

LEGAL REFERENCES

## Charter of the International Military Tribunal

Article 6

Article 6 (a)

Article 6 (b)

Article 6 (c)

STATEMENT OF THE EVIDENCE

I. Positions Held

(a) Between 1932 and 1945, defendant Frick held the following positions as charged in the indictment (p. 30):

1. Member of the Nazi Party

\_\_\_\_\_-PS: N.S. Monatshefte (N.S. Monthly ) 1937, p. 346

2. Reichsleiter (Member of Party Directorate)

2381-PS: Der Grossdeutsche Reichstag, p. 211 (1943)

3. Member of the Reichstag, 7 December 1924-1945

2381-PS: Supra

4. Reich Minister of the Interior, 30 January 1933 -

28 August 1943

2381-PS: Supra

\_\_\_\_\_-PS: Das Archiv, August 1943, p. 347

5. Prussian Minister of the Interior, 1 May 1934 - 20 August 1943

\_\_\_\_\_-PS: Volz, Hans: Daten der Geschichte der  
N.S.D.A.P. (Dates of the History of the  
N.S.D.A.P.) (1939) p. 61

\_\_\_\_\_-PS: Das Archiv, August 1943, p. 345

6. Reich Director of Elections, 30 January 1933-20 August 1943

\_\_\_\_\_-PS: Taschenbuch fuer Vernaltungsbeamte (pocket  
guide for government employees) (1943) p.  
20-21

7. General Plenipotentiary for the Administration of the Reich

21 May 1935 - 20 August 1943.

\_\_\_\_\_-PS: Frick's statement of Offices and Positions,  
Nov. 1945

2261-PS: Reichs Defense Act of 4 Sept 1938 (Secret)

2018-PS: Decree of 30 August 1939 (RGB I, p. 1539);  
setting up the Ministerial Council for the  
Defense of the Reich

\_\_\_\_\_-PS: Das Archiv, August 1943, p. 347

8. Head of the Central Office for the Reunification of Austria  
and the German Reich

2207-PS: Decree of 13 March 1938 (RGB I, p. 237),  
Art. III

\_\_\_\_\_-PS: Taschenbuch fuer Verwaltungsbeamte (1943)  
p. 13-14

9. Director of the Central Office for the Incorporation of Sudeten-  
land, Memel, Danzig, the Eastern Incorporated territories,

Eupen, Malmedy, and Moresnot

- PS: Decree of 11 October 1938 (RGB I, p. 1331)  
Par. 8: Sudetenland
- PS: Decree of 14 April 1939 (RGB I, p. 780)  
Par. 14, Sudetenland
- PS: Decree of 23 March 1939 (RGB I, p. 559):  
Memel, Par. 6
- PS: Decree of 1 Sept 1939 (RGB I, p. 1547):  
Danzig, Par. 5
- PS: Decree of 8 Oct. 1939 (RGB I, p. 2042):  
Eastern incorporated territories, Par. 12
- PS: Decree of 23 May 1940 (RGB I, p. 803):  
Eupen, Malmedy, and Moresnot, Par. 5 (1)

10. Director of the Central Office for the Protectorate of Bohemia,  
Moravia, the Government General, Lower Styria, Upper Carinthia,  
Norway, Alsace, Lorraine and all other occupied territories.

- 2119-PS: Decree of 16 March 1939 (RGB I, p. 485):  
Bohemia and Moravia; Art. 13
- PS: Decree of 12 Oct. 1939 (RGB I, p. 2077)  
Par. 8 (1): Government General
- PS: Decree of 12 December 1941 (RGB I, p. 765):  
Norway
- PS: Taschenbuch fuer Verwaltungsbeamte (1943)  
p. 13-14.
- PS: Stuckart and Schiedermair: The New Public  
Law, Vol. II, p. ~~88~~ <sup>a</sup> 86 (1942)

11. Reich Protector for Bohemia and Moravia, 20 August 1943-1945

- PS: Das Archiv, August 1943, p. 347

- (b) Between 1917 and 1945, Defendant Wilhelm Frick held the additional  
following positions:

12. Chief of the Political (later the criminal) Division of the  
Munich Police Department, 1917-1923

- 2381-PS: Der Grossdeutsche Reichstag, p. 211 (1943)

13. Fraktionsfuehrer (Floorleader) of the N.S.D.A.P. in the  
Reichstag, 1927-1945

- 2381-PS: Der Grossdeutsche Reichstag, p. 211 (1943)

14. Minister of the Interior and of Education of the Free State  
of Thuringia, 23 January 1930 - 1 April 1931

- PS: Der Grossdeutsche Reichstag, p. 211 (1943)

15. Member of the Reichs Defense Council, 21 May 1935 - 20 August 1943

- PS: Frick Statement of Offices and Positions,  
Nov. 1945

- 2261-PS: Reichs Defense Act of 4 Sept 1938, Par. 10  
(Secret)

16. Member of the Ministerial Council for the Defense of the Reich, 21 May 1935 to 20 August 1943.

\_\_\_\_\_-PS: Frick Statement of Offices and Positions  
Nov. 1945

2018-PS: Decree of 30 August, 1939 (ROB I, p. 1539)

17. Reichs Minister without Portfolio, 20 August 1943-1945

\_\_\_\_\_-PS: Das Archiv, August 1943, p. 342<sup>7</sup>

II. Promotion of the Accession to Power of the Nazi Conspirators (Count One  
(IV) A and D (1))

Defendant Frick was admittedly one of the men who helped Hitler to power.

\_\_\_\_\_-PS: Frick Interrogation, <sup>9</sup> Oct. 1945,  
14:45 p.m., p. 26

(a) From the very beginning of the Nazi Party and its conspiracy,

Defendant Frick used his official positions in order to hold a  
"protecting hand over the National-Socialist Party and Hitler."

\_\_\_\_\_-PS: Frick's speech before the Munich People's  
Court during the Putsch Trial: "Dr. Wilhelm  
Frick and his Ministry" (Central Publishing  
House of the NSDAP 1937) p. 195

\_\_\_\_\_-PS: Rudolf Hess: Speeches (Central Publishing  
House of the NSDAP 1940) p. 216-17: Frick  
secures Hitler's release from jail after  
his arrest for illegal political activities.

\_\_\_\_\_-PS: Adolf Hitler: Mein Kampf, p. 403 (41st  
Ed. Munich 1933).

(b) For his part in the Putsch of 8-9 November 1923, he was tried with  
Hitler on a charge of complicity in treason, convicted, and received  
a suspended sentence of one year and three months in a fortress.

\_\_\_\_\_-PS: Volz, Hans: Dates of the History of  
the NSDAP (1939) p. 15

(c) Having been elected to the Reichstag on 4 May 1924, he stated that it  
was his task not to "support, but to undermine the parliamentary system".

2742-PS: E.S. Yearbook 1937, p. 124

In the Reichstag he immediately proposed those discriminatory measures  
against the Jews which he enacted after the Nazi conspirators had come  
into power.

\_\_\_\_\_-PS: Frick and his Ministry, p. 192: Frick's motion  
of 27 August 1924 for "Special Legislation for  
all members of the Jewish Race."

\_\_\_\_\_-PS: Our Reichs Government, p. 87: Frick's demand  
of 25 August 1924 for the removal of all  
Jews from public office.

- (d) As Minister of the Interior and Education of Thuringia, from 23 January 1930 to 1 April 1931, defendant Frick was the first Nazi Minister in Germany.

-PS: Frick and His Ministry, p. 196

- (e) Here again he used his official position for the advancement of the aims and ideas of the Nazi conspiracy through propaganda and through measures designed to establish Nazi control over the police, and over administration and teaching of universities and schools.

-PS: Volz, Hans, op. cit. p. 28

-PS: Our Reichs Government (1936) p. 90: Hitler's letter to Frick praising his contribution in Thuringia.

### III. Establishment of Totalitarian Control over Germany (Count One, IV (D) 2 and 3

(a), (b), (c), (1) and (2))

- (a) Frick's appointment as Reichsminister of the Interior in the first Hitler Cabinet of 30 January 1933 gave him the task of "strengthening the power of the government and to secure the New Regime."

-PS: Our Reichs Government (1936), p. 92.

As he had repeatedly announced in the years before, he was ready to establish the power of the conspirators with terror and violence.

2513-PS: Confidential Report on Frick's speech of 18 Oct. 1929, Police Division, Prussian Ministry of Interior, 1930

L-821: Affidavit of Gehart H. Seger, 21 July 1945, p. 9

- (b) His first act was to order the overthrow by force of all independent State Governments, mainly with the use of the SA and SS.

-PS: Frick and his Ministry, p. 199

-PS: Volz, Hans: op. cit., p. 50-51

He then proceeded to the destruction of all opposition parties.

See: Brief on "Acts Done in Carrying Out the Conspiracy. A--The Acquiring of Totalitarian Control of Germany: Political", pages 1, n, and o.

- (c) He drafted the law of 24 March 1933 which gave the Reichs Regierung the power to legislate by decree. This law marked the end of parliamentary government in Germany.

2001-PS: Law to Relieve the Emergency affecting Nation and Reich of 24 March 1933 (RGBl, p. 141).



- (d) As a further step in the same direction, Frick prepared a series of laws which destroyed all State and local self-government. Through these laws, all governmental power was consolidated in the Reich Government. Administration of these laws was placed in the hands of defendant Frick.

2004-PS: Temporary Law for the coordination of the States with the Reich of 31 March 1933 (RGBl, p. 153).  
2005-PS: Law for the Coordination of the States with the Reich of 7 April 1933 (RGBl, p. 173).  
-PS: Law of 30 January 1934 (RGBl, p. 75), transferring the sovereignty of the States to the Reich.  
-PS: First ordinance under the law of 30 January 1934 subjecting State legislation to Reich approval, 2 February 1934 (RGBl, p. 81).  
2007-PS: Second Reichs Governor law of 30 January 1935 (RGBl, p. 65).  
2008-PS: German Municipality Act of 30 January 1935 (RGBl, p. 49).  
-PS: Frick and his Ministry, p. 19-21.  
-PS: Law of 14 Feb. 1934 (RGBl, p. 89) abolishing the Reichsrat.

- (e) Frick proceeded to draft the laws which abolished the independence of the Civil Service, including functionaries of the Reich and the States, judges, and university teachers.
- (f) The Reichsministry of the Interior was charged with the administration of these laws.

1397-PS: Civil Service Act of 7 April 1933 (RGBl, p. 175) providing in Pars. 3 and 4 for the elimination of civil servants on the basis of religious or political beliefs.  
1398-PS: Supplementary Civil Service Act of 20 July 1933 (RGBl, p. 518).  
-PS: Frick and his Ministry, p. 19.

- (g) This complete subjection of the civil servants to the Ministry of the Interior was well illustrated by an order of Defendant Frick demanding a report on civil servants who had failed to vote in the Reichstag elections of 29 March 1936.

Doc. D-43:EWCE (SS). Official Circular dated 26 May 1936, referring to Frick's Order.

- (h) The centralization of all governmental power in the Reich Government went hand in hand with measures which assured the control of the Nazi Party over the State. Defendant Frick was again responsible for ~~the~~ drafting and administering these laws, in order to "place

the government machinery. . . at the disposal of the Party."

- 1395-PS: Law to Secure the Unity of Party and State of 1 December 1933 (RGBI, p. 1016), providing that all government agencies should "lend legal and administrative aid to the Party agencies."
- 1388-PS: Law of 14 July 1933 (RGBI, p. 479) prohibiting all other parties.
- 2002-PS: Law of 1 August 1934 (RGBI, p. 747) consolidating the positions of Chief of State and Leader of the Party.
- PS: Frick and his Ministry, p. 20-21, 61, 62-63.

- (i) Having thus taken possession of the government machinery, the Nazi conspirators built up a huge police system in order to maintain their power against all opposition. Defendant Frick was placed in charge of the entire police forces and all their activities:

- 1379-PS: Decree of 17 June 1936 (RGBI, p. 467) creating a German Police and making Himmler its Chief under Frick.
- 647-PS: Hitler Order, dated 17 August 1938 regulating the functions of the SS which "have entered into close connection with the duties of the German Police" in the Ministry of Interior.
- 1638-PS: Ministry of Interior Decree, dated 11 November 1938, providing for cooperation of all authorities with SD and RSHA.
- 1551-PS: Order of Himmler, dated 26 June 1936, authorizing Security Police Chief Heydrich and Regular Police Chief Daluge to sign "by order of the Minister of the Interior."
- 1852-PS: Dr. Werner Best: The German Police (1941) chart facing page 110, showing that the RSHA is under the jurisdiction of the Minister of Interior.

- (j) As a result, the Police and the SS became in fact merged under Frick's jurisdiction.

- 1637-PS: Himmler's order of 23 June 1938, providing that police officers may be employed by the SS while remaining in the SD.

Before the decree of 17 June 1936 all police forces, the regular police as well as the Gestapo, were in the hands of the states. Even then defendant Frick had complete control over them through the Reichs Governor Act which subjected the State Governments to the authority of the Reichs Government, in the person of the Reichs Minister of the Interior.

- 2005-PS: Law of 7 April 1933 (RGBI, p. 173)
- L-82: Decrees of 26 April 1933, 30 Nov. 1933, 10 Feb. 1936 on the organization of the Gestapo.

On the basis of this authority Frick gave orders to the various  
S  
State Gestapo officers.

- 1498-PS: Order of Frick, dated 6 Nov. 1934, addressed inter alios to Prussian Gestapo prohibiting the publication of Protestant Church announcements
- 1482-PS: Secret circular from Frick, addressed inter alios to Prussian Gestapo subjecting Catholic Youth Organizations to severe restrictions.
- 779-PS: Directive by Frick, regulating "protective custody", dated 12 April 1934

Thus defendant Frick, as Minister of Interior, must bear full jurisdictional responsibility for the criminal acts perpetrated by the police, especially the RSHA, the SD and the Gestapo. For details of these criminal acts see:

- Brief on "The SS"
- Brief on "The Gestapo and SD"

In reliance on this vast police organization, defendant Frick prepared and administered a series of laws for the suppression of all internal opposition.

- 1963-PS: Law of 4 Feb. 1933 (RGBl, p. 35) limiting the Freedom of Assembly and of the Press
- 1390-PS: Law of 28 February 1933 (RGBl, p. 83) limiting the Freedom of Speech and abolishing the Inviolability of the Person
- L-302: Ordinance under law of 28 February 1933, dated 12 April 1934 (in Voelkischer Beobachter for 14 April 1934)
- 1388-PS: Law on the confiscation of property inimical to Nation and State of 14 July 1933 (RGBl, p. 479)

Defendant Frick also signed two laws designed to suppress all criticism and opposition to the Government and the Nazi Party.

- 1652-PS: Decree against treacherous attacks on the government of the National Revolution, 21 March 1933 (RGBl, p. 135)
- 1393-PS: Law against treacherous attacks on State and Party, 20 December 1934 (RGBl, p. 1269)

Defendant Frick also signed the laws which brought about the suppression of independent labor unions, as a potential source of opposition inside Germany to the progress of the Nazi conspiracy.

- 405-PS: Law on the trustees of labor, 19 May 1933 (RGBl, p. 285)
- 1861-PS: Law on the Regulation of National Labor, 20 January 1934 (RGBl, p. 45)
- 1770-PS: Law on Factory Representatives, 4 April 1933 (RGBl, p. 161)
- 1403-PS: Law of 9 Dec. 1937 (RGBl, p. 1333) providing for the confiscation of all labor union property in favor of the German labor front



For the same reason defendant Frick, and his subordinates, took an active part in the persecution of the independent churches.

- 1498-PS: Order of Reichs Minister of Interior, dated 8 November 1934 prohibiting the publications of Protestant Church announcements
- 1482-PS: Circular letter from Frick to Reich officials imposing severe restrictions on Catholic Youth Organizations
- R-101: Correspondence of SD, dating from 1940 to 1942, Re: Confiscation of Church Property
- 680-PS: Letter by Frick, to heads of Agencies, dated 5 May 1938 proposing methods for invalidating the Concordat between Austria and the Holy See

#### IV. Promotion of Racism and Racial Persecution

(Count One IV (D) 3 (d))

##### (1) Persecution of the Jews.

Defendant Frick took charge of the legislative and administrative program through which the Nazi Conspirators sought to wipe out the "non-Aryan" part of the German population. Here again he drafted and administered the basic legislation.

- 1416-PS: Reichs Citizen Law of 15 Sept. 1935 (RGBl, p. 1146) depriving Jews of their citizenship rights
- PS: Law for the protection of German Blood and Honor of 15 Sept. 1935 (RGBl, p. 1146) prohibiting mixed marriages
- 1397-PS: Civil Service Act of 7 April 1933 (RGBl, p. 175) Par. 3 providing for the elimination of "non-Aryan" government workers.
- PS: Frick and his Ministry, p. 18, 22

The anti-Jewish pogroms of 9 November 1938 were organized in the Ministry of the Interior.

- 374-PS: Series of secret teletype orders by Heydrich.

The pogroms gave the Nazi conspirators occasion to proceed to the complete elimination of the Jews from economic life and the confiscation of most of their property.

- 1662-PS: Decree of 12 Nov. 1938 (RGBl, p. 1580)
- 1409-PS: Decree of 3 Dec. 1938 (RGBl, p. 1709)

Defendant Frick had expressly demanded and had been assured full participation in the administration of the <sup>de</sup> laws during the liberations preceding their issuance.

- 1816-PS: Minutes of conference on confiscation of Jewish property, 12 Nov. 1938, p. 19.

After the outbreak of the war Heydrich issued an order in defendant's name, compelling all Jews to wear a Yellow Star in public.

2118-PS: Decree of the Minister of Interior, 1 Sept. 1941 (RGB I, p. 547)

Finally defendant Frick issued the 13th Ordinance under the Reich Citizen Law. By this law the Jews were deprived of all legal protection and completely handed over to the jurisdiction of the police.

1422-PS: Ordinance of 1 July 1943 (RGB I, p. 372)

The State Secretary in the Ministry of Interior characterized this legislation as essential preparation of the "final solution of the Jewish question".

\_\_\_\_\_-PS: Stuckart and Schiedermaier: Race and Heredity laws in the Legislation of the German Reich (1943), p. 14

## (2) Racism

The Public Health Service was administered as a division of defendant Frick's Ministry. One of its sub-divisions was devoted to race and heredity problems.

\_\_\_\_\_-PS: Taschenbuch fuer Verwaltungsbeamte (1943) p. 16

In his capacity as chief of this service defendant Frick drafted the basic law controlling sterilization of persons afflicted with "hereditary diseases".

\_\_\_\_\_-PS: Law of 14 July 1933 (RGB I, p. 529)

Its administration was completely in the hands of his department.

D-181: Circular referring to Frick Ordinance of 23 Aug. 1936 regulating application of law of 14 July 1933 to party members.

L-305-20a and 27: Correspondence Re: Compulsory sterilization on orders of Ministry of Interior of all descendants of colored occupation troops.

Going still further, the Ministry of Interior took actual charge of the killing of insane, sick and aged persons.

1696-PS: Correspondence with Ministry of Interior showing unexplained deaths of insane persons.

1969-PS: Correspondence with Interior Ministry. Re: Killing of Insane Persons.

1556-PS: Report dated Dec. 1941, naming Defendant Frick as one of the originators of secret law authorizing the killing of sick and aged persons.

V. Preparation for War

(Count One, IV (D) 3 (e)(f), (F) 1. and 2., Count Two)

Defendant Frick as Reichs Minister of the Interior was "the 'civilian' Defense Minister and as such cooperated prominently. . . in the important field of 'defense legislation' and thereby in the development of . . (Germany's) armed forces".

\_\_\_\_-PS: Frick and his Ministry, p. 23

His Ministry had a division entitled "~~Armed Forces~~ and Reichs Defense".

*Lehrbuch für Wehrdienstverpflichtete, 1933, p. 15-18*  
\_\_\_\_-PS: ~~Handbook of the German Reich (1936) p. 116~~

Thus, he took a leading part in Germany; secret re-armament in violation of the Versailles Treaty which, he admitted, started at least as early as October 1933.

\_\_\_\_-PS: Frick Interrogation, 9 October 1945, 14:45 p.m., p.3

He drafted the basic laws on Military service.

1654-PS: Law of 16 March 1935 (RGB I, p. 369)

\_\_\_\_: Interrogation of Frick, 6 Sept. 1945, p.11

1389-PS: Law of 26 June 1935 (RGB I, p. 769), setting up a compulsory Labor Service to be administered by the Ministry of Interior.

He also signed the following laws:

1667-PS: Decree of 6 March 1936 (RGB I, p. 132) Extending Military and Labor service to German citizens abroad.

1600-PS: Decree of 16 June 1938, extending Military service to Austria (RGB I, p. 634)

He was actively concerned in the training program of the SA, which, he admitted on interrogation, was of a purely military nature.

\_\_\_\_-PS: Frick Interrogation, 9 Oct. 1945, 14:45 p.m. p. 4 - 5.

1850-PS: Conferences, 1933, calling for the financing of the Military Training of the SA from Ministry of Interior funds

Dog. D- 44: BWGB (N.S.) dated 25 July 1933 referring to an order of Frick prohibiting public mention of SA activities likely to be construed as violations of Versailles Treaty.

Defendant Frick's principal contribution to the war preparations of the Nazi conspirators lay in his role as General Plenipotentiary for the administration of the Reich. He occupied this position as a member of the Reichs Defense Council, since 21 May 1935.

2261-PS: Reichs Defense Act of 4 Sept. 1938 (Not published) par. 3.

-PS: Frick, Statement of offices and positions, November, 1945.

As such he had complete authority over all departments of the government, with the exception of the military and the economic. He was responsible for all planning activities of these Ministries in preparation of war, during the more than 4 years that elapsed before the actual launching of the conspirators' first aggressive war.

-PS: Frick Interrogation, 13 Oct. 1945, p.9-10.

Thus it may well be stated that the so-called Three-Men Committee, consisting of defendant Frick (Administration), defendant, Shacht, and later Funk (Economy), and defendant Keitel (OKW), under the chairmanship of defendant Goering, which was empowered to legislate by decree, represented during these decisive years, from 1935 to 1939 the real fountain-head of the conspirators' preparations for war.

L-67: Frick's lecture of 7 March 1940 on "The Administration in Wartime"

See: Brief on "The Reichs Cabinet" (part 5)

#### VI. War Crimes

(Count Three)

The Ministry of the Interior under defendant Frick was charged with the administration of all occupied and annexed territories. For this purpose it contained a Division for Incorporated Territories, and Sub-Divisions entitled Reorganization in the South-East, the Protectorate, the East and the West.

-PS: Decree of 30 January 1935 (RGBl p.66), Saar

2307-PS: Decree of 13 March 1938 (RGBl p.237), Austria

-PS: Decree of 23 April 1938 (RGBl, p.407), Austria

-PS: Decree of 14 April 1939 (RGBl, p.777), Austria



- PS: Decree of 1 Oct. 1938 (RGBI, p.1331),  
Sudetenland
- PS: Decree of 14 April 1939 (RGBI, p 780),  
Sudetenland
- PS: Taschenbuch fuer Verwaltungsbeamte (1943)  
p. 13-14

Defendant Frick was specifically charged with the reorganization and integration of Allied Territories annexed by the Nazi conspirators during the progress of the war.

- 2119-PS: Decree of 16 March 1939 (RGBI, p.485) Art.13:  
Bohemia and Moravia
- PS: Decree of 23 March 1939 (RGBI, p. 559) par.6:  
Remel
- PS: Decree of 1 Sept 1939 (RGBI, p.1547) par.5:  
Danzig
- PS: Decree on the Incorporated Eastern Territories, 8 Oct 1939 (RGB I, p.2042) Par. 12
- PS: Decree of 12 October 1939 (RGB I, p.2077)  
Par. 8(1): Government General
- PS: Decree on the Reunion of Eupen, Malmedy,  
and Moresnet with the Reich, 23 May 1940  
(RGB I, 803) Par. 5 (1)
- PS: Decree of 12 December 1941 (RGB I, p. 765):  
Norway
- PS: Stuckart and Schiedermaier: The New Public  
Law (1942) Vol. II, p. 86)

Defendant Frick appointed governors for these territories.

- PS: Appointment of Arthur Greiser as governor  
of Poznan Province in 1939 (Interrogation  
of Arthur Greiser, 1 June 1945, PHB/SAIC/12)

Finally, defendant Frick had complete charge of the program of denationalization, under which certain groups of citizens in annexed territories were forced to abandon their original national allegiance and to accept German nationality.

- PS: Decree of 14 Oct. 1941 (RGB I, p. 648):  
Upper Carinthia and Lower Styria.
- PS: Decree of 23 May 1940 (RGB I, p. 803) Eupen,  
Malmedy, and Moresnet.
- PS: Decree of 20 Jan. 1942 (RGB I, p. 40):  
Incorporated Eastern Territories.
- PS: Stuckart and Schiedermaier: The New Public  
Law (1942) p. 86.

VII. Crimes against Humanity

(Count Four)

As supreme head of the entire German Police Administration, defendant Frick bears full responsibility for the crimes and atrocities perpetrated by the German police, especially the RSHA inside and outside of Germany.

See: Part III of this brief, Supra

1643-PS: Documents showing Frick's participation in the confiscation of land for the establishment of the Auschwitz Extermination Camp.

As administrative head of the occupied territories, defendant Frick issued decrees depriving their inhabitants of their rights and subjecting them to a cruel and discriminatory regime.

2864-PS: Decree of 4 December 1941 (RGB I, p. 759), establishing a special penal law for the Polish and Jewish inhabitants of the Government General.

R-96: Documents showing the history of the Decree of 4 December 1941.

1249-PS: Ordinance of 1 June 1942 issued under the Decree of 4 December 1941.

1422-PS: Decree of 1 July 1943 (RGB I, p. 372), taking the Jews out of the Decree of 4 December 1941 and depriving them of their remaining rights.

-PS: Himmler Ordinance of 3 July 1943, under Decree of 1 July 1943, charging Gestapo with execution of that Decree (published in Frick's Ministry of Interior Gazette, 1943, p. 1085).

Similarly, the Decree on the utilization of Eastern Workers, which required that they be paid salaries substantially below those fixed for German workers on the same jobs, was signed in Frick's name by his Secretary of State.

-PS: Decree of 30 January 1942 (RGB I, p. 419).

Having taken such an important part in the execution of the conspirators' program of atrocities, defendant Frick had to admit, on interrogation, that he could properly be charged with having continued in the Cabinet, after he saw what was being done to the Jews and other people.

-PS: Frick Interrogation, 9 Oct. 1945, 14:45pm, p. 25

On 25 August 1943, defendant Frick was appointed Reichs Protector in Bohemia and Moravia.

-PS: Das Archiv, August 1943, p. 347

His authority in that office as "Representative of the Fuehrer in his capacity as Chief of State" was defined in a secret decree by the Chief of the Reichs Chancellery.

1366-PS: Decree of 29 August 1943, in Budget of the Reichs Protector for 1944, Introduction.

In his capacity as head of the German administration in the Protectorate, he must bear the responsibility for the criminal acts committed by his administration.

### ARGUMENT AND CONCLUSION

Defendant Frick's essential contribution to the development and temporary success of the Nazi conspiracy reaches back to its very inception. He gave aid and protection to the conspirators when they were still weak. He supported them in their attempt to come into power by force, expecting to gain high office from their success. He was the first to carry their revolutionary program from the Beer Hall to the Reichstag Rostrum. As their earliest important office-holder (in Thuringia), he developed for the first time their methods of political and intellectual control.

Upon the accession to power of the Nazi conspirators on 30 Jan 33, he took over the vital Ministry of Interior. From this position he directed the realization of the entire domestic program of the conspiracy. He took complete charge of the successive destruction of the parliamentary system, of State and local self-government, and of the independent civil service. He planned and executed the measures which subjected the government itself to the domination of the Nazi Party. He then proceeded to establish a huge Reichs Police Force which became from that time on the means by which the Nazi conspirators terrorized and ultimately "liquidated" all opposition inside and outside Germany in concentration and extermination camps.

In order to give the semblance of law to the criminal acts of the conspirators, defendant Frick drafted legislation to subvert the liberties and rights which they had determined to wipe out. He participated in the relentless and violent persecution of all persons and groups who were considered as actual or potential opponents of the conspirators' plans. Among these were the churches, the free trade unions, and especially the Jews.

Having secured absolute control over Germany for the conspirators, Defendant Frick proceeded to bring the German people and State into readiness for the Wars of Aggression, planned by the conspirators. He established the system of military and labor service on which the



Wehrmacht was to rest. And he took over the planning of Germany's civilian wartime administration, which was to back it up.

As the Nazi conspirators began to achieve their predatory aims, Defendant Frick took charge of the territories and peoples which fell into their hands. He presided over the annexation of territories and the denationalization of their inhabitants in violation of the Hague Conventions. When the conspirators were ready to proceed to the realization of their ultimate goals, especially the complete enslavement and annihilation of conquered populations, defendant Frick devised the basic legislation for their disfranchisement and finally took personal charge of one of the oppressed nations, Czechoslovakia.

Thus, the defendant was one of the principal artisans of the conspiracy in all its thoroughness and viciousness. His contribution to its progress was essential in all of its phases, decisive in many. He nurtured the conspiracy, directed its followers, terrorized its opponents, and destroyed its victims. On this record rests his guilt.