in this it must remain aware that we, as guardians of the highest humanity on this earth, are bound by the highest obligation, and the more it strives to bring the German people to racial awareness...the more it will be able to meet this obligation."<sup>25</sup>

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<sup>24</sup>Ibid., p. 649.

<sup>25</sup>Ibid., p. 646

And lest there be any doubt as to what was required for this acquisition of land and soil, Hitler wrote that,

"...lost territories are not won back by sharp parliamentary big-mouths and their glibness of tongue, but by a sharp sword; in other words by a bloody fight."<sup>26</sup>

Nazi policy was, from the beginning, a policy of total war, first against the enemy within, then against the enemy without the borders of Germany. For this they called for total power, total unity, and a total effort on the part of the German people.

Both in the acquisition and consolidation of power at home, and in the expansion of the Reich, the terror arm of the Nazi state played a significant role.

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<sup>26</sup>Ibid., p. 629.

## CHAPTER II

### ESTABLISHMENT OF A LEGAL FOUNDATION

Prior to 1930, the Nazis constituted little more than a splinter party, one of many in Weimar Germany. They had tried to seize power by a putsch in 1923, an attempt which was broken before it got well under way. Thereafter the Nazis turned to the ballot box, not in abandonment of the idea of a coup d'etat, but to put themselves in a position where such a move could be successful, and cloaked in "legality".

Their first venture into a regular political campaign, in 1924, netted them almost two million votes, nearly five per cent of the electorate. However, seven months later, their vote dropped to 907,000 and in 1928 they could only gather 810,000. With the onset of a world depression and widespread and growing unemployment, the German voter apparently sought a radical solution to his dilemma, and turned to the NSDAP in surprising numbers. The election of September, 1930, brought over six million votes to the party, and instead of an insignificant deputation of twelve in the Reichstag, 107 brown-shirted Nazis took their seats as duly elected deputies.

By January, 1933, the NSDAP claimed over a million members and boasted a youth movement of some 107,000. Although its popular vote had dropped from a high of thirteen million in September, 1932, to eleven million, and its Reichstag delegation from 230 to 196 deputies, it remained the largest single political party in Germany.

In spite of its large following and phenomenal growth, it lacked much of being in a majority. At its peak strength it had polled approximately 38 per cent of the vote, and to many observers it seemed to have passed its peak in growth. The party treasury was empty and Joseph Goebbels,<sup>27</sup> in his diary, privately despaired of getting the party bills paid and continuing the party press.<sup>28</sup>

The set-back, if such it really was, was only momentary. By the end of 1934 the NSDAP was in full and complete control of the German Reich, with only one force, the army, capable of removing it from power, and that force was to come under the Nazi heel in 1938. A genuine revolution, changing a federal republic to a totalitarian state had been accomplished, and both the totalitarian state and the terror arm that characterized and supported it were erected on "legal" foundations.

A vital necessity for the establishment of a legal basis of authority for the Nazis was possession of the chancellorship. With the substantial popular support they had obtained, though by no means a majority, they were in a position to push for the appointment of their Leader, Adolph Hitler, to the chancellorship,

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<sup>27</sup> Paul Joseph Goebbels, at this time NSDAP propoganda chief and Gauleiter of Berlin, subsequently to become Reich Minister of Propaganda, member of the Secret Cabinet Council, member of the Reichstag, and President of the Reich Chamber of Culture; appointed Plenipotentiary for Total War Effort, 1944; a suicide in Hitler's air raid bunker, May, 1945.

<sup>28</sup> Joseph Goebbels, My Part in Germany's Fight (London, 1935) p. 189.

and they succeeded. On January 30, 1933, Reichs President von Hindenburg appointed Hitler Reichs Chancellor, perhaps because of the veiled threat of a civil war by the Sturmabteilung, (SA) Hitler's storm troopers, perhaps because of threats to reveal details of the Osthilfe<sup>29</sup> scandal, by which many Junker landowners in the east had profited, perhaps because of Franz von Papen's<sup>30</sup> assurances that others in the cabinet would restrict Hitler and keep him from going too far, and perhaps because of the possibility of Hitler's forming a genuine majority government. Whatever the reasons, Hitler was appointed, and the Third Reich was on its way into being.

Following the appointment of Hitler, an election was called for, to be held on March 5, 1933. The party treasury badly needed replenishing and a meeting was arranged on February 20,

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<sup>29</sup>The Osthilfe refers to programs of subsidies which successive governments had made available to distressed landowners in the eastern provinces. Von Hindenburg's son Oskar was believed to have taken part in obtaining these subsidies in a manner which would have caused considerable embarrassment to the then-Reichs President von Hindenburg.

<sup>30</sup>Franz von Papen, German diplomat who was Military Attache at the German embassies in Washington and Mexico City, 1913-15; as member of the Catholic Center Party became Reich Chancellor, June 1, 1932 - December 2, 1932; vice Chancellor under Hitler January 30, 1933 - August, 1934; Reich Commissar for Prussia January - April, 1933; negotiated concordat with Vatican, July 20, 1933 and served as German ambassador to Austria July 1934 - February, 1938.

in Berlin, between Hitler, Hermann Goering,<sup>31</sup> Hjalmar Schacht<sup>32</sup> and twenty-five of the leading industrialists of Germany. At this meeting Hitler announced his plans to destroy parliamentary government and his plans to rebuild the Wehrmacht, the German army. A campaign fund of three million Reichsmarks was proposed for Hitler and von Papen so that the two could gain a majority in the March elections.<sup>33</sup> Hermann Rauschning, a former Nazi gives a concise outline of the probable motivation behind the fund.

"The restoration of 'order', the disciplining of the workers, the ending of politically fixed wages and profit-destroying social services, the abolition of the workers' freedom of association, and the replacing of the continual alteration of short-lived parliamentary governments by a stable political system that permits long-range calculation--all these things

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<sup>31</sup>Hermann Wilhelm Goering, German flying ace of World War I; early follower of Hitler; took part in 1923 putsch; SA General and first leader of SA; President of the Reichstag 1932-45; Prime Minister of Prussia and President of the Prussian State Council, 1933; Commander in Chief of the Luftwaffe, 1935-45; Reich Minister for Air and Trustee for the Four Year Plan, 1936; designated successor to Hitler and number two official in the Nazi regime, September, 1939; founder of the Gestapo and concentration camp system as Prussian Minister of Interior, 1933; committed suicide after being condemned to death at Nuremberg, October, 1946.

<sup>32</sup>Hjalmar Horace Greeley Schacht, German banker who secured support and contributions of industrialists helping bring Hitler to power, 1932-33; President of Reichsbank, 1923-39; Minister of Economics, 1934-37; General Plenipotentiary for the War Economy, 1935-37; Economic Director of the Third Reich, 1936; author of a system of financing which made possible German rearmament; Reich Minister without portfolio 1937-43; arrested and interned in concentration camp, autumn, 1944.

<sup>33</sup>U.S. Chief of Counsel for the Prosecution of Axis Criminality, Nazi Conspiracy and Aggression (Washington, 1946) I, 532.

tempt leaders of industry and finance and of society to shut their eyes to the fundamental difference between the true motives with which the dynamic dictatorships are set up and the motives which lead the conservative elements to support them."<sup>34</sup>

The election gave the National Socialists an additional ninety-two seats in the Reichstag, but still not a majority. This was not to come until November of 1933, when the NSDAP elected 661 deputies, out of a total of 661, under circumstances which were not conducive to a free exercise of the franchise.

Acquisition of the chancellorship, especially when the chancellor was still not backed by a majority, was not, in itself, enough to obtain total control of the government, nor to create an instrument of terror such as the RSHA was to head. The German law and the Weimar constitution contained guarantees of rights for the citizens of the Reich, and restrictions on the power of the police. The personnel of the police forces were not, at the accession of power, predominantly Nazi. They were protected in their jobs by the civil service laws. Further, there were the German judiciary and the courts to which the citizen could appeal for redress. To pave the way for the growth of a powerful coercive arm, directly responsive only to the top Nazi leadership it was necessary to provide for the suspension of civil rights guarantees, to make the policeman directly dependent upon the party for his job, and to emasculate the judiciary. The acts which accomplished these ends constituted the legal foundation for the RSHA.

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<sup>34</sup>Hermann Rauschning, The Revolution of Nihilism, Warning to the West (New York, 1939) pp. 105-06.



The basic technique of the NSDAP was to make the party and the state synonymous, and to do so through the law. By a series of decrees authorizing their actions, sometimes in advance, sometimes after the fact, the National Socialists occupied the key positions in the state and in industry, and placed themselves in effective possession of power. This technique was basically two-fold. One aspect consisted of convincing as many people as possible, through propaganda and personal economic advantage, to support the National Socialists. Recognition of the importance of propaganda is indicated by the fact that, in the party machinery, propaganda was a wholly separate unit, headed by Joseph Goebbels, who worked directly under Hitler himself, and this as early as November, 1928.

The other aspect was the terror. By destroying or rendering ineffective all organizations which might have provided a means of resistance, the National Socialists isolated the individual who might have resisted their efforts, leaving him helpless and without hope, naked and alone before a brutal, and apparently monolithic state.

Two key acts provided the springboard to absolute power. The first of these was the Decree of the Reichs President for the Protection of the People and State of February 28, 1933, jammed through the Reichstag on a wave of anti-communist hysteria generated by the Reichstag fire. The fire itself was set by the

Nazis, planned by Joseph Goebbels and carried out with the consent of Hermann Goering.<sup>35</sup>

On February 27, 1933, a small group of SA men under Karl Ernst, then leader of the Berlin SA, entered the Reichstag building through an underground passage from Goering's palace of the Reichstag President. They scattered delayed action chemical over carpets, curtains and chairs, and made their way back to safety. Then, Marinus van der Lubbe, a Dutchman and sometime communist, who had been earlier picked up by the SA after attempting to set fire to a number of other buildings, entered the Reichstag building from the outside and proceeded to begin lighting fires. Van der Lubbe was arrested in the act, but too late to save the Reichstag.<sup>36</sup> The cry went up that this was a part of a communist revolution plot, and the following day the Decree of the Reichs President for the Protection of the People and State was passed.

This decree suspended several sections of the constitution and provided for restrictions on personal liberty, on freedom of the press, of assembly and of association, and authorized violations of the privacy of postal, telegraphic, and telephonic communication. It further authorized the issuance of warrants for house searches and orders for confiscations beyond the

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<sup>35</sup>Hans Bernd Gisevius, To The Bitter End (Boston, 1947) pp. 74-75.

<sup>36</sup>Alan L. C. Bullock, Hitler, A Study in Tyranny (New York, 1952) p. 238.

constitutional limitation. It gave the central government the right to take over powers of state authority, if the state failed to maintain order, and it prescribed more severe penalties for rioting, disturbance of the peace involving the use of arms, political kidnapping and treason.<sup>37</sup>

This was quite in accord with the constitutional emergency decree power, a power which contained no minimal guarantees for the limitation and control of police practices, and it was not the first time that this power had been invoked. However, former decrees suspending individual rights had contained a paragraph requiring that interned persons be heard in a court within twenty-four hours after arrest and that such persons were entitled to counsel. This paragraph also authorized an appeal on the part of the interned to a special board for release or redress. This paragraph was omitted in the 1933 decree and thus there was little limitation on the police thereafter.<sup>38</sup>

The second of the key acts, the Enabling Act, was passed less than a month later by the newly-elected Reichstag, or rather by most of the newly-elected Reichstag. The 81 Communist deputies were not allowed to take their seats, and nine of the Social Democratic deputies were under arrest before the session began. Two others, Severing and Leber, were arrested on attempting to enter the building. The conditions in and around

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<sup>37</sup> U.S., Nazi Conspiracy and Aggression, III, 968-70.

<sup>38</sup> Arnold Brecht, *Prelude to Silence* (New York, 1944) pp. 48, 90-91.

the Kroll Opera, where the Reichstag met after the fire of February 23 had destroyed its building, were not conducive to calm deliberation nor to uninhibited exercise of the vote. In front of the building were massed crowds of people. Outside, encircling the building was a solid rank of black-shirted Nazi elite guards. Inside the chamber a huge Nazi flag hung on the wall and the corridors were lined with SA men. The arrest of the two Social Democratic deputies could not have gone unnoticed. During the opposition speech of Social Democratic deputy Otto Wels an SA chant from outside the building could be heard, "We want the bill, or fire and murder". The vote on the bill was 441 for passage, 94 (all Social Democrats) against, and its announcement was greeted with stormy applause.<sup>39</sup>

The Enabling Act, or to give it its full title, the Law to Remove the Distress of People and the State of March 24, 1933, gave the cabinet the power to enact laws without the cooperation of the Reichstag, and specified that such laws could deviate from the constitution. It provided that laws could be drafted by the Chancellor, and that such laws would take effect on the day after their publication. It further gave the cabinet the power to execute treaties. Although the law was to expire in four years, it was subsequently extended and re-extended.<sup>40</sup>

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<sup>39</sup>U.S., Nazi Conspiracy and Aggression, V, 304-05. cr. Bullock, Hitler, p. 244.

<sup>40</sup>U.S., Nazi Conspiracy and Aggression, IV, 638-39, 660.

By these two acts the Chancellor and his cabinet were given the power to violate civil liberties in Germany almost at will, to legislate without regard to the constitution, and to override the authority of the Laender.<sup>41</sup> It was these laws that provided the legal basis for the rendering subservient of the civil service and the emasculation of the judiciary.

Control of the civil service was built upon control of the Laender governments and upon changes in the civil service laws themselves. On April 7, 1933, the second of a series of laws integrating the Laender with the Reich was promulgated. This law provided that the Reichs President, upon proposal of the Chancellor, could appoint Reich governors of the Laender. The powers of such Reich governors included the power of appointment and removal of Land officials, the power of pardon, and the power to dissolve the Land legislatures. These legislatures were abolished altogether on January 30, 1934, and the sovereign powers of the Laender were transferred to the Reich government. The Laender governments were placed under the Reichs government and the Reich governors were placed under the supervision of the Reichs Minister of Interior. The law also provided that the Reich government could issue new constitutional laws for the Laender. In this manner any protection the civil servant might have sought from the Land government was eliminated.<sup>42</sup>

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<sup>41</sup>The terms Land (sing.) and Laender (plu.) refer to the several states that made up the German federal republic.

<sup>42</sup>U.S., Nazi Conspiracy and Aggression, IV, 641-43.

The civil servant was rendered vulnerable by the Law for the Reestablishment of the Professional Civil Service, enacted on April 7, 1933. This law, applying to both officials and employees provided for the discharge of all non-Aryans and the retirement of those whose "former political activity does not offer a guarantee that they, at all times without reservation, act in the interest of the national state". No appeal was allowed in either case, which left the decision of what was "in the interest of the national state" pretty much an arbitrary thing. The law further allowed for the retirement of officials for the "simplification of administration". Three months later this law was amended to specify that any connection with either communism or Social Democracy was cause for dismissal. Race qualifications were further emphasized by a decree passed on June 30, 1933, which provided that no non-Aryans, whether of non-Aryan descent or married to a non-Aryan, could be appointed to public office in the Reich, and that any official who married a non-Aryan was to be discharged. The question as to who was non-Aryan was to be determined by regulations issued by the Reichs Minister of Interior.<sup>43</sup> Finally, in 1936, regulations for promotion, appointment and recruitment of officials, both Reich and provincial, demanded that the candidate must have proved since January 30, 1933, that he "took the part of the National Socialist state at all times".<sup>44</sup>

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<sup>43</sup>Ibid., III, 981-87.

<sup>44</sup>Ibid., IV, 1034.

The effect of the regulations and the laws was to remove any job protection the civil servant may have had and to provide for the building of a Nazi civil service. If the civil servant, and this included the policeman, wanted to keep his job, he had to go along with the Nazi program, or give the appearance of so doing. Compliance with things Nazi was the price of his livelihood. Thus one Nazi in a high place in the civil service hierarchy could exercise complete, even arbitrary, control over his subordinates and their only recourse was to give up their means of livelihood.

An independent judiciary, which at its best stands between the citizen and the arbitrary exercise of power on the part of the government, had no place in the Nazi scheme. Subversion of the courts was a necessary step in clearing the way for the development of the RSHA, and this subversion had several aspects. Changes in the law to be enforced, changes in the jurisdiction of the courts, pressure on the judges, creation of new courts, and changes in the basic concept of law, all played a part.

A first step was the Civil Service Law of April 7, 1933, which has already been described. This provided for dismissal of judges and gave the NSDAP at least some pressure upon the court, although the judges were on a higher level than other civil servants from the stand point of tenure.<sup>45</sup> Criminal cases involving major or political offenses were in a large measure

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<sup>45</sup> Ibid., v, 673-76.

withdrawn from the ordinary criminal courts and placed in the hands of the Sondergerichte or Special Courts, and the Volksgerichte or Peoples' Courts.<sup>46</sup> These courts had party members as judges and the Special Courts Law of March 21, 1933, which provided for their establishment allowed no appeal from their decisions.<sup>47</sup>

Pressure was brought to bear upon the regular judges to join the NSDAP and thus render them liable to judgment in party courts. These party courts had their beginnings in the USCHLA (Committee for Investigation and Settlement) organized by Hitler in 1926. It functioned as a court for party members, and had, as its primary purpose, the preservation of party discipline and the preservation of the authority of the leader. All party members were subject to this and subsequent party courts and only party members could serve as judges. By virtue of the Law of December 1, 1933, which declared the NSDAP and the state to be inseparable, public authorities were required to grant assistance to party officers, and custody and arrest were provided for infractions against party discipline and order. This act put the full force of the state behind the party courts without subjecting them to legal limitations, except in the matter of jurisdiction which was still confined to party members. The nature of these party

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<sup>46</sup> Gabriel A. Almond (ed.), The Struggle for Democracy in Germany (Chapel Hill, 1949) p. 42.

<sup>47</sup> U.S., Nazi Conspiracy and Aggression, V, 70-71.



courts can be inferred from the official Guide for Party Courts which instructed that party judges were to be subject only to their "National Socialistic conscience" and to the Fuehrer.<sup>48</sup>

Judges were called upon to make decisions in accordance with laws which provided for confiscation of property of political opponents without compensation,<sup>49</sup> for imprisonment of those making statements indicating a malicious attitude toward members of the government or of the party, and which made it a crime to establish or maintain any political party other than the NSDAP.<sup>50</sup> They were, after June 28, 1935, called upon to make their decisions in the light of a changed penal code which declared that any act which was deserving of penalty according to "fundamental conceptions of the penal law and sound popular feeling" should be punished, whether or not a specific law existed covering the situation, by applying whatever law most closely fitted the case.<sup>51</sup> Finally, under the Civil Service Code of January 26, 1937, judges were reduced to the same level as other civil servants, a position in which no real tenure could be found.<sup>52</sup>

Perhaps the strongest interference with justice came from without the courts. In the early years when it was deemed in the

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<sup>48</sup> Ibid., III, 962, 978-80.

<sup>49</sup> Ibid., III, 973-76, IV, 160-61.

<sup>50</sup> Ibid., III, 962.

<sup>51</sup> Ibid., IV, 600-01.

<sup>52</sup> Ibid., V, 673-76.

interests of the party, people who were found guilty by the regular courts were amnestied. The extent of the amnesties is illustrated by two sweeping decrees. The first, on March 21, 1933, granted amnesty for all penal acts "committed in the national revolution of the German people, in its preparation, or in the fight for German soil".<sup>53</sup> Another decree, issued on April 23, 1936, granted amnesty for all punishable acts perpetrated in "eagerness to fight for the National Socialist ideal".<sup>54</sup>

The newly-created Academy of German Law introduced the use of protective custody warrants, and these, plus the court decision of November 30, 1933, put an end to all judicial review of political arrest and amounted to a suspension of the right of habeas corpus. The court decision declared that the Secret State Police was not subject to the law regarding police administration, and that there was no means of redress through the courts. The only legal remedy was to complain to the superior authority in the State Police.<sup>55</sup> This was further reinforced by the law of February 10, 1936, which flatly declared that "orders in matters of the Secret State Police are not subject to the review of the administrative courts."<sup>56</sup>

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<sup>53</sup>Ibid., IV, 701-02.

<sup>54</sup>Ibid., III, 960.

<sup>55</sup>Ibid., IV, 1066-68.

<sup>56</sup>Ibid., IV, 732.

Thus, in addition to the amnesties to many found guilty by the regular courts, and the party-oriented exercise of the power of pardon, justice suffered from the fact that those acquitted by regular courts could be, and often were, arrested and imprisoned without judicial process.

Another major stone in the legal foundation of power was the consolidation of the offices of Reichs President and Chancellor. This consolidation was achieved under a law promulgated on August 1, 1934, in circumstances which will be discussed in the following chapter. This law unified the offices of Reichs President and Chancellor, and named Adolph Hitler to be recipient of the President's powers on the death of von Hindenburg. On August 2, von Hindenburg died and within an hour the announcement was made that the two offices had been merged, and that Hitler had become head of state and supreme commander of the armed forces.<sup>57</sup>

In a startlingly short time the NSDAP had legally suspended the constitutional protection of personal liberty, secured legislative power for Hitler and the cabinet, prohibited all other parties, and established the NSDAP as a para-governmental organization with special and extensive privileges. It had reduced the Reichstag to an impotent body of its own appointees, eliminated the Reichsrat, transformed the states, provinces and cities into mere administrative organs of the central government,

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<sup>57</sup> Ibid., IV, 639.

and had united the office of President and Chancellor in the person of its leader, Adolph Hitler. It had curtailed the freedom of popular election throughout Germany, removed great numbers of civil servants and replaced them with NSDAP members, enlarged existing state and party organizations and restricted the independence of the judiciary, all within the framework of the law.

As early as 1935 it could be truly said that,

"The political parties have finally been abolished....Now we must set aside the last vestige of democracy, particularly the methods of voting and making decisions which today are used in local governments, in economic organizations and in labor boards. In its place we must validate the responsibility of the individual. The achievement of external power must be followed by the inner education of the people....The Party has become the State. All power lies with the Reich authorities."<sup>58</sup>

The "legal" foundation for the RSHA was laid.

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<sup>58</sup>Excerpt from The National Socialist Revolution 1933, (Berlin, 1935) quoted in U.S., Nazi Conspiracy and Aggression, V, 343-44.

## CHAPTER III

### POLICE CENTRALIZATION UNDER SS LEADERSHIP

Hand in hand with the centralization of the state came the centralization of the police. Under the Weimar Republic there had been no unified national police. In a few short years the NSDAP made Germany into a police state, and the name Gestapo came to be associated with an apparently all-pervasive, powerful, and centralized national police run from the Reichssicherheitshauptamt in Berlin. To build this police force the NSDAP had at hand the police organizations of the various Laender, or states, and its own storm troop formations in the SA, formations which included the SS and the SD.<sup>59</sup>

Strictly speaking there was no German police at the time Hitler came to power, only Laender police. Each Land, or state, had its own police forces over which it exercised exclusive control. Generally the Laender police had three partially overlapping branches, the Security Police, which was responsible for the maintaining of order and security, the Administrative Police, which had jurisdiction over traffic, industry, public health, etc., and the Criminal Police.

The Prussian Police, which set the pattern for police organization, was divided into plainclothes and uniformed units.

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<sup>59</sup> These three abbreviations, which will be used throughout the paper, refer to the Sturmabteilung (SA) or storm troops, the Schutz-Staffeln (SS) the black-uniformed elite guards, and the Sicherheits Dienst (SD) or Security Service.

The plainclothes units were the Kriminalpolizei (KRIPO) or criminal police and the Staatspolizei (STAPO) or political police. The uniformed units were the Ordnungspolizei (ORPO) or order police, composed of mobile units, living in barracks, the Schutzpolizei (SCHUPO) or protective police, which corresponded to an ordinary city constabulary and the Landiaeserei, which was the rural constabulary. Each had its own chief, its own organization, and all were under the Chief of Police in the Prussian Ministry of Interior.

Under the Weimar constitution these departments were run solely by the various Laender, and unless a Land government clearly violated the federal law, the national government had no regular constitutional power to interfere with police practices. There was one glaring exception to this restriction on the federal government, Article 48<sup>60</sup> of the constitution, which provided that the federal government could take over the Land government entirely, when public order and security were seriously disturbed or endangered, or when the Land failed to perform duties imposed by either constitution or federal law. In the case of Prussia, this had already been done by the federal

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<sup>60</sup> Paragraphs 1 and 2 of Article 48 read as follows:

1. If a State fails to perform the duties imposed upon it by the federal constitution or by the federal law, the President of the Republic may enforce performance by the aid of the armed forces.
2. If public order and security are seriously disturbed or endangered within the Reich, the President of the Republic may take all necessary steps for their restoration, intervening, if need be, with the aid of the armed forces.

government on July 20, 1932, under the Chancellorship of Franz von Papen.

Thus, on the Nazi accession to power, although there was no German police per se, the Reich government was in control of the police forces of the province which comprised over two-thirds of Germany proper. To these existing police forces the Nazis were to add their own party formations, the SA, the SS, and the SD, to build a centralized police arm of the Reich answerable only to the Fuehrer, Adolph Hitler.

Until mid-1934, the SA, commanded by Ernst Roehm,<sup>61</sup> had provided the muscle for the NSDAP. Born of strong-arm squads organized under Emil Maurice in 1920, officially christened in 1921, the Sturmabteilung grew from a handful to some 15,000 men by 1923, and by the end of 1933, it claimed a strength of between two and three million men, a uniformed force more than ten or twenty times larger than the regular army.<sup>62</sup> The SA was used almost from the beginnings of the party to provoke disturbance, break up meetings of other parties, and to beat up and intimidate political opponents, activities which were

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<sup>61</sup> Captain Ernst Roehm, one of the earliest Nazi fighters and followers; co-founder of Nazi party and SA; took part in 1923 putsch; Supreme Commander of SA and one of Hitler's closest friends; played an important part in bringing Hitler to power; member of Reich Cabinet with rank of Minister; with several hundred others was executed without trial June 30, 1934, on charge of conspiracy to overthrow the government, but actually in order to enable Hitler to consolidate his personal power by removing and terrorizing opposition.

<sup>62</sup> Bullock, Hitler, pp. 84, 259.

deliberately given widespread publicity by the party. It was the SA which gave the party its first martyr, Albert Leo Schlageter, who was executed by a French firing squad for blowing up a railroad bridge in the Ruhr in 1923.<sup>63</sup> The first of the concentration camps, some fifty of them, were organized mainly by the SA. These were originally army barracks, abandoned factories, remote depots or ancient castles. The camps were used by the SA for collecting political enemies and inflicting torture upon them. These early camps were outside the legal framework of government, but the concept was later to be used officially.<sup>64</sup> Social Democrats and Communists were whisked away in the night and returned days later, beaten almost beyond recognition, a practice with which, in 1933, the police were given orders not to interfere. By December of 1933, the SA was made, by law, an official organ of the state and Ernst Roehm, its chief of staff, made a member of the Reich government.<sup>65</sup> Goebbels put the function of the SA very simply in a speech in 1935 when he said,

"The inner-political opponents did not disappear due to mysterious inner reasons, but because the movement possessed a strong-arm within its organization and the strongest strong-arm of the movement is the SA."<sup>66</sup>

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<sup>63</sup>Robert G. L. Waite, Vanguard of Naziism (Cambridge, 1952) pp. 236-37.

<sup>64</sup>Eugen Kogon, The Theory and Practice of Hell (New York, n.d.) pp. 32-34.

<sup>65</sup>U.S., Nazi Conspiracy and Aggression, III, 978-79.

<sup>66</sup>Ibid., V, 928.



The SS was established in 1929 as Hitler's black-uniformed bodyguard, its chief under the SA leader, and at its inception it numbered only 250 men. SS candidates originally had to be at least 5' 11" tall and their pedigrees had to be traced back to 1750 and be of pure German blood. Character, in the Nazi sense of the word, had to be impeccable. These qualifications were later to be waived as the organization grew. It was headed from its inception to its end by Heinrich Himmler,<sup>67</sup> whose basic purpose seemed to be to develop and protect a German system of rule based on race.<sup>68</sup> Originally a bodyguard, the SS came to serve as a training ground for a new ruling class and a force for the elimination of opposition. Its growth within the SA had been rapid. By the end of 1930 it numbered some 2,000 men, the following year saw it increase to some 10,000, and by January, 1933, it claimed approximately 52,000, a black-uniformed corps d'elite, but still a part of the SA.<sup>69</sup>

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<sup>67</sup> Heinrich Himmler, one-time agriculturalist, fertilizer salesman and poultry farmer; was an early Nazi follower and took part in 1923 putsch under Roehm; as Reichsfuehrer SS took a leading part in the liquidation of Roehm and others on June 30, 1934; Chief of German Police, 1936; Reichs Minister of Interior, 1943; Member of Ministerial Council for Defense of the Reich, Reich Commissar for the Strengthening of German Folkdom; Chief of Home Guard and Waffen-SS (military units of SS); a suicide after his capture by British troops, May, 1945.

<sup>68</sup> Kogon, The Theory and Practice of Hell, pp. 17-19.

<sup>69</sup> Ibid., pp. 18-19. cf. Walter Schellenberg, The Schellenberg Memoirs (London, 1956) pp. 10-11.

The SD was a part of the SS, created by Himmler in 1931 and organized by Reinhard Heydrich.<sup>70</sup> It served as a separate intelligence and security service within the SS. Although comparatively small, never numbering much in excess of 3,000 men,<sup>71</sup> it became, in early 1934, the sole intelligence and counter-intelligence organization of the party itself. The SD had its own Courts of Honor and its death sentences were usually confined to its own people. It was a highly secret organization and its inner circle was known only to the higher-ups of the NSDAP. It was the SD that furnished the foundation for the growing power of the SS. Through the SD, the SS gradually infiltrated the ranks of the police and, by 1934, SD men in key positions in the central Gestapo office in Berlin enabled Himmler to achieve actual control of this office, though it was still nominally under the control of Goering.

The primary function of the SD, however, was that of an intelligence service. Through its own people, and a widespread net of volunteer informers, the SD fulfilled its task of keeping the top party leaders informed of all opposition movements and forces at home and abroad.

These were the organizations from which the RSHA was to be built. The party organs functioned side by side with the regular

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<sup>70</sup> Reinhard Heydrich, cashiered German naval officer who, as Chief of SD, later Chief of Security Police and SD, and still later head of RSHA, was Himmler's chief assistant until 1942; Reich Protector for Bohemia and Moravia, 1941; assassinated in May, 1942.

<sup>71</sup> U.S., Nazi Conspiracy and Aggression, VIII, 624.

police, infiltrated their people into the regular police, and, through reorganizations, subsequently headed up and dominated the police.<sup>72</sup> It was a process that began almost immediately after the acquisition of the chancellorship.

On being appointed Chancellor, Hitler had Hermann Goering made Prussian Minister of Interior. As such, Goering immediately began a drastic purge of the Prussian State Service. Hundreds of officials were dismissed and replaced by men upon whom the NSDAP could depend. Goering also made major changes in the heads of the Prussian police departments. Estimates range from "a clean sweep of the senior police officers"<sup>73</sup> to "22 of 32 police chiefs fired".<sup>74</sup> Many of Goering's appointments were active SA and SS leaders.

To meet the supposed danger of a communist revolution as indicated by the Reichstag fire, Goering put the Prussian police in a state of alarm, established continuous police patrols and called the auxiliary police to duty.<sup>75</sup> This auxiliary police force had been established on February 22, 1933, five days before the fire, and consisted of 50,000 men, 25,000 from the SA and 15,000 from the SS. All these men had to do was to put a white

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<sup>72</sup>Ibid., IV, 196. cf. Kogon, The Theory and Practice of Hell, pp. 20-22, and Schellenberg, The Schellenberg Memoirs, p. 11.

<sup>73</sup>Bullock, Hitler, p. 236.

<sup>74</sup>Willi Frischauer, The Rise and Fall of Hermann Goering (Boston, 1951) p. 82.

<sup>75</sup>U.S., Nazi Conspiracy and Aggression, V, XXXX. 303.

armband over their party uniforms and they represented the authority of the state. They conducted raids, hearings, confiscations, arrests, and imprisonments in special SA quarters.<sup>76</sup>

Goering's orders to the Prussian police and his auxiliaries were explicit. The police were instructed at all costs to avoid anything suggestive of hostility to the SA or the SS, to show no mercy to organizations hostile to the state, and when in doubt, to shoot.<sup>77</sup> In a speech made on March 3, 1933, Goering publicly voiced his intent.

"...my measures will not be crippled by any judicial thinking. My measures will not be crippled by any bureaucracy. Here I don't have to give justice, my mission is only to destroy and exterminate, nothing more. This struggle, fellow Germans, will be a struggle against chaos and such a struggle I shall not conduct with the power of any police. A bourgeois state might have done that. Certainly, I shall use the power of the state and the police to the utmost my dear Communists, so that you won't draw any false conclusions, but in the struggle to the death, in which my fist will grasp your necks, I shall lead with those down there, those are the brown shirts."<sup>78</sup>

The results of Goering's efforts may be judged by the report of the British Ambassador that in March, 1933, the daily press contained three regular lists; of government or police officials who had been suspended or sent away altogether, of papers that had been suppressed or suspended, and of persons who had lost their lives or had been injured in political disturbances.<sup>79</sup>

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<sup>76</sup> Bullock, Hitler, p. 237. cf. Gisevius, To The Bitter End, pp. 103-94.

<sup>77</sup> Bullock, Hitler, p. 236. cf. Brecht, Prelude to Silence, pp. 92-93 and Gisevius, To The Bitter End, p. 106.

<sup>78</sup> U.S., Nazi Conspiracy and Aggression, IV, 496.

<sup>79</sup> Bullock, Hitler, p. 237.

According to one observer, there were more cases of manslaughter presented to the Reichs Minister of Justice in 1933 than the office had handled in the ten previous years, most of them committed in "excess of zeal for the National Socialist revolution".<sup>80</sup>

Opponents of the NSDAP were executed by various party groups, primarily by the SA. Many were deprived of freedom, subjected to severe bodily mistreatment, and illegally detained in camps, old military barracks, or SA troop quarters, places which became the concentration camps. Several hundred people lost their lives during the period of March-October, 1933, their murders often camouflaged by expressions such as resisting arrest or trying to escape. There was no legal way to stop it, as civil rights had been suspended by the decree of February 28, and there was no appeal against protective custody.<sup>81</sup>

Having suppressed the opposition to a large extent, the wild and uncontrolled excesses of the early months were no longer desirable, and Goering moved to cut down SA power and put his own police in a stronger position. He selected the staffs of two SA units in Berlin, made them "field police" with unlimited powers with the SA itself.<sup>82</sup> With two groups of field police, each working independently of the other, the SA tended to control

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<sup>80</sup>Gisevius, To The Bitter End, pp. 105.

<sup>81</sup>U.S., Nazi Conspiracy and Aggression, V, 224, 288-90.

<sup>82</sup>Gisevius, To The Bitter End, pp. 106-07.

itself, and in August of 1933, Goering announced the dismissal of the SA and SS auxiliary police.<sup>83</sup> In December the unregulated SA camps holding prisoners were, for the most part closed. Their number was reduced from 30 to two, some 25,000 persons were released, and the remaining camps were turned over to the SS.<sup>84</sup> By this time, Goering had the Gestapo, a disciplined coercive arm, in operation.

The Gestapo (Geheime Staatspolizei) or Secret State Police was born on April 26, 1933. As a part of a general police reorganization in Prussia, a law was promulgated on that date organizing a Prussian Secret State Police to act as a political police. This Gestapo was built upon the old Department IA of the Prussian Political Police, which Goering moved out of its old home in the Prussian Ministry of Interior to a new headquarters on Prinz Albrechtstrasse in Berlin. Its personnel were former members of the Prussian Political Police, SA men, and SS men. Headed by Rudolph Diels, who had served in the Prussian Political Police under Severing, and had taken part in the von Papen take-over of the Prussian government, this department was made subordinate directly to Hermann Goering. It was intended to be largely free of judicial and ministerial control, and its function

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<sup>83</sup>Bullock, Hitler, p. 257.

<sup>84</sup>U.S., Nazi Conspiracy and Aggression, V, 224.

was not the detection of crime, but rather the elimination of opposition.<sup>85</sup>

The function of the Gestapo was extended to include matters of a political nature heretofore handled by the Minister of Interior by a law passed November 30, 1933, and district and local police were made subject to directives of the Gestapo. A court decision subsequently affirmed this and the Gestapo was recognized as an independent branch of the Prussian state, detached from the ordinary police authorities, exempt from the sphere of the Minister of Interior and subordinated as a whole to the Prussian Prime Minister, who at this time was Hermann Goering. The court decision further established that there could be no redress from Gestapo action except by an appeal to superior police authority, which, in effect, meant an appeal to the Gestapo chief, or to Goering.<sup>86</sup> In March, 1934, the Gestapo was given the power to prohibit periodicals, impose restrictions on property, on personal liberty and on the right of assembly, as well as the power to impose limitations on post, telegraph and telephone secrecy.<sup>87</sup> At the same time directives from the Reichs

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<sup>85</sup>Trial of the Major War Criminals before the International Military Tribunal, XXI, 267069. cf. U.S. Nazi Conspiracy and Aggression, IV, 730, VIII, 597. cf. Edward Crankshaw, Gestapo, Instrument of Tyranny (London, 1956) p. 15, Gisevius, To The Bitter End, pp. 39-44, and Lord Russell of Liverpool, The Scourge of the Swastika (New York, 1954) p. 9.

<sup>86</sup>U.S., Nazi Conspiracy and Aggression, IV, 193-94, 731, 1066-68. cf. Gisevius, To The Bitter End, p. 52.

<sup>87</sup>U.S., Nazi Conspiracy and Aggression, IV, 745.

Minister of Interior restricted the use of protective custody and the power of arrest to police units only, as opposed to party units, and protective custody was authorized only on order of state police officers, or of the police president in Berlin.<sup>88</sup> How meticulously the orders of the Reichs Minister of Interior were followed is indicated by a memo from the Minister in 1935, complaining that the political police were acting independently of, and often in conflict with, his ministry.<sup>89</sup>

Although, at first, the Gestapo existed formally only in Prussia, all political police forces established under the Nazis were generally known as Gestapo. A move toward a unified Gestapo was made in the spring of 1934, when, on April 10, Heinrich Himmler was appointed Deputy Chief of Prussian Gestapo, nominally under Goering, but in fact chief of all Gestapo in Germany.

On March 9, 1933, Ritter von Epp,<sup>90</sup> aided by Himmler and Heydrich, had carried out a brief putsch in Bavaria, and in April, pursuant to the new law authorizing such appointments, von Epp was named Reichs Governor of Bavaria, and Himmler, Chief of Bavarian Police. Himmler created in Bavaria a Secret State Police on the lines of the Prussian Gestapo. On becoming police chief he replaced many officials with SS men, and SD men were

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<sup>88</sup> Ibid., III, 555-57, VII, 1099.

<sup>89</sup> Ibid., III, 547-50.

<sup>90</sup> Franz Ritter von Epp, former Free Corps officer, started Hitler on his political career; took part in 1923 Munich putsch; Reich Governor of Bavaria, 1933; member of the Reichstag; officer in SA; head of Colonial Policy Office of Nazi Party Directorate.



scattered through the department. As he acquired control of other police departments, Himmler used the same practice, often replacing SA men as well with his own SS personnel.<sup>91</sup>

Himmler's acquisition of control of political police departments in states other than Bavaria was a piecemeal process. One by one he visited the various police departments, accompanied by contingents of black-shirted SS men, and had himself appointed head of political police by the state authorities. On December 27, 1933, he became Chief of Political Police in Mecklenburg-Luebeck, on December 20, Baden, on December 21, Hesse and Anhalt, on December 24, Bremen, and within a few months Thuringia, Saxonia, Hamburg and Wuerttemberg followed. By April 1934, Himmler was in effective control of all the state political police departments except that of Prussia, and, through the help of Heydrich, he had SD men infiltrated into the key offices of that department.<sup>92</sup>

Himmler was appointed Deputy Chief of Prussian Gestapo in April, 1934, and moved to Berlin, setting up his headquarters in the Gestapo building on Prinz Albrechtstrasse, and establishing an SD head office for Heydrich on the Wilhelmstrasse, the buildings separated only by a pleasant garden. With Himmler's

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<sup>91</sup>U.S., Nazi Conspiracy and Aggression, IV, 194. cf. Crankshaw, Gestapo, Instrument of Tyranny, p. 72, Kogon, The Theory and Practice of Hell, p. 22, and Willi Frischauer, Himmler, The Evil Genius of the Third Reich (London, 1953) p. 39.

<sup>92</sup>U.S., Nazi Conspiracy and Aggression, IV, 191-98. cf. Gisevius, To The Bitter End, pp. 181-83, and Frischauer, Himmler, The Evil Genius of the Third Reich, p. 38.

appointment, the political police of all Germany were, in effect, coordinated in the person of one man, the Reichsfuehrer SS, Heinrich Himmler.<sup>93</sup>

The largest and most important adjunct to the police forces as an arm of coercion was the concentration camp. The first was built by Edmund Heines, the SA chief of Dresden, who put up a barbed wire stockade for his captives.<sup>94</sup> Soon others followed, some fifty of them in 1933, built mainly by the SA and based on the habit of the SA of collecting its political enemies in army barracks, or in remote or abandoned buildings, there intimidating them by unrestrained brutality and sometimes killing them. These early camps were outside the legal framework of the government.

By December, 1933, the harmfulness of these "wildcat" camps to Nazi prestige, and perhaps a fear of the growing power of the SA, led to the regularization of the concentration camps. In the next three months the Gestapo, under Rudolph Diels, took over all the "wildcat" camps and dissolved all but a few. Those remaining were kept, due to the overcrowding of the regular prisons, and placed under the SS. Dachau and Oranienburg were organized systematically under the SS and in the fall of 1934 the office of Inspector of Concentration Camps was created. The post

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<sup>93</sup>U.S., Nazi Conspiracy and Aggression, IV, 194, 598. cf. Kogon, The Theory and Practice of Hell, p. 22, and Crankshaw, Gestapo, Instrument of Tyranny, p. 75.

<sup>94</sup>Crankshaw, Gestapo, Instrument of Tyranny, p. 43.

was filled by SS Brigadier General Theodor Eicke<sup>95</sup> who operated from the Gestapo headquarters in Berlin. The camps of Buchenwald and Sachsenhausen were added in 1937, and others such as Gross-rosen, Flossenburg, Ravensbruck and Mauthausen were added prior to mid-1939. The war was to bring the total of major camps to more than thirty, with a host of minor camps springing up as the war progressed.<sup>96</sup>

A primary aim of the concentration camps, as well as of the political police, was the elimination of opposition, but the camps further served as training grounds in discipline and brutality, for collection and exploitation of SS labor slaves, and finally for "scientific" experimentation. An effort was made not only to eliminate prominent, and even potential, foes, but to break the individual prisoners into a docile mass from which no individual or group act of resistance could arise.<sup>97</sup> Terror was spread among the rest of the populace by the practice of using the prisoners as hostages for the good behavior of others. Prisoners were generally classified into four main categories; political opponents, members of inferior races, criminals, and asocials. People were imprisoned without trial, charge, or term

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<sup>95</sup>Theodor Eicke, entered Schutzpolizei shortly after World War I, became Kriminalbeamter (equivalent to sergeant); commandant of Dachau, 1933, commander of concentration camps, 1934-39; General of SS, commander of an SS division in combat until his death in March, 1943.

<sup>96</sup>Kogon, The Theory and Practice of Hell, pp. 32-34, 225-26, 320.

<sup>97</sup>U.S., Nazi Conspiracy and Aggression, VII, 818-38. cf. Kogon, The Theory and Practice of Hell, pp. 30-31, 39.

of sentence. Sadism was rampant, and corporal punishment was prescribed for the most minor of offenses. Regulations for the Dachau camp, published in October, 1933, give an indication. Beatings were prescribed for such offenses as making deprecatory or ironical remarks to the SS, making deprecatory remarks in letters or other documents, disparaging or slighting the symbols of the party, as well as more severe punishments for such offenses as would ordinarily be punished. The admonition "tolerance means weakness", laid down in the introduction to these regulations, was well heeded.<sup>98</sup> Although some camp personnel, in the early years, were brought to trial for prisoner deaths caused by beatings, shooting and strangulation, charges were either nolle prossed or sentences were remitted.<sup>99</sup> Suicides among the prisoners were not infrequent. One estimate places the number of deaths in concentration camps from 1933 through 1938 at over 72,000 and over 93,000 in 1939 alone.<sup>100</sup>

The camps were classified, Class I being for prisoners with little accusation and qualified for correction, Class Ia for old prisoners conditionally qualified for work, Class II for prisoners with heavy accusations but qualified for correction and re-education, and Class III for prisoners with heavy accusations who could hardly be corrected. The classification system applied

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<sup>98</sup>U.S., Nazi Conspiracy and Aggression, III, 550-55.

<sup>99</sup>Ibid., III, 453-59, 558-68.

<sup>100</sup>Kogon, The Theory and Practice of Hell, p. 227.

only to a general degree, however. Dachau, for example, was listed as Class I and Ia.<sup>101</sup>

Until June 30, 1934, the SA had stood in the foreground of Nazi activity. It was the brown-shirted storm troopers that carried the brunt of the street fighting during the party's rise to power. It was this same SA that furnished the majority of the auxiliary police for Goering's clean-up of Prussia. This was the group that Goebbels referred to as the strong-arm of the movement. But it was the SS, not the SA, that manned the concentration camps, that controlled the Gestapo, and furnished the Nazi state with its coercive arm of terror.

By early 1934 the SA had become an embarrassment, if not an outright threat to the leadership of the Nazi party. It had undergone a decline in discipline, its membership was clamoring for a larger share in the fruits of the successful revolution, its numerical size as a uniformed armed force was proving embarrassing to the Nazi government in view of world disarmament sentiment and the limitations of the treaty of Versailles, and finally Ernst Roehm and the rest of the top SA leadership were becoming over-ambitious.

Roehm, Chief of Staff of the SA, had been elevated to the Reich Cabinet as Minister without portfolio in December, 1933. He issued a memorandum in February, 1934, proposing the coordination of the SA and the army under one ministry, implying

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<sup>101</sup>U.S., Nazi Conspiracy and Aggression, III, 775-76. cf. Kogon, The Theory and Practice of Hell, p. 35.

that he should be head of the armed forces of the state together with the para-military formations of the party (the SA and SS). This was to the liking of the old fighters and leaders of the SA, and the following month Roehm came out with a further, more detailed, and more determined demand that the army and para-military party forces be united, and under his command.<sup>102</sup>

The leadership of the army resisted this move, and Hitler was forced to choose between the army and the SA. As the army was, at this early stage, still in a position to upset him by force, as well as in consideration of the reasons mentioned earlier, Hitler chose to sacrifice the SA. On April 11, 1934, Hitler left on the cruiser Deutschland for naval manouevers, accompanied by his Minister of Defense, General von Blomberg, the Commander in Chief of the German Army, Colonel-General von Fritsch, and the Commander in Chief of the German Navy, Admiral Raeder. It is believed that on this short voyage the military agreed to the succession of Hitler to the ailing von Hindenburg, in exchange for Hitler's suppression of Roehm's plan to make the position of the army as the sole armed force of the nation.<sup>103</sup> The fulfillment of Hitler's part of the bargain was the "Night of the Long Knives".

On June 6, the announcement was made that the SA would be sent on leave for one month; on June 25, the army was placed in a

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<sup>102</sup>John W. Wheeler-Bennett, The Nemesis of Power (New York, 1954) pp. 308-14.

<sup>103</sup>Bullock, Hitler, pp. 263-64.

state of alert and all leave cancelled; and on June 28, the SS was put in secret mobilization and Roehm was formally expelled from the German Officers' League. On June 29, in an article in the Voelkischer Beobachter, von Blomberg announced that the army stood behind the Fuehrer and the Reich.<sup>104</sup> On June 30, orders were issued over the signature of Hitler, relieving Roehm of his position as Chief of Staff SA, appointing Viktor Lutze to succeed him, and commanding obedience to Lutze on the part of the SA.<sup>105</sup> That night the SD flying squads went to work.<sup>106</sup>

The number of victims has never been fully settled. Estimates range from Hitler's modest 77 to almost a thousand. In any event, the largest group of victims consisted of SA leaders, among them, the erstwhile Chief of Staff, Roehm, and Karl Ernst, who had headed the group involved in the Reichstag fire. Another group included past and present leaders of political opposition and critics, and another a group of Jews in Silesia. Many of these people were simply shot where they were found.

Joseph Goebbels, Minister of Propaganda, instituted a ban on publication of what had happened on that night and for a time rumor was the only source of information for the people of Germany. The actions were justified to President von Hindenburg by the explanation that this had been a crack-down on

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<sup>104</sup>Wheeler-Bennett, The Nemesis of Power, p. 321.

<sup>105</sup>U.S., Nazi Conspiracy and Aggression, V, 82.

<sup>106</sup>Trial of the Major War Criminals before the International Military Tribunal, XX, 290.

revolutionary conspirators. A congratulatory message from von Hindenburg on July 1, was followed on July 3, by a public expression of the approval of the Cabinet, made by von Blomberg, and by the issuance of a law declaring the measures of the Blood Purge as being for the purpose of counteracting an attempt at high treason and consequently considered as acts of national defense.<sup>107</sup> In less than three weeks the SS, as a reward for meritorious service, was elevated to independent status, its leader Himmler, no longer under the Chief of Staff SA, but answerable only to the Fuehrer.<sup>108</sup> The SA was broken, and the black-uniformed elite guard of the SS took its place at the forefront of the party.

The balance of the bargain was fulfilled in August. On the first day of the month a law was promulgated consolidating the offices of Reichs President and Chancellor, and naming Hitler to be recipient of the President's powers on the death of von Hindenburg. The next day von Hindenburg died, and the announcement of the consolidation was made. New oaths of office were established for both armed forces officers and men, and for public officials, swearing personal allegiance to Hitler, by name. From that time on, opposition to Hitler in any form, by army or public servant, was legally treason.<sup>109</sup>

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<sup>107</sup>U.S., Nazi Conspiracy and Aggression, IV, 698.

<sup>108</sup>Ibid., IV, 496.

<sup>109</sup>Ibid., IV, 639, 702. cf. Bullock, Hitler, pp. 281-82.



At this point Himmler's party position was subordinate only to Hitler himself, but his position in the government was not nearly so exalted, at least not from the standpoint of title or position in the official hierarchy. He was Chief of Police in Bavaria, and chief of a number of individual political police units in states other than Prussia. In Prussia he was Chief of Gestapo under Goering. Although he united in his person the several political police forces, there was not, at this time, a unified federal police power. In theory the Reichs Minister of Interior could make requests to the various states, but legally, police power still rested primarily with the states. In practice the Minister of Interior was dependent upon the good will of the various satraps, and especially upon Himmler. In 1936 moves were made to consolidate and unify federal police power, and the organization that was to become the RSHA began to take shape.

The regular, as opposed to the political, police were still outside the formal sphere of Himmler's jurisdiction, and both the political police and the regular police were still nominally under the ministries of interior of the various Laender. By early 1937, this had all been changed.

By a law published on February 10, 1936, the Gestapo (Geheime Staatspolizei Amt) or Secret State Police Bureau was made a Reich, rather than a Prussian, agency, and a regional administration was set up throughout Germany with regional headquarters. By this act, Himmler was no longer even nominally subordinate to Goering but only to the Reichs Minister of

Interior. Goering was promoted to Reichs Minister of Air, and appointed Trustee of the Four Year Plan, and thereafter his duties were concerned with the military air arm, and with economic planning, rather than police. Himmler turned over the job of heading the Gestapo to Heydrich, who now became not only head of SD but Chief of Gestapo as well.

The Gestapo was organized into three main branches, one with jurisdiction over all regional headquarters, administration, personnel and files, one with jurisdiction over political affairs, with subdivisions for such things as illegal parties and organizations, associations and industrial groups, church and reaction, free-masonry, sects, and the Nazi party, and one for treason and counter espionage. The first division had no separate head but was run by the office of Heydrich's adjutant, the second had its section chiefs reporting directly to Heydrich personally, and the third was headed by Werner Best, Heydrich's deputy.<sup>110</sup>

The reorganization also spelled out the responsibilities of the Gestapo. Basically its function was the combatting of all dangers threatening the state and the leadership of the state. This had a two-fold aspect. One aspect was the detection and prosecution of crimes and offenses against the state, bringing the perpetrators before a People's Court. The other aspect was one of preventive activity, the preventive combatting of all

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<sup>110</sup>U.S., Nazi Conspiracy and Aggression, IV, 732-33. cf. Kogon, The Theory and Practice of Hell, pp. 22-23.

dangers threatening the state and the leadership of the state. This activity was to be supplemented by the information service of the SD. Both the Gestapo and the SD were to carry on observation and make reports, and Gestapo actions were to be based on this observation. The use of protective custody warrants was specifically authorized for this preventive function of the Gestapo. As for what individual matters not covered did, or did not come within the sphere of the Gestapo, this was to be decided by the Chief of Gestapo in agreement with the Reichs Minister of Interior.<sup>111</sup> In effect, this authorized the Gestapo, on the basis of information gained from a purely party source, the SD, to arrest individuals on protective custody warrants issued by its main office, and imprison them without trial in concentration camps, administered by Himmler's SS. And these actions, by virtue of earlier decrees, were not subject to judicial review.

By decree, a Chief of German Police in the Reichs Ministry of Interior was established on June 17, 1936. Heinrich Himmler was appointed to the post, and at the same time given a share in the sessions of the Reichs Cabinet.<sup>112</sup> Subsequent to this appointment, the Criminal Police were subordinated to the Chief of Secret State Police and were separated from their old Laender connections.<sup>113</sup> The police were then reorganized under the

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<sup>111</sup>U.S., Nazi Conspiracy and Aggression, IV, 492, 598-99.

<sup>112</sup>Ibid., IV, 703.

<sup>113</sup>Ibid., IV, 195.

Chief of German Police into two major sections. One, the ORPO (Ordnungspolizei), headed by Kurt Daleuge,<sup>114</sup> comprised the uniformed police, and included the mobile units of the old ORPO, the SCHUPO (Schutzpolizei) or city police, and the Landiaegererei, or rural constabulary. The second major division was the SIPO (Sicherheits-Polizei) or Security Police which included both criminal police and the Gestapo.<sup>115</sup> It was headed by Reinhard Heydrich, and, by virtue of his position as chief of SD, it included the SD in effect, if not in form. Authority for administration of the concentration camps, however, was withheld.<sup>116</sup> To further clarify police organization, the term

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<sup>114</sup>Kurt Daluege, member of pre-Nazi police, secretly a party member; made Chief of Prussian Police at time Gestapo was organized in Prussia.

<sup>115</sup>U.S., Nazi Conspiracy and Aggression, IV, 106. cf. Almond, The Struggle for Democracy in Germany, pp. 35-36 and Crankshaw, Gestapo, Instrument of Tyranny, pp. 89-90.

<sup>116</sup>Although the authority to administer concentration camps was officially in the hands of the Gestapo at this time, and the office for this administration was located in the Gestapo building, the actual administration was headed by the Inspector of Concentration Camps, Eicke, who was directly responsible only to Himmler. Heydrich pushed for a decree which would have given him control of the concentration camps in July, 1936, but Himmler refused to ratify it. In 1939, supervision and administration of the camps was transferred to the SS Main Office for Economic Affairs, a party unit, and when this unit was combined with the SS Main Office for Budget and Building into the SS Main Economic and Administrative Office, supervision of the camps was also transferred. It remained there from 1942 until the end of the regime. See testimony of Dr. Werner Best, Trial of the Major War Criminals before the International Military Tribunal (Nuremberg, 1949) XX 133, 147, cf. U.S., Nazi Conspiracy and Aggression (Washington, 1946) IV, 732-33, VII, 781, and Eugen Kogon, The Theory and Practice of Hell (New York, n.d.) pp. 26-27.

Gestapo was adopted as an official title for all political police.<sup>117</sup> Finally, early in 1937, all officials of both SIPO and ORPO, with some minor exceptions, were made direct Reich officials.<sup>118</sup> A German police was formally and officially in operation.

Further coordination under Himmler was achieved subsequently as officials of both ORPO and SIPO were taken into the SS, an SS that had grown to a force of some 210,000 men, and were given honorary SS rank. In addition to this most of the candidates for the SIPO were SS men. By this means, Himmler achieved a sort of dual control. SS men were supposed to be prepared to carry out blindly any order of the Fuehrer or their SS superiors. Obedience was unconditionally demanded, and special courts were available for discipline of SS members. Himmler had the right to order re-trials if the sentence did not suit him, and could and did, on occasion, quash sentence.<sup>119</sup>

Both the powers and the territorial extent of the German police were extended in the following two years. In January 1938, it was decreed that protective custody could be lawfully used as a coercive measure of the Gestapo against those who endangered the security of the state through their attitude

<sup>117</sup>U.S., Nazi Conspiracy and Aggression, IV, 194, 1105.

<sup>118</sup>Ibid., III, 863-65, IV, 924-26.

<sup>119</sup>Trial of the Major War Criminals before the International Military Tribunal, IV, 179, XI, 60, XX, 132, 429-30.

(italics mine) and that the Gestapo was to be exclusively competent in this area.<sup>120</sup> In March the Chief of German Police was given authority to take whatever measures might be necessary, even beyond limits otherwise set, for maintaining security and order in Austria,<sup>121</sup> and in October the Austrian Police were incorporated into the German Police.<sup>122</sup> Similar authority was given the Chief of German Police in regard to Sudeten-German territory<sup>123</sup> and the following March the SIFO took over control of police in the Czech protectorate.<sup>124</sup>

Thus was developed a police, unified in the person of Heinrich Himmler, virtually unrestrained by law or the courts, and a prison camp system where neglect, inhuman brutality, and even murder were the rule rather than the exception. These were the back bone of the coercive arm of the Nazi government of Germany, the arm that was to be wielded through the RSHA.

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<sup>120</sup>U.S., Nazi Conspiracy and Aggression, IV, 223.

<sup>121</sup>Ibid., IV, 17.

<sup>122</sup>Ibid., III, 864.

<sup>123</sup>Ibid., IV, 17-18.

<sup>124</sup>Schellenberg, The Schellenberg Memoirs, p. 121.

## CHAPTER IV

### ORGANIZATION AND FUNCTIONS OF THE RSHA

The final step in the reorganization of the German police was the establishment of the RSHA in September, 1939. This reorganization did not affect the ORPO, which remained as it was, but concerned itself solely with the SIPO. The major aspect of the reorganization was the addition of the SD to the SIPO, thus uniting the Secret State Police and the Criminal Police with the SS intelligence department of the party.

The RSHA functioned as a top level committee that coordinated and directed the political and criminal police departments of the state and the intelligence units of the party. Its personnel consisted of SS and SD men who were responsible directly to Himmler in his dual capacity as Chief of German Police (and after 1943, Reichs Minister of Interior) and Reichsfuehrer SS. It was headed by former Gestapo chief Reinhard Heydrich from 1939 until June, 1942, when Heydrich was assassinated by Czech partisans outside Prague. From then until January, 1943, the RSHA operated without any official head with Himmler providing whatever command decisions were required. In January 1943, Himmler appointed Ernst Kaltenbrunner,<sup>125</sup> an Austrian Nazi and SS officer to the

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<sup>125</sup> Ernst Kaltenbrunner, Austrian Nazi who was commander of SS in Austria 1933-34; Police Leader for Ostmark and Chief of Security in Seyss-Inquart government, 1938; member of Reichstag; Chief of SIPO and SD and head of RSHA 1943-45.

post, and Kaltenbrunner remained in charge until the collapse of the regime.

RSHA functions were divided into seven major categories, each handled by a separate office (amt).<sup>126</sup> Amt I and Amt II were purely administrative. Amt I handled personnel matters for three agencies, the Gestapo and KRIPO, both state organizations, and the SD, a party organization. It was initially headed by Dr. Werner Best<sup>127</sup> and, after 1941, by Bruno Streckenbach.<sup>128</sup> He was replaced in 1943 by Erwin Schulz.

Amt II handled organization, administration and law for the three agencies. Subsections for finance were kept separate under Amt II, inasmuch as the SD was financed by the party, the others by the state. It also went through three changes of department heads, first Dr. Franz Six,<sup>129</sup> who later headed Amt VII, then an SS colonel named Neckamm, and finally another SS colonel named Prietzel.

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<sup>126</sup>Information on personnel and departmental functions is taken from RSHA organizational plans and work distribution instructions reproduced in U.S., Nazi Conspiracy and Aggression, VII, 996-1022, 1053-85, 1109-14.

<sup>127</sup>Karl Werner Best, first legal advisor to SD and Gestapo, author of The German Police, Plenipotentiary to Denmark, 1942-45; sentenced to death in 1946, but sentence commuted; Released 1951.

<sup>128</sup>Bruno Streckenbach, SS Lieutenant-General, served as Heydrich's deputy and in RSHA, organized and operated training school for Einsatzgruppen officers, 1941; commander of 19th SS Latvian Division 1943-45; imprisoned in Russia.

<sup>129</sup>Franz Six, professor and Brigadier General SS; joined SD in the thirties, served as Amtchef, RSHA and briefly with the Einsatzgruppen, also served Foreign Office as anti-Semitic expert after 1942.



Amt III was the SD, and was charged with the investigation of German spheres of life. These "spheres" included national life in general, nationalities, minorities, citizenship, and race and health of the people, both in the Reich and in occupied territories. Special sections were set up for the investigation of cultural and economic "spheres". The former was divided into subsections such as science, education, and religious life. The latter was divided into subsections both as to geographic area and to specific areas of the economy itself, areas such as industry, power, labor, finance, food and transport. Amt III was headed throughout by Otto Ohlendorf,<sup>130</sup> except for a brief period when he, as well as Six of Amt I, Nebe of Amt V and Jost of Amt VI, served with Einsatzgruppen in the east.

Amt IV was the Gestapo, supervising some 3,000 officials in Berlin alone, and some 40,000 elsewhere, as well as an army of stool pigeons and informers. Its subsections included IV A, opponents, sabotage and protective service; IV B, churches, sects, and Jews; IV C, card files, protective custody, press and party; IV D foreigners, and later, occupied territory; IV E, general security; and IV F passports and alien police. Headed by Gestapo Chief Heinrich Mueller,<sup>131</sup> its basic function remained the

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<sup>130</sup> Otto Ohlendorf, Manager of Reich Group Trade 1938-43; RSHA Amtchef 1939-45; commanded Einsatzgruppe, 1941-43; Permanent Deputy to the Undersecretary of Reich Ministry of Economics 1943-45; hanged, 1951.

<sup>131</sup> Heinrich Mueller, official of Munich Political Police under the Weimar Republic; head of Gestapo 1935-39; chief of Amt IV, RSHA (Gestapo) 1939-45; still missing.

combatting and prevention of actual or potential opposition to the state.

Amt V was the KRIPO which was charged with matters pertaining to non-political crimes. After 1938, SS membership had been required for KRIPO recruitment, and many old KRIPO officers had been given SS rank, so this too was an SS-manned organization. Headed by Arthur Nebe,<sup>132</sup> a professional police officer, Amt V handled the regular plainclothes work involved with criminal offenses. By authority of the chief of RSHA, Amt V could apply protective custody warrants to actual or suspected criminals. Its subsections were those that are usually associated with crime detection and prevention.

Amt VI dealt with foreign political intelligence. Originally under Heinz Jost,<sup>133</sup> it was taken over and reorganized in 1941 by Walter Schellenberg,<sup>134</sup> former head of Amt IV E, Gestapo counter-intelligence, and under his supervision it absorbed the functions of military intelligence after the break up of the Abwehr in late 1943.

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<sup>132</sup> Arthur Nebe, SS General, head of Criminal Police 1933-45, commanded Einsatzgruppe, 1941-42; took part in July, 1944 assassination attempt on Hitler, executed, 1945.

<sup>133</sup> Heinz Jost, Major-General SS, head of SS Foreign Intelligence Section, 1938-42, Amtchef, RSHA, 1939-42; liason officer, Southern Army Group headquarters, 1942-44; sent to front as second lieutenant by Himmler, 1944.

<sup>134</sup> Walter Schellenberg, Lieutenant-General SS, Deputy Chief Amt VI, 1939-42, Chief, Amt VI, 1942-45; Chief of Amt Mil which took over functions of military intelligence from Abwehr, 1944-45, personal advisor to Himmler.

Amt VII was added in 1940, and was headed by Dr. Franz Six. It handled ideological research against such enemy groups as Freemasons, Marxists, Jews, and liberals.

Amt III, Amt VI, and Amt VII were exclusively SD. The bulk of the former SD functions were handled by Amt III however. The most important, but by no means only, function of the department was the making of general domestic intelligence and morale reports. It was not a numerically large organization in itself, but it had a large network of informers operating out of its regional offices. Each regional and district organization had its honorary agents, trusted informants strategically placed in all walks of life to furnish information, especially on public opinion. This network of informers was far flung, and estimates put the number of people involved at between 100,000 and 120,000 before the war, and up to twice that many during the war.<sup>135</sup> Surveillance machinery even included a special brothel, Salon Kitty, set up in Berlin on Heydrich's orders and wired throughout with microphones and tape recorders. The "ladies" were supplied by Nebe's KRIPO.<sup>136</sup>

The SD's basic task was to inform top party leaders of all opposition movements and forces at home and abroad. It operated within the administration, and within the party itself. It

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<sup>135</sup>U.S., Nazi Conspiracy and Aggression, V, 337. cf. Schellenberg, The Schellenberg Memoirs, p. 28, Almond, The Struggle for Democracy in Germany, pp. 37-39, and Kogon, The Theory and Practice of Hell, pp. 24-25.

<sup>136</sup>Schellenberg, The Schellenberg Memoirs, pp. 35-36.

covered industry, the theater, journalism, the police, literally every sphere of German life. Through AmE VI it developed a counter-espionage system in occupied areas and later enlarged that net by absorbing military intelligence and counter-intelligence when it took over both the function and much of the personnel of the Abwehr. Walter Schellenberg, SD and RSHA official, claimed that,

"...there was no sphere that was not under the watchful eye of the SD, no place where it did not seek out the first signs of opposition among movements or individuals 'hostile to the state'."137

There was a definite impression of omniscience created and maintained by the SD. The manner in which this was accomplished is well described by Hans Gisevius, one-time Gestapo member, and later a part of the German resistance movement.

"In order to retain control, Heydrich's Security Service had only to occupy a few key positions. The importance of the post often lay in its superficial pettiness. For example, in order for Heydrich to keep an eye on the course of affairs in some provincial office employing several hundred persons, he would need scarcely a dozen alert registrars or stenographers and perhaps one or two higher officials in addition to take care of ideological matters. At once the other ninety-five percent of the office employees...became the quarry of an anonymous terror. They were all the more intimidated for not knowing exactly who were the informers. Consequently, they tended to imagine the unknown Security Service men in each of their fellow workers and to scent a microphone at every telephone."138

The SD thus performed a coercive as well as an informative function. SD men had participated in some executive actions also, in conjunction with the police or the SS. SD men were used

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<sup>137</sup> Ibid., p. 27.

<sup>138</sup> Gisevius, To The Bitter End, pp. 312-13.

in the 1934 purge, and took a major part in the fake attack on the radio station at Gleiwitz that preceded the Polish War.<sup>139</sup>

The forces of the RSHA were generally referred to as the "SIPO and SD" and directives within the organization carried this heading. The SIPO and SD were composed of the Gestapo, the KRIPO and the SD. The Gestapo had a membership of between 40,000 and 50,000 men, the KRIPO between 15,000 and 20,000 and the SD approximately 3,000. In common usage the term "SD" was often used as an abbreviation for the term "SIPO and SD". Actual executive action was carried out in most cases by personnel of the Gestapo or KRIPO, but this use of SD as a blanket label, plus the fact that Gestapo personnel in occupied territories frequently wore SS uniforms with SD insignia has led to some confusion, and to magnification of the role played by the SD.<sup>140</sup>

Occupying a rather anomalous position in the chain of command were the Higher SS and Police Leaders. These were appointed for each military district and occupied territory. They served to represent the Reichsfuehrer SS and the Chief of German Police, and functioned both as officers of the party and of the state. Inspectors of both ORPO and SIPO were subordinate to them, and they had at their disposal the Staff Leaders of the General SS, the SD leader of their corps area, and the leader of

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<sup>139</sup> Trial of the Major War Criminals before the International Military Tribunal, IV, 242-44.

<sup>140</sup> U.S., Nazi Conspiracy and Aggression, V, 741-42, VIII, 624. cf. Russell, The Scourge of the Swastika, pp. 11-12.

the Main Race and Settlement Office,<sup>141</sup> Their position in the chain of command is a bit difficult to pin down as they were in one sense subordinate to the head of Amt IV, in the RSHA, yet they had command functions over units of the ORPO which were outside RSHA jurisdiction. In another sense they are not wholly responsible to either RSHA or ORPO high command in that, as direct representatives of the Reichsfuehrer SS and Chief of Police, they were responsible directly to him, bypassing both RSHA and ORPO main offices.<sup>142</sup> They were a potential check on the possibility of independent action on the part of either RSHA or ORPO chiefs.

As can be seen by the foregoing, and by the chart reproduced in appendix B, the functions of the RSHA were many and varied. What the charts do not show is the amount of unrestrained power the Nazi state could exercise over the people of Germany, and the occupied countries through the RSHA. Prior to the establishment of the RSHA, the Gestapo and the Reich Office of Criminal Police were responsible for arrests, commitments to concentration camps, and punishments and executions therein. The Gestapo, fulfilling its task of nipping in the bud any unrest, had the authority for arrest, detention, or liquidation of any and all whom it regarded as actual or potential enemies of the state, an authority unrestrained by any legal controls since 1936. After

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<sup>141</sup>U.S., Nazi Conspiracy and Aggression, III, 863-65, V, 351.

<sup>142</sup>See appendix C.

the organization of the RSHA these functions were carried on as before, but pursuant to authorization of the chief of the RSHA, or by the head of the Gestapo acting as his deputy.<sup>143</sup>

The major legal weapon of the RSHA was the protective custody warrant. Protective custody prisoners were held in concentration camps for "as long as it serves its purpose" and by 1938 this protective custody was specifically authorized as a coercive measure in cases where hostile attitudes toward the state or to the leadership were expressed.<sup>144</sup> Authority for release had to come from the Gestapo, and instances of such release were infrequent. Release requests from official sources other than police were dealt with brusquely. When Governor General Frank of occupied Poland sought release of a group of nearly 60,000 of his "subjects", shipped to concentration camps by the RSHA in a mass clean-up in 1944, he was refused in writing by Kaltenbrunner. The best he could obtain was a few individual releases.<sup>145</sup>

To add to the effect of protective custody as an instrument of terror, and in view of the conditions in the camps one wonders if it really required any amplification, a further decree ordered that,

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<sup>143</sup>Trial of the Major War Criminals before the International Military Tribunal, XI, 415. cf. U.S., Nazi Conspiracy and Aggression, VI, 161-62, 787.

<sup>144</sup>Trial of the Major War Criminals before the International Military Tribunal, III, 496, cf. U.S., Nazi Conspiracy and Aggression, IV, 224.

<sup>145</sup>U.S., Nazi Conspiracy and Aggression, V, 228-29.

"The length of the period of custody must in no case be made known...the term of commitment to a concentration camp is to be openly announced as 'until further notice'.

There is no objection to the increasing of the deterrent effect by the spreading of...rumor propaganda, more or less to the effect that...the arrested man will not be released for 2 or 3 years."<sup>146</sup>

The decree also included instructions that flogging was to be ordered in certain cases, and that this too was to be included in the rumor spreading. Suitable and reliable people were to be chosen for the spreading of such reports. Certain prisoners were to be the subjects of special treatment (sonderbehandlung) and this phrase was tantamount to a sentence of death.<sup>147</sup> Reasons given for arrest and confinement of protective custody warrants ranged all the way from sabotage to defeatist statements, shirking, insubordination, being a Jehovah's Witness (Bibel-forscher), and having no occupation.<sup>148</sup>

The RSHA also exercised wide powers over non-Germans by virtue of its participation in the slave labor program, and its function as the enforcer of such decrees as the Night and Fog Decree, the decree of collective family responsibility, the Commando Order and the Bullet Decree.

In response to the need for labor, orders went out under the signature of Mueller, and in the name of the Reichsfuehrer SS calling for thousands to be inducted into the concentration camps

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<sup>146</sup>Ibid., IV, 93-94.

<sup>147</sup>Ibid., V, 507.

<sup>148</sup>Ibid., V, 305-10.



to work in concentration camp-connected industries run by the SS.<sup>149</sup> Other laborers were impressed to work in regular German industry, and in each case the RSHA played a large role. Higher SS and Police Leaders were used to train and arm indigenous units for the impressment of labor outside the Reich proper.<sup>150</sup> Once impressed, they stayed on the job, and it was the Gestapo's duty to see that they did. If need be, the absentees were sent to concentration camps, or to corrective labor camps. These corrective labor camps were especially created for the purpose on the sole authorization of the RSHA and the RSHA alone was competent for these camps.<sup>151</sup>

Orders were given to military commanders that all criminal offenses in their areas were to be dealt with by the SIPO and SD. Non-Germans, caught in acts of violence by the armed forces, or who had endangered the security or readiness of the occupying power in any way were to be turned over to the forces of the SIPO and SD. Saboteurs caught in the act were to be shot immediately, or, if captured were to be turned over to the SIPO and SD. The SIPO and SD were given the authority to execute such saboteurs without trial. Acts of violence against German armed forces, SS or police, were considered as sabotage.<sup>152</sup>

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<sup>149</sup>Ibid., IV, 49, VI, 738, VII, 784-87.

<sup>150</sup>Trial of the Major War Criminals before the International Military Tribunal, XV, 5.

<sup>151</sup>Ibid., XV, 120-21. cf. U.S., Nazi Conspiracy and Aggression, III, 777-78.

<sup>152</sup>U.S., Nazi Conspiracy and Aggression, III, 602-03, VII, 221-22, 755.

To add to the deterrent effect of SIPO and SD measures the Nacht und Nebel (Night and Fog) and the Sippenhaft (family custody) decrees were added to the RSHA arsenal. The first, promulgated in 1941, provided that non-German civilians alleged to have committed any offense against the occupation forces were to be taken secretly to Germany for trial. Hearings, when they were held, were held in camera, and in 1944 the power to hold hearings was transferred to the Gestapo. There was one exception to the Nacht und Nebel decree. If it could be guaranteed that a military court in the area of occupation would pass the death sentence, offenders were tried by such courts.<sup>153</sup>

The Sippenhaft Decree, issued in 1944, gave the SIPO and SD the power to execute or send to the concentration camps on their own initiative, persons who had committed no offense, but who were related to alleged offenders. In the case of saboteurs, all male kin over 16 years of age were to be executed, all female kin of the same age were to be put into concentration camps.<sup>154</sup>

Not only civilians, but Allied military personnel as well, came within the growing sphere of RSHA activity. The commando Order required that commando groups, when captured, were to be turned over to the SIPO and SD by armed forces, or by local police. The SIPO were to interrogate them, shoot them, and list them as killed in action.<sup>155</sup> The Bullet Decree required that all

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<sup>153</sup>Russell, The Scourge of the Swastika, 91-92.

<sup>154</sup>U.S., Nazi Conspiracy and Aggression, VII, 782.

<sup>155</sup>Ibid., III, 856-57, V, 1.

escaped prisoners of war who were either officers, or not working non-commissioned officers, were to be turned over secretly to the SIPO and SD on recapture. The recaptured prisoners were then to be transferred to Mauthausen concentration camp and there shot. This order, however, specifically exempted British and Americans, who were to be detained in police custody until such time as it was feasible to turn them over to the army for return to prisoner of war camps. SIPO and SD personnel were also authorized to conduct third degree interrogations of some prisoners of war.<sup>156</sup>

There was, however, one area in which the police were specifically instructed not to act. In the case of civilian persecution, abuse or lynching of bailed-out Allied airmen, the police were given "hands off" orders.<sup>157</sup> As early as 1943 an order was issued over the signature of Heinrich Himmler that,

"It is not the task of police to interfere in clashes between Germans and English and American terror fliers who have bailed out."<sup>158</sup>

This was followed up by instructions from Kaltenbrunner to Mueller to the effect that,

"All offices of the SD and Security Police are to be informed that pogroms of the populace against English and American terror-fliers are not to be interfered with; on the contrary, this hostile mood is to be fostered."<sup>159</sup>

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<sup>156</sup> Ibid., IV, 158-60. cf. Russell, The Scourge of the Swastika, pp. 14-16.

<sup>157</sup> U.S., Nazi Conspiracy and Aggression, III, 543, VI, 162.

<sup>158</sup> Ibid., VII, 108.

<sup>159</sup> Ibid., V, 695.

If there was something that the decrees did not cover, or that the decrees failed to authorize, rules or orders of a superior could be used as authority in individual cases, for,

"The police never acts in a lawless or illegal manner so long as it acts according to rules laid down by its superiors... As long as the police carries out the will of the government, it is acting legally...Whether the will of the government lays down the 'right' rules...is no longer a question of law."<sup>160</sup>

It was in the East, from the beginnings of the Russian campaign that the terror arm of the Nazi state reached its peak, or perhaps more correctly its depth, in a massive blood-bath that beggars belief. This, too, was a function of the RSHA. Operating out of a sub-division of a division of an office within the RSHA (Amt IV B 4; branch 4 of sub-division B of office IV) and directed by a then-little-known SIPO and SD officer named Adolph Eichmann,<sup>161</sup> who held an SS rank corresponding to a U.S. major (later lieutenant-colonel), the "final solution" of the Jewish problem was undertaken. The concentration camps were employed to capacity as "mills of death" and in the eastern territories, behind the advancing German armies the notorious Einsatzgruppen (action groups), creatures of the RSHA, embarked upon their career of mass-murder.

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<sup>160</sup> Ibid., IV, 494 (quoted from Dr. Werner Best, The German Police, 1940 edition).

<sup>161</sup> Karl Adolph Eichmann, RSHA "Jewish expert", headed Amt IV-B, 4, 1939-45; escaped from American internment camp 1945, executed by Israeli government, 1962. Both he and Kaltenbrunner grew up in Hitler's boyhood home area near Linz, Austria.

The extermination of the Jews was no sudden decision dictated by circumstance but the cumulative result of a basic and long-standing policy. Built upon an existing, and by no means exclusively German prejudice, the Nazi followed throughout an anti-Semitic campaign of ever-increasing severity. Always a part of the party program, anti-Semitism was made a state policy after the party's acquisition of power. As early as April, 1933, Jewish enterprises in the Reich were boycotted. In his diaries Goebbels noted that all Jew stores in Berlin were closed on April 1, 1933, and SA sentries placed at their entrances. The excuse given for the boycott was in response to a campaign outside Germany to boycott German products. The boycott was declared legal by the Reich government.<sup>162</sup> Although stores were subsequently opened, the boycott was carried on. Orders were issued to party headquarters to make lists of all Jewish firms and businesses. Secret groups were formed to report names of all who bought from Jews, and the district party committees were instructed to publish articles giving addresses only of those involved. Special attention was given to secure as secret committee members, those female clerks who worked in Jewish stores. Propaganda was stressed pointing out that no German should buy from a Jew, or for that matter, even speak to a Jew. The reason given was that the Jews were engaged in a mean and insolent attack on Germany.<sup>163</sup>

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<sup>162</sup>U.S., Nazi Conspiracy and Aggression, V, 83-85, 92-93.

<sup>163</sup>Ibid., III, 279-80.

A major weapon against the Jew was the official decree. In 1933, Jewish immigrants were denaturalized, Jews were denied the right to hold public office or civil service positions, were denied employment by press or radio and were excluded from farming. In 1934, they were excluded from stock exchanges and brokerages. The Nuremberg Decrees of 1935 precluded all Jews from citizenship and they were forbidden to live in marriage with persons of German blood. In 1936 they were denied the right to practice law or medicine, excluded from business and from the economic life of Germany and subsequently fined, as a people, the sum of one billion Reichsmarks. Even their names were dictated by decree, as in 1938, a decree was issued requiring all Jews to be given first names of either Sara or Israel.<sup>164</sup>

The reprisals against the Jews may be divided into three major periods. The first period lasted until the fall of 1938 and consisted of actions against individuals. The second period, from 1938 until mid-1941 consisted of organized deportation attempts, and the third, the systematic extermination of the "final solution" which began with the Russian campaign and continued until the end of the war. During the first period the Jews were not arrested as a matter of general policy. A portion of them was picked up and sent to concentration camps, however. The number was probably below 20,000. Their treatment was fairly uniform throughout the camps, and even in the earliest days this was dreadful enough.<sup>165</sup>

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<sup>164</sup>Ibid., I, 980-81.

<sup>165</sup>Kogon, The Theory and Practice of Hell, p. 162.

The second phase began in 1938. On November 7, in Paris, a seventeen-year-old Polish Jew, Herschel Grynszpan, shot and fatally wounded Freiherr vom Rath, a young third secretary in the German embassy. Vom Rath died two days later, and his death was the signal for a fifteen hour pogrom throughout Germany, a pogrom which had been planned to coincide with the fifteenth anniversary of the Munich Beer Hall putsch. Although this pogrom was a party, rather than a government action, the police were informed and instructed in advance through government channels. Secret teletype messages were sent to all police offices from the Gestapo headquarters advising that actions against the Jews were to take place and instructing the police not to hinder these actions except to keep plundering and looting to a minimum. The seizure of twenty to thirty thousand Jews was to be prepared for, and instructions were to select wealthier Jews if possible. Any important archival material in the synagogues was to be seized at once.<sup>166</sup> The extent of the pogrom is indicated by Heydrich's report to Goering on November 11, which listed 815 shops destroyed, 171 dwellings set on fire, or destroyed, 191 synagogues set fire and another 76 totally destroyed, 20,000 Jews arrested and some 36 dead and 36 seriously injured, and this report, in Heydrich's own words, was "entirely limited to general statements...the figures given must have been exceeded considerably".<sup>167</sup>

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<sup>166</sup>U.S., Nazi Conspiracy and Aggression, III, 277-78.

<sup>167</sup>Ibid., V, 854.

From this time on an organized deportation campaign against the Jews was carried out by the government. Between 1938 and 1941, efforts were made toward a large scale expulsion of Jews from the Reich. Emigration, and the death rate, had reduced the Jewish population of Germany from over 515,000 in 1933 to about 350,000 in early 1938. The Anschluss of Austria brought 190,000 additional Jews into the Reich and gave Hitler approximately 540,000 Jews in his domains, some 25,000 more than he had begun with. Measures heretofore taken had not produced much progress in solving the Jewish problem.<sup>168</sup>

The next step was the attempt at large scale emigration. Negotiations with Poland and France were initiated to arrange for their acceptance of emigrant Jews. Little success was achieved with the Poles, and, by December, 1938, the French asked that no more Jews be sent to France from Germany.<sup>169</sup> Several other western countries, however, continued to accept those Jews who could make it to their borders.

To cut some of the bureaucratic red tape involved in emigration, a special bureau, the Reich Central Office for Jewish Emigration, was set up in January, 1939. It was to work closely with the Jewish communities and coordinate the emigration operations of the various ministries involved therein. The chief

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<sup>168</sup> Hans Lamm, Entwicklung des Deutschen Judentums (1951) quoted by Raul Hilberg, The Destruction of the European Jews (Chicago, 1961) p. 258.

<sup>169</sup> Hilberg, The Destruction of the European Jews, p. 259.



of this bureau was none other than Reinhard Heydrich, his second in command was Heinrich Mueller, of the Gestapo, and the direction of the local offices of the bureau was entrusted to Gestapo personnel. It was an organization that could be, and was, integrated into the machinery involved in the later "final solution" of the Jewish problem.<sup>170</sup>

In 1940, the grandiose Madagascar project was designed as a means of handling millions of emigrant Jews. Born in the Foreign Office, the idea was adopted with enthusiasm by Heydrich, then chief of the RSHA. The scheme called for the cession of Madagascar by France to Germany in a peace treaty. Except for some projected German naval bases, the entire island was to be placed under a police governor responsible directly to Himmler. The plan foundered on the absence of a peace treaty with France.

With the failure of the Madagascar plan, attempts at a solution by emigration ended and the program of extermination was begun. The Einsatzgruppen led the way.

Pursuant to an agreement reached early in 1941, between the RSHA and the army high command, a representative of the Chief of SIPO and SD was assigned to each army group for the Russian campaign. This representative of the Chief of SIPO/SD was to have at his disposal mobile units of SIPO/SD, units subordinate to the field army in front line areas, but in the rear of the front line, and in conquered areas, subordinate only to the RSHA.

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<sup>170</sup> Ibid., p. 260.

According to the agreement their purpose was the general security of the rear areas, a purpose which was amplified by subsequent instructions from the RSHA.<sup>171</sup>

Four Einsatzgruppen were formed in May, 1941, Group A assigned to Army Group North and operating in the Baltic region, Group B assigned to Army Group Center and operating south of the Baltic region in the area toward Moscow, Group C assigned to Army Group South and operating in the area toward Kiev, and Group D assigned to the 11th German Army and operating in southern Russia. Group A was first commanded by Franz Stahlecker and later by Heinz Jost. Group B was under Arthur Nebe, then under Erich Naumann. Group C had as its first chief Otto Rasch, succeeded by Max Thomas. Group D was led by Otto Ohlendorf and later by Walter Bierkamp. The entire officer component was made up of officers from the SS, SD, Gestapo and KRIPO. The enlisted men were drawn from ORPO, Gestapo, regular police, locally recruited police, Waffen-SS<sup>172</sup> and some draftees. Each unit had a strength of between 500 and 900 men and was fully motorized.<sup>173</sup>

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<sup>171</sup> Trial of the Major War Criminals before the International Military Tribunal, XX, 637. cf. U.S., Nazi Conspiracy and Aggression, VI, 420-42 and Schellenberg, The Schellenberg Memoirs, pp. 209-14.

<sup>172</sup> Waffen-SS, or armed SS, were SS units given military arms and training. In 1939 these numbered approximately 18,000 men, by 1942 six divisions were available for service, by mid-1944 there were fifteen.

<sup>173</sup> Trials of War Criminals before the Nuremberg Military Tribunals (Washington, n.d.) IV, 15, 36-37, 93. cf. U.S., Nazi Conspiracy and Aggression, V, 341.

The command roster shows some familiar RSHA names, Ohlendorf chief of Amt III, Nebe, head of Amt V, Jost of Amt VI, and, commanding one of the sub-units, Six of Amt VIII. Instruction, lectures and terrain exercises to train the officer component of the Einsatzgruppen were organized and directed by Bruno Streckenbach, head of Amt I.<sup>174</sup> The operation was RSHA dominated, and RSHA led.

The task of the Einsatzgruppen, as outlined by Heydrich, was not only the political security of rear operational areas, but primarily the clearing of the area of Jews, Communist officials and agents, and all racially and politically undesirable elements.<sup>175</sup> This clearing of the area was in furtherance of an order from the Fuehrer himself, an order never produced in evidence but referred to frequently in the testimony of the War Crimes Trials.<sup>176</sup> Himmler gave this function its proper label, "extermination", in a speech to SS Major-Generals at Posen in 1943, when he said,

"I also want to talk to you, quite frankly, on a very grave matter, Among ourselves it should be mentioned quite frankly, and yet we will never speak of it publicly. Just as we did not hesitate on June 30th, 1934, to do the duty we were bidden, and stand comrades who had lapsed, up against the wall and shoot them, so we have never spoken about it and will never speak of it....

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<sup>174</sup>Gerald Reitlinger, The SS, Alibi of a Nation (New York, 1957) p. 181.

<sup>175</sup>Trials of War Criminals before the Nuremberg Military Tribunals, IV, 93

<sup>176</sup>This testimony is to be found in Trials of War Criminals before the Nuremberg Military Tribunals, IV, 118-328.

I mean the clearing out of the Jews, the extermination of the Jewish race. It's one of those things it is easy to talk about--'The Jewish race is being exterminated', says one party member, 'that's quite clear, it's in our program--elimination of the Jews, and we're doing it, exterminating them'. And then they come, 60 million worthy Germans, and each one has his decent Jew. Of course the others are vermin but this one is an A-1 Jew. Not one of all those who talk this way has witnessed it, not one of them has been through it. Most of you must know what it means when 100 corpses are lying side by side, or 500 or 1000. To have stuck it out and at the same time--apart from exceptions caused by human weakness--to have remained decent fellows, that is what has made us hard. This is a page of glory in our history which has never been written and is never to be written..."<sup>177</sup>

A look at the operations of one of the Einsatzgruppen gives an indication of just what lies behind that unwritten "page of glory".

From the opening day of the Russian campaign, Einsatzgruppe A,<sup>178</sup> its peak strength never more than 990 men, followed close on the heels of the advancing Army Group North as it made its thrust into Russia. The strategy of the Einsatzgruppe was to trap the Jews in the area before they realized what their fate was to be. Units of Group A entered Kaunas, Lepaya, Yelgava, Riga, Tortu, Tallin and the suburbs of Leningrad with the advance units of the army.

Group A, as was typical of all the Einsatzgruppen, did not move as a compact unit, but split itself into company-size Kommandos. These were divided into smaller Vorkommandos, to move

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<sup>177</sup> U.S., Nazi Conspiracy and Aggression, IV, 563.

<sup>178</sup> Unless otherwise footnoted, the information regarding Einsatzgruppe A is taken from the comprehensive report of the Group's activities prepared by its commander Stahlecker, and reproduced in U.S., Nazi Conspiracy and Aggression, VII, 978-996.

with the advance units of the army, and Teilkommandos to comb the districts off the main roads.

As they moved forward they found fewer and fewer Jews in the cities and by the time Group A reached the outskirts of Leningrad only a few victims were to be found there. This was compensated for by the fact that many of those who had fled the cities went only a short distance, and some were overtaken by advancing troops of the rapidly advancing army while others drifted back to the city after the first wave of troops had passed. By October 15, Group A was able to report a total of 125,000 Jews killed, and this in less than five months.

Follow-up units organized by the Higher SS and Police Leader out of ORPO and Waffen-SS units accounted for some of the Jews missed by the swiftly moving group. Army cooperation was apparently quite good as Stahlecker, Group A's commander, later wrote Himmler that his experience with Army Group North had been close, "very close, yes, almost cordial" and that Army Group Center had shot 19,000 "partisans and criminals, that is, in the majority Jews" up to December, 1941.<sup>179</sup>

For the most part victims were simply rounded up, hauled or marched to mass graves, and shot. On some occasions the Jewish elders were told that the Jews were to be resettled, and the elders provided lists of bona fide Jews for use of the Einsatzgruppe. The Jews were told to report for resettlement,

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<sup>179</sup>U.S., Nazi Conspiracy and Aggression, IV, 948.

were loaded into trucks, then hauled off and shot. The use of the pogrom as a weapon was not neglected. Local actions by the populace against the Jews were deliberately instigated for, as Stahlecker put it, they brought his unit closer to its "cleanup goal". In the Baltic states, he picked out reliable men from partisan units which had fought against the Russians, organized them into five police companies, and put them to work killing Jews. Gas vans were tried as an execution device also, but they did not prove particularly successful.<sup>180</sup>

Group A, as did the other Einsatzgruppen, also furnished special prisoner of war camp screening teams. These teams were set up in mid-July of 1941, pursuant to a directive of the Chief of SIPO/SD and in agreement with the army high command. They were sent to prisoner of war camps on the east front for the purpose of purging the camps, screening out any Communist functionaries, Jews, and racially or politically undesirable elements. These were either sent to concentration camps for "special handling" or were executed by Einsatzgruppe sub-units. A similar screening function was handled by the Gestapo in other occupied territories, and in the Reich, among Russian prisoners of war.<sup>181</sup>

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<sup>180</sup> Ibid., III, 418.

<sup>181</sup> Trials of War Criminals before the Nuremberg Military Tribunals, IV, 369, 431, cf. U.S., Nazi Conspiracy and Aggression, III, 422-25, IV, 53-55, V, 343.

Estimates indicate that there were over four million Jews in the territory overrun by the Germans in the east,<sup>182</sup> and this proved to be too large a chore for the Einsatzgruppen, whose total strength was only about 3,000 men. As the front moved on, rear areas were stabilized and the process of concentrating the remaining Jews in ghettos was begun, for, as the Einsatzgruppen had carried out their task of extermination on the eastern front, Eichmann began the round-up of Jews for shipment to the extermination camps from the Reich and occupied territories.

Preparations for this "final solution" were begun less than six weeks after the beginning of the Russian campaign. The killing centers which were to account for so many lives had not yet been built, and the first phase of the "final solution" was the collecting and assembling of the Jews, and transporting them to ghettos in the east. This task was the province of Adolph Eichmann, the RSHA's expert on Jewish affairs who headed a small subsection of the RSHA. His position in the chain of command was as follows:

Fuehrer: Adolph Hitler  
 Minister of Interior and Chief of Police: Himmler  
 Chief of RSHA: Heydrich (later Kaltenbrunner)  
 Chief, Amt IV: Mueller  
 Chief, Amt IV-B: (sects) Hartl  
 Chief, Amt IV-B, 4: (Jews) Eichmann<sup>183</sup>

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<sup>182</sup>Hilberg, The Destruction of the European Jews, p. 190.

<sup>183</sup>U.S., Nazi Conspiracy and Aggression, VII, 997-1010.

Eichmann began almost at once, and in September 1941, transports of Jews were prepared for Lodz, Riga, and Minsk.<sup>184</sup> Gestapo personnel were used in the location and collection of the Jews but not in the transport itself. With its multitude of tasks the RSHA's manpower was spread too thin to fill this additional function. Pursuant to an inter-agency agreement, train guards were furnished by the ORPO.<sup>185</sup> The Riga and Minsk Jews were subsequently shot by mobile killing units of the RSHA. Those in Lodz were shipped to the death camp at Auschwitz.

There were six of these camps, specifically designed for mass executions, set up one by one in the spring of 1942. Five of these were equipped with gas chambers, and one (Kulmhof) used stationary gas vans. Four of them, Kulmhof, Belzec, Sobibor and Treblinka, were under the jurisdiction of the Higher SS and Police Leaders. The other two, Lublin (Maidanek) and Auschwitz were run by the SS Main Economic and Administration Office. Lublin and Auschwitz had been concentration camps before the facilities for extermination on a large scale were added. The others were constructed primarily as killing centers. Executions were also carried on elsewhere, Mauthausen for example, but these six were the camps designed for large scale killing on an assembly line basis.<sup>186</sup>

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<sup>184</sup>Hilberg, The Destruction of the European Jews, p. 263.

<sup>185</sup>Trial of the Major War Criminals before the International Military Tribunal, XXXIII, 334-36.

<sup>186</sup>Hilberg, The Destruction of the European Jews, pp. 311-13, 572-74.



To these camps were sent Jews from everywhere that German control was exercised. Polish and other east European Jews, Norwegian, Belgian, Dutch, French, and after 1944, Italian Jews were rounded up by Adolph Eichmann's men, loaded in trains, and sent to the death camps. The RSHA was responsible for locating these people, collecting them, arranging for their transport, and, in four of the six camps, those under jurisdiction of the Higher SS and Police Leaders, it was responsible for their actual killing.

Reliable estimates indicate that some four to six million Jews were killed. The Einsatzgruppen, with a total membership of approximately 3,000 men, accounted for almost two million of these, and the Eichmann effort, aided mightily by the SS's Auschwitz camp accounted for the rest.<sup>187</sup> Men, women, and children whose only crime was being Jewish were herded to their end in the crematoria of the camps or in mass graves in the east at the hands of the men from the RSHA.<sup>188</sup>

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<sup>187</sup> Trials of War Criminals before the Nuremberg Military Tribunals, IV, 369, 431. cf. U.S., Nazi Conspiracy and Aggression.

<sup>188</sup> A full description, or even a listing, of atrocities committed in the course of the "final solution" by the Einsatzgruppen would be beyond the scope of this study. However, a mere recitation of figures such as these are not readily comprehensible in terms of human misery and degradation. To give some idea of what lies behind these figures, and behind such phrases as the "purging of racially undesirable elements", an eyewitness account of one execution is included in the appendices as Appendix D.

Unless one is willing to follow the Nazi practice of assigning guilt to a whole people on the basis of that people's racial characteristics, a program of terror and extermination such as this is difficult to understand. Yet to so dismiss it would be to ignore both the manner of its development and the basic ideology from which it grew.

## CHAPTER V

### SOME OBSERVATIONS AND AN EVALUATION

As can be seen from the preceding chapters the RSHA became the agency through which Himmler, answerable only to Adolph Hitler, could direct a sprawling network of secret police throughout the Reich and all its occupied territories, and even into the zones of combat, secret police who quite literally held the power of life or death over millions of people. In view of the fact that Germany never knew a national police system prior to the arrival in power of the Nazis, the question arises, just how did this monstrous centralized terror arm grow? Was it in accord with a master plan of the party, diabolically devised and carefully followed, or did it, like Topsy, "just grow"? The answer lies somewhere in between.

Goering's creation of the Gestapo in Prussia in 1933 is the only move that gives the appearance of following a pre-conceived party plan. The subsequent administrative reorganizations through which the RSHA grew were largely a matter of expediency, recognizing and formalizing already existing situations.

The Prussian police, in early 1933, constituted the largest governmental power factor (Machtfaktor) in the Reich with the exception of the army. In order to crush the opposition to the NSDAP, this police arm had to be at least immobilized, at best utilized. Goering accomplished the party purpose in a two-fold manner. Using his governmental position he issued orders that

the para-military party units were not to be interfered with. He then included large numbers of these SA and SS men into the police itself through his auxiliary force. Restraint was removed from the "old fighters" of the SA, a restraint difficult to re-impose once the party was in full possession of governmental authority. By the end of 1933 the party had the Gestapo, a "legitimate" terror arm, in operation, and the SA and SS auxiliary police had been dismissed. Roehm, the SA chief, did not readily accept this relegation of the SA to a secondary role.

In a speech at Tempelhof Field he declared that,

"Those who think that the task of the SA had been accomplished, will have to accept the fact that we are here and intend to stay here".<sup>189</sup>

He declared further that the SA was to suppress the defeated enemy and if need be exterminate him. Rumblings of a second revolution were beginning to be heard from the SA leadership, at a time when the party was firmly establishing itself as the legal government, and at a time when, from the party standpoint, the revolution against authority had to stop. Hitler was later to say,

"It will be one of National Socialism's merits that it knew how to stop the revolution at the proper moment. It's very nice to see the people arise, but one must be a realist and go further than phrases....I've not forgotten the difficulties I had to overcome in 1933 and 1934. Revolution opens a sluice-gate, and it's often impossible to curb the masses one has let loose."<sup>190</sup>

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<sup>189</sup>Konrad Heiden, Der Fuehrer, Hitler's Rise to Power (New York, 1944) p. 274.

<sup>190</sup>Adolph Hitler, Hitler's Secret Conversations, 1941-44 (New York, 1953) p. 272.

Circumstances strongly suggest that the appointment of Himmler to the position of deputy chief of Prussian Gestapo was the beginning of a move to counter balance the unruly, ill-disciplined and even dangerous leadership of the SA with the smaller, more responsive and disciplined SS and the police agencies of the states. In April, 1934, when Himmler was appointed to the Prussian Gestapo he was already head of the Bavarian police and chief of political police in the other Laender. His appointment put both the political police and the SS at the orders of one man. The SA had already proved itself a problem to the Prussian Gestapo after the initial need for a massive crushing of opposition had been satisfied. Roehm had demanded and received an appointment to the Reich cabinet and in February and March of 1934 was making his demands to head up both the army and the SA at a time when the Nazi government was promising Britain and others to disarm the SA. The Army was making its displeasure felt and Hitler had to make a choice.

The sequence of events, I believe, is significant. The immediate need for a massive force like the SA ceased to exist late in 1933. In the early months of 1934 Roehm was pushing for integration of SA and army under his command at a time when Germany was talking disarmament of the SA. The cruise on the Deutschland was made early in April and almost immediately thereafter Himmler was appointed to his Gestapo job in Prussia. In early June the SA was given leave, on the 28th the SS was secretly mobilized, and on the 30th the Blood Purge began, a

purge which brought the SS to the forefront of the Nazi movement. The SS was then made a separate organization <sup>and</sup> given charge of the concentration camps.

Backed by Heydrich, whom Himmler brought to Berlin with him in 1934, and by the SD, the Reichsfuehrer SS was soon in a position to control, actually if not nominally, the balance of the police units of the Reich. Gestapo actions were placed outside the realm of the court for redress, and this plus the control of the concentration camps, and the spy services of the SD made Himmler a man of no small influence. Himmler used this influence to put men of his choosing in the various police departments and thus obtained control. The measures of 1936 declaring the Gestapo competent for the entire Reich and naming Himmler Chief of German Police in the Ministry of Interior were largely a mere formality, regularizing an already existing situation.

The creation of the RSHA in 1939 may be considered in much the same light. By appointing Heydrich Chief of Security Police, which included both Gestapo and KRIPO, Himmler brought another organization, the SD, unofficially into the orbit of the police service in 1936. Heydrich in his dual position as Chief of SIPO and Chief of SD united the two services in his person, a union which was formalized in the establishment of the RSHA. Heydrich was not to inherit as vast a control as he sought however, as Himmler kept the concentration camps from Gestapo supervision, refusing to ratify a decree which would have given

Heydrich control under the 1936 set-up. These went to a different branch of the SS.

Thus it appears that the development of the RSHA is largely the work of one man, Heinrich Himmler, rather than an integral part of the Nazi program for Germany. His efforts in building the SS and developing an SS-dominated police were recognized as a result of Himmler's personal effort by Hitler himself, when he said,

"...it's a good thing that the SS should constitute, in relation to the others, an absolutely distinct world. In peace time it's an elite police capable of crushing any adversary....It was with Himmler that the SS became that extraordinary body of men, devoted to an ideal, loyal unto death. I see in Himmler our Ignatius de Loyola. With intelligence and obstinacy, against wind and tide, he forged this instrument".<sup>191</sup>

This development of power (up to a point) on the part of a subordinate was not uncommon in the Third Reich, and Hitler had commented upon one occasion that he had totally lost sight of the organizations of the Reich, and was often startled by the extent of their development.<sup>192</sup> While this may be classed as something of an overstatement, a degree of independent development was not inconsistent with Hitler's privately stated policy. At a dinner conversation in 1942 he put it this way,

"It is only by giving the Gauleiter and the Reichsstatthalter<sup>193</sup> a free hand that one finds out where real capability

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<sup>191</sup> Ibid., p. 138.

<sup>192</sup> Ibid., p. 125.

<sup>193</sup> Gauleiters were party officials in charge of specific geographic areas. The boundaries of these areas did not necessarily coincide with those of the states or provinces. Reichsstatthalters were government officials.

lies. Otherwise, there will eventually spring up a stolid, stupid bureaucracy. And it is only by giving the regional leaders responsibility that one will obtain men eager to accept it, and thus form a nucleus from which to choose leaders for the highest posts in the State.

While giving my Gauleiters and Reichsstatthalters the greatest liberty of action, I have at the same time demanded of them the strictest possible discipline in obedience to orders from above, it being understood, of course, that the central government is not concerned with matters of detail, which vary greatly in different parts of the country"<sup>194</sup>

Unfortunately this "free hand" led to a good deal of confusion, overlapping and duplicating of function and to intense personal rivalries among the Nazi satraps, defects from which the RSHA was not free. The system set by the Nazi not only permitted, but indeed encouraged, these defects.

The Party Gau system was maintained and extended after the seizure of power. This was the structural system of the party itself under which the country was divided up into geographical areas called Gaue, which could roughly correspond to county units in the United States, and these Gaue were subdivided into rural and urban districts, (Kreis) composed of several blocks which in turn were divided into cells. Each subdivision had its leader, the Gauleiter being at the top of the pyramid. The Gau system figured strongly in the achievement of party aims. The general technique of the party, if it did not make fast enough progress with state organs, was to execute a practical solution outside by means of party action and put the state or municipal

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<sup>194</sup>Hitler, Hitler's Secret Conversations, 1941-44, p. 433.



administration face to face with faits accomplis.<sup>195</sup> Gauleiters tended to run their bailiwicks as they chose, and tended to resent the Higher SS and Police Leaders.

This two-fold organization, party and state existing side-by-side in a nation where, by law, the party and the state are synonymous, may seem like a senseless duplication, but it also provided for reciprocal supervision by rival parallel agencies. This system, while promoting rivalry also tended to keep either of the agencies from assuming a degree of power which might threaten the top leadership.

A former Nazi describes the competition for power within the party as a nerve-wracking struggle behind the scenes, a struggle both for allies and for places and writes that,

"the higher officials...cynically admit the rivalries and mortal enmities between leaders; and they mention the tendency of leaders to form their own private armies as an entirely natural result of the existing system."<sup>196</sup>

Rudolph Diels, a Gestapo leader complained of absolute chaos in administrative machinery due to competition between Party and State through the multiplicity of bureaus. Ulrich von Hassell, one time member of the Nazi diplomatic corps described as being typical of the Third Reich, the situation wherein "everybody is against everybody else" and wrote of conflicts between the

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<sup>195</sup>U.S., Nazi Conspiracy and Aggression, VIII, 737. cf. Russell, The Scourge of the Swastika, p. 6 and Robert L. Koehl, RKFD: German Resettlement and Population Policy, 1939-45 (Cambridge, 1957) p. 29.

<sup>196</sup>Rauschning, The Revolution of Nihilism, p. 39.

Minister to Rumania and other Party and State offices, especially the SIPO/SD.<sup>197</sup> A long time member of the SD described a violent conflict between Heydrich of the RSHA and the Reichskommissar Terboven<sup>198</sup> at Oslo over authority over the Higher SS and Norwegian police leaders. In the absence of a clear cut line of command the dispute had to be settled by a personal agreement between Heydrich and the Reichskommissar.<sup>199</sup> Otto Ohlendorf, chief of Amt III, RSHA, found his work hampered by orders from the chief of the German Workers Front directing its members not to cooperate with the SD, and by a blanket prohibition by Martin Bormann of the Party Chancellery forbidding all party officials to cooperate with the SD.<sup>200</sup>

This rivalry was for the most part kept quiet but on at least one occasion broke out into the open in a situation which, under other circumstances, would have been sheer comic opera. In the summer of 1939 Ribbentrop,<sup>201</sup> through the Foreign Office

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<sup>197</sup> Ulrich von Hassell, The Von Hassell Diaries, 1938-1944 (Garden City, 1947) pp. 85-86, 344.

<sup>198</sup> Josef Terboven, took part in 1923 putsch; SA and party leader, Essen, 1925; Gauleiter of Essen, 1928-45; SS officer and member of the Reichstag; Reichs Commissar for Occupied Norway, 1940-45.

<sup>199</sup> Schellenberg, The Schellenberg Memoirs, pp. 247-48.

<sup>200</sup> Trial of the Major War Criminals before the International Military Tribunal, XX, 254. cf. Felix Kersten, The Kersten Memoirs, 1940-1945 (London, 1956) p. 176.

<sup>201</sup> Joachim von Ribbentrop, joined NSDAP in 1932; Hitler's advisor on foreign policy after 1933; Ambassador at Large, 1935; Ambassador to London, 1936-38; Reichs Minister for Foreign Affairs, 1938-45; General in SS; member of the Reichstag, 1933-45.

Propaganda Section, was running a radio station in Berlin-Charlottenburg. Goebbels, claiming jurisdiction as Reichsminister of Propaganda, evicted the Foreign Office personnel by force. The radio station was soon "re-taken" by a reinforced group of Ribbentrop's orderlies and Goebbel's men thereupon blockaded the premises, cutting off the electric and telephone wires from the building. Hitler had to settle the dispute personally, but did not even then give either a clear mandate, and both men were left with a finger in the propaganda pie.<sup>202</sup>

The field of intelligence and counter-intelligence provides a good example of the multiplicity of bureaux with overlapping functions. At one time there were no less than seven rival intelligence agencies in the Third Reich. In addition to the party information service operated by the SD wherever the party was represented, the Foreign Office operated a governmental secret service network from Department III, Information, in the Wilhelmstrasse. To this was added in 1934 the Auslandsorganisation der NSDAP (AO) which occupied a place in the party structure as "Gau Ausland" and by 1935 this too was operating out of the Wilhelmstrasse. The party also developed the Aussenpolitisches Amt der NSDAP, performing a similar function, but it never became too significant.<sup>203</sup> The military maintained its own

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<sup>202</sup>Paul Seabury, The Wilhelmstrasse (Berkeley, 1954) p. 77.

<sup>203</sup>Ibid., pp. 32-34. cf. Schellenberg, The Schellenberg Memoirs, p. 280.

intelligence and counter-intelligence unit, the Abwehr, and Goering, as Air Minister, set up and maintained his own super-secret information service in the Research Office of the Air Ministry, an office whose duties were primarily surveillance and wire-tapping.<sup>204</sup> In addition to all this the sub-units of the Gaue prepared and maintained detailed files for every person in their area, files containing personal and political information, and the Gestapo operated its own independent informant network.<sup>205</sup> Although, in 1941, Himmler was asked to supervise collaboration between the SD, Gestapo and Abwehr in connection with counter-espionage,<sup>206</sup> there was apparently no effort to simplify or unify these many groups. The Abwehr was brought into the RSHA in 1944, but only after its top leadership, and scores of their subordinates had been arrested and executed for treason.<sup>207</sup>

The police organizations were not immune from the duplications and rivalries that were an ever-present part of the Third Reich. In addition to competition from other agencies, it had its internal problems and rivalries that on occasion reached a point resembling the Chicago gangland struggles of the prohibition era. The following description of conditions in

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<sup>204</sup>Almond, The Struggle for Democracy in Germany, pp. 41-42. cf. Frischauer, The Rise and Fall of Hermann Goering, p. 101.

<sup>205</sup>U.S., Nazi Conspiracy and Aggression, Supp. A. 1035-37.

<sup>206</sup>Schellenberg, The Schellenberg Memoirs, p. 321.

<sup>207</sup>Allen W. Dulles, Germany's Underground (New York), 1947 p. 80.

Gestapo headquarters in the early years, written by a then member of the organization, dramatically illustrates this.

"...we were living in a den of murderers in which we did not even dare step ten or twenty feet across the hall to wash our hands without telephoning a colleague beforehand and informing him of our intention to embark on so perilous an expedition. Not for a moment was anyone's life secure....As a matter of principle he (the writer's department chief) entered and left by the rear staircase, with his hand always resting on the cocked pistol in his pocket. Again and again he angrily reprimanded me for incautiously coming upstairs near the bannister--which could be seen more easily from above--instead of stealing up along the wall, where a shot from above could not easily reach me."<sup>208</sup>

Arrests of Gestapo members by other members were not unusual, and by 1943-44 rivalries and tensions within the RSHA, especially between the Gestapo and the SD, reached the point where internal repression had to be resorted to. Gestapo officials were called together each week and treated to a recital of punitive measures taken against fellow-officers.<sup>209</sup>

Even the structure of the office mitigated against any sort of clear and orderly chain of command, with the exception of direct orders from Himmler himself to a subordinate. Consider the district police authorities, near the bottom of the ladder. As indicated by the chart drawn up by Werner Best (see Appendix A) their orders could come from State Police Bureau who in turn either got them directly from Amt IV in the RSHA, or from Amt IV through the Higher SS and Police Leaders via the Inspectors of

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<sup>208</sup> Gisevius, To The Bitter End, p. 50.

<sup>209</sup> Ibid., p. 50. cf. Almond, The Struggle for Democracy in Germany, pp. 40-41.

SIPO/SD, or from Amt IV through the Inspectors of SIPO/SD by-passing the Higher SS and Police Leaders. These three chain of command routes from Amt IV are by no means the whole story however. The district police authorities could also get orders from the Criminal Police Bureau which was also subject directly to Amt IV. The Criminal Police Bureau was also subject to orders from the Main Office of the Regular Police which was separate and distinct from the RSHA. The Criminal Police Bureau took its orders directly from the District Presidents, State Governments and Reich Governors, who could in turn bypass the Criminal Police Bureau in issuing orders to the district police authorities. The District Presidents, State Governments and Reich Governors could get orders from the Main Office of Regular Police directly or via Inspectors of the Regular Police, inspectors who were in turn subject to orders from Amt IV, RSHA via the Higher SS and Police Leaders, or directly from Amt IV itself. No wonder that Crankshaw felt impelled to write that,

"...behind the apparently iron front of Teutonic organization there was a sort of willed chaos"<sup>210</sup>

Hermann Rauschning, who was a part of the NSDAP in its earlier years, encapsuled the system neatly when he wrote,

"...every person in an official position in the party is harnessed to the disciplinary mechanism in several directions, participating both in the responsibility of leadership and in the duty of absolute obedience..."

"...the system is really the result of no comprehensive scheme or idea; it is simply the product of the needs of the

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<sup>210</sup> Crankshaw, Gestapo, Instrument of Tyranny, p. 63.

years of struggle aimed at securing the personal power of the elite over their own forces."<sup>211</sup>

Rather than heading a monolithic structure functioning with machine-like precision, the RSHA was actually heading a sprawling, seething confusion, wholly lacking in organizational unity or a clear cut chain of command. Its operations spilled over into areas for which other agencies had been established and its competencies were infringed upon by these other organs of both Party and State. This confusion was not only permitted, but to a certain extent encouraged by the Fuehrer himself.

In a system such as the Nazi system, wherein there is no regularized system of checks and balances and wherein one-man rule is the expressed goal of the party, some means must be available to prevent the acquisition of a threatening amount of power on the part of any one of the subordinate leaders. The rule of Hitler was insured by having available counter-forces to prevent this very thing. These counter-forces were furnished by the duplication of agencies which provided for a system of reciprocal supervision on the part of the lesser satraps. This duplication was the necessary outgrowth of a system of one-man rule.

If efficiency is measured by clarity of chain of command, sharp definition of function and of area of responsibility, the RSHA, and indeed the entire Nazi system, fell far short. The

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<sup>211</sup>Rauschnig, The Revolution of Nihilism, p. 41.

effectiveness of the RSHA, as contrasted with its efficiency, presents a somewhat different picture, one which is tied in with the answer to the question, "Why the Terror?".

The answer lies, in part, in the position occupied by the Nazis as the governing power of Germany. The NSDAP was a minority and it remained a minority. It lacked the unanimity of support which absolute rule without coercion would have required, it rested upon legal foundations that were, at best, extremely shaky and it was wholly unsupported by tradition. In the absence of these traditional bases for political power the NSDAP almost inevitably had to base its position on fear. The widespread use of terror gives an impression of omnipotence, of irresistible power, a display of force which attracts in some instances as much as it repels.

Further, Hitler was ruling a nation wherein political parties, their roots going back to the uprisings of 1848, had been active since the 1870's. By the 1930's there were few who could remember a time when political action, through a multi-party system had not been a part of German national life and there were few whose interests were not in some way reflected by one or another of Germany's political parties. The meteoric rise to power of the NSDAP did not blot the memory of all this from the collective mind of Germany. To replace such old and long-

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212 "...the able men cannot be appointed from above but must struggle through for themselves". Hitler, Mein Kampf, p. 449. cf. supra. pp. 70-71.



held tradition with a radically different concept of government and of the state required vigorous measures. The Nazi technique for accomplishing so basic and drastic a change was terror.

To make an omelet it is necessary first to break a few eggs. The Nazis did not deviate from this recipe. To make their National Socialist state the Party did not hesitate to break a great many heads---and bodies, and minds, and spirits. In the first year and a half of power, the answer to the question, why the terror, is not too difficult to find. It was to crush the opposition to the NSDAP, a purpose frankly admitted by the Nazi leadership.<sup>213</sup> At the time of the appointment of Hitler to the chancellorship, the two numerically largest political groups opposing the NSDAP were the Socialists and the Communists, together representing between twelve and fourteen million voters. In the past these parties had not been over hesitant in the use of force, the general strike, and in the case of the Communist, violence and terroristic methods. Their fate was accurately previewed by Hitler when he wrote in Mein Kampf.

"If Social Democracy is opposed by a doctrine of greater truth but equal brutality of methods, the latter will conquer, though this may require the bitterest struggle."<sup>214</sup>

As regards the Marxist terror tactics he wrote,

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<sup>213</sup>Supra. pp. 7-9, 31

<sup>214</sup>Hitler, Mein Kampf, p. 43.

"Terror at the place of employment, in the factory, in the meeting hall, and on the occasions of mass demonstrations will always be successful unless opposed by equal terror."<sup>215</sup>

Upon these two groups particularly fell the full weight of the Nazi terror. To achieve full governmental authority the Nazis had to neutralize these groups, and this was done. In 1933 literally thousands of leaders of the Social Democrat and Communist parties were arrested, some legally by the police, but many more illegally by the SA. Some were returned beaten almost beyond recognition, some were killed, and many were kept imprisoned and subjected to humiliation and severe bodily mistreatment.<sup>216</sup> Goering had not exaggerated when he had said,

"Against the enemies of the state we must proceed ruthlessly ...therefore the concentration camps have been created, where we have first confined thousands of Communists and Social Democrat functionaries."<sup>217</sup>

The choice of groups against which the terror was used clearly indicates the reason for its application. When Goering was talking about the camps, for example, he indicated that these were not solely for the Communist and Social Democrat, but were "first" for these two groups. The newspapers, labor unions, and the army also posed potential sources of opposition.

Newspapers were hamstrung by laws prohibiting criticism of the government, and the experience of William F. Sollman, editor

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<sup>215</sup> Ibid., p. 44.

<sup>216</sup> U.S., Nazi Conspiracy and Aggression, V, 288-90.

<sup>217</sup> Ibid., IV, 1065.

of an anti-Nazi newspaper chain, gives some indication of why the press made no genuine outcry at the restrictions. On March 9, 1933, members of the SA and SS entered his home, destroyed furniture and records, took him to their headquarters in Cologne, and there tortured, beat, and kicked him for several hours. He was then taken to a regular prison, there treated by prison doctors, told to get out of Germany and released. On March 11, Soliman left Germany.<sup>218</sup> This was not an isolated incident, and the cumulative effect of such tactics was to silence opposition in the press.

The labor unions were handled in a manner somewhat different from the political party opposition, because they were to be first subverted, then utilized, rather than destroyed. Terror however was the foundation of this move as well. The labor union leaders were among the earlier victims of the violence but the structure of the unions was left intact. Then on May 2, 1933, Gauleiters, using the SA and SS, occupied the directing offices of the major unions in Germany and took all major officials into custody. The Party headed the unions from then until 1934 when the NSDAP Labor Front, the controlling organ of the now-NSDAP unions, was made a governmental rather than a party organization, and the unions were absorbed into it. Although the method here varied from the actions against parties, the basis was the

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<sup>218</sup> Ibid., V, 936.

terror, and the end result was to eliminate a potential source of opposition.<sup>219</sup>

The terror was not used in these early years against the army, and for good reason. The Nazis had no wish to risk a full-scale civil war with a numerically small, but disciplined, fully-equipped, heavily armed, and trained military force. Further they had no reason to do so. While the army may have represented a source of potential opposition, it was not, in the early years opposed to the Nazis, but occupied a position of benevolent neutrality. First, it had been ordered to go along with the Hitler government by its supreme commander, von Hindenburg, and many high ranking officers believed that as a political experiment it was right and proper to give it a trial. Further, many saw a chance for secret rearmament, regarded as essential to achieve national unity and restore national prestige. Other career soldiers saw in it a means of personal aggrandizement and a chance at military adventure. Finally there was a general belief that the army could put an end to the "experiment" as soon as it suited them to do so.<sup>220</sup> Von Blomberg, Minister of War from 1933 to 1938, put it very simply when he said,

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<sup>219</sup> Ibid., III, 380-83. cf. Taylor Cole, "The Evolution of the German Labor Front". Political Science Quarterly, December, 1937, LII, 532-38.

<sup>220</sup> Wheeler-Bennett, The Nemesis of Power, pp. 292-95.

"Before 1938-39 the German generals were not opposed to Hitler. There was no reason to oppose him since he produced the results they desired."<sup>221</sup>

Elections were held in November of 1933, the last elections in the Third Reich, and the terror was used to achieve the desired results. English and American reporters in Germany later described the election technique as one of coercion. Goering announced that if anyone would not vote for the party, he had better stay at home. The Voelkischer Beobachter announced that the Party supervised every one, would know exactly who stayed at home, and promised a reckoning with those who did. In some places men and women were paraded with cards hung about their necks reading "I did not vote, I am vile". In other places the SA hunted out those who did not vote and made them vote.<sup>222</sup> The result was a vote of almost forty million for the NSDAP, out of less than forty-three million votes cast, and this from an electorate of some forty-five million eligible voters.

The terror, as a means of crushing external and internal opposition to the party leadership, and of achieving full power for the party, had certainly succeeded. The result was the near abolition of the concentration camps in 1934, and a reduction in the scale of the terror. It was only near-abolition, not abolition, and reduction, not discontinuation however. Although

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<sup>221</sup> Ibid., p. 383.

<sup>222</sup> S. Miles Bouton, "Germany Sinks into Slavery". The American Mercury, May, 1934, XXXII, 56-66. cf. "Nazi Laurels. The New Statesman and Nation, November 18, 1933, VII, 624-26.

abated, the terror continued at a more or less even pace throughout the years between 1934 and 1938. Additions to the concentration camps were less than 20,000 per year and concentration camps deaths kept under 10,000 per year. 1938 saw an acceleration of the terror that was to continue until the close of the war as both internments and deaths quadrupled in that year and continued to climb sharply thereafter until the death toll reached into the millions. The terror served well to silence opposition and criticism, and, during the years of peace, it apparently found little of either. When war clouds gathered, however, the terror arm of the government was brought more and more to the forefront.<sup>223</sup>

It might be said that Hitler could have retained full powers of government during those interim years without a terror arm. Unemployment had been drastically reduced, economic conditions in the Reich appeared to be stabilized, nationalistic pride was being satisfied in the form of a German Air Force, officially disclosed in 1935, and a growing conscript army. The Saar was again German and German troops were once more on the Rhine. The "shackles of Versailles" had been broken. Goebbels' propaganda mill was grinding out reams of copy elevating both the Fuehrer and the Party to infallibility, painting the NSDAP as the champion of justice, restoring the Reich to its rightful place

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<sup>223</sup>Kogon, The Theory and Practice of Hell, p. 227. cf. Reitlinger, The SS, Alibi of a Nation, pp. 253-54.

among nations, and contrary opinion was kept from the people by censorship, and also by the terror. For the terror, though abated, continued, and the question still unanswered is, why.

For an answer to this it is necessary to go back to the ideological basis on which the Nazi state was built. Two of the major themes of NSDAP ideology were the Fuehrerprinzip, or leadership principle, and racism, either of which, when carried to any length, require the use of unrestrained force.

The leadership principle as defined by Hitler, called for full and complete control by one man, and a complete absence of any form of criticism.

"One must never admit that the authority of the State and the authority of the Party are two different things. The control of a people and the control of a State have to be combined in one person."<sup>224</sup>

"A nation desires leadership, and once it sees that its chiefs are hesitant about what should be done, then all authority goes by the board....Obviously, then, those in authority must never permit their decisions to be criticized by those subordinate to them."<sup>225</sup>

This kind of authoritarian leadership could permit itself no limits in enforcing and maintaining its authority. It required a ruthless, and constant pressure, and Hitler made this quite clear in his words as well as in deeds. On one occasion he said,

"If you wish to wage war successfully or to lead a people successfully through a difficult period of its history, you must

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<sup>224</sup>Hitler, Hitler's Secret Conversations, 1941-1944, p. 144.

<sup>225</sup>Hitler, Hitler's Secret Conversations, 1941-1944, pp. 390-91.

have no doubts whatever on one point--namely, any individual in such times tries, either actively or passively, to exclude himself from the activities of the community, must be destroyed.

Anyone who for false reasons of mercy deviates from this clear principle is aiding, willingly or unwillingly, the dissolution of the state."<sup>226</sup>

This application of force was not only needed from the standpoint of the leader, but according to Hitler from the very nature of man himself,

"Man is not endowed by nature with the herd instinct, and it is only by the most rigorous methods that he can be induced to join the herd....The social State as such can be maintained only by a rule of iron."<sup>227</sup>

Hitler was to call for disciplined obedience, time and again. He maintained that with individual liberty available men would act "like apes", that to slacken the reins of authority would drive the people down the "road to decadence", that only in disciplined obedience could strength be found. He expressed a firm belief in the "right to apply even the most brutal weapons".<sup>228</sup> As for the continuance of the terror during the apparently peaceful years, a clue may be found in Mein Kampf.

"...only the continuous and steady application of the methods for repressing a doctrine, etc., makes it possible for a plan to succeed. But as soon as force wavers and alternates with forbearance, not only will the doctrine repressed recover again and again, but it will also be in a position to draw new benefit from every persecution....Only in the steady and constant application of force lies the very first prerequisite for success".<sup>229</sup>

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<sup>226</sup> Ibid., p. 421.

<sup>227</sup> Ibid., p. 545.

<sup>228</sup> Ibid., pp. 110, 342-43. cf. Hitler, Mein Kampf, pp. 457, 533.

<sup>229</sup> Hitler, Mein Kampf, p. 171.



Steady and constant it was. And effective it was as well. Only in the face of imminent military disaster was any truly active, potentially dangerous opposition to appear, and that was doomed to failure. Von Hassell complained in his diary that there was no chance of creating any kind of oppositional organization, unless it might be through the Abwehr itself.<sup>230</sup> The Abwehr was used in an attempt to organize some opposition, but before any action could be taken it was dissolved and its top leadership executed for treason. One serious undertaking did penetrate the Nazi government, the so-called "Rote Kapelle" movement, organized in 1940 within the air ministry, but this was not a German resistance movement. It was an espionage organ frankly in the service of Russia. It was cracked in 1942, and mass executions of its members followed almost immediately.<sup>231</sup> As far as a German resistance movement is concerned there was really only one of consequence, and prior to October 1943 it had proved wholly ineffective and had taken no positive action. In October the movement was joined by a man who was to galvanize it into action, Lieutenant-Colonel Graf Schenk von Stauffenberg. A wounded combat veteran who had gone from enthusiasm for Hitler and the party to hatred for all it stood for, von Stauffenberg pushed for the assassination attempt on July 20, 1944, and it

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<sup>230</sup> Von Hassell, The Von Hassell Diaries, 1938-1944, pp. 21-22.

<sup>231</sup> Gerhard Ritter, The German Resistance (London, 1958) p.46.

was he who planted the bomb in Hitler's conference room.<sup>232</sup> However, the bomb failed of its purpose, and the conspirators were rounded up and executed. Gerhard Ritter summed the resistance movement up well when he wrote,

"The history of the resistance movement is the history of a failure. It failed finally because no political power came to its aid from either within or without. It was a revolt simply of conscience. Under the system of totalitarian tyranny there was no chance of organizing a political popular movement of real revolutionary force and from foreign governments there did not come any pledge for the future."<sup>233</sup>

The terror was effective.

Another tenet, as unvaryingly held by Hitler as the principle of leadership, was a bitter, burning, unreasoning anti-Semitism. Hitler's published statements contained much emphasis upon the racial purity of the Aryan, and Aryan superiority, and for the individual far down on the social scale this does have an appeal. If he cannot, by his own efforts, be superior in any other way, it is a salve to the ego to feel that he belongs to a superior race by birth. Much space is devoted to this concept of racial purity and the superiority of the Aryan in the Standard Textbook of the Hitler Youth<sup>234</sup> and Mein Kampf abounds with such statements as the following,

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<sup>232</sup> Ibid., pp. 248-49.

<sup>233</sup> Ibid., p. 313.

<sup>234</sup> "The Nazi Primer, Excerpts from the Standard Textbook of the Hitler Youth," translated by Harwood L. Childs, Harpers, August, 1938, CLXXVII, 240-47.

"All great questions of the day are questions of the moment and represent only consequences of definite causes. Only one among all of them, however, possesses causal importance, and that is the question of the racial preservation of the nation. In the blood alone resides the strength as well as the weakness of man."<sup>235</sup>

"What we must fight for is to safeguard the existence and reproduction of our race and our people, the sustenance of our children and the purity of our blood."<sup>236</sup>

The dark side of this shining coin of purity lies in the questions, a race superior to whom, safeguard the purity of our blood from whom? According to the Nazi it is the Jew. The Jew is blamed for all the economic troubles of the Reich, he is saddled with the blame for the "stab in the back" which lost World War I, he is held responsible for Marxism and the Bolshevik menace. Further he represents a threat to the purity of the blood, as once a Jew has intercourse with an Aryan she can never thereafter bear pure Aryan children as the semen of the Jew has polluted her bloodstream. Such was the diet fed the German people through the Nazi press. They were given something to hate, something upon which to vent their frustrations. Hitler apparently chose to believe much of this arrant nonsense as a pulsing vein of prejudice runs through much of his written work as well as his recorded conversations. Let him put it in his own words,

"It is Jewry that always destroys this (natural) order. It constantly provokes the revolt of the weak against the strong..."

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<sup>235</sup> Hitler, Mein Kampf, p. 338.

<sup>236</sup> Ibid., p. 214.

of quantity against quality....The more we render the Jew incapable of harming us, the more we shall protect ourselves from this danger. The Jew plays in nature the role of a catalysing element. A people that is rid of its Jews returns spontaneously to the natural order."<sup>237</sup>

"One must act radically. When one pulls a tooth one does it with a single tug, and the pain goes quickly away. The Jew must clear out of Europe. Otherwise no understanding will be possible between Europeans. It's the Jew who prevents everything....At the time of the Popes the Jews were mistreated in Rome....For my part, I restrict myself to telling them they must go away. If they break their pipes on the journey I can't do anything about it. But if they refuse to go voluntarily, I see no other solution but extermination."<sup>238</sup>

Extermination it was, an extermination that could not have been undertaken without the services of a terror such as the RSHA headed.

Ihor Kamenetsky, in his study of the resettlement plans that were based on the Nazi racist concepts, finds genocide inevitable as a consequence of the ideology of the NSDAP.

"Though Nazi ideology did not specifically include a positive program of genocide, it had tendencies which, when followed consistently, made such a program inevitable. This ideology resulted in the destruction of moral inhibitions and a perversion of the general concept of humanity. There was a denial of humanity to the Jews and Slavs in Eastern Europe. Further there was a belief in the survival of the fittest as applied to the nations and races of the world...

When certain peoples or races are denied human dignity, when they are placed on the level of animals--or even worse, when they are labelled 'harmful elements' or deadly bacilli'--why should they be treated differently from any other noxious 'biological specimen'?"<sup>239</sup>

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<sup>237</sup> Hitler, Hitler's Secret Conversations, 1941-1944, p. 255.

<sup>238</sup> Ibid., p. 193.

<sup>239</sup> Ihor Kamenetsky, Secret Nazi Plans for Eastern Europe (New York, 1961) pp. 139-40.

Both racism and the Fuehrerprinzip served the Nazis as means to an end, their major goal, a great Reich. Hitler had written early in his career that this would mean a "bloody fight".<sup>240</sup> His drive to the east would involve him and his people in a war with a nation that outnumbered them three to one. He was prepared to risk war with the west, and with a numerically superior enemy there. Success in such a venture would require a total effort. The concept of the Volk, the racial people, served as a basis upon which to build the unity required for such an effort. The Fuehrerprinzip provided a basis from which to mold and direct the unified will of the Volk. Hitler and his followers proposed to raise Germany from its disarmed and weakened state to a position of hegemony in Europe, and to do it quickly. So drastic a change was to call for a total effort, and total control. The Nazi machine was directed inevitably toward war, and Hitler himself had said that a successful war called for a total effort. Those who refrained from participating, who would "exclude themselves from the activities of the community, must be destroyed."<sup>241</sup>

Terror was the goad to get the herd in line, and keep it there. In the preparation for war, terror was a spur to effect swift rearmament. As Hitler later put it,

"The fear of being put into a concentration camp has had a most salutary effect, and it greatly facilitated the gearing up

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<sup>240</sup> Supra., p. 13.

<sup>241</sup> Hitler, Hitler's Secret Conversations, 1941-1944, p. 421.

of the gigantic industrial activity which our rearmament program demanded."<sup>242</sup>

The war, when it came, was apparently not a popular one, as the terror showed a rapid upsurge. When military reverses began to make themselves felt, the tempo of the terror was stepped up, but this time with an undercurrent of fear. Himmler pointed out the danger involved in the large number of imprisoned aliens and called for severe preventive measures.<sup>243</sup> Hitler ordered Himmler,

"...in the event of there some day being reason to fear troubles back at home, to liquidate everything he finds in the concentration camps. Thus at a stroke, the revolution would be deprived of its leaders."<sup>244</sup>

The real, continuing basis for the terror, however, lay in the major goal of the Nazis, the great Reich, and in their plan for achieving this goal through war. It was a policy of total war, first against the enemy within, then with the foreign enemy. For this the Nazis called for total power, total unity, and a total effort.

Karl Wittfogel, who experienced the Nazi regime, has offered the following explanation of the terror:

"Man is no ant. His efforts to escape from freedom show him ambivalently attracted by what he ambivalently abandons. The urge to act independently is an essential attribute of homo sapiens, and a highly complex one. Not all of its components are socially valuable; but among them is man's most precious motivating force: the urge to obey his conscience, all external disadvantages notwithstanding.

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<sup>242</sup>Ibid., p. 454.

<sup>243</sup>U.S., Nazi Conspiracy and Aggression, IV, 559-60.

<sup>244</sup>Hitler, Hitler's Secret Conversations, 1941-1944, p. 25.

Man is no ant. But neither is he a stone. A policy that upholds the rulers' publicity optimum confuses the people's mind, without however eliminating their feelings of frustration and unhappiness. To counter this dangerous trend the...regime resorts to intimidation. Terror is the inevitable consequence,"<sup>245</sup>

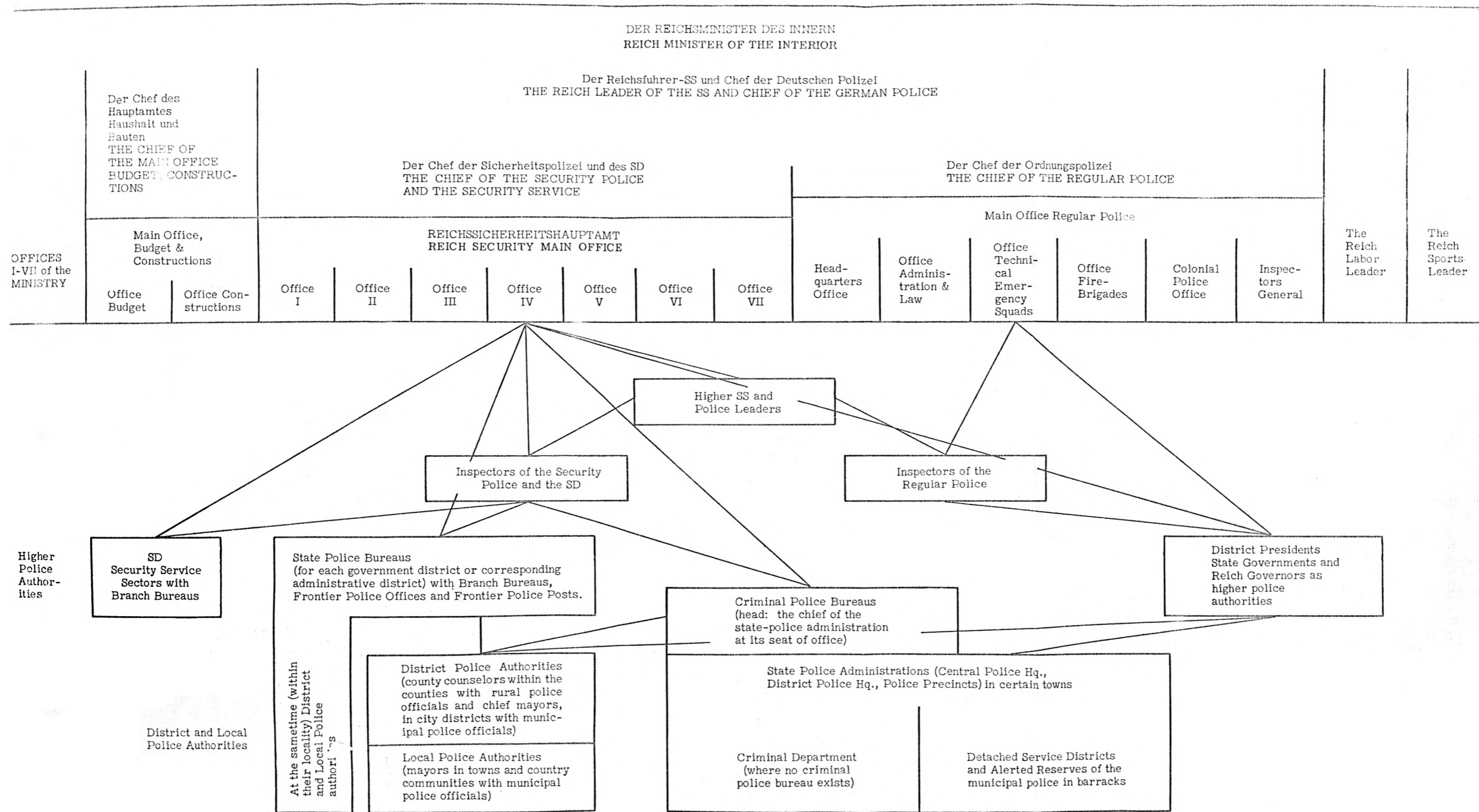
When a regime, such as the Nazi's, demands popular participation, demands at least passive assent to its acts, the distinction between dissent and disloyalty virtually disappears. Wars bring with them restrictions of personal liberty in the interest of the survival of the state and the "disloyal" are dealt with severely. The Nazis built toward a total war effort, and such an effort in the face of a population with no overwhelming enthusiasm for it can be maintained only by the severest methods. The terror was a direct outgrowth of the basic goal of the Nazis and their need for mass support, or at least mass acquiescence in achieving it. And all in the name of the Volk.

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<sup>245</sup> Karl Wittfogel, Oriental Despotism, A Comparative Study of Total Power (New Haven, 1957) p. 137.

# APPENDIX A

(As of Summer 1941)



Translation of chart on page 111 in the book entitled "The German Police" by Dr. jur. Werner Best, SS Brigadier General, published in 1941 by L. C. Wittich Verlag, Darmstadt.

I, Margot Boatwright, X 046273, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1852-PS.

(signed) *Margot Boatwright*  
Margot Boatwright  
X 046273

Presentation No. 77  
SPD-000

Chart 16



# Appendix B

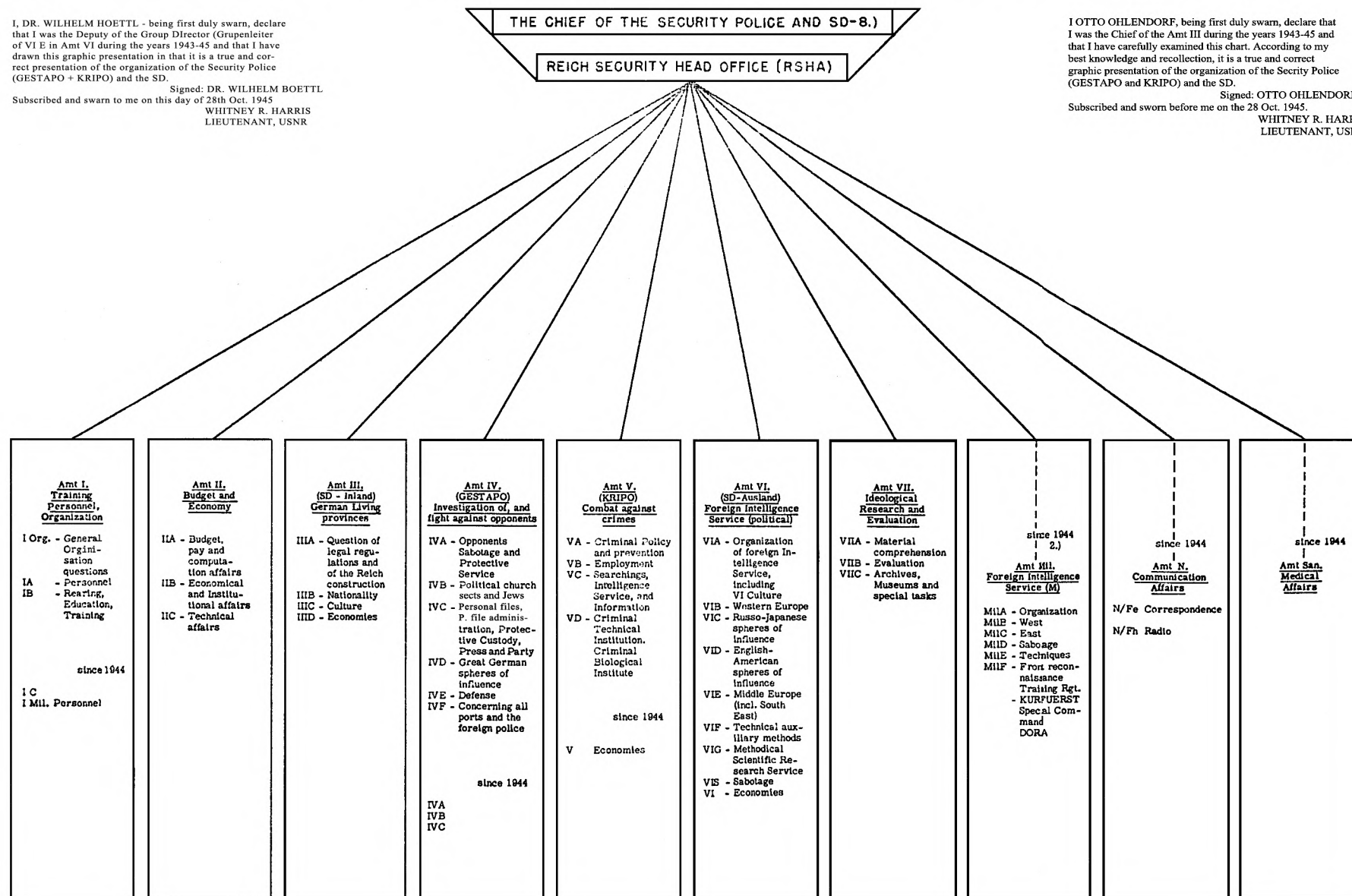
## ORGANIZATION OF THE SECURITY POLICE (GESTAPO AND KRIPPO) AND THE SD 1943-1945

I, DR. WILHELM HOETTL - being first duly sworn, declare that I was the Deputy of the Group Director (Gruppenleiter) of VI E in Amt VI during the years 1943-45 and that I have drawn this graphic presentation in that it is a true and correct presentation of the organization of the Security Police (GESTAPO + KRIPPO) and the SD.

Signed: DR. WILHELM HOETTL  
Subscribed and sworn to me on this day of 28th Oct. 1945  
WHITNEY R. HARRIS  
LIEUTENANT, USNR

I OTTO OHLENDORF, being first duly sworn, declare that I was the Chief of the Amt III during the years 1943-45 and that I have carefully examined this chart. According to my best knowledge and recollection, it is a true and correct graphic presentation of the organization of the Security Police (GESTAPO and KRIPPO) and the SD.

Signed: OTTO OHLENDORF  
Subscribed and sworn before me on the 28 Oct. 1945.  
WHITNEY R. HARRIS  
LIEUTENANT, USNR



## APPENDIX C

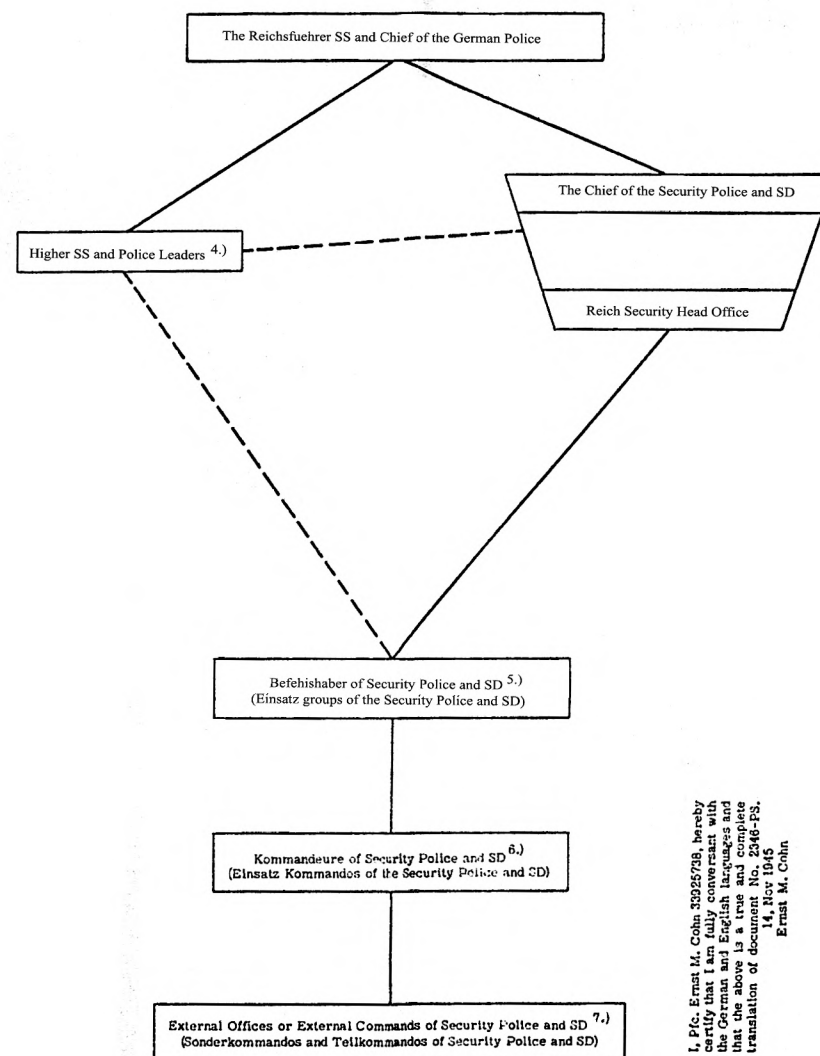
## A. Organization in the Territories of the German Reich



- Direct chain of command.  
 - - - Indirect chain of command, Direct has precedence.  
 - . - Limited power of command, as a rule no positive power of command.

- 1.) Amt IV is identical with the Secret State Police (GESTAPO)
- 2.) Amt VII - originated in February 1944 - is also under the Office Chief (Amtschef) VI (personalunion) since 20 July 1944
- 3.) Toward the end of the war there were likewise Befehlshaber and Kommandeure in almost all Reich territories. The unified form of organization of the Befehlshaber of the Security Police and SD, as in the occupied territories however, had not been executed. The Inspectors became only the Befehlshaber of the Security Police (and not the SD). The offices of the GESTAPO and KRIPD outside of that, were not divided as sections, but remained the same.
- 4.) There also was a "Higher SS and Police Leader" (Italy) as well as SS and Police Leaders under the Higher SS and Police Leaders (in Russia, Croatia Belgium).

## B. Organization of the Occupied Territories



I, Pfc. Ernst M. Cohn 392579B, hereby certify that I am fully conversant with the German and English languages and that the above is a true and complete translation of document No. 2046-PS. 14, Nov 1945  
 Ernst M. Cohn

- 5.) They were only called Einsatz groups in the operation at field and in rear area Army territories. Upon consolidation of the situation (Establishment of the Civil Administration) they became Befehlshaber of the Security Police and SD from the Einsatz groups.
- 6.) Same applies to Einsatz Commands as in 5 above. From the Einsatz commands they then became kommandeure of the Security Police and SD.
- 7.) Similar also were the Sonderkommandos and Teilkommandos, which became the external offices or external commands of the Security Police and SD.
- 8.) The institution of Security Police and the SD had a dual designation. Externally the designation of Chief of the Security Police was used; Internally, Reich Security Head Office.

Chart 19

## APPENDIX D

Eye-witness account of a mass execution by Einsatzgruppen personnel in October, 1942, near Dubno, given in evidence by a German business man, Friedrich Graebe, and quoted in full in Trials of War Criminals before the Nurenberg Military Tribunals (Washington, n.d.) IV, 446-47.

"Moennikes and I went direct to the pits. Nobody bothered us. Now I heard rifle shots in quick succession, from behind one of the earth mounds. The people who had got off the trucks--men, women, and children of all ages--had to undress upon the orders of an SS-man, who carried a riding or dog whip.

"They had to put down their clothes in fixed places, sorted according to shoes, top clothing, and underclothing. I saw a heap of shoes of about 800 to 1,000 pairs, great piles of underlinen and clothing. Without screaming or weeping these people undressed, stood around in family groups, kissed each other, said farewells and waited for a sign from another SS-man, who stood near the pit, also with a whip in his hand.

"During the 15 minutes that I stood near the pit I heard no complaint or plea for mercy. I watched a family of about 8 persons, a man and woman, both about 50 with their children of about 1, 8, and 10, and two grown-up daughters of about 20 to 24. An old woman with snow-white hair was holding the one-year-old child in her arms and singing to it, and tickling it. The child was cooing with delight. The couple were looking on with tears in their eyes. The father was holding the hand of a boy about 10 years old and speaking to him softly; the boy was fighting his tears. The father pointed toward the sky, stroked his head, and seemed to explain something to him. At that moment the SS man at the pit shouted something to this comrade. The latter counted off about 20 persons and instructed them to go behind the earth mound. Among them was the family which I have mentioned. I well remember a girl, slim, and with black hair, who, as she passed close to me, pointed to herself and said '23'. I walked around the mound and found myself confronted by a tremendous grave. People were closely wedged together and lying on top of each other so that only their heads were visible. Nearly all had blood running over their shoulders from their heads. Some of the people shot were still moving. Some were lifting their arms and turning their heads to show that they were still alive. The pit was already 2/3 full. I estimated that it already contained about 1,000 people. I looked for the man who did the shooting. He was an SS man who sat at the edge of the narrow end of the pit, his feet dangling into the pit. He had a tommy gun on his

knees and was smoking a cigarette. The people, completely naked, went down some steps which were cut in the clay wall of the pit and clambered over the heads of the people lying there, to the place to which the SS men directed them. They lay down in front of the dead or injured people; some caressed those who were still alive and spoke to them in a low voice. Then I heard a series of shots. I looked into the pit and saw that the bodies were twitching on the heads lying already motionless on top of the bodies that lay before them. Blood was running down their necks. I was surprised that I was not ordered away, but I saw that there were two or three postmen in uniform nearby. The next batch was approaching already. They went down into the pit, lined themselves up against the previous victims and were shot. When I walked back, round the mound, I noticed another truckload of people which had just arrived. This time it included sick and infirm persons. An old, very thin woman with terribly thin legs was undressed by others who were already naked, while two people held her up. The woman appeared to be paralyzed. The naked people carried the woman around the mound. I left with Moennikes and drove in my car back to Dubno.

"On the morning of the next day, when I again visited the site I saw about 30 naked people lying near the pit-about 30 to 50 meters away from it. Some of them were still alive; they looked straight in front of them with a fixed stare and seemed to notice neither the chilliness of the morning nor the workers of my firm who stood around. A girl of about 20 spoke to me and asked me to give her clothes and help her escape. At that moment we heard a fast car approach, and I noticed that it was an SS detail. I moved away to my site. Ten minutes later we heard shots from the vicinity of the pit. The Jews still alive had been ordered to throw the corpses into the pit; then they had themselves to lie down in this to be shot in the neck."

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AN ANALYSIS OF THE GERMAN POLICE SYSTEM  
UNDER NATIONAL SOCIALISM

by

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Under the Weimar Republic in Germany there was no unified Reich police, only individual police forces under the control of the various states. After achieving power, the National Socialists turned the Reich into a police state, and the world added a new word to its vocabulary; Gestapo. The name came to be associated with an all-pervasive, powerful and centralized police run from the RSHA (Reich Main Security Office) in Berlin. This office headed the units which made up the coercive arm of the Nazi government, an arm that came to be feared throughout Europe because of its terroristic methods.

The centralized terror arm of the Nazis did not just happen. Neither did it develop in accordance with a carefully premeditated plan. It was largely the creature of Heinrich Himmler, and was developed pragmatically, in part out of the needs of the moment, in part out of the basic ideological needs of the party. Its function was not law enforcement but coercion.

Although the Gestapo, and indeed the Nazi regime itself, were deemed by some early apologists to be the ultimate in efficiency, this did not prove to be the case. While the coercive arm of the Hitlerian regime was effective in keeping the active opposition within Germany to a minimum, it was plagued by bitter and sometimes violent personal rivalries among the lesser chiefs. Overlapping of areas of responsibility and duplication of functions were the rule, rather than the exception, and the chain of command was, at best, confusing.

The functions of the forces commanded by the RSHA were to smash opposition to the regime within Germany, to enforce at least a passive assent to the actions of the regime, to silence criticism, to prevent anything which might threaten the party's political power, and ultimately to carry out a vast extermination program.

Its methods were terroristic from the very beginning. The terror arm, as well as the manner of its organizational growth, its functions, and even its inefficiency, were all the necessary result of the Nazi ideology and its aims.

This ideology called for a system of racially based elitism, whereby the Volk could exercise a unified will through the absolute leadership of one man. To perpetuate a system of one man rule, in the absence of a regular system of checks and balances, the lesser chiefs were used to keep each other in check. The Nazis permitted a system of reciprocal supervision by rival agencies to develop in order to prevent any sub-chief from achieving sufficient personal power to threaten the rule of the dictator.

The major aim of the party was to make Germany a great Reich, and establish an hegemony over continental Europe. In view of Germany's weak and unarmed position in 1933, this called first for a total rearmament effort. The second phase was the drive for hegemony in Europe, a drive which called for war with numerically superior enemies and consequently an all-out effort. It was this need for a total effort, for total war, conducted

under the absolute and unquestioned leadership of one man that inevitably gave rise to terroristic methods, and it was this, combined with the racist basis of the Nazi theory of state that led ultimately to the program of extermination.

The centralized police, its manner of growth, and its terroristic methods were all a direct outgrowth of the basic ideology and aims of Hitler's Nazi party.