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OFFICE OF U.S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY

INTERROGATION DIVISION SUMMARY

Interrogation of FRANK, Hans
By: Lt.Col. Hinkel, 1 September 1945, a.m., Nürnberg.

Persons implicated and subjects:

1. HANS FRANK
 - a. Position in German government (p.1-3, 7-8, 20, 21, 18-22).
 - b. Position in Nazi Party (p.4, 5, 6, 18-22).
 - (1) In SS (p.9)
 - (2) In SA (p.9-10)
 - c. Relationship with Hitler (p.11-13, 16-18, 22-24).
 - (1) Attitude towards (p.16-18, 22-26).
2. ADOLF HITLER
 - a. Fuehrer prinzip (p.16 - 18).
 - b. Suppression of opposition elements (p.11-13, 16 - 18).
 - (1) Concentration camps (p.16 - 18, 24-26).
 - (2) Restriction of individual legal rights (p.24 - 26).
 - (3) Impairment of independence of courts and judges (p.24 - 26).
3. MARTIN BORMANN
 - a. Concentration camps (p.11 - 13)
 - b. Relationship with Hitler (p.16 - 18).
4. HEINRICH HIMMLER
 - a. Concentration camps (p.11 - 13).
 - b. Relationship with Frank (p.11 - 13).
5. HANS LAMMERS
 - a. Suppression of freedom of speech (p.22 - 24).

GOVERNMENTAL POSITION

Born 23 May 1900, married, 5 children. Minister without Portfolio since 1934. Special mission during war as Governor General of Poland, i.e: that part of Poland not incorporated in German Reich or under Russians. Seat in Cracow (1 - 3).

RELATION TO NAZI PARTY

Joined Nazi party in 1926. Quit in October 1927 (reason not given). Rejoined at Hitler's request, in order to produce an effect on the court. Offered services to defend Party members without means. At first retained position as professor at School of Technology in Munich, later spent all his time on trials. Hitler agreed to release him if he wanted to return to academic career, but did not keep promise (4 - 5).

MEMBERSHIP IN REICHSTAG

Made member of Reichstag by Hitler. States he did not seek election. Was head of organization of National Socialist law members (6).

BAVARIAN SECRETARY OF JUSTICE

March 1933 - December 31, 1934, when abolished (13). Charged with re-organization of law administration in German lands in Prussia, Bavaria, Saxony, Thuringen, Anhalt-Lippe (about 18 Lands), taken over by Reich 1 January 1935. Served in cabinet of Dr. Guertner, Minister of Justice (7 - 8).

REICHSTAG BUILDING FIRE

Swears he had no connection with the Reichstag building fire. Attended Leipzig trial as visitor. Talking as a legal expert, believes the matter of responsibility not yet cleared up. Speaks of chief accused, van Lubbe, as a completely irresponsible man. Never saw documents, but assumes that they were turned over by Leipzig court to the Gestapo (8 - 9).

S. S.

States he was never a member of SS, was the "strongest opponent", so much so that he claims that that led to his downfall (9).

S. A.

Had honorary title of Obengruppenfuehrer in SA, but never led a troop. Had no duties, merely had right to wear and did wear the uniform (9 - 10).

LEGAL ACTIVITIES

States that in the legal field he opposed Hitler. States that Hitler had given an oath before the Leipzig court that he would come into power legally and would govern legally. Then things took the direction represented by Himmler and Bormann, this "whole development as to concentration camps and so on", with which he came more and more into conflict. In January 1933 Hitler promised to make him Secretary of Justice, but then apparently made up his mind he was too "legally minded". Ran into more opposition by founding the Academy of German law "to maintain the idea of right in Germany." States that even if he could not stop Germany from becoming a "state of terror" he saved hundreds of good men and "dared to get up to say in 1940 that the Reich is going to perish because there is no law". For this he was discharged from all offices except that of Governor General and Reichsminister without Portfolio (20), i.e:

Reichsleiter in Party, President of German Law Academy and head of organization of National Socialist lawyers and judges (21). Tried several times to resign, but this not permitted because it served as a weapon of Himmler against him (11 - 13).

GERMAN LAW ACADEMY

From 1934 on served as president of German Law Academy, worked on an important corporation law - much competition from Minister of Justice and Party, made speeches, had conferences with judges and lawyers (13 - 14).

REICHSLEITER FOR LAW

From 1933 - 1942 held title of Reichsleiter for Law, a small job with office and a few assistants in Munich. Stayed in Party "because it was necessary to stay with the ship if one still sees a goal", i.e., to assist people in need of legal aid and to try "to overthrow Himmler" (16).

CONTACTS WITH HITLER

In period 1929 - 1933, saw Hitler often, especially about authority for trials. Had conflict over Dachau concentration camp, protesting its legality and suggesting its liquidation, but didn't get far - was "sure that Hitler himself himself was behind the idea of concentration camps". Second period was that of Roehm Putsch. Sat with 200 arrested men to avoid their being shot by SS, which made Hitler very furious. Hitler demanded personally that they be handed over "immediately for execution". When he stated that he was without legal authority to hand them over Hitler said: "I am the Fuehrer of all constitutional and political matters in Germany and I take the responsibility..". Finally 18 men were handed over, and Hitler took steps by proclaiming to legalize his action. Frank was then discharged and thereafter no intimate interchange of thoughts with Hitler. Period 1933 - 1939, no official meetings with Hitler - a few times to dinner and at Party meetings. Period 1939 - 1945, saw Hitler 3 times as Governor General: once in 1940, once in 1943, and the last time on 7 February 1944, but Bormann always present to guard ideas of Fuehrer (16 - 18).

MONEY RECEIVED FROM THE GOVERNMENT OR THE PARTY

1927 - 1928: Travel and hotel expenses paid by "the movement".
1929 : 100 marks a month
1930 - May 1945: 600 marks a month, minus 10% for Party fund.
1930 - 33: about 800 marks a month for trial expenses and legal advice.
1933 - 35: 2400 marks a month as Bavarian Minister of Justice.
1935 - 45: 2500 marks a month as Reich Minister without Portfolio.
1935 - 42: 100 marks a month as "support" as Reichsleiter for Law paid by Party
1935 - 42: 1000 and later 1500 marks a month, as President of Academy of German Law, paid as a "public corporation", supported by the Government since about 1938 (18 - 22).

PUBLICATION OF BOOK ON JURIDICAL FOUNDATION OF THE NATIONAL SOCIALISTIC STATE

Written in 1938. A chapter on the "independent judge" (States that he was not allowed to have his speeches published in books or newspapers - Lammers gave

him this order in writing in 1942). Told Hitler that he had been elected on Point 19 of Party Program, that he promised Point 19 (the common law), that although he could not "pose it in such a manner in this book", the "content is in the book".(22 - 24). Wrote book to "bring the idea of justice before the people" (25).

ATTITUDE ON HITLER'S EXTENSION OF POWER INTO DICTATOR FORM OF GOVERNMENT

Says that he opposed this and that it was against the principles of the Nazi Party and the German law as it stood. States that Hitler's election was legal because consented to by the German people by vote, but accuses him of doing away with the independence of the court and judges, the introduction of concentration camps and the loss of individual legal rights (24 - 26).