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x Germany

ad: "Lines of defense which the high Nazi Leadership might pursue against the charge of seeking to dominate the European Continent by launching aggressive war."

The accused will unanimously insist that Nazi Germany's policies were inspired and directed solely by Hitler. They were his instruments not only because Germany was a Fuehrerstaat in the strict sense of the term but <sup>also</sup> out of their devotion and loyalty to Hitler.\* Whatever <sup>exercise of</sup> initiative they were granted by the Fuehrer was concerned only with the execution of his will. ~~They~~ He withdrew into solitude before taking new momentous decisions. Though allowing discussion of the "details" of execution he confronted his associates with a project finished in all its major aspects. Thus they will <sup>try to</sup> devolve all basic responsibility on Hitler.

As to his motives and ratiocinations they were essentially unselfish, humane and centered in the welfare of the German people. He understood deeply that any solution <sup>of</sup> its problems demanded a solution of the European problem. Hitler knew that the old continent was doomed unless it was revived through the adoption of the National-Social way of thinking. Hitler aimed at the unification of Europe. He ardently desired to preserve peace but he saw clearly that the salvation of Europe demanded war as the ultima ratio if some government offered blind obstruction (Poland). He did his ut-

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In rendering the opinions of the accused the direct rather than the oblique form will be used in the following.

most to carry out his plan by diplomatic procedure.

The accused were firmly convinced that only Hitler could save Europe. France's collapse as well as Poland's proved the moral disintegration of those peoples through obsolete, democratic forms of government. The accused had boundless admiration for Hitler and followed him without any hesitation whatever. They still believe that he was right.

The Big Powers in the West had been too selfish and unimaginative to grasp the significance of Hitler's stature. The present confused and aimless condition of Europe proves that Europe needs a genius such as Hitler was and needs his ideas, Nazism.

Thus Hitler's plan was not to dominate Europe. He wanted to reorganise and to streamline the irrational shape ~~in which~~ <sup>which</sup> of the continent had become restive and desperate.

Of course, Germany would have greatly benefited from her leadership in bringing about this revival. But the Germans were the natural leaders by the dispensation of "history". Hitler had given them a new creative idea. And the Germans were the most numerous, most industrious, inventive and self-sacrificing nation in Europe. They alone could redeem a continent which on <sup>the</sup> ~~one~~ <sup>hand</sup> ~~side~~ had fallen into misery and on the other enjoyed and perished in enjoying <sup>its</sup> ~~their~~ wealth. Hitler wished to let the commands of <sup>historical</sup> justice prevail.

As proof of Hitler's and their own well-meaning intentions the accused will offer the argument that Hitler even inmidst of war started with considerable success the ~~mmh~~ rationalisation, the indispensable unification of Europe's economic fabric. They will not mind ~~ed~~ conceding that many high-handed and even cruial actions were to that end "necessary". This was inevitable for the common good which could be achieved only by drastic and expeditious action. <sup>#</sup> The accused will harp again and again on what they will call the impotence of the Bigh Three and the local governments to create even a semblance of order in Europe. They will engage in dire prophecies about Europe's future. The death of Hitler's and Germany's ruin will be described as the greatest calamity that has ever befallen the Continent, and the world. ~~They~~ Germany's defeat will only aggravate the plight of Europe be it only because with Germany the last bulwark against universal Bolshevisation has vanished. The indispensable stride forward in Europe's history and the re-orientation of mankind under Hitler has been frustrated by mere mechanical accident : the industrial and numerical superiority of the Allies.

✱

In corroboration of their theses the accused will quote even from Mein Kampf and cite numerous passages from Hitler's speeches from 1933 on .Nazi Minister for Economics Walter Funk( an alcoholic) will especially stress the

salutary and efficient performance of the Nazi administration in occupied Eastern Europe; evidence to the contrary must be ascribed to the stress of war. Actually, the pattern of a Grossraumwirtschaft was laid out encompassing the whole of Europe, and inspite of the war. Such an all-comprehensive pattern under a central leadership was the only one that could <sup>have</sup> ~~help~~ <sup>ed</sup> Europe permanently. ~~Temporary~~ Measures of relief of only temporary duration and similar patched work was of no use and would push Europe only deeper into the mire.

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Counsel for the accused will deal with the legal aspects of the incrimination of the Nazi leadership under head A of the statute. Yet the accused themselves will take a hand in attacking the foundations on which the proceedings against them rest.

To the principles introduced -as they will say- in order to to render their actions indictable as "war crimes" the accused will oppose purely pragmatic reasoning. Of this examples have been given in the above.

Thus they will continuously invoke "History" as an all-powerful agency whom Hitler served. They will talk of the "irresistibility" of ~~axxx~~ historical "forces" and "dynamics" constituting a ~~Historical~~ "logic" of which Hitler was conscious with supreme insight and which dictated the course he took to solve historic "problems" and "contrasts" by satisfying historic "inevitabilities".

and "necessities", - and so on.

They will scorn a criminal law set up to judge "historical actions and decisions", according to a sheer, superficial analogy -: the way crimes committed by private individuals are judged. Government is only responsible to the community that has put them in power- and to History. So are the governments which have created The Tribunal.

They will scoff at those who expect a wholesome effect on the preservation of peace <sup>statesmen</sup> ~~from~~ holding/individually and legally responsible for their official acts. This will make the weak among them only more inefficient and timid and will not deter the strong from doing their duty. They will go as far as to call war an accepted international institution.

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Here follow some special arguments the accused might proffer, and some further observations of the writer.

A "No grievances of policies will justify the resort to aggressive war." (Judge Jackson in his statement of August 10, London)

The accused might urge that Hitler's true purpose ~~was~~  
~~was~~ was tragically obfuscated by the  
 declaration of war against Germany by the Western Powers  
 on account of the attack against Poland. ~~Thereby~~ Thereby  
 Hitler was forced into an European war and exposed to  
 the accusation that <sup>he</sup> aimed at the domination of Europe.  
 In fact, ~~the~~ England and France themselves committed by  
 their initiative an act of aggression. For they cannot  
 show any other cause for it than "political grievances".

B Hitler's "peace-mindedness."

Hitler had always desired and, after 1933, tried to  
 bring about an all-round understanding with Britain.  
 (The Naval Agreement of 1935). This tendency alone  
 proves that his plans were fundamentally constructive  
 and his methods based on give-and-take. Once the dispute  
 with Poland, the only real stumbling bloc, was settled  
 once for all, there would have been no reason anymore  
~~for~~ why such an accord with England, especially if  
 extended to other powers, should not have been feasible *and*  
*have brought about a golden age.*  
 Instead Hitler was forced by English shortsightedness  
 and egotism into an European war. That is why a great  
 reformer now can appear in the false light of a

reckless conqueror.

C The attack on Poland.

The accused will especially shrink from the hard facts ~~concerning the situation~~ of the aggression against Poland.

They will perorate about the consistent hostility of her policies toward the defeated Germany not only in the economic field but in regard to German minorities in Poland, cultural relations and their attitude in Geneva.

Even the conciliatory and weak Weimar Governments could not help resorting to economic boycott against Poland and <sup>to</sup> other devices they used to fend off "Polish aggressiv-  
nes". Poland was a thorn in Germany's flesh. Quite apart

from her right to take back Danzig and the Corridor,

Germany could not permanently tolerate the precarious ~~and~~ situation which persisted on her eastern flank

and had become outrightly unsafe after the pact Poland had concluded with the Soviet Union. No nation in a similar situation would have been able to avoid a showdown with so provocative and incalculable a neighbor. In a

much less unsafe situation the Soviet Union had attacked Finland. The entire history of the relations of Poland

not only with Germany but her smaller neighbors and

even, before Germany had become more powerful, with

the Soviet Union, demonstrated her ambition and intractibi-



lity. Poland more than any other country was obstructing Germany taking her rightful place in the east. She endangered peace and harmony in that part of the Continent and thereby obstructed the reorganisation of Europe, rendering actually impossible. Wise statesmanship demanded stern action.

D The Bolshevist danger

It goes without saying that the accused will make much of the Western Allies having "extradited" Europe to Moscow and thereby "betrayed" Civilisation. Yet it is improbable that they will make their defense solely from this angle. They will <sup>rather</sup> will/try to impress the world with the loss it has suffered by the failure of Hitler to execute his grandiose plans.

- E The economic policy of the Nazis in occupied Europe. *Personalia.*  
 Funk, if still master of his faculties which are considerable, will defend himself dexterously. Ribbentrop was always considered in Germany ~~as~~ an ambitious fool; next to Himmler he was the most loathed and despised among Hitler's men. I was told that during the ceremony of signing the Munich instrument he went to an adjacent room to tell some of his attachés gathered there that "At this moment ~~xxx~~ Chamberlain has signed the death sentence of the British Empire." He nevertheless will protest his love for England. He is also known to have said to Hitler and other persons: "The right way to deal with the "Beefs" is to trample on their feet and then not to apologize."



Schwerin-Krosigk will probably say that he has been forced into the Party by Hitler on the occasion of the famous "mass-baptism" on New Year 1935 when Hitler personally decorated his ministers who were not Party members with <sup>Krosigk</sup> ~~the Nazi insignum~~ the Nazi insignum. He will point out that he considered it his duty to see to it that the German people had a satisfactory administration of its finances. There was no Nazi capable to take over his office. If he had retired, abuses and corruption would have been rampant. He had nothing to do with foreign policies. He will try to protect the Generals.

Goering will insist that he had taken to heart especially from the fact an rapprochement with England quite apart that such an understanding ~~was the declared line of Hitler's foreign policy~~ was the declared line of Hitler's foreign policy. However, in August 1937 Goering in a passionate speech he made at a meeting of airplane industrialists whom he had <sup>summoned to</sup> ~~invited to~~ Stuttgart, said that he wished it to be understood that not the Soviet Union but Britain was the true obstacle on Germany's path and it was against the English that the air industry should make every effort to get the upperhand.

(more)