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HERMANN GOERING AS A WAR CRIMINAL

Preliminary Memorandum for use in the Preparation of a Trial  
Brief on Hermann Goering as a War Criminal

Washington

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## PREFACE

In this study it is intended to list the major types of crimes for which Hermann Goering can be indicted, sub-divided into more specific types. Thus, the major type of "domestic crimes" is sub-divided into three more specific types: crimes committed through the Gestapo, crimes connected with the purge of June 1934, and participation in anti-Jewish persecution. In each case, an attempt will be made to outline a) specific acts constituting the type of crime in question, and the evidence available or still needed for proving such acts; b) the basis for Goering's responsibility for the commission of such acts, including positions held relating to crimes involved, decrees, orders, and other documents bearing on his jurisdictional responsibility, and statements by Goering and others showing his responsibility; c) the law applicable to the type of crimes in question; d) the weaknesses, if any, in evidence of responsibility or specific crimes.

In certain respects, notably concerning the particulars of specific acts constituting crimes and evidence referring to such acts, material is being collected in separate studies, to which reference has been made in the text. These comprise memoranda on:

- a) Specific cases of Gestapo victims (Foreign Nationalities Branch)
- b) The organizational responsibility of the Gestapo (Central European Section)



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- c) The bearing of the leadership principle upon criminal responsibility of Nazi leaders (completed in Central European Section)
- d) The Nazi conspiracy to dominate Germany and the world (Central European Section)
- e) The validity of Nazi legislation (Central European Section)
- f) The purge of June 1934 (appended)
- g) Economic crimes (Central European Section)
- h) Labor crimes (Central European Section)
- i) Goering's Art Activities (appended)

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I. DOMESTIC CRIMES

A. Crimes committed through the Prussian Police, in particular the Gestapo

1. Crimes committed

Crimes for which Hermann Goering can be indicted include the following acts:

Arrest, without bringing to trial, of political opponents, such as Communists and Social Democrats;

Keeping such persons in concentration camps for an indefinite time;

Putting persons in concentration camps and detaining them there after they had been acquitted by the court, or after they had served their legal penalty;

Maltreatment, through physical abuse, torture, mental cruelties, and similar means, of persons before or after delivery to concentration camps;

Killing of persons, either outside concentration camps (e.g., when arrested and allegedly resisting arrest or attempting to escape, or during interrogations in police headquarters) or during detention in camp.

Specific cases in which such crimes occurred, with names of victims, description of circumstances, and indication of available evidence, will be supplied.<sup>1</sup>

2. Criminal responsibility

Goering's responsibility derives from his position. It is corroborated by his own statements and admissions.

1. See special memo: "Violation of Domestic German Law."

a. Jurisdictional responsibility

Goering was appointed Prussian Minister of the Interior on 30 January 1933. As such, he was also chief of the Prussian Police from the day of his appointment until 17 June 1936, when police affairs were taken over by the Reich and were no longer under the jurisdiction of the various States.<sup>1</sup>

As police chief, Goering's jurisdiction was limited to Prussia, which was, however, the largest and most populous state in the Reich.

Most of the crimes referred to above, under A, 1, were committed by members of the Secret State Police (Geheime Staatspolizei or Gestapo), a separate branch of the Prussian Police which Goering created immediately following his appointment as Prussian Interior Minister.<sup>2</sup> The Gestapo was formally organized by a Prussian law of 26 April 1933 and an executive decree by Goering of the same date.<sup>3</sup> These legislative acts, together with subsequent laws and decrees, among which the law of 10 February 1936 and the executive decree of the

1. Edict concerning the Establishment of a Chief of the German Police in the Reich Interior Ministry, 17 June 1936 (RGBl., I, 487).
2. See Hermann Goering: Aufbau einer Nation (Berlin, 1934), in particular pp. 87-88: "For weeks I personally worked on this transformation and eventually created myself, upon my own initiative and decision, the Secret State Police Office, that institution of which the enemies of the state are so much afraid...."
3. Preussische Gesetzessammlung, 1933, p. 122; Ministerialblatt fuer die innere Verwaltung, 1933, I, 503.

same date<sup>1</sup> finally regulated the matter, established the Gestapo as a separate branch of the police, immediately under Goering as "Chief of the Secret State Police" (art. 2 of the law of 10 February 1936). These acts assigned to the Gestapo the very broadly defined functions of a political police (art. 1 of the same law: "investigation and suppression of all tendencies endangering the State"), transferred to it the administration of the concentration camps (art. 2, para. 4, of executive decree of 10 February 1936), conferred upon it broad jurisdictional powers over other authorities, gave it a separate budget (art. 13 of the same decree), and exempted measures and decisions of the Gestapo from judicial review (art. 7 of the law of 10 February 1936). Direct management of the Gestapo was undertaken by the Deputy Chief (art. 2, para. 2, of the same law), a position held first by Diels, and after 20 April 1934 by Heinrich Himmler, who, until 17 June 1936 when the entire Reich police was put under his immediate direction, acted in Prussia under Goering.<sup>2</sup>

All the decrees and laws referred to, which bear on Goering's jurisdictional responsibility, are published in

1. Preussische Gesetzessammlung, 1936, pp. 21-22.

2. Details on the structure of the Gestapo may be found in a separate paper on the jurisdictional responsibility of the Gestapo.

official statute books which have the force of evidence in court. No further evidence to this effect is necessary.<sup>1</sup>

Goering's responsibility for the activities of the Prussian Gestapo derives from the fact that he was its leader.<sup>2</sup> It would be up to him to prove that in a specific case the crime committed by the Gestapo and within the framework of its usual activities was against his orders or directives. On the contrary, it can be shown from a number of statements made by Goering himself that he assumed specific responsibility for whatever the Gestapo, and even more generally the police as such, including its other branches, did under his jurisdiction.

b. Goering's own admissions

The statements made by Goering reveal that he not only knew and approved of whatever the police did but even admonished, exhorted, and ordered his subordinates to commit criminal acts for which he declared himself ready to take full and personal responsibility.

In his Aufbau einer Nation, quoted above, Goering stated that he himself gave the police the order to proceed violently against Communists and Marxists, assuring the reckless of his protection while threatening lenient officials with dismissal.<sup>3</sup> He continued: "At that time I declared before

1. The concept of leadership responsibility according to Nazi theories and practice has been treated in a separate paper. See special paper on "Judicial Notice in German and French law." Op. cit., p. 86.

thousands of racial comrades: Each bullet which now leaves the barrel of a police gun is my bullet. If this be called murder I have been a murderer; I have ordered all this. I back it up, I take full responsibility for it and I am not afraid."<sup>1</sup> He stated that through the vast net of information services of the Gestapo he was "daily, one could almost say, hourly" informed about the last details of what happened in Prussia.<sup>2</sup>

1. Ibid., pp. 86-87.

In the light of these very frank statements, it seems that reports on certain other statements in the British press of February 1933 are credible. Goering is reported to have issued a secret order to the police, according to which "the activities of subversive organizations are ... to be combatted with the most drastic methods.... Police officers who in the execution of these duties use their firearms will be supported by me without regard for the effect of their shots; on the other hand, officers who fail from false considerateness may expect disciplinary measures .... Every official must constantly bear in mind that failure to act is more serious than errors committed in acting." (London Times and Manchester Guardian, 21 February 1933). About the same time, during an address to high police officials, after enjoining strictest secrecy, because he knew that many of his instructions "conflicted with the present rights and laws of the Reich and its member states," Goering is supposed to have assured "every official who follows my instructions may be sure of my absolute protection. It is not his business to ask if his office may not be found guilty afterwards of transgressing the Constitution. There will be no attorney and no judge to punish an official for following the new course." He also stressed that it was not the business of the police to inquire into what happened in the SA headquarters: "Even if weapons are piled mountain-high in these houses, no police official has anything to seek there" (Manchester Guardian, 27 February 1933). Thus, in addition to acts of commission, Goering committed crimes by omission, by preventing the police from fulfilling its duty to protect persons against attacks by the SA.

2. Ibid., p. 88.

Discussing the concentration camps, Goering stated that immediately upon their establishment thousands of political opponents were arrested and placed there without trial. He admitted that such "excesses" as beatings and other brutalities had occurred and that even innocent persons had from time to time been affected.<sup>1</sup> He concluded with a statement that in Prussia he, and he alone, bore responsibility: "Here, the purest kind of leadership principle was introduced."<sup>2</sup>

Similar statements may be found in Goering's speeches.

He said the following at Frankfurt a.M., on 3 March 1933:

These gentlemen must understand one thing: I have no intention to conduct a mere defensive fight in the bourgeois manner and with bourgeois timidity. No, I will give the sign to attack on the whole line. My measures will not be sicklied over by any legalistic doubts. Nor will they be sicklied over by bureaucratic hesitancy. Here, it is not justice which I have to exercise: here I have only to annihilate and to destroy - nothing else-.... And you, messieurs Communists, in order that you may draw no false conclusions, know that I with my Brownshirts am carrying on a fight to the death and in this fight I will put my fist in your necks .... I am not disturbed when certain critics sanctimoniously excite themselves over the measures which I have taken and cry aloud for more justice. I measure with two measures.<sup>3</sup>

In a speech before Prussian Police officials, Berlin

7 February 1933, he said:

You shall act; that is always better than inaction. In this case, if you follow my principles, you shall be

1. Ibid., p. 89.

2. Ibid., p. 97.

3. Translated from Erich Gritzbach (ed.): Hermann Goering, Reden- und Aufsätze (Munich, 1942), pp. 27-28.



backed up by me fully and entirely. And have no doubt about this: As long as possible we intend to apply ordinary means, but if conditions require it, we shall use all means and we shall not hesitate to use the heaviest weapons."<sup>1</sup>

He told an Essen audience in March 1933:

I am told that I ought to set the police to work. Certainly I shall set the police to work and ruthlessly wherever anyone attempts to harm the German people. But I refuse to admit that the police is a troop for the protection of Jewish stores. No, the police protects anyone who walks honestly in Germany; but the police is not there to protect usurers.... The account shall be settled.<sup>2</sup>

I would rather shoot, sometimes too short or too far provided only I shoot.<sup>3</sup>

That detention in concentration camps was considered as a means of "punishment," whenever the law itself did not provide legal penalties, is shown by a statement contained in a speech in which Goering spoke of vivisection:

I have forbidden vivisection in Prussia with immediate effect and have put it under punishment, that is, for the time being, and until the law itself puts it under severe penalty, under the punishment of being thrown into concentration camp.<sup>4</sup>

Goering stressed the importance of the Gestapo in a speech to the Prussian State Council, 18 June 1934:

What importance the new state attributes to this new institution you may see from the fact that the Minister President (i.e., Goering) has put this branch of administration directly under himself, because of the fundamental importance of observing all tendencies which are

1. Ibid., p. 17.

2. Voelkischer Beobachter, 12-13 March 1933.

3. Frankfurter Zeitung, 12 March 1933 (quoted in N.H. Baynes: The Speeches of Adolf Hitler, 1942, vol. 1, p. 221).

4. Radio Speech, 28 August 1933 (Gritzach, op. cit., p. 84).



directed against the new state.<sup>1</sup>

On the other hand, Goering once expressly stated that killing was lawful only after "due process of law" and thus appeared to condemn as illegal the acts for which he had declared he would take full responsibility:

May everybody, friend or foe, know that in Germany a man is put to death only after the court has sentenced him to death and the Führer has confirmed the sentence. In Germany only one man decides over life and death: the Führer. Nobody else has such a right. Anybody, any agency, whether of state or Party, intrudes upon the most sacred right of the Führer if it would intrude here ...."<sup>2</sup>

These statements have been published in the daily press or in books published in Germany. If contested, witnesses who can testify as to the actual making of oral statements or the reliability of the printed source will have to be supplied. If possible, witnesses who can confirm that Goering made the alleged confidential statements referred to in footnote 1 p. 5 above should be looked for among higher Prussian police officials in office during early 1933.

### 3. Motives for the crimes committed

Goering's political motives in committing the crimes dealt with here are clear. Suppression of political opposition by force and violence was one of the cardinal points of the Nazi conspiracy to seize power in Germany, and

1. Gritzbach, pp. 102-103.

2. Speech at Vienna, 26 March 1938 (Gritzbach, op. cit., pp. 350 ff.).

the one which they started to implement and act upon as soon as they came to power.<sup>1</sup> This political motivation is also apparent from such of Goering's own statements as the one quoted above ("I ... am carrying on a fight to the death and in this fight I will put my fist in your necks," etc.). That all of Goering's actions at that time were motivated by his desire to favor his own party and combat the opposition by "measuring with two measures" can be seen from an Executive Decree of 10 February 1933<sup>2</sup> which Goering as Prussian Minister of the Interior issued in connection with a Reich decree of 4 February 1933.<sup>3</sup> The latter had provided for sharp restrictions of the freedom of speech, assembly, and the press. In his executive decree Goering directed the authorities subordinated to him to apply this decree in a way which would "take into consideration the motives and aims behind contraventions"; he made clear what he meant by this when he continued to explain that the Reich decree was not intended to "create obstacles to parts of the population which are backing the government of national resurrection." This meant ordering the police and other authorities to apply the decree only against opposition parties, a directive clearly violating the then still existing principle of the Weimar Constitution concerning equality before the law. It is evidence of

1. See special paper on the Nazi conspiracy.
2. Ministerialblatt fuer die preussische innere Verwaltung, 1933, I, No. 8.
3. Decree of the Reich President for the Protection of the German People, 4 February 1933 (RGBl., I, 35).

Goering's political motivation of measures resorted to in his official capacity.

4. Law applicable

German criminal law valid at the time of the commission of such acts contains penal provisions applicable to them.

These include:

Homicide (Verbrechen und Vergehen wider das Leben, art. 211-222 of the German Penal Code), including first degree murder (art. 211: Wer vorsaeztlich einen Menschen toetet, wird, wenn er die Tat mit Ueberlegung ausgefuehrt hat, wegen Mordes mit dem Tode bestraft), second degree murder (art. 212: Wer vorsaeztlich einen Menschen toetet, wird, wenn er die Tat nicht mit Ueberlegung ausgefuehrt hat, wegen Totschlages mit Zuchthaus nicht unter fuenf Jahren bestraft), manslaughter (art. 222: Wer durch Fahrlaessigkeit den Tod eines Menschen verursacht, wird mit Gefaengnis bis zu drei Jahren bestraft);

Assault and battery (Koerperverletzung, art. 223-233 of the German Penal Code), e.g., art. 223: Wer vorsaeztlich einen andern koerperlich misshandelt oder an der Gesundheit beschaedigt, wird wegen Koerperverletzung mit Gefaengnis bis zu drei Jahren oder mit Geldstrafe bis zu eintausend Mark bestraft.

Crimes infringing upon personal liberty (Verbrechen und Vergehen wider die persoenliche Freiheit, art. 234-241 of the German Penal Code), e.g., art. 239, par. 1: Wer vorsaeztlich und widerrechtlich einen Menschen einsperrt oder auf eine andere Weise des Gebrauches der persoenlichen Freiheit beraubt, wird mit Gefaengnis oder mit Geldstrafe bis zu zweitausend Mark bestraft.

Such other provisions as, e.g. slander and libel (Beleidigung, art. 185-200 of the German Penal Code, may also be applicable. Many of the provisions referred to are

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qualified if committed by officials (Verbrechen und Vergehen im Amte, art. 331-359).

The problem arises as to the validity of certain laws and decrees enacted by the Nazis which, explicitly or implicitly, exempt certain agencies like the Gestapo from the legal limitations of the penal law, such as those regarding personal liberty. This problem will be taken up in a separate study on the validity of Nazi laws.<sup>1</sup>

5. Comment

Evidence with respect to Goering's criminal responsibility for domestic crimes committed through the Prussian police, in particular the Gestapo, is stronger than in most other counts for his indictment. Cases of specific acts committed in the material time abound. They are clearly illegal, at least as far as victims have been killed or otherwise maltreated, according to German penal law valid at the material time. Goering's responsibility is utterly clear from decrees and similar documents as well as his own statements. His motives are likewise clear.

One particular defense on Goering's part might, however, be anticipated. It relates to the jurisdiction of the court over the type of crimes here discussed. The

I. "Violation of Domestic German Law."

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defense might possibly object to a non-German court assuming jurisdiction over crimes committed in Germany against German nationals by a German. In rebuttal, it might be stated that the court, composed by members of the four occupying powers, exercised those sovereign rights of jurisdiction in Germany which have been transferred to the four occupying powers by the fact of debellatio. (See the Four Power Declaration published 6 June 1945 concerning the four occupying powers' assumption of full governmental authority over Germany, including all powers possessed by the Reich government and any state, municipal, or local authority. This declaration would seem to include judicial powers.) The court would thus constitute an agency of the actual sovereigns of Germany, i.e., in effect be a "German" court.

B. Crimes committed in connection with the purge of June 1934

1. Crimes committed

In the period of 30 June to 2 July 1934, a number of persons were put to death without resort to normal forms of criminal procedure by order of the Nazi Government, partly by the police, partly by the SS and other Party formations. The victims were largely SA leaders and other members of the Nazi Party but included a number of non-Party figures drawn particularly from conservative and Catholic circles. Some

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were shot following summary trials by improvised courts martial. Others were shot without even the form of a trial. Among the victims were a number who were put to death in Berlin and other Prussian places. These included (all non-Party figures):

Ministerial Director Dr. Erich Klausener, leader of Catholic Action in Germany

Edgar Jung, a friend of Fritz von Papen

Senior Councillor von Bose, likewise a friend of von Papen  
von Detten, head of the Office for Religious Peace in Germany

Gregor Strasser, former collaborator of Hitler who had broken away from the movement prior to 1933

Dr. Voss, Strasser's lawyer

Details concerning these cases, including particular circumstances of their death, names of witnesses, etc., are to be found in a special paper on crimes committed during the June 1934 purge.

## 2. Goering's responsibility

### a. Positions held relative to crimes involved

Goering, who played a major role in the suppression of the alleged "treasonable conspiracy," owed this role mainly to his position as high Party leader and personal friend of Hitler, but also to his official position as

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Minister President (since 11 April 1933) and police chief (since 30 January 1933) of Prussia. That is why Hitler, who went to Munich to take charge of the purge there personally, gave Goering the commission to take corresponding measures in Berlin and elsewhere in Prussia.

Evidence: Hitler's speech before the German Reichstag on 13 July 1934, in which he sought to render account for the measures taken, and in which he stated the following:<sup>1</sup>

"Meanwhile Minister President Goering had previously received from me the commission that if I proceeded to apply a purge he was to take similar measures at once in Berlin and in Prussia. With an iron fist he beat down the attack on the National Socialist State before it could develop."

b. Goering's own statements

Goering himself confirmed having received and carried out this commission, and admitted that he had proceeded on his own responsibility to extend it in the direction of increased severity against such non-Party figures as General von Schleicher, killed on 30 June. In a statement to the press on 2 July, he said:

Several days ago, he (i.e. Hitler) gave me the order to attack (zuschlagen) upon his watchword; he thus conferred executive power upon me .... I have enlarged my commission ("ich habe meine Aufgabe erweitert") and carried a stroke also against these malcontents (i.e., Schleicher, et. al.).<sup>2</sup>

1. Translation from Baynes: Hitler's Speeches, vol. 1, p. 321.
2. Frankfurter Zeitung, 2 July 1934.

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It thus appears that Goering himself assumed wholesale responsibility for what had happened in Prussia, his sphere of jurisdiction. This overall assumption of responsibility would seem to put the burden of proof on him in case he should contest his responsibility for one or the other specific case. This is shown by his own admission that "excesses" had occurred for which those responsible should be punished; in a speech before the Prussian chief prosecutors on 12 July 1934, he stated:

Insofar, and if, however, excesses have occurred, they must be punished without consideration of person.<sup>1</sup>

Thus, except insofar as they may have been specifically disavowed and punished, all actions taken in connection with the purge of 1934 in Prussia are clearly Goering's responsibility.

### 3. Motives for the crimes committed

If it should be decided that Goering is to be indicted for the assassinations of the non-Nazis involved, the motivation for the crime committed would have to be established in each specific case. This would be fairly easy in the cases of the friends of von Papen, such as Jung, who had been the author of von Papen's Marburg speech, a speech which had encountered the anger of the leading Nazi group.

1. Quoted in Gottfried Neesse: Das Gesetz zur Sicherung der von Partei und Staat (Dresden, 1934), p. 83.

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4. Law applicable

The acts committed are punishable as murder according to art. 211 of the German Penal Code, unless they were legally justified by the law of 3 July 1934,<sup>1</sup> which declared that measures taken on 30 June, 1 July, and 2 July 1934 in order to repress treasonable attacks were "justified by a state of necessity" ("sind als Staatsnotwehr rechtens"). This question will be discussed below.

5. Rebuttal of a possible defense

It may be presumed that the defense will bring forward the following plea, in an attempt to prove that Goering's actions during the material time were legally justified.

According to official explanation at that time,<sup>2</sup> the purge action had been undertaken in repression of a treasonable attempt on the part of those persons shot, which could be suppressed only by resort to direct action. This alleged self-defense against a forcible overthrow of the Nazi regime was, moreover, declared as legally valid and justified through the act, adopted by the Reichstag after this body had heard Hitler's explanation, which has been referred to above and which declared all measures taken for the repression of treasonable attacks as "justified through necessity."

This plea can be refuted by proving that the specific

1. RGBL., I, 529.

2. See Hitler's Reichstag speech quoted above.

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cases for which Goering will be indicted in this connection had nothing to do with the alleged treasonable conspiracy but were cases in which the purge action was taken as merely an advantageous occasion to get rid of certain political opponents. It would thus appear unnecessary to prove that the alleged conspiracy did not exist, or that the Act of 2 July 1934 cannot be considered as valid, or at least as able to excuse the defendant.<sup>1</sup> It appears from the text of this law ("measures for the repression of treasonable acts," i.e., not measures not connected with the alleged treason) as well as Goering's statement concerning "excesses" which should be punished,<sup>2</sup> that the excuse was put forward only for acts connected with the "conspiracy." In the other cases of deaths occurring during the purge the official explanation was either suicide or forcible resistance to arrest.<sup>3</sup>

The prosecution will therefore merely have to show

- a) that in the specific case there was neither suicide nor an attempt on the part of the victim to resist arrest, and
- b) that the killing was in the specific case motivated by certain political reasons. (Both these points will be discussed in a special paper on the June 1934 purge.)

1. On the validity of the excuse based upon the 2 July law, see special paper on validity of Nazi laws.

2. See above.

3. See special paper on the June 1934 purge.

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## 6. Comment

If Goering is to be indicted for his participation in the June 1934 events it would appear desirable to select for the indictment a case, or such cases, which most clearly show the motive of the crime and in which witnesses for the actual commission of the crime including all surrounding circumstances are still available. The best case would seem to be that of the murder of Klausener. Reference is made to the appended memo on the June 1934 purge, especially pp. 8-9.

## C. Participation in Anti-Jewish Persecution

### 1. Crimes Committed

The crimes in this category comprise the whole range of persecutions which, according to a preconceived plan, resulted in the physical extermination of a large part of German and non-German European Jews. The crimes include the various acts -- ranging from libel and battery to outright murder -- through which this program was executed.<sup>1</sup>

The specific cases of such acts, with names of victims, description of circumstances, and indications of available evidence will be supplied.

### 2. Goering's Responsibility

Goering's responsibility for what the Nazi regime did to Jews is founded upon two kinds of action: the first was his participation as a leading member in the movement which conceived and systematically put into practice the plan to

1. See special memo: "The Persecution of the Jews."

destroy the Jews; the other was his more specific participation in what may be called the economic annihilation of the Jews, which preceded physical annihilation as a preparatory measure.

a. Responsibility for Economic Annihilation

Goering's responsibility in this respect derives (a) from his position as high Party leader and Prussian police chief, and (b) from his position as Commissioner for the Four Year Plan, to which he was appointed by a decree by Hitler of 18 October 1936.<sup>1</sup>

Economic measures designed to deprive Jews of the possibility of engaging in business activities, to deprive them of their property, and to achieve similar purposes began with the Nazi-arranged boycott of Jewish businesses on 1 April 1933. Here, Goering contributed to its success by preventing the Prussian police from protecting Jewish property against the attacking SA. Goering's admission of having restrained the police has been quoted above in connection with a discussion of his crimes as chief of the police.<sup>2</sup> In addition, pictorial evidence from a contemporary Nazi newsreel is available.

Later measures were mainly in the form of decrees enacted by Goering in his capacity as Commissioner for the

1. RGBl., I, 887.

2. See above, I, A, 2, b.

Four Year Plan. The decree of 18 October 1936<sup>1</sup> conferred upon Goering almost unlimited authority to take any measures in the field of economy. Among the decrees issued by Goering on the basis of this authorization are the following:

Decree of 26 April 1938,<sup>2</sup> enjoining Jews to submit a complete inventory of their properties and to register it. This was preparatory to more outright steps of expropriation.

Three decrees enacted on 12 November 1938,<sup>3</sup> following a Nazi arranged anti-Jewish pogrom of 11 November 1938. Evidence that this pogrom was carefully "arranged" by the highest Nazi leadership is available. It was used in order to start a concerted action of finally eliminating Jews from any commercial, professional, and similar activities in which they were still allowed to engage. One decree imposed a "fine" of one billion Reichsmarks upon German Jews, because of their alleged collective responsibility for the murder, by a Polish Jew, of a member of the German Embassy at Paris, which had preceded the pogrom. The second decree obliged Jews who had suffered property damage through the pogrom, to repair it at their own expense, and confiscated their insurance claims in favor of the Reich. The third decree, the most far-reaching, provided for the elimination of Jews from economic activities, enjoining them, for instance, to close retail shops and handicraft establishments and forbidding them to open such businesses. These measures were later extended to other economic activities.

A second decree concerning property registration, of 24 November 1938,<sup>4</sup> enabled various ministries to take measures necessary to safeguard the utilization (Einsatz) of registered Jewish property "in accordance with the interests of German economy." This act led to a decree by Frick, on the basis of which Jews could be obliged by the authorities to cease business activities which they were still allowed to engage in at that time.<sup>5</sup>

A third decree concerning property registration, of

1. See above.

2. RGBl., I, 414.

3. RGBl., I, 1579-1581.

4. RGBl., I, 1668.

5. Decree of 3 December 1938 (RGBl., I, 1709).

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21 February 1939<sup>1</sup> placed an obligation upon Jews to deliver gold, silver, and other valuables to certain Reich agencies which could "buy" them at a price fixed at their discretion.  
Two decrees concerning war damage compensation<sup>2</sup> deprived Jews of claims to such compensation.

Goering is further responsible for a decree issued under his authority by Koerner, one of his delegates in the Four Year Plan Office. This decree regulated labor conditions of Jews conscripted for slave labor in a discriminatory and exploitative manner:

Decree of 3 October 1941<sup>3</sup> and executive decree of 31 October 1941,<sup>4</sup> stipulating that Jews sent to work by the authorities were under special legal and factual conditions, which then were fixed in detail.

These measures were extended to whatever country the Nazis invaded, annexed, or occupied. Thus, Goering is responsible for the following decrees:

Austria

Decree concerning property registration of Jews of 26 April 1938.<sup>5</sup>

Decree of same date prohibiting transfer of title.<sup>6</sup>

1. RGBl., I, 282.
2. Decrees of 30 November 1940, (RGBl., I, 1547), and 20 July 1941, (RGBl., I, 437).
3. RGBl., I, 675.
4. RGBl., I, 681.
5. RGBl., I, 414; similarly for the Sudetenland is the decree of 12 December 1938 (RGBl., I, 1703).
6. RGBl., I, 415.

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Poland

Decree of 17 September 1939 which permitted confiscation of the property of Polish Jews in Poland and in Greater Germany.<sup>1</sup>

Yugoslavia

Decree of 25 May 1941, which froze all Jewish accounts and assets and authorized Goering's Delegate General for Serbian Economy to take executory measures.<sup>2</sup>

b. General responsibility for anti-Jewish policies

Most of the non-economic measures taken against Jews cannot be directly assigned to Goering in any one of his administrative capacities. There is, however, an over-all responsibility which derives from his general position in the Nazi movement and the Party. His statements show that he approved of the Nazi anti-Semitic program as a whole and that he used all his power and influence to contribute to its execution.

Thus, in his Aufbau einer Nation,<sup>3</sup> after having stated the Nazi theory on Jews and Jewry in its usual form, he continues:

The solution of the Jewish question has not yet been reached. Whatever has happened so far has been done in a state of necessity in the interest of our own people; it was a reaction against the ruin which this race has brought upon us.

1. RGBl., I, 1270. Extended to the Protectorate of Bohemia and Moravia by decree, likewise signed by Goering, of the same date (Verordnungsblatt des Reichsprotectors, 25 October 1940).
2. Verordnungsblatt des Militaerbefehlshabers in Serbien, 1941.
3. p. 91.

In 1935 Goering, in his capacity as President of the Reichstag, was instrumental in having the so-called Nuremberg Race Laws adopted by that body. In a speech before the Reichstag in which he advocated the passage of these bills, he said:

God has created the races. He did not want equality, and therefore we energetically reject any attempt to falsify the concept of race purity by making it equivalent with racial equality.... This equality does not exist. We have never accepted such an idea, and therefore we must reject it in our laws likewise....<sup>1</sup>

Immediately after the Anschluss Goering, in a speech at Vienna on 26 March 1938, denied Vienna the right to call itself a "German city" because of the great number of Jews living there: "Where there are 300,000 Jews, one cannot speak of a German city." He emphasized that Vienna had to become a German city again. "by which he meant the elimination of the Jews." But this, he stated, must not be done by "wrong steps or stupid measures" but "entirely systematically and with deliberation." "As Commissioner for the Four Year Plan, I therefore commission the Reich Governor in Austria together with the Reich Plenipotentiary to take quietly all measures necessary for the expert transformation of the Jewish economy, i.e., the Aryanization of business and economic life, and to execute this program according to the laws but without mercy."<sup>2</sup>

1. Speech of September 15, 1935 (translated from Gerd Ruehle: Das Dritte Reich, vol. 1935, Berlin 1936, p. 257).

2. Translated from Gritzbach, op. cit., pp. 348-49.



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It would appear that on the basis of the measures actually taken by Goering in the economic field and on the basis of his general participation in the top leadership which planned and organized the entire anti-Jewish program, his responsibility for specific crimes committed in the course of the execution of this program can be assumed as long as he is not able to prove that in a specific case he disapproved and tried to countermand the act.

3. Law applicable

Insofar as the acts were committed in Germany, German law is applicable. Reference is made to details given above under I, A, 4. Insofar as acts occurred outside Germany, for instance in Poland where many murders of Jews were perpetrated, the penal law valid in the country concerned would seem applicable to those immediately committing the crime there. As far as the planners and organizers are concerned, it would, however, appear justified to apply German penal law to them, since the major plans and policies were devised in Germany. Goering belongs to these planners and organizers.

4. Comment.

While Goering's responsibility for economic measures taken against Jews is clear from the laws and decrees issued under his own signature, these measures in themselves are not so easily defined as punishable crimes. In order to convict Goering on the count of anti-Jewish measures, it would seem

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to be necessary to indict him for his participation in devising and executing the over-all program of extermination of Jews. Whether the anti-Semitic statements quoted above would in themselves be sufficient for such conviction seems doubtful. If possible, additional evidence as to his participation in the over-all planning should be looked for.

Goering himself now claims that, although certain measures against Jews were necessary, he disapproved of later, radical measures (See Interrogation by Seventh Army Interrogation Center, 19 May 1945).

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II. CRIMES CONNECTED WITH THE CONDUCT OF THE WAR

(MILITARY OPERATIONS)

A. Indiscriminate Bombing

1. Crimes connected

A great number of persons were killed and injured and properties were destroyed or damaged in connection with the indiscriminate bombing of non-military objectives by Goering's Luftwaffe. Examples of this type of action are the bombing of Warsaw in September 1939, of Rotterdam in May 1940, and of numerous English cities, above all London, from the summer of 1940 on.

Specific cases in which civilians were killed during such raids should be listed, with indication of exact circumstances, evidence, etc. For instance, if the Rotterdam incident should be selected for indictment, it would be necessary to provide for the following evidence:

Exact time and duration of the attack  
Exact time of the coming into force of the cease-fire agreement said to have preceded the attack  
Personalities of Dutch citizens killed in the attack, including names of witnesses of deaths, etc.  
Exact circumstances of the death of persons killed in the attack.

2. Goering's responsibility

In order to prove Goering's responsibility for such acts two different things must be shown:

- a) His participation in the planning and execution of aggressive and indiscriminate air warfare, and
- b) His jurisdictional responsibility for the bombardment in the specific case for which he is indicted.

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a. Participation in planning and over-all operation

His responsibility in this respect derives from his official positions and can also be corroborated by his statements.

i. Official positions

Goering, entrusted by Hitler with aerial rearmament, i.e., the creation of the Luftwaffe and the preparation of air warfare, upon the Nazi accession to power was first made Reich Commissar for Aviation (2 February 1933) then Reich Minister for Aviation (5 May 1933), a position created as of that date. Upon its face, this ministry was supposed to deal with civil aviation only, in view of the fact that the disarmament stipulations contained in the treaty of Versailles had not yet been openly denounced. After the repudiation of these stipulations in March 1935, Goering was made Commander of the Air Forces (1 March 1935), in which capacity he created the tremendous air force Germany possessed at the outbreak of the war.

ii. Goering's statements

Statements show that prior to the war Goering's activities were directed toward creating a weapon, not for defense, but for aggressive air warfare. Thus, on the occasion of the swearing-in of 1,000 Air Force officers in Berlin on 20 May 1936, he said:

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I repeat: I intend to create a Luftwaffe which, if the hour should strike, shall burst upon the foe like a chorus of revenge (wie ein Chor der Rache). The enemy must have a feeling of being lost already before even having fought....<sup>1</sup>

An indication of Goering's intention to use the Air Force as an instrument of wholesale destruction of the enemies' cities is contained in the Nazi moving picture, Feldzug in Polen, which should be produced as evidence. This picture, which describes the German campaign in Poland in September 1939, concludes with scenes of the bombing of Warsaw. Toward the end Goering's voice is heard, whereupon the picture fades out into an imaginary bombardment of London.

b. Responsibility for specific cases of bombardments

Goering's position as Commander in Chief of the German Air Force would seem to prove prima facie that he ordered extensive aerial operations such as the "Battle of London" or an entire campaign, which could only constitute part of the over-all operational planning of the war. Thus, if crimes connected with such campaigns be selected for indictment, no further immediate proof would seem to be required on the part of the prosecution.

On the other hand, if cases connected with individual incidents not forming part of an over-all campaign, such as the bombing of Rotterdam, be selected, additional proof would be required to the effect that Goering actually ordered

<sup>1</sup>. Translated from Gritzbach, op. cit., 242.

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the bombardment. Witnesses and/or documents proving such orders should be supplied.

c. Weaknesses in evidence concerning responsibility for bombings

If acts connected with real air "campaigns" are selected for indictment, no difficulty will be encountered with regard to proving Goering's responsibility for ordering and operating the campaign (see above). In this event, however, the defense may be expected to put forward a twofold argument: In certain cases, such as the bombing of Warsaw, that actual bombardments on the part of the Luftwaffe were limited to military objectives or, having contained such objectives refused to surrender after an ultimatum, and were bombed only after such refusal. Second, that in other cases, such as the bombing of English cities, these bombings constituted permitted retaliation against indiscriminate bombing of non-military objectives first started on the part of the Allies.

Thus, should acts connected with such campaigns be selected, both kinds of assertion would have to be disproved by corresponding evidence.

On the other hand, if individual incidents like Rotterdam are selected for indictment, it has to be proved, first, that the incident occurred actually on orders by Goering or

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at least that, knowing of their preparation, he did not countermand them; this proof would have to be made through witnesses from participants of the bombing force which executed the bombing, each one testifying to corresponding orders from superiors, up to Goering. Second, it would have to be proved that the incident occurred actually after the agreement to cease hostilities.

If such evidence can be had, Rotterdam might present the best case for indictment, because there would be no need to show that the attack as such was illegal, that there was no "retaliation," etc. Goering's statement to the effect that the Rotterdam fire brigade did nothing to prevent the spreading of the fire (see Seventh Army Interrogation Center, 19 May 1945), would seem to be immaterial as regards his responsibility.

### 3. Law applicable

Indictment would be for murder under the penal law of the respective country -- in the case of Rotterdam, for instance, the Dutch penal code. Article 25 of the Hague Regulations on Land Warfare forbids bombardment, "by whatever means," of undefended places, and thus prevents such bombardments from being justified by the law of warfare.

### B. Use of V-weapons

#### 1. Crimes committed

Crimes committed by the use of the so-called V-weapons toward the end of the war are similar to those committed

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through indiscriminate bombing. Specific cases of murders committed through the use of the V-weapons should be supplied, with the necessary evidence.

2. Goering's responsibility

Goering, as chief of the Luftwaffe, was in charge of the first stage of V-weapon operations, namely, those connected with V-1, the so-called "robot bomber." Later stages of V-weapon operations, however, were not under Goering but under a certain Waffen-SS formation. Evidence: Available in Order-of-Battle Branch of War Department.

Since the first phase of V-weapon operations was under Luftwaffe jurisdiction, Goering's over-all responsibility, as in the case of the air-raid campaigns, would thereby be established, because these operations constituted a long-range campaign which could not have been planned and put into practice without the participation of the chief of the Luftwaffe. There would be no necessity of showing that individual bombings were ordered by him personally.

Evidence of Goering's responsibility for V-weapon operations may be found in a British interrogation of a German Field Marshall of the German Air Force, captured on 4 May 1945.

3. Law applicable

Reference is made to what has been said in this connection above.<sup>1</sup> V-1, by its very nature, could technically  
1. See II, A, 3.



not be utilized against specific military objectives and thus clearly involved indiscriminate bombing.

4. Possible defense

The defense may be expected to object, however, that these weapons were only used as means of retaliation ("V" standing for Vergeltungswaffe, retaliation weapon), i.e., that their use was justified as retaliation against Allied "terror" bombing of German cities. This assertion has to be disproved by showing that Allied bombing was itself retaliatory to the indiscriminate bombing started by Goering earlier in the war.

C. Illegal Treatment of Allied Military Personnel

1. Crimes committed

Numerous incidents involving treatment of Allied military personnel in violation of rules of international law, such as treatment of prisoners of war in violation of the Geneva Convention concerning Prisoners of War, have occurred in the course of the war. A specific instance which might be used for indictment here concerns the shooting and killing on orders by Goering, of Allied airmen who had escaped from a PW camp at Sagan. Evidence in such specific cases should be supplied by the War Crimes Commission.

2. Goering's responsibility

In order to indict Goering on such counts it is necessary to prove one of two things. It must be proved either that such

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measures were decided upon on the highest level of military command, in which Goering took part (e.g., meetings of the three chiefs of the High Commands of Army, Navy, and Air Force, or meetings between Hitler and Goering and possibly others); or that such measures were resorted to by the Luftwaffe in a way which proves that they resulted from a general policy, i.e., were not unauthorized incidents.

No such evidence has yet been supplied.

Indications that Goering may not have been averse to applying such measures can be had from certain statements. Thus, in a speech of 30 January 1943 he said that the German soldier fighting in the East "must know that only the principle of brute force (das Gesetz der Haerte), and it alone, is here valid."<sup>1</sup> In a speech in 1940 he threatened to kill fifty French airmen for each German parachutist who might be killed as a war prisoner.<sup>2</sup>

### 3. Law applicable

If such violations of the rules of war be considered as punishable crimes to be imputed to individuals responsible for ordering and/or executing them, the law applicable is either the thus newly established international rule or the penal law of the country in which the crime has been committed.

1. FCC: Daily, 1 February 1943.

2. New York Times, 29 May 1940.

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4. Comment

So far, evidence for Goering's responsibility for such acts is insufficient. He should be indicted on such counts only if two types of evidence are supplied: First, evidence with regard to actual incidents, with necessary witnesses, etc., and second, evidence regarding Goering's responsibility, e.g., orders showing his implication in the specific act.

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III. CRIMES COMMITTED AGAINST THE POPULATION OFOCCUPIED COUNTRIES

War crimes committed during occupation against the population of Nazi-occupied territory range all the way from such economic and financial measures as expropriation, deportation, exploitation, and maltreatment of workers used by the occupant, to shooting of civilian hostages, collective reprisals, and wholesale extermination of entire categories of the population.

Among the innumerable crimes committed by the Nazis in this respect, Goering takes a conspicuous part in two of the categories mentioned: the economic exploitation of occupied Europe and the enslavement of foreign labor. His jurisdictional responsibility in these two fields derives in the main from two of his positions: his post as Commissioner for the Four Year Plan, in which capacity he headed and directed the vast and ramified machinery of the Four Year Plan Office;<sup>1</sup> his post as chairman of the Ministerial Council for the Defense of the Reich, which was established at the outbreak of the war and exercised the major legislative authority in the Reich.<sup>2</sup>

A. Economic Crimes1. Crimes committed.

The following general types of economic crimes, all committed by Germany as an occupant at one time and place or another, can be distinguished:

1. See Decree on the Execution of the Four Year Plan, 18 October 1936, (RGBl., I, 887).
2. See Führer Edict concerning the Establishment of a Ministerial Council for the Defense of the Reich 30 August 1939 (RGBl., I, 1539).

- a. Plundering of private property (pillage).
- b. Confiscation of private property.
- c. Forced sales of private property and blackmailing into sale.
- d. Taking as war booty chattels which are not state property.
- e. Taking as war booty movable property which cannot be used for military operations and does not fall under the categories listed in the Hague Rules.
- f. Requisitioning of private property not required for the needs of the occupation forces.
- g. Seizure, destruction, or willful damage to cultural property.
- h. Spoliation of public lands.
- i. Requisitioning of private property out of proportion to the resources of the country.
- k. Collective fines imposed for acts of individuals.
- l. Contributions levied beyond the needs of the army or not in proportion to national resources.
- m. Forced loans levied beyond the needs of the army or not in proportion to national resources.
- n. Other acts and measures by which the occupied country is ruined economically.
- o. Other acts and measures by which the occupying power is enriched or indemnified for the expenses of the war by receiving benefits beyond the needs of the occupying army.
- p. Acts which change the fundamental institutions of the occupied country, notably its economic organization and structure.<sup>1</sup>

Among these, the following two more specific cases apply to Poland and Yugoslavia:

a. Confiscation of private property in Polish territories incorporated into the Reich, the so-called "incorporated Eastern territories" (eingegliederte Ostgebiete). In this territory, tens of thousands of larger and smaller industrial and business enterprises including those in the major industrial centers of Upper Silesia and Lodz were "Germanized," i.e., confiscated from their Polish owners and turned over to Germans. The Polish owners for the most part had been forcibly driven from their residences and "dumped" into the General

1. See memo: "Economic Crimes Committed in German-Occupied Europe."

Government prior to the decree providing for the expropriation,<sup>1</sup> under conditions of extreme hardship and brutality. This measure made them "absentee owners," later slated for expropriation as "absentees." During a transitional period subsequent to the sequestration of such properties, confiscation was still veiled under the cover of "trusteeship."<sup>2</sup> This period, however, was from the outset considered as only temporary.<sup>3</sup> Properties were eventually fully transferred to new German owners. Thus, in 1942 the Upper Silesian steel plant, Huta Pokoj (Friedenshuette), was with its entire stock put in the hands of the German mining corporation Gewerkschaft Castellengo-Abwehr (Ballestrem interests).<sup>4</sup>

b. Forced loans, excessive contributions, and similar measures of economic spoliation of the Serbian economy under German occupation.

A captured German report,<sup>5</sup> apparently made by Neuhausen, Goering's special Commissioner General for Serbian Economy,<sup>6</sup> to Goering illustrates that exploitation. The report proves that the German Commissioner forced Serbia to increase its exports to the Reich to such an extent that at the end of 1943 Serbia had a clearing claim against Germany of 9,800 million dinars. In addition, Serbia had paid until that date for occupation costs 18,300 million dinars. These funds were not used merely to support the German occupation army in Serbia but

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1. See below, 3, b, i.

2. See below, 3, b, i.

3. See Koelnische Zeitung, 30 March 1943.

4. See Neue Zuercher Zeitung, 25 June 1942.

5. OSS, CID 111779, 22 January 1945.

6. See below 3, a.

also to pay for goods and services acquired by German military and attached organizations and exported to Germany or other countries where German troops were stationed. By direct interference of Goering's Commissioner, the Serbian National Bank was forced to finance exports to Germany as well as German expenditures in Serbia and to expand the circulation of Serbian currency from 4,200 million dinars in June 1941, to 25,500 million at the end of 1943. This is evidence of the monetary inflation caused by German economic exploitation.

Furthermore, Neuhausen transferred into German hands for "trustee administration" most Allied-controlled mines and industrial enterprises. Among the beneficiaries were the Reichswerke Hermann Goering. It would have to be determined whether the administration of Allied and Serbian property by German combines under control of Goering's Commissioner was in compliance with, or exceeded the limits set by, the principles of ordinary business management. The Commissioner also organized the spoliation of Jewish property in Serbia. According to the report the proceeds up to the end of 1943 amounted to 1,000 million dinars, of which 600 million were transferred to the German military administration to be used for settlement of war damage suffered by Reich Germans. The report states specifically that the Commissioner for the Four Year Plan (Goering) cooperated directly in matters of the liquidation of Jewish property.

## 2. Weaknesses in evidence for such crimes.

Evidence as to acts mentioned under a) above should be substantiated through witnesses who can testify, e.g., to the transfer

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of the Huta Pokoj to German ownership. In addition, other cases of expropriation, preferably referring to smaller properties in the annexed Polish areas, should be brought in, with evidence as to the particulars of each case.

As to acts mentioned under b), the document in question should be substantiated, if possible, through statements by witnesses, such as Neuhausen and his collaborators.

3. Goering's responsibility.

a. Over-all responsibility for economic exploitation of Europe.

i. Positions held.

The positions from which this over-all responsibility derives were above all those of Commissioner of the Four Year Plan and chairman of the Ministerial Defense Council. In the latter capacity, Goering participated in the enactment, and signed, some of the important decrees concerning exploitation of Europe. In the former, the vast powers of economic coordination of German economy, which were given to Goering by the act of 18 October 1936,<sup>1</sup> were extended to economic coordination of occupied Europe after the outbreak of the war. This can be proved from a number of facts and documents.

ii. Decrees pursuant to such responsibility.

A decree signed by Hitler, Goering himself (?), and Lammers of 18 October 1940,<sup>2</sup> prolonged the commission given to Goering by the decree of 18 October 1936 for four more years. "with the special commission to adapt it (i.e., the Four Year Plan) to the demands of the

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1. See above, I, C, 2, a.

2. RGB1. I, 1395.

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war." This would seem implicitly to have given Goering over-all powers over the economic exploitation of occupied territories for the German war effort. Other decrees referred more specifically to particular regions. Thus, a Hitler decree of 12-October 1939<sup>1</sup> extended Goering's powers concerning the planning and coordination of German economic life to the Government General. Another Hitler decree of summer 1941 concerning "The Exploitation of the Occupied Eastern Territories for the German War Effort"<sup>2</sup> made Goering responsible for the effective realization of war economic measures in the Occupied East. A specific decree concerning Goering's corresponding powers in the Occupied West is not known, but that they existed in a similar fashion can be seen from the existence of a decree of 28 August 1940,<sup>3</sup> signed by Goering as Four Year Plan Commissioner, by which he assumed responsibility for exploiting these territories for the benefit of the German war effort.

iii. Organizational facts and Goering statements referring to this responsibility.

In addition to these decrees, Goering's responsibility for economic exploitation of Europe is evident from certain facts pertaining to the organizational structure of the Four Year Plan Office, his authority over certain military and civilian occupation authorities, and certain documents and statements by Goering or referring to Goering's powers.

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1. RGB1. I, 2077.

2. The text of this decree has apparently not been published. Reference to it is made in a Goering decree of 15 August 1941, published in Herresverordnungsblatt, Vol. 23, No. 50, part C, - 5 September 1941.

3. Quoted in Kommentar zur Wirtschaftsgesetzgebung, p. 728.

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Within the framework of the Four Year Plan organization, there was established a large number of special commissariats dealing more or less specifically with economic matters in various regions. Thus the organizational structure of this Office in 1943 showed the following:<sup>1</sup>

Commissioner General for Serbian Economy in Belgrade  
(Neuhausen)  
Commissioner General for Metal Ore Mining in the Southeast,  
Belgrade (Neuhausen)  
Delegate for Oil Affairs in the Southeast, in Bucharest  
(Neubacher)  
Delegate for the Collection and Utilization of Scrap and  
Old Metals in the Entire Occupied Territories (Schu)  
Special Commissar for Timber Economy in the Occupied Soviet-  
Russian Southeastern Area, in Kiev, (von Majewski)

All these officials and offices acted under the authority of Goering as head of the Four Year Plan Office, as is shown by the report which Neuhausen rendered to Goering quoted above.<sup>2</sup>

In addition, Goering as supreme coordinator of economy in occupied areas also exercised authority over the military and civilian occupation authorities, whatever their name and form, established in the various parts of Europe. Thus in the General Government Goering at first made Frank, "Commissioner General for the Four Year Plan in the Government General," responsible to Goering in this capacity. Even after the separate Four Year Plan Office for the General Government had been merged with the economic departments of the Governor General's office at Krakow, Goering continued to issue general directives for their guidance. Thus, there is a confidential circular sent out by

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1. See Taschenbuch fuer Verwaltungsbeamte, 1943, pp. 10-11.

2. See above, II, A, 1, b.

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him on 25 January 1940, which decreed the exploitation of Polish economic resources regardless of any long-term economic policy.<sup>1</sup> It stressed intensified mining, oil-drilling, and chemical production, as well as "utmost exploitation of the forests, without taking into account the need of replanting." Industrial plants not capable of making armaments were to be broken up for scrap. While the essential working population was to be fed sufficiently, all others were to be reduced to minimum rations, etc.

In the Soviet areas, in addition to the decree referred to above, Goering's general authority over organization and coordination of the economic exploitation of this territory is also apparent from statements made in his speech of 4 October 1942,<sup>2</sup> in which he developed his plan to exploit to the utmost the conquered Eastern territories in order to provide the food necessary for the Reich. A confidential document by Goering, called the "green folder" (Grüne Mappe) and dated Berlin, June 1941, is supposed to contain the general plan for the exploitation of the Soviet territory to be conquered.<sup>3</sup> According to an article dealing with the administration of the occupied Eastern territories, published in the Nazi newspaper Neue Ordnung,<sup>4</sup> "the integration of of the economy of the occupied Eastern territories into the framework of the European economy made the participation of the Four Year Plan Commissioner, this supreme leadership authority of the Reich which stands even above the Reich ministries, a matter of course."

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1. Text translated in German Occupation of Poland, pp. 111 ff.

2. FCC: Daily, 5 October 1942.

3. This plan is referred to in a statement by Molotov of 25 April 1942.

4. 29 August/5 September 1943.

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Finally, in a statement by de la Camp, President of the Hamburg Chamber of Commerce, reported in Hamburger Fremdenblatt of 30 December 1940, Goering's over-all responsibility for all-European economy is specifically referred to: "The Four Year Plan is not a temporary measure dictated by necessity but the beginning of a new long-term development with the final aim of always providing Germany's war-mobilized industry with those raw materials which she needs for war."

iv. Weaknesses in evidence.

While the fact of Goering's over-all responsibility for economic exploitation of occupied Europe seems to be plain from the various facts and documents referred to above, it would appear that evidence for the various specific decrees and other facts is mostly indirect and therefore somewhat slim. It may therefore be advisable to base the indictment on the count of economic crimes, not on his over-all responsibility, but upon the more specific responsibility for particular cases of economic crimes, namely those described above under III, A, 1, (a) and (b).

b. Specific responsibility in particular cases.

Goering's part in the commission of economic crimes has been most conspicuous in the East and Southeast of Europe, where the Nazis considered themselves as not bound by the rules of the Hague Convention for various reasons:

- (1) They annexed certain territories into the Reich, such as Western Poland, which, from then on, was considered an integral part of the Reich. This, of course, was illegal, because it was done, not on the basis of a peace treaty or following final conquest, but durante bello.

- (2) Certain countries were considered as no longer legally existent, e.g., Poland and Yugoslavia.
- (3) In the case of the USSR, the Nazis eventually came to disregard all restraints of international law, conducting the war in an absolutely ruthless manner.

It is suggested, therefore, to limit Goering's indictment on the count of economic crimes to Eastern and Southeastern territories, where his jurisdictional responsibility as well as the illegality of the measures taken stand out more clearly than in the West where it would be more difficult to prove their illegality, usually veiled behind some form of outward legality. If the two cases referred to above -- the confiscation of Polish properties in the Incorporated Territories and the exploitation of Serbian economy -- be taken as the basis for the indictment, Goering's responsibility can be traced in the manner suggested in the following sections:

i. Responsibility for spoliation of Polish property.

The Hitler decree of 12 October 1939<sup>1</sup> gave Goering broad economic control powers in his capacity as Commissioner of the Four Year Plan as well as chairman of the Ministerial Defense Council. Under these powers Goering, by decree of 1 November 1939,<sup>2</sup> established the Main Trustee Agency East (Haupttreuhandstelle Ost), with headquarters in Berlin, as the central agency to administer properties spoliated in the newly acquired territories in the East. The agency was made a subdivision of Goering's Four Year Plan Office. A decree by Goering of 17 September 1940<sup>3</sup> provided for the expropriation of major Polish properties held in

1. RGBl., I, 2077, notably article 6 of the decree.

2. Announcement (Bekanntmachung) by Goering of 1 November 1939, published in Deutscher Reichsanzeiger 1939, no. 260.

3. RGBl., I, 1270.

the annexed regions. This decree provided for the seizure, without indemnification, of the property of:

- (a) Jews;
- (b) Absentee owner
- (c) Other categories of "former Polish nationals," e.g., if required "in the interest of the strengthening of German folkdom."

While measures thus taken, when dealing with agricultural holdings, were referred to the jurisdiction of Himmler as Commissar for the Strengthening of German Folkdom, other properties, such as residential, commercial, and industrial properties, were put under the jurisdiction of Goering as head of the Four Year Plan Office. The main Trustee Agency East, under Goering, became the agency which sequestered the numerous non-agricultural holdings of Poles in the incorporated areas.

ii. Responsibility for Serbian spoliation.

Goering's responsibility for the measures referred to above derives from his being the responsible superior, in the Four Year Plan set-up, of the official who acted directly in Serbia, namely Neuhausen, his Commissioner General for Serbian Economy. As appears from the document on Serbia referred to above, this official reported directly to Goering. The document also shows that Goering, in certain cases considered as particularly important, intervened directly through orders or directives.

iii. Weaknesses in evidence and possible defense argument.

Evidence for Goering's responsibility in these cases is better substantiated than in the case of his general over-all responsibility.

The decrees referred to in the Polish case are official documents published in the official Statute Books. Documentation of the Serbian case, however, requires evidence identifying it. Also, witnesses concerning the facts contained in the document, would be desirable.

As to the Polish expropriations, the defense can be expected to argue that since the territories in question were incorporated into Reich territory, no violation of the rules concerning occupatio bellica has taken place, but possibly only violation of domestic law. The prosecution has therefore to prove that the annexation was illegal and void under international law. This can be shown easily, because it is generally recognized that under international law no occupant has a right to annex occupied territory durante bello. Even in case of a complete defeat of a country the war against such country is not finished if there are allies with a chance of continuing the war to a conclusion victorious for the temporarily defeated country also. This was the situation regarding Poland in 1939.

4. Law applicable.

The acts referred to above, concerning Poland and Serbia, imply, under the penal law of Poland and Yugoslavia, various domestic crimes, such as extortion, blackmail, theft, etc. The criminality of the acts derives from the fact that the occupant, under the Hague rules, acted illegally, that is, that his actions were not justified interferences with property rights under those regulations.

B. Crimes against Foreign Labor1. Crimes committed.

The following general types of crimes against foreign labor can be distinguished:<sup>1</sup>

- a. Compulsion and coercion in the use of the labor of occupied territories, ranging from the introduction of labor conscription for work in the territory itself, conscription for work in Germany or other parts of occupied Europe, to forcible detention in such work and places, and raid and forcible abduction of manpower from their residences to work camps, including forcible deportation to such camps in the Reich;
- b. Use of foreign labor, whether voluntary or not, for direct armament work, which constitutes a direct violation of article 52, paragraph 1 of the Hague Regulations;
- c. Exploitation and maltreatment of foreign laborers; exploitation includes excessive hours, denial of vacation and holidays, low wages or other remuneration, bad working conditions; maltreatment includes severe and brutal treatment of workers and their dependents, e.g., labor camps, insufficient medical care, starvation, harsh and brutal punishment, etc.
- d. Discriminatory and humiliating treatment of foreign workers; discrimination refers not only to special treatment of foreign workers as compared with German labor but also particularly bad treatment of certain classes of foreign workers as compared with other groups of foreign labor, such as was applied to "Eastern Workers" and Jews; humiliation includes separating foreign workers from any connection with the surrounding population, forcing them to wear distinctive badges, inflicting brutalities upon them, etc.

Commission of such crimes against foreign workers is proved by a number of official laws, decrees, and other documents.

The following decrees involved one or several of the above listed crimes regarding foreign labor:

1. For details see memo: "The Treatment of Foreign Laborers."



Decree by Fritz Sauckel as Labor Commissioner of 22 August 1942.<sup>1</sup>

This decree demanded, among other things, that "the manpower available in the occupied territories is in the first instance to be used to satisfy the requirements of war work in Germany," and that in the occupied regions themselves workers were in the first place to be used for the requirements of the German Armed Forces (including military and civil occupation authorities) and "for German armament requirements." This decree illustrates the open use of foreign labor for German armaments.

The same decree also illustrates the compulsory character of the work required from foreign labor by stipulating, among other things, that these workers must "keep the strictest labor discipline" and that "the most drastic punishment" was to be inflicted for "loafing at and desertion from their place of labor."

Another decree by Sauckel, dated 26 March 1944,<sup>2</sup> illustrates the elements both of coercion and discrimination. According to this decree, so-called "Eastern Workers" (mainly Russians) were to be used as labor in the Reich for a period of at least two years, the count beginning not earlier than 1 August 1942. This period could be extended for another year if necessary in view of "the requirements of labor allocation in the war," unless the worker concerned was slated to take up an equally war-necessary job in the East and provided a substitute for his job in the Reich, "preferably from among his relatives," was obtained. Re-transport, moreover, was to be arranged "with due regard to the requirements of labor supply, the interests of ordinary transportation, and the war situation."

1. Reichsarbeitsblatt, 1942, I, 362.

2. RGBl., I, 70.

This and other decrees also provided for discriminatory and exploitative labor conditions for Eastern Workers, in particular with respect to wages, hours, allowances, taxes, and other labor conditions. Comparative figures concerning the amounts paid to Eastern Workers in comparison with German workers, which were to serve as official guidance, were published in the periodical Ostwirtschaft.<sup>1</sup> Other decrees reveal humiliation, for instance, by forcing Poles and Eastern Workers to wear badges with special letters, forbidding Germans to have any contact with them, etc.

2. Weakness in evidence.

The above decrees and other documents would prove that there was a legislative basis for the commission of crimes against foreign labor. In actual fact, even the limits of these laws and decrees were transgressed. Whether Goering could be indicted for cases involving excesses, is, however, doubtful, as long as no specific evidence as to his knowledge of such excesses can be provided. Therefore, in addition to the legislation referred to above, individual cases based upon this legislation but not involving "excesses" beyond the legislation, should be supplied, complete with evidence as to persons, circumstances, etc., to substantiate the indictment. Such cases could, for instance, involve Eastern workers conscripted and deported into the Reich and there kept against their will, working under conditions of hardship and remunerated on the basis provided for in the document mentioned above.

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1. September 1942.

### 3. Goering's responsibility.

Goering's responsibility for labor crimes derives mainly from his position as head of the Four Year Plan Office. Throughout the period of the war this agency was the supreme authority for shaping policies and organizing the exploitation of foreign slave labor to the benefit of the German war machine.

Prior to the outbreak of the war, matters of labor control, notably labor supply, had already been put under the jurisdiction of the Four Year Plan Commissioner, who established a separate division (Geschäftsbereich) of the Office for Labor Allocation.<sup>1</sup> After the outbreak of the war this division was made responsible for the various measures resorted to with respect to utilization of foreign labor for the German war economy. Thus in Poland, according to the general policies laid down in the Goering circular of 25 January 1940,<sup>2</sup> labor conscription was introduced for Polish inhabitants of the General Government between the ages of 19 and 60,<sup>3</sup> and compulsory labor for all Jews in labor battalions under SS supervision.<sup>4</sup>

Goering's responsibility for exploitation of "Eastern Workers" in particular again derives from his key position as Four Year Plan Commissioner.

1. Goering decree of 23 October 1936 (Voelkischer Beobachter) 24 October 1936).
2. See above III, A, 3, a, iii.
3. Decree of 26 October 1939.
4. Decree of 26 October 1939.

According to a statement by Molotov of 11 May 1943, Goering in a confidential talk in Berlin on 7 November 1941 outlined to his subordinates his program for the exploitation of Russian labor in Germany. The most radical measures were enacted when Gauleiter Fritz Sauckel was made Delegate General for Labor Allocation.

A decree by Hitler of 21 March 1942<sup>1</sup> provided for the uniform coordination of the utilization of all available manpower "for war economy, in particular armaments production," including manpower of foreign workers and prisoners of war. Sauckel was therefore appointed to the above-mentioned new post, remaining, however, "within the framework of the Four Year Plan" and "directly responsible to (Goering) the Four Year Plan Commissioner."

Subsequently, Goering, by a decree of 24 April 1942,<sup>2</sup> dissolved the labor supply division of the Four Year Plan Office and established instead the office of the new Delegate General, "who is directly under me." The decree established the Delegate General as "an authority of the Four Year Plan" and obliged him to submit proposals to Goering whenever new legislation was required or existing laws needed to be modified. The Goering decree further stipulated that in all cases of directives and instructions of basic importance Sauckel should submit a report to Goering in advance.

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1. RGBl., I, 179.

2. Reichsarbeitsblatt, 1942, I, 257.

This decree thus established Goering's responsibility for all important measures taken by Sauckel and his agency, in particular, new legislation. In the case of the exploitation of Eastern Workers in particular, the decree by Sauckel of 26 March 1944 concerning the labor conditions of Eastern Workers can be imputed to Goering for two reasons:

- (a) It was issued by Goering's subordinate, Sauckel, who as such was required to report to Goering in advance concerning the intended measure;
- (b) It was based upon a decree of 25 March 1944<sup>1</sup> by the Ministerial Defense Council, signed by Goering as chairman of that body, a decree which had already laid down the basic regulations for the treatment of Eastern Workers and had authorized Sauckel to implement these by decree of his own.

Walter Stothfang, second in command under Sauckel, at one time openly admitted that German treatment of foreign labor was illegal under the rules of international law. He said:

Germany finds herself in an emergency situation and is therefore justified in mobilizing the necessary manpower in occupied<sup>2</sup> countries regardless of the regulations of international law.

4. Law applicable.

The foregoing shows violation by Goering of those rules of penal law which refer to false arrest, assault, libel, etc. The law applicable is German in case of the commission of the acts in Germany. In the other cases, although the act itself took place outside German territory, Goering's action, the issuance of the basic legislation, nevertheless took place in Germany, so that German penal law would seem to be applicable here also.

1. RGBl., I, 68.

2. See his interview granted to the Nieuwe Rotterdamsche Courant, 8 February 1944.

5. Comment.

Undoubtedly a clear case can be presented on the count of crimes against foreign labor. It must, however, be kept in mind that Goering's responsibility, unlike his responsibility in cases involving his Gestapo command or his air force command, has been an indirect one, based upon over-all jurisdiction rather than upon direct orders for specific cases. If he is indicted for labor crimes, it would be advisable to join his indictment with those of Sauckel and other directly involved persons.

#### IV. PARTICIPATION IN PLANNING TO ESTABLISH CONTROL OF GERMANY, EUROPE, AND THE WORLD

The over-all Nazi conspiracy to grasp control of Germany, Europe, and finally the whole world by ruse, force, and violence is the subject of a separate paper. As to Goering's participation in this conspiracy, three main stages may be distinguished: the period prior to January 30, 1933, when the Nazi Party conspired to gain power in Germany by illegal means; the years following immediately upon the access of Nazism to power in Germany, when remaining opposition in the Reich was wiped out and totalitarian control of the Nazi regime over Germany was achieved; and finally, partly overlapping with the second, the years leading up to, and continuing through the war, when Nazism, by means of open aggression, threat of aggression, or more undercover interference, tried to establish domination over other countries.

##### a. Pre-1933 period.

Goering's role in this first stage of the Nazi conspiracy was played in his capacity as one of the ranking leaders of the Party who became second in power only to Hitler, and as such took part in the major decisions of the Party concerning strategy and tactics in capturing power over Germany. Having joined the Nazi Party in 1922, that is, right at the beginning of the movement, he was immediately commissioned by Hitler to take charge of recruiting for the SA, the major terror organization of the early stage of the Nazi movement. He was made SA chief in December 1922 and as such completed its organization. After having participated, at Hitler's side, in the "Beer Hall" putsch in Munich, 1923, he went into exile until an amnesty permitted

him to take up his activities in Germany in 1926. Goering was elected to the Reichstag on the Nazi ticket in 1928, and reelected in 1930. At the same time, Hitler made Goering his deputy for political matters in Northern Germany, while Hitler concentrated on Southern Germany. As such, Goering played a major role in the promotion of the Party in the North, for instance, ruthlessly suppressing intra-Party opposition when a "leftist" Nazi group, under Stennes, tried to revolt against the Party leadership.

Another of his activities during this period consisted in the conduct of the negotiations with Hindenburg, Bruening, and later von Papen, which were intended to bring the Nazi Party into official power. While these negotiations remained unsuccessful until January 1933, Goering, who had become President of the Reichstag in summer 1932, very cleverly used this position to bring about the fall of the Papen cabinet before Papen could dissolve the Reichstag, an event which led to the governmental and constitutional confusion characteristic of the period preceding 30 January 1933. Finally, it was Goering who, by deceiving Hindenburg through false reports concerning a planned coup d'etat by Schleicher against Hindenburg, succeeded in having Hitler appointed Chancellor on 30 January 1933.

b. Control of Germany.

Goering's participation in the terrorism established by the Nazis during this second stage, first for the purpose of destroying the remnants of constitutional and democratic institutions and groups



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and later for the suppression and wiping out of any subsiding or re-formed opposition groups, derived mainly from his position as creator and chief of the Gestapo in Prussia. His activities in this connection have already been outlined above.

In his more general position as Prussian Prime Minister and Minister of the Interior he was instrumental in purging the Prussian civil service, suppressing the Communist and Socialist parties before their formal dissolution in the whole Reich, and establishing Prussian government on the basis of complete totalitarianism.

Goering lent considerable assistance to the Nazis' gaining and maintaining complete control over Germany in his capacity also as President of the Reichstag and manipulator of the Nazi Party in that body. Thus, in the initial period after the Nazis' access to power, he contributed indirectly -- through the terror exercised by SA, Gestapo, etc., against left-wing members of the Reichstag -- and directly -- in his capacity as Reichstag President -- to the passage of the Enabling Act of 24 March 1933 which delivered legislative power to the Hitler cabinet. Later, when the Reichstag had become a completely Nazi-controlled body, he manipulated it whenever it was requested to act, at least for a propagandistic purpose. Thus he presided over the enactment of the Nuremberg laws in 1935 and over the meeting of the Reichstag when that body consented to the declaration of war. In the latter case, grossly unconstitutional methods -- unconstitutional even according to the Nazi laws -- were resorted to, as witness the testimony of August Thyssen, one of the few non-Party members permitted

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to occupy Reichstag membership for more "decorative" purposes. According to his book I Paid Hitler, "one hundred members were absent at the Reichstag meeting of September 1. The seats of the absentees were occupied by officials of the Nazi Party. This I consider as grossly unconstitutional."

Goering's share in the suppression of the alleged June 1934 putsch has already been described. Beyond its criminal implications, this suppression had major political implications, with respect to the intra-Party situation as well as regarding the Party's influence over army and other conservative circles. Since that time, full control of the Hitler-Goering group over the Party machine was achieved, and no extra-Party opposition had much of a chance any more to rise against the Party.

With the establishment of the Four Year Plan Office Goering gained for the Party and himself major influence over large parts of the German economy. Likewise, after Schacht's resignation as Minister of Economics, Goering reorganized this ministry before Funk took over and completely nazified it. Goering was likewise instrumental in the establishment and organization of the tremendous combine which was named after him, the Reichswerke Hermann Goering, and through it dominated a large sector of German industry.

c. Foreign intervention and aggression.

Goering's role in the preparatory stage of expanding Germany's influence abroad is reflected in the many trips he undertook abroad,

mainly to Italy, the Balkans, and Poland. But his part in the planning and execution of aggressive wars came above all in his capacity as chief of the Air Force and aviation, as Four Year Plan Commissioner, and after the outbreak of the war, as chairman of the Ministerial Defense Council. As Four Year Plan Commissioner he coordinated the German economy for war and later coordinated European economy for exploitation.<sup>1</sup> As chairman of the Defense Council he initiated or participated in major war legislation. As chief of the Luftwaffe and, more generally, in his capacity as member of the inner groups of supreme Nazi leadership, he participated in the "strategy of terror" which was so instrumental in robbing European countries of their independence. Thus, according to a recent statement by former Austrian Chancellor Kurt Schuschnigg,<sup>2</sup> on 11 March 1938 it was Goering who threatened an immediate invasion of Austria unless he (Schuschnigg) resigned within two hours.

At the time of the Munich crisis, Goering participated in the Nazi campaign of propaganda and terror against the Czechoslovak Government and people which was calculated to intimidate foreign governments and public opinion and to drive German public opinion to a fever pitch. In a speech before the Party Congress of 1938 he said:

A tremendous political tension permeates Europe and the world. A small portion of Europeans today molests minorities entrusted to them and thus have become a source of unrest....It is unbearable to see that small, cultureless splinter of a nationality

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1. See above III, A.
  2. New York Times, 9 June 1945.

below there -- nobody knows where they have come from any-  
 way -- continually oppress and molest a culture-nation.  
 But we know who stands behind these ridiculous imps in  
 Prague: It is Moscow, with its eternal Jewish-Bolshevik  
 grimace....Thence come the rumors, the lies, the calumnies  
 ....But we have prepared everything to safeguard our honor  
 and our security....The creation of a tremendous armaments  
 industry guarantees the striking power of our great Army....  
 and the construction and supply of an Air Force which with-  
 out boasting and exaggeration I can call the technically  
 most modern, most ready to strike, and numerically biggest  
 in the world....I know that one tries to intimidate Germany  
 by threats....but we have at all times been Schiesser, never  
Scheisser /sic/.<sup>1</sup>

Goering seems also to have been instrumental in determining  
 Hitler to embark upon war. According to a newspaper report,<sup>2</sup> the  
 letters and correspondence of the late General von Fritsch, found in  
 a Thuringian castle, prove that Hitler decided upon aggressive war  
 as early as 1938, against the objections of Army and Navy but vigor-  
 ously assisted by Goering. The decision referred to concerned, in  
 particular, the attack on Poland.

That Goering shared the Nazi theory on the necessity for Germany  
 to expand in order to secure her "living-space" can be seen from a  
 statement made by him in a speech of 4 October 1942.<sup>3</sup> Here Goering,  
 in an attempt to justify Germany's attack on Russia in 1941, dropped  
 the "defense" excuse previously proffered by Hitler and others in  
 that connection and openly proclaimed the theory of expansionism by  
 force: "Even in peacetime it would in the long run have been impossible  
 to provide nourishment for the German people....We had to break the

1. Speech of 10 September 1938, translated from Gritzbach, op.cit.,  
 p. 387-89.

2. Neue Zuercher Zeitung, 26 April 1945, referring to Reuter's  
 correspondent, D. Campbell.

3. FCC: Daily, 5 October 1942.

'confines, and let us be grateful to the Almighty, to our Führer, and to our brave soldiers that they burst that confinement and opened to the German nation the wide expanse of space."

d. Weaknesses in evidence and possible defense.

While sufficient evidence, through documentation as well as witnesses, seems to be available for the first and second stages of Goering's participation in the Nazi conspiracy, evidence with respect to his actual share in the planning of aggressions against foreign countries so far is somewhat scanty. Besides the statements quoted above and the witnesses referred to (e.g., Schuschnigg), it would be desirable to have more witnesses, possibly from among higher governmental and military leaders, testifying to his direct participation in such planning.

Goering, as his preliminary interrogation shows, can be expected to assert that he tried to prevent the Polish campaign as well as to have dissuaded Hitler from starting the campaign in the West and against Russia. Evidence to disprove this or to prove the contrary should be compiled.

V. ILLEGAL BUSINESS TRANSACTIONS FOR PERSONAL ENRICHMENTA. Illegal Acquisition of Art Treasures

Reference is made to the appended memo, "An Interim Report on the Art Activities of Hermann Goering," and the documents contained in the appended memo 01099. While evidence as to Goering's art transactions seems fairly large, it has still to be brought out more clearly and with more definite indication of specific cases and witnesses therefor. Goering's assertion to the effect that he paid a fair price in each instance should be refuted by showing that prices paid were nominal or sub-standard. Even if this proof should not be possible, however, Goering's transactions would constitute criminal acts.

The memo and documents referred to above show that the major part of the art treasures acquired by Goering for his personal collection originated in confiscated Jewish art property. The confiscation of such property in the various occupied countries was illegal according to the Hague rules. Goering, as his letters show, knew about the origin of the pieces. This, according to German or other continental penal law, which is applicable, constitutes the special crime of "receiving of stolen property;"<sup>1</sup> Goering would be guilty of such crime regardless of whether he paid a price for the acquired properties and what amount. It might be advisable to base the indictment upon this crime rather than that of "illegal taking" (theft, etc.) itself.

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1. See, for instance, art. 259 of the German Penal Code: "Wer seines Vorteils wegen Sachen, von denen er weiss oder den Umstaenden nach annehmen muss, dass sie mittels einer strafbaren Handlung erlangt sind, verheimlicht, ankauft, zum Pfande nimmt, oder sonst ansich bringt oder zu deren Ansatz bei andern mitwirkt, wird als Hehler mit Gefaengnis bestraft."

B. Other Transactions committed for Personal Profit

Goering, since the early period of his career, has been known for his activities intended to enrich himself by more or less "legal" means. Thus, according to statements by Lieutenant Colonel Killinger,<sup>1</sup> Goering, even before 1933, in his capacity as Nazi Reichstag deputy, received about one thousand RM monthly from Milch and Gahlenz, directors of the German Lufthansa, in return for which he vigorously defended the Lufthansa's interests in the Reichstag.

After 1933, receiving of money from all kinds of sources assumed much larger proportions. The income notes in Goering's recently found ledger<sup>2</sup> show that Goering, between 1937 and 1944 alone, received more than 10 million RM as "gifts" from various banks and industrial firms. Many of these belonged to the Goering combine and the corresponding sums were thus obviously received on account of his influence over the combine. In other cases, Goering admitted having asked firms occasionally to transfer funds to his personal account because Party members in public office were prevented from accepting remunerations for services as members of boards of such firms.<sup>3</sup>

The most conspicuous case concerns the cigarette corporation Reentsma. According to former Reich Minister Funk,<sup>4</sup> Goering received a total of 5,901,000 RM from this firm, in return for assistance rendered to Reentsma in having a tax debt totalling about 12 million RM to the Reich squashed.

1. C.S.D.I.C. (U.K.), G.G. Report.

2. See above.

3. Interrogation by Seventh Army Interrogation Center.

4. Ibid.



The Reemtsma case would lend itself best for criminal indictment. Acceptance of "bribes" as a Reichstag member does not, in German law, constitute a crime. The acceptance of various sums from various firms would constitute a crime only if it can be proved that the moneys were given for a specific action on Goering's part, not just in order to gain or preserve his good will and favor.

In the Reemtsma case, however, Goering's actions, if they can be proved, constitute crimes according to German criminal law. Acceptance of gifts on the part of an official constitutes "simple passive bribery"<sup>1</sup> if the action for which the gift is received is not in itself contrary to the official's duties; it constitutes "grave passive bribery"<sup>2</sup> if the action involves the violation of an official duty. Goering, as Reich minister<sup>3</sup> as well as in his other official capacities, was an "official" in the sense of German criminal law.<sup>4</sup> His acceptance of

1. Einfache passive Bestechung, art. 331 of German Penal Code: "Ein Beamter, welcher fuer eine in sein Amt einschlagende, an sich nicht pflichtwidrige Handlung Geschenke oder andere Vorteile annimmt, fordert, oder sich versprechen laesst, wird mit Geldstrafe oder mit Gefaengnis bis zu sechs Monaten bestraft."
2. Schwere passive Bestechung, art. 332: "Ein Beamter, welcher fuer eine Handlung, die eine Verletzung einer Amts - oder Dienstpflicht enthaelt, Geschenke oder andere Vorteile annimmt, fordert oder sich versprechen laesst, wird wegen Bestechung mit Zuchthaus bis zu fuenf Jahren bestraft."
3. See Anschuetz-Thoma: Handbuch des deutschen Staatsrechts, Vol. I, (1930), p. 525, footnote 17.
4. See art. 359 of German Penal Code: "Unter Beamten im Sinne dieses Strafgesetzes sind zu verstehen alle im Dienste des Reichs oder in unmittelbar oder mittelbarem Dienste eines Bundesstaates auf Lebenszeit, auf Zeit oder nur vorlaeufig angestellte Personen, ohne Unterschied, ob sie einen Diensteid geleistet haben oder nicht...."



large amounts of money from Reemtsma in return for assistance in having a tax debt squashed, constituted a grave violation of his official duties. As a matter of fact, it constituted "assistance" (Beihilfe) to a crime, namely the crime of tax evasion (Steuerhinterziehung) on the part of the firm.<sup>1</sup> He can therefore be indicted on two counts: Grave passive bribery in conjunction with assistance to tax evasion.

It would be necessary to provide witnesses and possibly other evidence which clearly proves Reemtsma's tax delict as well as Goering's role in its commission. The President of the Hamburg Finance Office has been suggested as one witness.<sup>2</sup>

It might also be advisable to inquire further into Goering's own income tax declarations and verify whether he declared the large income derived from the gifts of the various firms. Non-declaration would constitute tax evasion (Steuerhinterziehung).<sup>3</sup>

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1. These crimes are defined in a special law, the Reich Tax Code (Reichsabgabenordnung) of May 22, 1931, now in a version of July 4, 1939. Tax evasion (Steuerhinterziehung) is defined in article 396 of this law: "Wer zum eigenen Vorteil oder zum Vorteil eines andern nicht gerechtfertigte Steuervorteile erschleicht oder vorsatzlich bewirkt, dass Steuereinnahmen verkuerzt werden, wird wegen Steuerhinterziehung mit Geldstrafe bestraft. Der Hoechstbetrag der Geldstrafe ist unbeschraenkt. Neben der Geldstrafe kann auf Gefaengnis bis zu zwei Jahren erkannt werden." Assistance (Beihilfe) to the commission of this crime is defined in art. 398 of the Tax Code, which stipulates that the same punishment is applicable to one who helps in the commission of the act for his own profit: "Die Strafe fuer die Tat gilt auch fuer eine Beihilfe oder Beguenstigung, die jemand seines Vorteils wegen begeht."
  2. Interrogation by Seventh Army Interrogation Center.
  3. See above, footnote 5.

1. ROBl. (Reichsgesetzblatt):

Official Gazette of the Reich, an official government publication.

Available in Library of Congress, in any German legal library, in any major German agency office, probably in Prosecutor's library.

Can be identified by any German lawyer or government official.

2. Aufbau einer Nation

Official political autobiography of Goering, first published in English as Germany Reborn; published in German in 1934 by E. S. Mittler & Sohn, Berlin.

Copy of English edition in Library of Congress, of German edition in CID Library, OSS. Likely to be found in any larger German library.

Can be identified by publisher, if available, or by any person who has expert knowledge of Nazi literature.

3. Preussische Gesetzessammlung

Official Gazette of Prussia, an official government publication.

Available in larger Prussian legal libraries and big German libraries in general.

Can be identified by any German lawyer or Prussian government official.

4. Ministerialblatt fuer die innere Verwaltung

Official publication of the Reich and Prussian Interior Ministry.

Only a few volumes available in Library of Congress. Available in larger German libraries, notably legal libraries.

Can be identified by any German lawyer or government official.

5. Erich Gritzbach (editor): Hermann Goering, Reden und Aufsaezte (Munich, 1942).

Collection of Goering's speeches and articles; not of official character.

No English translation.

Copy in Library of Congress. Probably available in any larger German library.

Can be identified by any person with expert knowledge of Nazi literature.

6. Gottfried Heese: Das Gesetz zur Sicherung der Einheit von Partei und Staat (Dresden, 1934)

Private commentary by a Nazi lawyer on the law concerning the unity between State and Party; not of official character.

Copy in Library of Congress.

Can be identified by experts on Nazi legal literature.

No English translation.

7. Verordnungsblatt des Reichsprotectors

Official Gazette of the Reich Protector for the Protectorate of Bohemia and Moravia, an official government publication.

Copy in Library of Congress, probably in larger German libraries.

Can be identified by experts in German law and administration.

8. Verordnungsblatt des Militaerbefehlshabers in Serbien

Official Gazette of German occupation authority in Serbia. An official publication.

Copy in Library of Congress, probably in larger German libraries.

Can be identified by experts in German law and administration.

9. Gerd Rühle: Das Dritte Reich (vol. 1936, Berlin)

Semi-official collection of excerpts from Nazi laws, decrees, statements of leading personalities, etc., with connecting text; not of official character.

Copy in Library of Congress, larger German libraries.

Can be identified by experts on Nazi literature.

No English translation.

10. Captured German Report by Neuhausen

Can be identified by Neuhausen or other officials who worked on his staff at Belgrade.

Original in CID Library, OSS; should be sent to Paris.

11. Heeresverordnungsblatt (vol. 23, no. 50, 1940)

Official publication of German Army High Command.

Copy in MIS.

Can be identified by experts on German law and administration.

12. Kommentar zur Wirtschaftsgesetzgebung

Private commentary by various authors on Nazi economic laws and decrees; not of official character.

Copy in CID Library, OSS, probably in larger German libraries, particularly legal libraries.

Can be identified by experts on Nazi literature.

13. Taschenbuch fuer Verwaltungsbeamte

Semi-official publication by high officials in Reich Interior Ministry.

Copy in CID Library, OSS, Library of Congress, any German legal library and any larger German administrative office; probably in Prosecutor's library. .

Can be identified by expert on Nazi legal literature and any German lawyer or administrative official.

14. Goerli. order re Sagan shooting

Text not known; should be available in Judge Advocate's War Crimes Committee.

15. Captured circular which decreed exploitation of Polish economic resources

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Translation in the Polish Government's German Occupation of Poland; original should be available through Polish Government.

Could then be identified by German members of administration of Government General.

16. Deutscher Reichsanzeiger

Official Reich Gazette for public announcements, etc., an official government publication.

Available in larger German legal libraries and government offices.

Can be identified by German lawyer or government official, or expert on German law.

S E C R E T

POSSIBLE INTERVIEWS OR EXAMINATION

Reporters on

Times (London) of 21 February 1933 and  
Manchester Guardian of 21 and 27 February 1933

re Goering's secret instruction to police.

Kurt von Schuschnigg

August Thyssen

Captured German airmen who took part in bombing of Rotterdam

Letters and correspondence of v.Fritsch found in a Thuringian castle.

S E C R E T

AN INTERIM REPORT  
ON THE  
ART ACTIVITIES  
OF  
HERMANN GOERING

Source: X-2 Branch

Date: 12 June 1945

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INTERIM REPORT ON HERMANN GOERING'S  
COLLECTION OF LOOTED ART

STATEMENT

The purpose of this memorandum is two-fold:

(a) To sketch briefly the facts, as they are currently known here, of several transactions in which Goering is known to have been involved as illustrative of certain types of his activities. This with the caveat, however, that examinations currently being conducted in the field will undoubtedly provide a fuller, more documented story of even these activities.

(b) To state, and show their importance to Goering's case, the primary sources of information recently made available in the field to X-2 Branch and which are currently being developed by them for, among other things, material of a War Crime interest.

Accordingly, so that current progress will in no way be prejudiced, it is requested that no dissemination of the material contained herein be made outside OSS without prior clearance from X-2 Branch.

A. Certain examples of art transactions in which Goering is known to have taken part, either as a participant or a beneficiary.

1. General

With the rise of the Nazi Party to power in 1933,



Goering began his activities as an art collector which resulted in his accumulation of a collection of treasure and brought fame to Karinhalle for its paintings, tapestries, furniture and other objects. At present little is known of the identity and source of some of his earlier acquisitions. Many are known to have been obtained through regular dealer channels; others undoubtedly came from the collections of dispossessed German Jews, either through forced sale or outright confiscation. In this light it is significant that following the Austrian Anschluss, the art collections of both Goering and Hitler are known to have increased greatly as the celebrated collections of Austrian Jews, notably the Czernin Collection of Vienna, found their way into their hands.

2. Goering and the Einsatzstab (Task Force) Rosenberg in France.

The Task Force Rosenberg (abbreviated ERR) was established under the direction of Alfred ROSENBERG originally for the confiscation and disposal of Jewish property in Poland and Russia. In June 1940 it transferred its activities to the West. Headquarters were set up in Paris at 54 Ave d'Iena with a staff of several hundred experts, dealers, valuers and minor officials, both German and French, and a depository was established at the Musee du Jeu de Paume where objects acquired by the Rosenberg Organization and by the individual agents of

Goering, Hitler and other high ranking Nazi Party officials were catalogued and prepared for shipment to Germany. (A partial list of the more important French collections known to have been confiscated by the ERR is attached as Appendix A.) Chief of this office was Major Kurt von Dehr (a suicide, May 1945). Deputy Chief was Dr. Bruno Lohse who appears to have been Goering's leading representative in the organization. He is currently in the custody of this Branch along with the complete records of the ERR (see part B infra).

A reliable French informant known by and available to us, and who was employed at the Jeu de Paume throughout the German occupation, states that Goering visited this depository sixteen times, and was given first choice of the objects collected there. From captured documents found in Paris offices of the ERR it appears that he came to Paris on February 4th and 5th 1941 and submitted to von BEHR photographs of works from confiscated Jewish collections which he and the Fuhrer wanted for themselves. He then informed the representative of the Kunstschutz (the German organization for the protection of monuments and fine arts), who was present, that these items were to be loaded immediately and sent to Germany by special train.

The French source described above further reports that on 28 November 1942, Goering again visited the Jeu de Paume. This time he selected a landscape by van Gogh from the Weinberger

collection, the preliminary valuation of which was 500,000 francs. Dr. LOHSE reduced it to 100,000 francs. It is unknown to us whether payment of even this extremely low figure was actually made and, if so, to whom. It is believed that in many of these transactions no transfer of funds by Goering was made but a credit in the amount of the purchase price of the object established against the French war debt to Germany. It is also significant to note that the market value of this particular painting was estimated to have been about 1,000,000 francs by source who is reasonably qualified to make such an estimate.

The process of giving transactions a cover of legality by a formal appraisal, although at figures well below their true worth, appears to have been used on more than one occasion by Goering. One Jacques BELTRAN, a Paris engraver, was employed for this purpose by Dr. LOHSE. His valuations were so notoriously low that on one occasion Drs. KUNTZ and SCHIDLANSKY (other ERR officials) are reported by source to have successfully protested.

In August 1943, Dr. LOHSE is reported to have removed the following paintings from the Jeu de Paume for shipment to Goering:

Ereughele the Younger: Diana and Her Maids Bathing

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17th Century Italian School: Holy Family

Flemish School: Diner Champetre

School Unknown: The Holy Grail (a painting more than  
2 m. high)

Currently we have no further information on this transaction.

Another important agent for Goering active in France and Italy was Prof. Josef ANGERER, purchasing agent for the Berlin importing firm of Quandtmeier & Ecker, and apparently responsible mainly for the acquisition of furniture, tapestries, and other objects.

According to papers found in the Paris office of the ERR, Prof. ANGERER acted as intermediary in passing to Goering photographs of objects acquired by the organization. Another source, currently an Allied P/W, reports that ANGERER boasted to him of bringing the collections of books, furniture and art objects from the Rothschild Palace (probably Maurice de Rothschild) to Germany for Goering.

3. An illustration of Goering's transactions in Holland.

Goering's principal agent in Holland appears to have been Alois MIEDL, an old school friend of the Marshall. He is currently in the custody of this Branch and under interrogation. (See part B infra.) In 1940, MIEDL, who is said by several witnesses to have represented himself as Goering's agent, acquired the firm of J. GOUDSTIKKER of Amsterdam, one of the

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most important private collections of works of art in Holland and the property of a well-known Dutch art dealer. Correspondence (photostats of which are in our possession) between A. v.d. Bergh, attorney for the late Jacques GOUDSTIKKER, and Mrs. GOUDSTIKKER, now in this country, indicates that the sale might have been made under duress. A will of GOUDSTIKKER, dated 27 January 1939 states his intention to leave his collection and the buildings housing it to the Dutch nation. Sometime between the execution of this will and the sale of the property shortly after he fled from Holland in 1940, dying while en route to England, this intent changed. An extract from a letter of van der Bergh of July 26, 1940 to Mme. GOUDSTIKKER stating "... The circumstances (of the sale) which can be discussed fully only at a later date, made it necessary to sell the business in order to avoid great unpleasantness..." might indicate the reason.

Objects from the GOUDSTIKKER collection are known to have been added to Goering's collection. Newspaper accounts indicate that several have already been identified at the Unterstein depository. Three paintings definitely identified as being part of the GOUDSTIKKER collection are among a group of twenty-one paintings brought by MIEDL to Spain for Goering. They are now held at the Free Port of Bilbao. Another has turned up in Switzerland where it was deposited in the name of

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Dr. Arthur WIEDEKEHR (see below) by MIEDL in a Swiss bank.

4. Removal of nationally owned works of art by Goering.

To date we know of few instances of the removal by Goering of state-owned items. The interrogation of Andreas ROFER, curator of Goering's art collection and his principal agent, and the study of the objects at the Unterstein depository (See part B infra) should, however, furnish evidence of this particular form of acquisition. A G-5 MFA & A Report of 29 December 1944 states that at the order of Goering two nationally owned paintings, Cranach's Portrait of Kurfurst Johann von Sachsen and Baldung Grien's Venus and another unidentified item, were removed from the De Hooze Veluwe Museum at Otterloo, Holland. The Unterstein inventory should be examined for these items.

5. The use of the haven of neutral countries to facilitate his art acquisitions.

Evidence is considerable that objects from the looted collections of occupied countries have made their way, often smuggled, into Switzerland. Dr. Arthur WIEDEKEHR, a Swiss lawyer, in a recent statement to a British source, asserted that he was holding for MIEDL, introduced to him as a great friend of Goering, six pictures, apparently smuggled into Switzerland through the German Legation in Berne. The pictures have been identified, as belonging to the Rosenberg, Rothschild,

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and Goudstikker collections, the first two known to have been looted by the ERR. (See Appendix A)

Other looted pictures are known to have found their way to the Galerie Fischer in Lucerne, a firm on both the English Black List and the U. S. State Department Proclaimed List. The statement of Gottfried Reber, Goering's agent for Italy, (copy attached as Appendix B) reports HOFER as saying that the Paul Rosenberg collection, after confiscation by Goering, was sent directly to Fischer in Switzerland. This statement is supported by a reliable and qualified British source who visited the Galerie Fischer on March 7, 1945 and was shown forty-four pictures ---- seven of which were identified as being from the Alphonse Kann collection and most of the remainder from that of Paul Rosenberg. Fischer himself accounts for their presence by stating he obtained them as payment for purchases of German and Dutch masters by HOFER in 1942. Should these pictures turn up on the inventory of Goering's deposit at Unterstein his relationship to this chain should be established.

#### 6. Conclusion

It should again be emphasized that the cases illustrated above are in no way intended to be a statement of all Goering's many transactions. They are merely indicative of several types

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known to us here and even they will doubtless be fully amplified upon receipt of the information from the sources set forth in section B hereof. Therefore it would appear almost mandatory that this material be obtained before making a final report.

B. Sources of information controlled by X-2 Branch in the field, the reports of which have not yet been made available to X-2 Washington.

1. In conjunction with the English a list of twenty-one persons known to have been key personages in German art transactions was set as an Art Project target for Germany. Of these twenty-one high priority targets twelve are currently located in the U. S. Third or Seventh Army areas or are otherwise detained, one is a suicide and the whereabouts of the remaining eight are unknown to us at present. The twelve are being placed in a small detention center established by representatives of the X-2 Branch for further interrogation. The approximate date of completion of this project is 1 August 1945. Of those held the following are key men with regard to Goering's transactions.

(a) HOFFER, Walter Andreas: Curator of Goering's entire collection. Hofer was also Goering's principal agent for art purchases throughout Europe. His wife, also detained, a picture cleaner and restorer, also worked for Goering before



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the war.

(b) WIEDL, Alois: Goering's chief agent for the purchase of art in Holland.

(c) LOHSE, Dr. Bruno: Assistant Director of the Einsatzstab Rosenberg in Paris and principal representative of Goering within the ERR. Much evidence exists of his dishonest and unscrupulous dealings.

(d) HABERSTOCK, Karl: Berlin art dealer, more particularly an agent for Hitler but reported to have acted on behalf of Goering in acquiring works from confiscated collections.

2. Reber, Gottfried Friedrich: Agent of Hofer (supra) for Goering in Italy. Currently detained and it is contemplated that he will be interrogated for his art activities in the near future by an agency working in cooperation with this project. A copy of a summary of a CIC interrogation of him is attached as Appendix E for information.

3. Einsatzstab, (Task Force) Rosenberg Files. The complete files of this organization (See supra part X-2 for some of its activities and background) have been found near Fussen. They are being microfilmed and processed and should yield documentary evidence of the first importance.

4. Goering's Art bills for 1943-1944 have been taken and are currently at the X-2 War Room, London being processed.

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5. Goering's collection found in the depository at Unterstein, Bavaria which is being studied and processed with a view to establish the sources from which the objects came.

6. Goering, Hermann. Has been questioned at the Seventh Army Interrogation Center by the CIC concerning French works of art. A copy of the summary of that interrogation is attached as Appendix C, for information only.

From the close relationship of the above sources to Goering's processes for acquiring various works of art, as evidenced by the key parts they have played in the several illustrations set forth in part A hereof, it will appear more than obvious that to attempt to picture Goering's activities without benefit of their statements would be most ill-advised. Accordingly, no information other than that used as examples in part A is forwarded at this time.

APPENDIX A

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COLLECTIONS LOOTED BY THE EINSATZSTAB (TASK FORCE) ROSENBERG

The following is a partial list of the more important French collections known to have been confiscated by the ERR:

BERNHEIM, Jeune  
POTTEWEISER  
JAFJE  
KANN, Alphonse  
LANDOWSKA, Wanda  
LINDEBAUM (or LINDEN), Alfred, British  
citizen  
ROSENBERG, Paul  
de ROTHSCHILD, Baron Edouard  
de ROTHSCHILD, Baron Henri  
de ROTHSCHILD, Baron Maurice  
de ROTHSCHILD, Baron Robert  
Estate of Baron Solomon de ROTHSCHILD  
SCHLOSS  
SELIGMANN, Arnold  
SELIGMANN, Jacques  
STEIN, Mme. Karla  
WEIL, Andre  
WEIL, David  
WEINBERGER  
WILDENSTEIN

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COUNTER INTELLIGENCE CORPS  
SUB-SECTION #5  
PENINSULAR WAVE SECTION  
SOUTHERN DISTRICT  
APO 782

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CASE NO. SSN-1035-P

27 April 1945

MEMORANDUM FOR THE OFFICER IN CHARGE:

SUBJECT: REBER, Gottfried Friedrich, Albergo Cesare, Avellino.

At the request of the A.C. of S., G-2, this Agent interviewed Dr. REBER on 24-25 April with regard to his activities in purchasing art objects for Field Marshall Goering, and obtained the following information. Since the subject is not under this office's security jurisdiction, the interview was mainly confined to his activities with the art purchasing commission.

Dr. Gottlieb Friedrich REBER was born in Lage, Lippe, Germany on 23 March 1880. His father was an Evangelist pastor, and the subject lived at several places in Germany with his family until he had completed school about 1900. He then went to Bremen and Hamburg where he entered the textile industry, making such a success that he opened his own firm in Langerfeld (near Cologne) shortly thereafter.

REBER became interested in art when he was about 27 years old. Having a smoothly running business he was able to devote considerable time to studying art at the University in Bonn. It was at this time that he married Erna SANDER, born

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in Langerfeld, Schwelm, 15 October 1885.

In 1911 he settled down to studying art seriously, and went to Paris. He bought up collections of CEZANNE and RENOIR paintings for small sums of money, and then displayed them to collectors. REPER claims considerable credit for popularizing their works, which became very valuable shortly thereafter.

In 1914, he returned to Germany, but was not taken into the Army until 1916. He then served only about three months, being released on "industrial" leave. When war first broke out, he was considerably criticized, even by newspapers, for having befriended and popularized French artists. He claims to have been interrogated by the police on one occasion when he telephoned Berlin to discuss terms for the sale of a French painting.

After the war he found that the French government had sold his paintings in Paris for 1,500,000 francs, for which he was reimbursed by the German Government with 60,000,000 marks.

He left Germany in 1923 for Switzerland where he lived almost entirely for about six years. Between 1929 and 1933 he lived mainly in France, Switzerland and Germany, although he made several trips to England and one trip to the United States in 1929, where he says he was very well received

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as a famous art collector. In 1932 he gave an exhibition before the Royal Academy in London. He said that he gave few art exhibitions in Germany since he found very little interest there.

In 1933 he left Germany permanently. He was a 33rd degree Mason and occupied one of the highest posts in Germany, but it was at this time that MUFFELMANN, also a high ranking Mason, was killed by the Nazis. He said that the Nazis tried to get him to sign a statement denouncing the Scottish Rite, but that he refused to do this. He lived both in France and Switzerland until 1940 and said that the Gestapo frequently tried to embroil him with the local authorities, denouncing him as a spy, or as a possible criminal, but that nothing ever came of their efforts.

REBER said that he was in Switzerland at the time France fell. He said that life in Switzerland had always been calm until THYSSEN arrived about 1940. Then the Gestapo became very active, and he was threatened with losing his German citizenship.

It was about that time that he was approached by Walter Andrea HOFER, Director of Field Marshall Goering's Art Purchasing Commission. REBER had known HOFER since 1929, having met him through HOFER's brother-in-law BACHSTIZ, a

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Jewish artist and collector. HOFER being a competent art connoisseur though not an artist. HOFER had first begun to work for Goering about 1937-38, when he had attracted the Marshall's attention through his discovery of a worthless painting among one of Goering's collections. About 1940 Goering put HOFER in charge of purchasing art objects for him.

HOFER asked REBER to go to France as his agent in purchasing paintings to be bought by Marshall Goering, but REBER refused to go. HOFER then proposed that he go to Italy, which offer he accepted arriving in Italy 23 March 1941, setting up his headquarters in Florence.

REBER stated that the most important deal he arranged was in Florence where HOFER bought approximately 20,000,000 lire worth of Conte CONTINI's paintings. He said that his role in this deal was to obtain the consent of CONTINI (who in turn insisted on waiting for approval from the Italian Government), and then to evaluate and judge the originality of the paintings for HOFER. HOFER paid the cash and arranged the details. REBER stated that he received about 4-5% of the total amount for handling the deal, and that a certain Italian, Giorgio PUDELCO, now in Northern Italy, also an art expert, received about 1-2% for aiding in the work. He said that HOFER was authorized

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about 10% for commissions, and that he kept the remainder, 3-5% for himself. He added that CONTINI charged HOFER very high prices.

REBER said that HOFER introduced him to Joseph ANGERER, Marshall Goering's agent for the purchase of furniture in the latter part of 1941, and that he arranged for ANGERER's purchase of about 4,000,000 lire worth of BELLINI furniture of the 15th and 16th centuries, and also of a few unimportant BELLINI paintings.

In addition, he arranged for HOFER's purchase from S. E. BRASSINI, Via Flaminia, Rome, of about 1,600,000 lire worth of vases, statues and columns. He also arranged for the purchases of 500,000 lire worth of sculptures from the antique dealer SANGIORGIO, of Rome.

REBER said that he had actually handled business details for HOFER on one occasion when he received a telephone call from the Florence Luftwaffe headquarters to appear and collect 2,000,000 lire for payment to CONTINI. He said that his main knowledge of GOERING's deals came from what HOFER told him in conversation.

REBER stated that he had purchased a few other isolated art objects in Rome, that he had spent half a day in Naples in fruitless negotiating for some tapestries that the

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owner refused to sell, but that the above represented practically all his dealings with GOERING's agent, HOFER and ANGERER.

He said that a Venic art dealer, MAYER, a German national and Nazi, had many dealings with both HOFER and ANGERER, but that he knew no details.

Although he had had no dealings with her, a certain Signora VENTURA of Florence had sold many art objects to GOERING.

REBER said that he had never met Goering and that on the occasions when Goering came to Florence, HOFER exerted every effort to get REBER out of town so that they should not meet. He added that Goering was fanatically interested in art, and that when in Florence he would spend hours with the painter CONTINI to the despair of Luftwaffe units and officers who were waiting to honor him. He commented that in many ways Goering was quite competent in art, and that if he had turned his attention in that direction, he would have been quite successful.

REBER said that the art objects which were bought by HOFER and ANGERER for Goering always left Italy by special train, with the approval of the Italian Government, for Germany. He said that he did not know, nor did he believe, that they

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were ever transported to Switzerland from Germany, since he thought Goering to be so innately acquisitive that he would have buried them in some secret vaults in Germany. In his remembrance, Goering was always in Italy to accompany the special train, except on one occasion, when REBER said that HOFER told him Goering had met the train, somewhere in Germany, in pajamas, so eager was he to examine his new acquisitions. REBER said that Goering wanted to buy everything possible, and that HOFER had had some serious arguments with CONTINI, because the latter did not want to part with certain of his paintings. REBER said that CONTINI told him that Goering had said one day, "CONTINI, it's too bad you're not a Paris Jew, and I'd just take them all away from you."

REBER said that although none of GOERING's Italy purchases were sent to Switzerland, HOFER had told him that when GOERING confiscated (?) the collections of ROSENBERG, the famous Jewish art dealer of Paris, the collections were sent directly to Switzerland where they were addressed to a certain FISCHER, antique dealer of Luzern, Switzerland. It was REBER's impression that FISCHER provided a very important channel for GOERING's purchases in France, and also possibly from other countries.

REBER stated that he did not purchase anything for either HOFER or ANGERER after December 1942 and that he did

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not see HOFER after that date when he left for Germany with GOERING. He said that to his knowledge, Goering purchased nothing in Italy after the Armistice. He added that all of GOERING's purchases had seemed scrupulously correct, and that he believed the Italian Government had generally given its approval. He said that in only one instance had an incident seemed doubtful, his purchase of two 14th century tapestries from a Princess near Padua, name not recalled. The deal was handled by ANGERER who threatened requisition from the Princess, when she refused to sell. REEER said that ANGERER had paid an advance of 100,000 lire, but that to his knowledge the deal was never completely consummated.

REEER said that generally speaking, all Italians were anxious to sell art objects to GOERING, probably because he paid such high prices. He said that GOERING had rather peculiar taste in art, scorning religious pictures and being interested mainly in nudes. GOERING's chief interest in Italian art was centered in Florence. He said that MUSSOLINI gave GOERING a number of objects, one of them the priceless Altar of Pachel.

After the Armistice, REEER said that there arrived in Italy a German Art Commission under Col. Prof. LANSDORF, archaeologist of the Berlin Museum. He said that they seemed

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to be operating under the orders of HIMMLER to protect Italian Art from the Allies. He said that their actions were not always free from criticism, and that it was his impression that they carried off many art objects, although they got little cooperation from the Italians.

REEBER said that he was relieved of his German citizenship on 12 March 1943, together with his wife, and carries an excerpt from the Deutscher Reichsanzeiger of that date to prove it. He said that this was probably done because he was a Mason, because he had been outspoken in criticizing the treatment of the Jews, because he had criticized German education, and because he was an exponent of Modern Art. He added that this news did not reach Italy until January, 1944, since it was published in Berlin and forwarded to Switzerland, where the Gestapo thought he still lived. He did not have any particular trouble with the German Command during this period, and on the arrival of the Allies was interrogated by F.S.S. and at present is in enforced residence at Avellino under orders of the Questura at Naples.

GILBERT S. MELDRUM  
Capt., M.I.  
Officer-in-Charge,  
Sub-Section #5

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Ref No SAIC/14  
19 May 1945

Auth: CG, 7th Army  
Init: P.K.  
Date: 19 May 1945

SEVENTH ARMY INTERROGATION CENTER  
APO 758 US ARMY

FRENCH WORKS OF ART OBTAINED BY  
FORMER REICHSMARSHALL HERMANN GOERING

(Cf Questionnaire A C of S, G-5, Seventh Army, 10 May 1945)

Rating: C-3 Date of Information: See Test Interrogator: A.Z.

1. PREAMBLE

Although he has been depicted in many news reports as being half mad, GOERING gives the impression of being a highly intelligent and cunning man, with charming manners and a certain knowledge of art. He is very talkative, and once he has started to develop a favorite theme he can hardly be stopped.

He insists that he has no desire to conceal anything about the works of art which he has obtained in foreign countries. He explains his tremendous accumulation of treasures by claiming to be a great lover of artistic works, and by stating that it was his intention to transform KARINHALL into a National Museum. He says, "ICH BIN NUN EIN RENAISSANCETYP" ("After all, I'm a Renaissance type"). GOERING also states that the low prices of jewelry and works of art in the occupied countries provided an

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incentive to buy them wholesale. He adds that he was astounded by the cheapness of diamonds at CARTIER's in PARIS in 1940. From 1942 onwards, the prices of antiques and artistic works rose enormously, and he had to exercise all his cleverness and every ruse in order to avoid being "stung" by the dealers.

Source states that in addition to the treasures which he bought, others were sent to him as gifts by Party Members and units of the GAF, and that he also exchanged articles with dealers and other collectors, as a stamp collector swaps stamps. He claims that only about one percent of his collection comes from France.

## 2. FRENCH WORKS OF ART IN GOERING'S COLLECTION

GOERING states that no works of art were taken away from the French National Museums. He claims to have been very helpful to the directors of the French Museum in providing safe repositories for their treasures in specially constructed air raid shelters. He states that he exchanged two statues and a couple of paintings for one wooden statuette and one painting which he was very fond of at the LOUVRE. The negotiations, he states, were long and difficult, but there was no exercise of pressure on his part.

The Jewish properties were exhibited in the SALLE DES

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JEUX DE PAUME, under the supervision of French and German officials. The most valuable of these were sent on HITLER's orders, to the Royal Castles of NEU-SCHWANSTEIN and HOFENSCHEINGAU, Bavaria, to the shelters of the FUERERREBOUTEN in MUNICH and of the REICHSCANCELLORY in BERLIN, and to OBERFALZBERG. Their ultimate destination was the new National Museum at LINZ. Although he admits that some of these treasures were sent elsewhere, GOERING pretends to have no knowledge of their whereabouts.

The remaining works of art exhibited at the SALLE DES JEUX DE PAUME were sold at public auction. PW bought some paintings, statues, antique furniture, and GOBELIN tapestries. In these deals GOERING was advised by a French expert, a Museum official, and his bids never exceeded the evaluation set by this advisor. The only jewelry which he bought was antique. French and German antique dealers were authorized also to take part in these auctions. PW claims that the FUERER demanded photographs of all works of art bought by other amateurs, and that the latter often had to turn over their purchases to HITLER's representative, for eventual shipment to the LINZ Museum.

GOERING states that he bought certain items direct from dealers in Paris, like any private collector. Also, he occasionally made purchases from chateaux and private

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collections through an intermediary.

### 3. CONDITION OF THE COLLECTION

Source states that two specialists were responsible for the care of the works of art in his collection, and that all items were in an excellent state of preservation at the time of their evacuation to Southern Germany (See next section).

### 4. REPOSITORIES OF THE FRENCH WORKS OF ART

There was not sufficient time to evacuate GOERING's entire collection when the Russian advance menaced KARINWALL. A number of GOBELIN tapestries (no French ones) and a certain amount of furniture (Louis XV and Louis XVI) which came from the SALLE DES JEUX DE PAUME had to be left behind.

The most precious collections were sent to BERCHTESGADEN, by RR. At the time of PW's arrest there by the SS, 23 April 1945, these treasures were loaded on freight cars which were inside the unfinished tunnel of the BERCHTESGADEN RR station, and on some other cars which stood on the tracks of the RR line from BERCHTESGADEN to KOENIGSEE. (Note: This information has since been confirmed.) Before his arrest GOERING had time to give orders for the security of these freight cars. Nevertheless he was informed that some of the guards attached to him (GESTAPO and SD men) had

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started to plunder the cars, as well as his villa at OBERSALZBERG, under pretext of putting them in greater safety. Source believes, however, that all the valuable works of art which he obtained from the SALLE DES JEUX DE PAUME can be located and returned.

Following the interrogation source made a written statement pledging his cooperation in the recovery of these art treasures (See Appendix). He also gave the following additional locations where some other works of art acquired at the JEUX DE PAUME might be found:

- a) A certain number of GOELINS at the BURG VELDETSTEIN near NEUHAUS on the PEGNITZ (RR line from FURCHBERG to SAYREUTH).
- b) A certain number of GOELINS in the air raid shelters of the LUFTWAFFE War Academy at WILDPARK-WERDER, near POTSDAM.
- c) One painting called the "Madonna of MEMLING" at PW's wife's present dwelling at ZELL am SEE. (This painting was returned by PW to G-5, Seventh Army, through this unit.)

GOERING claims to have had nothing to do with any French works of art or valuables other than those mentioned in this report.

19 May 1945

SEVENTH ARMY INTERROGATION CENTER

PAUL KUPALA,  
Maj. MI,  
Commanding.

APPENDIX

SECRET

AUGSBURG, 18 May 1945

I hereby declare:

1) That I am ready to return art treasures (exhibited in JEUX DE PAUME) which I acquired and bought at auctions of requisitioned property.

2) That I will do my utmost to find out about the location of these articles and that I will give all the pertinent information possible.

3) That the greater part of these articles and of my total property of art treasures are packed in several freight cars in BERCHTESGADEN. The storing of these articles in air raid shelters did not occur because of my imprisonment by HITLER the day after my arrival there.

4) That I informed the French liaison officer in charge about several other places where there could be some less important works of art.

5) That I am convinced that a conference with my former art custodian HOFER in the presence of Allied Officers will lead to a speedy and extensive clarification of all questions.

/s/ HERMANN GOERING  
REICHSMARSCHALL

SECRET

Der Reichsminister der Luftfahrt  
und Oberbefehlshaber der Luftwaffe

PARIS, 12 March 1941.

BERLIN W 8  
Leipziger Str. 3,  
Staff Office.

I order that the unloading of the art treasures transported from PARIS to FUESSEN be executed by the person put in charge through the Service of Reichsleiter ROSENBERG, "Staff WEST". The persons put in charge by Reichsleiter ROSENBERG, Party Comrades SCHOLZ, BUSSE, Dr. KUNZE and Dr. SCHIEDLAUSKY, are responsible for the unloading and the transportation to the place of safe keeping.

Reichsleiter ROSENBERG's "Staff WEST" retains administrative and supervisory authority until the Fuhrer's final decision as to the future location of the seized art treasure.

I direct all services and authorities to give all necessary support to the persons in charge in the execution of this order.

The Reichsmarschall of  
the Greater German Reich:

/s/ GOERING

ROMINTEN, 21 November 1940

Dear Party Comrade ROSENBERG:

Hearty thanks for your letter and most of all for the wonderful book "Deutsche Groesse" ("German Greatness"). I have already heard much about the exhibition and have read something about it. It is not really necessary for me to assure you how particularly warmly I, for my part, greet this exhibition. As a matter of course, I will avail myself of the next opportunity to inspect it.

I should like to inform you briefly as follows, relative to the cultural goods seized in France. I have especially welcomed that, after much vacillation, an authority for the collection of the articles was finally decided upon although I must point out that other authorities also claim to possess power from the Fuehrer first of all the Reich Foreign Minister, who several months ago sent a circular to all authorities, claiming among other things, power for occupied territory, and stating that the safeguarding art treasures was his responsibility.

Moreover, the Reich Propaganda Minister is still also delegated, I believe, to determine the data relative to these cultural goods, which once were stolen from Germany and which should now be returned. This, however, pertains mainly to the articles that are found in the possession of enemy museums.

I have promised to support energetically the work of your staff and to place at its disposal that which it could not hitherto obtain, namely, means of transportation and guard personnel, and the Luftwaffe is hereby assigned to give the utmost assistance.

In addition, I should like to call to your attention that I have been able to obtain especially valuable cultural goods from Jewish owners. I obtained them from hiding places that were very difficult to find; I discovered these a long time ago, by means of bribery and the employment of French detectives and criminal agents. This activity continues, as does the activity of my foreign exchange investigation

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authorities in scrutinizing bank vaults. In both cases the results will be communicated to your staff, which will then be required to seize the articles and transport them. I consider the cooperation between your staff and Herr THURMER's office in PARIS as excellent and answering its purpose to the highest degree.

In order that no incorrect ideas arise regarding the articles that I want to claim for myself, and those I already have obtained through purchase and others which I should like to obtain, I wish to communicate to you the following:

1). I already possess today through purchase and barter perhaps the most important private collection, in Germany, if not in Europe. These are works that I include in the category of early-Nordic masters, that is, consequently, the early-German, the early Dutch and Flemish, the works of the French Gothic; that is, paintings as well as sculpture.

2). A very extensive and highly valuable collection of 17th century Dutch.

3). A relatively small but very good collection of 18th century French and finally a collection of Italian masters.

This whole collection will be housed appropriately in CARINHALL and will come later into the possession of the State as my legacy, with the provision that the gallery remain in CARINHALL.

The Fuehrer has welcomed my plan, as well as supported it.

In order to complete this collection I have considered the purchase also of some few pieces from confiscated Jewish cultural goods. This pertains chiefly to masters whose works I did not hitherto possess or works necessary to supplement the collection. I submit these things from time to time to the Fuehrer. The purchase occurs as follows: the objects are examined by a French expert, the president appointed by the Government (whose name I have forgotten for the moment). The purchase sum is paid out to the trustee whom the German state has appointed. Arrangements and discussion concerning its use as well as the use of other sums accumulating in the trust funds will be carried out later. In view of the hundreds and thousands of paintings, this is a very modest percentage.

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Up to now there have been about 15 paintings. By the way, I consider this percentage all the more justified, in that through my efforts, which can be proved, I brought out of their hiding-places a very large part of the art treasures. As a matter of course, the Fuehrer has reserved for himself the right of decision over the most valuable part of the collection. An extraordinarily large number of objects remain, however, the total of which will apparently read into thousands; these can be employed for the decoration of party and state buildings as well as for the filling of museums.

This in short for your personal information, so that no false ideas can arise.

As for your letter addressed to Professor SPEER, I can only agree whole-heartedly and most warmly with your opinion. Your lines dedicated to the Theater-Germanentum pleased me particularly. In this matter my endeavors coincide with yours one hundred percent. I should be grateful to you if at our next meeting we could discuss means leading to a quick and thorough success.

Sometimes it almost horrible to see these theater clubs (Theatergermanen) dawdling around during the magnificent Wagnerian Operas. But also everything else you wrote in this letter agrees completely with the line I follow.

It would please me very much to be able to see you again as soon as possible.

The Fuehrer has given me a several weeks' relaxation leave, which I urgently needed, since I found myself for the first time at the end of my strength. I first went to my hunting lodge at ROMINTEN, in order to be able to recover, away from all cares. I shall be in BERLIN for several days around the 18th of December and shall not fail to inquire in due course at your office when it is convenient for you to hold a conference.

Thanking you again for the book, I am with

Heil HITLER!

Yours

/s/ GOERING

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The Reichsmarschall of  
the Greater German Reich

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Headquarters, 1 May 1941.

The battle against Jews, Freemasons and other affiliated forces of opposite "Weltanschauung" is a foremost task of National Socialism during the war.

I therefore welcome the decision of Reichsleiter ROSENBERG to form Staffs in all occupied territories for the purpose of safeguarding all research material and cultural goods of the above-mentioned groups, and transporting them to Germany.

All Party, State and Wehrmacht Services are therefore requested to give all possible support and assistance to the Chief of Staff of Reichsleiter ROSENBERG's staffs, Reichshauptstellenleiter Party Comrade UFIKAL, and his deputy DRK-Feldfuhrer Party Comrade von BEHR, in the discharge of their duties. The above-mentioned persons are requested to report to me on their work, particularly on any difficulties that might arise.

/s/ GOERING

SECRET

21 April 1943 SECRET

St - U/Sz

Tgb. - Nr.347/43

TO: Adjutant's Office of the Reichsmarschall of the Greater German Reich. Attention: Major von BRAUCHITSCH.

THROUGH: Staff Office of the Reichsmarschall.

BERLIN W8

Leipziger Strasse.

Dear Herr von Brauchitsch:

Party Comrade von BEHR, because of overwork, has asked me to relieve him of the direction of the LOUVRE unit of the Staff, since he is required to devote himself completely to "Service West" of the Reich Ministry for the Occupied Eastern Territories (seizure of furniture of Jewish apartments for bombed-out persons). In recognition of the above-mentioned reasons, I have granted this request and have now transferred the direction of the seizure of art treasures to the competent expert of the "Service ROSENBERG", Territorial Leader Robert SCHOLZ.

For the special wishes of the Reichsmarschall, Dr. LONCE is always available, while Party Comrade von BEHR has the task of representing me in his capacity of Inspector of the Staff in case I am prevented from so doing during visits by the Reichsmarschall.

I should like to ask you to inform the Reichsmarschall of the above-mentioned change and to bring it also the attention of the Staff office.

Hearty greetings and Heil Hitler!

Yours,

/s/ Illegible

(UTIKAL)

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The Reichsmarschall  
of the Greater German Reich

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BERLIN W 8, 30 May 1942  
Leipziger Str. 3.

Dear Party Comrade Rosenberg,

Your staff for the seizing of cultural goods in Paris has, I believe, been brought into a false reputation in your opinion, as if it fostered artistic trade itself. I know the work of the staff very well and must state that there is no service for which I can express such absolute praise for continued work and willingness as for this service and all its co-workers. It was probably I who caused this reputation of fostering the artistic trade, since I asked some gentlemen, who were special experts, if they heard anywhere during their stay in Paris or France that paintings or other art objects were being sold by art dealers or private citizens, to look at these things and report them to me, if there were anything there of interest to me. Since the latter was frequently the case, I again asked the men to oblige me by obtaining the things for me, for which purpose I provided a depot for them. If, therefore, several gentlemen were industriously engaged in maintaining connections with art dealers, this was done for me exclusively as a personal favor, for the benefit of the enlargement of my collection. Since very many intended purchasers for art objects search in the occupied territory, I can imagine that these people may be in ignorance of the situation; perhaps also out of jealousy the gentlemen of your staff have been suspected in a wrong direction.

I feel compelled to give you this explanation and to request that this procedure be maintained. On the other hand, I personally support the work of your staff wherever I can, and the seizure of a great part of cultural goods became possible through the fact that I was able to assist your staff through members of my staff.

With best greetings and Heil Hitler!

Yours,

/s/ HERMANN GOERING

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BIOGRAPHY

Name: **Goering, Hermann**

Nationality: German

Region: Berlin

Positions as of 1 April 1945:

Preussischer Ministerpräsident (Prussian Prime Minister),

Präsident des Preussischen Staatsrats (President of the Prussian State Council),

Stellvertreter des Führers als Reichsstatthalter von Preussen (Deputy of Hitler as Reich Governor of Prussia),

Präsident des Reichstags (President of the Reichstag),

Reichsminister der Luftfahrt und Oberbefehlshaber der Luftwaffe (Reich Minister of Aviation and Commander in Chief of the Air Force),

Reichsforstmeister (Reich Forestry Master),

Reichsjägermeister (Reich Hunting Master)

Beauftragter für den Vierjahresplan (Delegate for the Four Year Plan),

Mitglied des Geheimen Kabinettrats (Member of the Secret Cabinet Council),

Vorsitzender des Ministerrats für die Reichsverteidigung (Chairman of the Ministerial Council for the Defense of the Reich),

Reichsmarschall (Reich Marshal),

SA Obergruppenführer (SA Senior Group Leader).\*

Birth date and place: 12 January 1893; Rosenheim, Upper Bavaria.1/

History: His father was the first Governor of German South West Africa and subsequently served as Consul

General in Haiti. 2/ His mother, Elisabeth (Lohe) Göring

\* List of previous positions see: Appendix I.

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travelled from Haiti to Germany, so that Hermann Goering should be born in Germany, but shortly after his birth returned to Haiti, where she had left her husband and the other children, leaving Hermann Goering in the care of Mrs. Graf in Fürth, Bavaria. Goering's family returned to Germany in 1896 and for two years they lived in Berlin, where the father was employed by the government.3/

Education: When in 1898 Goering's father was pensioned, the family moved to Veldenstein, Bavaria. In 1899 Goering was sent to school to Furth, where he boarded with a teacher. When, despite punishment, he caused too much trouble in school by his Jew baiting, he was transferred to the boarding school in Ansbach. Subsequently he attended the military academy in Karlsruhe (Kadetten-Korps Karlsruhe) and the military academy (Hauptakademie-Anstalt) in Gross-Lichterfeld.4/ In March 1914 (?) he was commissioned a lieutenant in the 112th Imperial Infantry regiment.5/

Work and Political History: At the outbreak of World War I Goering was attached to a battalion stationed in Mühlhausen and saw some action on the western front in the first few months of the war.6/ In October of 1914 he joined the Air Force as an aviation observer (Flugzeugbeobachter), and in 1915 passed his pilot's examination. In March 1916 he joined a squadron of chaser planes (Jagdflieger), ranking as one of Germany's top air aces. 7/ He was shot down and

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wounded the latter part of 1916 and hospitalized for four months. 8/ By May 1917, however, he had returned to active duty and was placed in charge of the 27th fighter squadron (Staffelführer der Jagdstaffel 27). In July 1918, he was appointed commander of the well known Richthofen air squadron. 9/ When the armistice of November 1918 brought an end to the war, Goering disobeyed orders to surrender his planes to the American forces, and flew his entire force back into Germany (Darmstadt). 10/

He expressed his dissatisfaction with the German surrender and his adherence to the nationalistic "stab-in-the-back legend" on other occasions. At a meeting in Berlin in 1918, conducted by Minister of War, General Reinhard, he protested against the removal of Imperial military insignia, according to his official biographer. 11/ In 1922 in Munich he took an active part in protests against the handing over of German war criminals to the Allies. 12/

As the end of the war found Goering without employment, he went to Scandinavia. He spent the year 1919 in Denmark, working as a pilot, 13/ and in 1920 went to Sweden, where he worked first as a transport pilot for Capt. Florman and as clerk in the office of Ivan Lundh & Co. Subsequently he became an official of the Swedish air line "Svenska Lufttrafik" in Stockholm. 14/ It was there that he met Baroness Karin

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von Fock, who, after divorcing her husband, married Goering.

In 1922 Goering returned to Germany and joined the Nazi movement, which was then in its very beginning. From 1922 to 1923 he was enrolled as a student of history and economics at the University of Munich, 15/ but most of his time was spent in Nazi Party activities. During the latter part of 1922 Hitler asked Goering to take charge of the recruiting for the SA (Storm Troops), which had made their first public appearance in November 1921 at a speech of Hitler's in the Hofbrauhaus in Munich. 16/ In December 1922 Goering was officially named Chief of the SA, 17/ and established his headquarters at Obermenzing in Upper Bavaria. 18/ In January 1923 he is said to have reported to Hitler that he had completed the organization of the SA. 19/

On November 9, 1923, Goering participated in the unsuccessful putsch at the Feldherrnhalle in Munich. He was wounded by a machine gun bullet, but friends carried him away, and the same day he fled to Innsbruck, Austria. 20/ After recovering from his injury (November--December 1923), he made a trip to Vienna in February 1924 to confer with Nazi leaders there. 21/ Shortly afterwards he went from Innsbruck via Venice to Rome, because the Tyrolese government asked either the handing over or the expulsion of the Nazi

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refugees. In 1925 he left Rome and proceeded via Czechoslovakia, Poland and Danzig to Sweden. 22/ In Stockholm he entered an asylum (Langebros-Sinnes-sjukhus asylum) as a morphine addict, Professor Olaf Kinberg reportedly having been in charge of his cure. Late in 1926, after amnesty had been granted the participants in the 1923 putsch and Hitler had been released from imprisonment in the Landsberg fortress, Goering returned to Germany, leaving Karin and their child behind. 23/

In Germany Goering resumed his activities in the Nazi Party. 24/ As the putsch of 1923 had failed, the Nazis altered their tactics, trying to gain power through "constitutional" methods, rather than through open revolt. In the national election of May 1928 they made their first gains. Goering was one of the first twelve Nazis elected to the Reichstag. He represented the Potsdam district (Wahlkreis 4). 25/ In 1930 Goering was reelected, 26/ and Nazi representation in the Reichstag rose from twelve to one hundred and seven seats. To promote the interests of the Party so suddenly enhanced in power, Hitler appointed Goering his Deputy in all political matters (politischer Beauftragter des Führers der NSDAP) for the Berlin area, while Hitler himself concentrated his activities in southern Germany. 27/ In this capacity Goering played a prominent part in bringing Hitler to power.

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On January 16, 1931, he took part in discussions with Bruning who had invited representatives of the Nazi Party to the Reich Chancery in a vain effort to come to terms with the Nazis. 28/ On April 7, 1931, Goering helped in the ruthless suppression of the premature revolt by Captain Stennes, and consequently his power was further enlarged, as Hitler gave him supreme Command over the Nazi Party for the entire Eastern Area (Generalvollmacht der Gruppe Ost). When the National Socialist Minister of the Interior of Braunschweig, the only state where Nazis held controlling positions in a coalition government, resigned against Hitler's wishes, Goering hastened to Braunschweig to assure continued Nazi control of the government. 29/ Later in the year (October 10), he accompanied Hitler to an interview with President Hindenburg. 30/ While Goering was thus involved in political negotiations in Berlin, Karin died in Sweden on October 17, 1931. 31/ (In 1934 he brought her body from Sweden to Germany and buried it with great pomp at his Schorfheide estate. One year later he married the actress, Emmy Sonnemann.)

It was also during 1931 that Goering went on one of his first missions abroad in behalf of the Nazi cause. He went to Rome where he had discussions with high officials of the Vatican. In an effort to win the approval of the

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Church for the Nazi movement he assured members of the College of Cardinals that the Nazis had no intention of introducing Germanic pagan cults, but would welcome the support of the Church. 32/

After the fall of the Brüning cabinet in May 1932, Goering conducted negotiations with members of the von Papen cabinet on behalf of Hitler and the Nazi Party. As a result of the election of 31 July 1932, the Nazis, although lacking a majority, were the largest party in the Reichstag. When nevertheless, Hitler on August 13, 1932, was offered only the position of Vice-Chancellor under Papen instead of Chancellor, he refused this position. 33/ Goering, however, was elected President of the Reichstag when it met on August 30, 1932, and used this position to bring about a vote of no confidence in the Papen cabinet, just before Papen was able to carry into effect the dissolution of the Reichstag. 34/ In the election of 6 November 1932 the Nazi Party lost seats in the Reichstag, but their number was still sufficiently large to reelect Goering President of the Reichstag, when it met in December. After the resignation of the Papen government, Goering used his influence to the utmost to oppose the appointment of Schleicher as Chancellor, impeding the formation of a new cabinet. During the critical days from 20-30 January 1933, Goering in the

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main represented the Nazi Party in the negotiations for the formation of a new cabinet, making every effort to persuade Hindenburg to appoint Hitler as chancellor. Only by deceiving Hindenburg with false reports of an attempted coup d' etat on the part of Schleicher, did he finally succeed in having Hitler appointed chancellor on January 30, 1933. And it was Goering who first publicly announced the appointment to his Nazi followers. 35/

For his efforts Goering was immediately rewarded with a number of influential positions in the Hitler government. On January 30, 1933, he was appointed Reich Minister without portfolio, 36/ and at the same time Prussian Minister of the Interior. 37/ He used the latter position to terrorize and suppress the political opponents of the Nazis in anticipation of the election of 5 March 1933. He removed anti-Nazis from the Civil Service, 38/ issued a decree of 2 February, forbidding the Communists to hold public meetings and occupied their headquarters, the Karl Liebknecht house, by police, 39/ and on 17 February ordered the police to support the SA and SS, and organized an "auxiliary police" ("Hilfspolizei") composed of members of the SA, the SS and the Stahlhelm. 40/ After the burning of the Reichstag, the campaign against anti-Nazis was intensified. Thousands of "Communists" were arrested, and the Communist as well as

the Social Democratic press was suppressed. 41/

After the new Reichstag voted Hitler extraordinary powers, thus virtually abrogating the Weimar constitution, the campaign to eradicate political opponents of the Nazis was carried on on an even larger scale. Under the law of 7 April 1933 (Gesetz zum Wiederaufbau des Berufsbeamtentums) a sweeping purge of the Civil Service was carried on. 42/

Early in 1933 also, Goering was appointed Deputy of Hitler as Reichsstatthalter of Prussia. 42a/ On 10 April while on a diplomatic mission in Rome, he was appointed Prime Minister of Prussia. He assumed this new office on 20 April upon his return from Rome, 43/ and immediately set about reorganizing the Prussian police further. On 27 April 1933 he abolished Department IA (Political police) of the Prussian Police and in its place organized the Geheime Staatspolizeiamt (Gestapo), which became the most dreaded instrument of Nazi terror. Its personnel was recruited mainly from the SA and SS, with a view to political reliability. At this time also, under the authority and direction of Goering, the first concentration camps were established. 44/

Goering's power in Prussia became complete, when on 18 May the Legislature (Landtag) met and accepted the "Ernachtigungsgesetz" giving Goering full authority to re-organize the Prussian administration according to the principles of the "Gleichschaltungsgesetz" and beyond that to alter

the laws as well as the constitution of Prussia at his discretion. 45/ Shortly afterwards (8 July 1933), Goering established a new body, the so-called Prussian State Council (Preussischer Staatsrat), as an "advisory body to the Prime Minister in matters of legislation." Its membership consisted of the top Nazi leadership of Prussia. 46/

In April 1934 the Prussian Ministry of the Interior was merged with the Reich Ministry of the Interior. Goering thus relinquished the post of Minister of the Interior, but retained control over the Prussian Criminal and Administrative police. 47/ The secret state police (Gestapo) on 20 April 1934, came under Himmler's control who by that time controlled the Gestapo in all the German states, though Goering as Prime Minister still exercised over-all supervision in Prussia. 48/ Not until 1936 did Goering relinquish control over the Prussian police entirely, when the entire German police was unified and placed under the control of Himmler. 49/

An important event of Goering's career of the first few years of the Nazi regime was the purge of 30 June 1934, in which Goering took a prominent part. Made responsible by Hitler for carrying on the purge in Berlin, while Hitler went to Munich to dispose of Röhm, et. al., Goering used this occasion to "liquidate" the conservative opposition in the capital. Among those killed were Schleicher and his wife, Klausener, von Bredow, Edgar Jung, Strasser, Voss, etc. 50/

Early under the Nazi regime Goering gained control of all matters pertaining to forestry and hunting in the entire Reich. On December 1, 1933, the Prussian Forest administration was removed from the jurisdiction of the of the Ministry of Agriculture and placed under Goering's control, who reorganized it on a central as well as on a regional level. 51/ By law of 3 July 1934, (Law for the transfer of the forest and hunting administration to the Reich) the Reich Ministry of Forests was established, and Goering was appointed Reich Forestry Master with far-reaching control over the forest administration, lumber trade, etc., of the entire Reich. 52/ Finally, in 1935, the Reich and the Prussian Ministry of Forests were merged, the streamlining of the German forest administration thus completed. Similarly, hunting regulations throughout the Reich were centralized. On 9 May, the Reich Hunt Association (Reichjagdbund) had asked Goering to become Protector of the German Hunt. Subsequently he reorganized the hunting laws of Prussia and by the law of 3 July 1934 already mentioned, was given Reich wide jurisdiction. 53/

Completely controlled by Goering from the beginning of the Nazi regime was the field of aviation, both civilian and military. On 30 January 1933, he was appointed Reichkommissar für die Luftfahrt (Reich Commissioner for Aviation). 54/

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Only a little over a month later (5 March 1933), the Reich Air Ministry was established and Goering appointed Reich Air Minister. By law of 15 December 1933, concerning the administration of German air traffic, control over German aviation was centralized in Goering's hands. 55/ Goering also controlled air research and air protection. In 1933 he became President of the Lillenthal Company for Air Research and during the same year founded and became President of the German Academy for Air Research. 56/ In April 1933 he established the Reich Air Protection League (Reich Luftschtzbund), with himself as President, and by the law of 1934 revoked all former laws concerning air raid protection and issued new regulations.

A transition from civilian to military aviation was the founding of the German Air Sports Union by Goering in 1933. By decree of Hitler of January 1937 the name of this organization was changed to NSFK. Although new airmen for the NSFK were recruited entirely from the Hitler Youth, the NSFK retained its financial and administrative control independent of the NSDAP, remaining under the jurisdiction of the Air Ministry and thus directly under Goering's control. 57/

On 1 March 1935, the formation of a new German Air Force was officially announced by Hitler, and Goering was appointed Commander in Chief of the Air Force

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(Oberbefehlshaber der Luftwaffe). 58/ Goering soon developed the Air Force into one of Germany's most powerful tools of military aggression, particularly after Hitler, on 16 March 1935, had officially repudiated the limitations on German armaments imposed by the treaty of Versailles. 59/

Commander in Chief of the Air Force was not the only military rank Goering held. On 31 August 1933 Hindenburg appointed him General of Infantry (General der Infanterie). 60/ On 20 April 1936, he was promoted to General Oberst and on 1 February 1938, he was advanced to the rank of Generalfeldmarschall, the highest German military rank. 61/ Shortly after the successful conclusion of the military campaign in France, he received the newly created title of Reichsmarschall. 62/ Hitler also showed his confidence in Goering by appointing him his Deputy in March 1938 during his absence from Germany in connection with the annexation of Austria, 63/ and by designating him, in 1939, (August 30?) as his successor. 64/

Beginning in 1936, Goering became one of the most powerful figures in control of the German economy. On 27 April 1936, he was appointed Reich Commissioner for Raw Materials and Foreign Exchange (Reichkommissar für Rohstoffe und Devisen). 65/ On 9 September of the same year Hitler

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proclaimed the second Four Year Plan, and to carry out the economic program of this plan Goering was appointed Delegate for the Four Year Plan (Beauftragter für den Vierjahresplan). 66/ On 22 October, Goering issued the first decree in his new capacity. 67/ As Delegate for the Four Year Plan, he was given far-reaching authority to issue laws and decrees affecting economic policy and to call upon established government agencies to carry out these policies. Shortly after the annexation of Austria (19 March 1938) the Four Year Plan was extended to Austria and subsequently was applied to other territories annexed or occupied by the Germans. 68/

On 26 November 1936, Schacht resigned as Minister of Economics, and Funk was named as his successor, the appointment to be effective 15 January. Goering was entrusted with the management of the Ministry of Economics for the interim period. Between the 26th of November 1937 and the 4th of February 1938, the day he actually relinquished his authority as Minister of Economics, Goering undertook a sweeping reorganization of the Ministry, so as to bring its activities in line with the policies of the Four Year Plan. 69/

The year 1937 also saw the establishment of the Goering industrial combine, which became the third largest

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industrial trust in Europe. On 15 July 1937 the Reichswerke AG für Erzbergbau und Eisenhütten Hermann Goering was formed. In a speech on 23 July before representatives of the iron producing and iron consuming industry, Goering announced that construction of the first plant at Bleckenstadt near Salzgitter had begun. 70/ The Goering combine rapidly expanded. Reorganized in 1941, it controlled vast industrial properties not only in Germany, but throughout German annexed and occupied territory.

Throughout these years before the war, Goering frequently represented the Nazi government on missions abroad, while at the same time he received numerous foreign visitors both at his official residence in Berlin and at his estate at Schorfheide, Karin Hall.

On 11 April, he went to Rome, where on the 12th he had a Conference with the Pope and with Cardinal Faccelli. Later, in May, a meeting between Goering and Mussolini took place. 71/ 7 November 1933, found Goering again in Italy, where he conferred with Mussolini. 72/ In the spring of 1934 he took a trip through the Balkans. From Belgrade he proceeded to Athens and after several days (17-24 May 1934) went to Budapest, where he was received by Horthy. 73/ In October 1934 he returned to Belgrade to attend the funeral of King Alexander. On that occasion he gave an address to the local group (Ortsgruppe) of the

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NSDAP in Belgrade. 74/ In January 1935 he made the first of several visits to Poland. On 31 January he was received in conference by Pilsudski. 75/ Only a few months later he returned to attend Pilsudski's funeral (May 17-18). On that occasion he had a long conversation with Laval, who was in Poland at the same time. On 27 May Goering visited King Boris in Sofia, and early in June was once more in Belgrade. 76/ After thus cultivating the friendship of Germany's satellites in Southeastern Europe, Goering turned his attention again to Poland, which he visited early in 1936 (17-26 February). 77/ In 1937 he made two trips to Italy in order to strengthen the ties of the Rome Berlin Axis, and once more spent several days in Poland from 13-22 February. 78/

Indicative also of Goering's influence in foreign affairs is his appointment on 1 February 1938 as a member of the newly established Secret Cabinet Council (Geheimer Kabinettsrat), which according to the official announcement, was constituted to advise Hitler on matters of foreign policy. 78/

With the outbreak of war Goering's power was further increased. By decree of 30 August 1939, Hitler established the Ministerial Council for the Defense of the Reich (Ministerrat für die Reichsverteidigung) and appointed Goering its chairman. In the council legislative as well as executive authority was centralized to the largest

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possible degree, members of the council being authorized to issue laws and decrees even if contradictory to existing legislation. A further decree of January 1941 empowered Goering to enact any legislation necessary for air raid protection of the Reich. 79/ In May 1941 the Industrial Council of the Reich Marshal for Aircraft Production (Industrierat des Reichsmarschall für die Fertigung von Luftwaffengerät) was established under Goering's direction, with Milch, Deputy Commander in Chief of the Air Force, as chairman. 80/ On September 2 (?) 1943, Goering became chairman of the Zentrale Planungsamt (Central Planning Office for War Production), subordinated to him in his capacity as Commissioner for the Four Year Plan. This office engaged primarily in long range over-all planning for war production, leaving the arrangement of detailed plans to other agencies.

Beginning in 1943 and particularly since the latter part of 1944 reports have been numerous concerning the decline of Goering's power as a result of his rivalry with Himmler as well as with Speer, although it has not so far been clearly ascertained to what extent he lost influence in recent years. Not until 27 April 1945, did he officially relinquish any of his important offices, when he resigned as Reich Air Minister and Commander in Chief of the German Air Force. 82/ Less than two weeks later he surrendered to the American Seventh Army in Austria, where he had fled from Berlin. 83/

FOOTNOTES

1. Wer Ist's, 1935.  
Der Grossdeutsche Reichstag, 1938.  
Gritzbach, Erich, Hermann Goring, The Man and His Work, Hurst & Blackett.Ltd., London, 1939, p. 146.  
Current Biography, 1941.
2. Wer Ist's, 1935.
3. Gritzbach, op. cit., p. 147.
4. Ibid., pp. 151-157.  
Wer Ist's, 1935.
5. Wer Ist's, 1935.  
Der Grossdeutsche Reichstag, 1938.  
According to Gritzbach he did not join the 112th Infantry regiment until 1914. According to the two other sources he joined it in 1912.
6. Gritzbach, op.cit., p. 158.  
Der Grossdeutsche Reichstag, 1938.
7. Gritzbach, op. cit., pp. 160-161.  
Wer Ist's, 1935.  
Der Grossdeutsche Reichstag, 1938.
8. Gritzbach, op. cit., p. 163.
9. Ibid., p. 163.  
Wer Ist's, 1935, gives the date of his appointment as June 1918.
10. Gritzbach, op. cit., pp. 170-171.  
Current Biography, 1941.
11. Ibid., p. 173.
12. Ibid., p. 119.
13. Wer Ist's, 1935.
14. OSS Washington (oral), January 15, 1943.  
OSS, R & A, GEu, 16 December 1943.  
Current Biography, 1941.
15. Wer Ist's, 1935.  
Der Grossdeutsche Reichstag, 1938.
16. OSS Source F, M 353-2A, 24 April 1944.

17. Wer Ist's, 1935.  
Gritzbach, op. cit., p. 12.
18. Ibid.
19. Ibid., p. 122.
20. Ibid., p. 123.  
Wer Ist's, 1935  
Der Grossdeutsche Reichstag, 1938.
21. Gritzbach, op.cit., p. 125.
22. Ibid., pp. 126-127.  
Wer Ist's, 1935.
23. Current Biography, 1941.  
OSS, R & A, CEu, 16 December 1941.  
According to Current Biography Karin suffered from epilepsy and she and Gßring had been deprived of the custody of the child.
24. According to the official version (Wer Ist's, 1935; Der Grossdeutsche Reichstag, 1938) he was "active as a writer and in aviation." According to the Reichstagshandbuch of 1928 he was "Flugzeugführer in Bayrischzell." According to Current Biography, 1941, he was "head of the motorworks in Munich and tried with some success to persuade aircraft and motor industrialists that when Nazism came to power it would revive the industry through air rearmament."
25. Wer Ist's 1935.  
Der Grossdeutsche Reichstag, 1938.  
Gritzbach, op. cit., pp. 127-128.
26. Gritzbach, op. cit., p. 129.  
Current Biography, 1941.
27. Gritzbach, op. cit., p. 129.  
Reichstagshandbuch, 1933.  
Current Biography, 1941.
28. Gritzbach, op. cit., pp. 130-131.
29. Ibid., pp. 133-134.
30. Ibid., p. 135.
31. Ibid., p. 136.  
Wer Ist's, 1935.

32. Gritzbach, op. cit., p. 132.  
Wer Ist's, 1935.
33. Gritzbach, op. cit., p. 140.  
Rühle, Gerd, Das Dritte Reich, Dokumentarische Darstellung des Aufbaues einer Nation (Berlin, Hummelverlag, 1933--), I, 23.
34. Gritzbach, op. cit., p. 143.  
Rühle, op. cit., I, 23.
35. Rühle, op. cit., pp. 25-26.  
Gritzbach, op. cit., p. 150.  
Heiden, Konrad, Adolf Hitler (Europa Verlag, Zürich, 1936).
36. Gritzbach, op. cit., p. 19.  
Wer Ist's, 1935.
37. Ibid.
38. Gritzbach, op. cit., p. 29.  
Rühle, op. cit., I, 35.
39. Rühle, op. cit., I, 44.
40. Ibid., I, 45.
41. Ibid., I, 46.  
Gritzbach, op. cit., p. 40.  
Göring's Rede zum Reichstagsbrand, Dokumente der Deutschen Politik, V I, # 10.
42. Gritzbach, op. cit., p. 43.
- 42A. Rühle, op. cit., III, 43.  
Preussisches Staatshandbuch, 1939.
43. Rühle, op. cit., I, 110.  
Gritzbach, op. cit., p. 25.  
Telegram from Hitler to Göring and official announcement of the appointment, Dokumente der Deutschen Politik, Vol. I, p. 158-160, #64.
44. Rühle, op. cit., I, 48, 103.  
Gritzbach, op. cit., 32, 33.  
Gesetz über die Einrichtung eines Geheimen Staatspolizeiamts vom 26 April 1933 (Preussische Gesetzessammlung, 122); Gesetz über die Geheime Staatspolizei, 30 November 1933 (Preussische Gesetzessammlung, 413) - cited in Dokumente der Deutschen Politik, Vol. V, p. 236, # 43 a.
45. Rühle, op. cit., I, 194.

46. Ibid., p. 196.
47. Gritzbach, op. cit., p. 42.
48. Speech of Himmler as Reichsführer SS and Chief of German Police on the occasion of the "Tag der Deutschen Polizei," 1937, Dokumente der Deutschen Politik, Vol. V, p. 236, # 48 a.
49. Gritzbach, op. cit., p. 42.
50. Rühle, op. cit., II, 233, 236. (Telegram from Hindenburg to Göring thanking him for his part in suppressing the "revolt".)  
Heiden, op. cit., pp. 451-454.  
Gritzbach, op. cit., p. 179.  
Hitler's speech about the events of June 30, 1934, See - Rühle, op. cit., II, pp. 237-248.  
The law of July 3, 1934, for the suppression of treasonable attacks on the State was an attempt to legalize, ex-post-facto, the events of June 30.
51. Gritzbach, op. cit., p. 50.
52. Rühle, op. cit., III, 43.  
Gesetz zur Überleitung des Forst-und Jagdwesens auf das Reich, 3 July 1934, Reichsgesetzblatt, I, 534.
53. Gritzbach, op. cit., pp. 58, 60-61.
54. Gritzbach, op. cit., p. 19.  
Verordnung über den Reichskommissar für die Luftfahrt, 2 February 1933, Reichsgesetzblatt, I, 35. (The decree of February 2 was made retroactive to January 30.)
55. Gritzbach, op. cit., p. 82.
56. Ibid., p. 87.
57. Ibid., p. 90.  
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58. Gritzbach, op. cit., pp. 92-97.  
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59. Gritzbach, op. cit., p. 101.

60. Rühle, op. cit., I, 198.
61. Current Biography, 1941.  
Dokumente der Deutschen Politik, Vol. VI, Pt. II, p. 615.
62. Current Biography, 1941
63. Amtliche Deutsche Mitteilung über die Beauftragung des Generalfeldmarschalls GÖring mit der Stellvertretung des Führers und Reichskanzler's vom 12. März 1938. Dokument der Deutschen Politik, Vol. VI, Pt. I, p. 140, # 26.
64. Current Biography, 1941.  
Transcript of Shortwave broadcast by Berlin Radio, 12 January 1943, # 30915/11243G.
65. Gritzbach, op. cit., p. 102.  
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66. Gritzbach, op. cit., p. 105.  
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67. Dokumente der Deutschen Politik, IV, 268.  
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68. Verordnung zur Einführung des Vierjahresplans in Österreich, 19 March 1938, Reichsgesetzblatt, I, 262.
69. Amtliche Mitteilung über die Umbildung des Reichkabinetts, 26 November 1937, Dokumente der Deutschen Politik, Vol. V, p. 92, # 11a.
70. Rede des Generalfeldmarschalls GÖring auf der 5. Reichstagung der AO der NSDAP, Dokumente der Deutschen Politik, Vol. V, p. 313.  
Verordnung vom 20. Dezember 1937 (Landbeschaffung für die Hermann GÖring Werke), Reichsgesetzblatt, I, 1409.  
R & A No. 1910, 25 July 1945.
71. Gritzbach, op. cit., p. 25.  
Rühle, op. cit., I, 167.
72. Rühle, op. cit., I, 305.
73. Ibid., II, 203.
74. Ibid., p. 354.

75. Ibid., III, p. 89.
76. Ibid., p. 169.
77. Ibid., IV, 60.
78. Nürnberger Proklamation vom 7. September 1937, Dokumente der Deutschen Politik, Vol. V, p. 95.
79. OSS Source F, M 356-2A, 3 November 1943.  
Erlass des Führers über die Bildung eines Ministerrats für die Reichsverteidigung, Reichsgesetzblatt, 1939, I, 1539.
80. OSS source D, 5 July 1944.  
FCC, Names and Places, 11 September 1943.
81. OSS Source D, 5 July 1944.  
OSS Source F, M 356-2T, 1 February 1944.
82. Hamburg Radio, 27/4/45. News Digest # 1746, A1.  
OSS Source D, 27 April 1945.
83. New York Times, 5 May 1945.



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Party Offices:								X	X	X	X	X	X	X
SA Obergruppenführer (honorary)														
Politischer Beauftragter des Führers der NSDAP	X	X												
Prussian State Offices:														
Preussischer Minister des Innern		X	X											
Oberbefehlshaber der Preussischen Polizei		X	X	X	X									
Oberbefehlshaber der Gestapo in Preussen		X	X											
Preussischer Ministerpräsident		X	X	X	X	X	X	X	X	X	X	X	X	X
Vertreter Hitler's als Reichsstatthalter von Preussen		X	X	X	X	X	X	X	X	X	X	X	X	X
Präsident des Preussischen Staatsrats		X	X	X	X	X	X	X	X	X	X	X	X	X
Reich Offices:														
Präsident des Reichstags	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Reichsminister ohne Geschäftsbereich		X												
Reichskommissar für die Luftfahrt		X												
Reichsluftfahrt Minister		X	X	X	X	X	X	X	X	X	X	X	X	X
Präsident des Reichsluftschutzbundes		X												
Oberbefehlshaber der Luftwaffe				X	X	X	X	X	X	X	X	X	X	X
General der Infanterie		X	X	X										
General Oberst					X	X								
Generalfeldmarschall							X	X						
Reichsmarschall									X	X	X	X	X	X
Reichsforstmeister			X	X	X	X	X	X	X	X	X	X	X	X
Reichsjägermeister			X	X	X	X	X	X	X	X	X	X	X	X

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