

E

Defendant HANS FRANK
(Neumann rough draft, unedited)

FRANK joined the Free Corps von Epp in 1918, thus associating himself with subversive organizations at the age of 18. He joined the Nazi Party at an early age and became the Party's leading lawyer, chief of the Party's legal division, and ultimately Reichsleiter in charge of the Reichsrechtsamt (Reich Legal Office) of the Party. In 1930, he was elected to the Reichstag on the Nazi ticket.

On 10 March 1933, the Nazi Reichsleiter, von Epp, seized power in the Bavarian state on Hitler's behalf and appointed the defendant Acting Minister of Justice, a position which he misused for private purposes and through which he began the rapid Nazification of the Bavarian judiciary.

At about the same time, the defendant was made Reich Commissar for the Coordination of Justice throughout the Reich. He held this position until 1934 when he was made Reich Minister without portfolio, a position which he retained until the collapse of the Nazi state.

The defendant, moreover, organized the NS Lawyers Organization (NS Rechtswahrerbund) as an affiliate (angeschlossen) of the Nazi Party. This was a comprehensive organization of law teachers, judges, lawyers, patent lawyers, notaries, etc., numbering, in 1938, about 80,000 members. He retained leadership until 1942 (?).

On 26 June 1936, the defendant also created the Akademie fuer Deutsches Recht (Academy of German Law) which by a statute of 11 July 1934^{1/} was taken over by the Reich and given the status of a public-law corporation. The defendant was commonly known in Germany as Reichsjuristenfuhrer, or Leader of the Reich Jurists.

^{1/} R G Bl I, p. 605.

These three positions gave the defendant extraordinary influence over German legal affairs. As Reich Commissar, he promoted legal unification and the destruction of state rights; he also acted as a buffer between the Party and the more conservative Nazi Minister of Justice, the late Dr. Guertner. As leader of the NS jurists, he provided the ideological training for jurists, especially law students and Referendare. He established special camps for students, Referendare, and judges and exposed them to a steady stream of Nazi propaganda.

As President of the Academy, the defendant was charged with the "promotion of the Renaissance (Neugestaltung) of German legal life and the execution of the Nazi program in the total sphere of law in cooperation with the legislative agencies."^{2/}

The defendant summarized his task as follows:

- to create the unity of the Reich;
- to promote the racial legislation;
- to promote sterilization legislation;
- to promote the hereditary estates legislation;
- to promote Nazi labor legislation;
- to promote the political monopoly of the Nazi Party.^{3/}

The defendant was particularly active in eliminating Jews from the legal profession, and devoted many speeches and articles to this task.^{4/}

The defendant's activities were by no means confined to Germany. He promoted close relations with Fascist Italy, visited Fascist dignitaries on several occasions,^{5/} founded the German-Italian Legal Working Community with the cooperation of Fascist

^{2/} Charter of Academy R G Bl, I, 1934, p. 605.

^{3/} Broadcast of 20 March 1934 in Dokumente Vol. II, pp. 294-298.

^{4/} Most important speech delivered 3 Oct. 1936 in Dokumente Vol IV pp. 225-230. ^{5/} 24 June - 2 July 1938 Dokumente VI, I. p. 74.

Minister Solmi,^{6/} and finally established the International Law Academy, an international organization of fascist and Nazi lawyers.

After the conquest of Poland, the defendant was first appointed Chief of the Civil Administration of Lodz (Litzmannstadt) and was subsequently elevated to the position of Oberverwaltungschef (Supreme Administrative Chief)^{7/} for all four German Military Districts of West Prussia, Poznan, Odz and Krakow. He operated under von Rundstedt, the Commander-in-Chief East,^{7/} who authorized the defendant, on 16 October 1939, to promulgate ordinances under his own signature. The defendant's task was to prepare for the establishment of a uniform civil administration.

On 26 October 1939, the Hitler Edict of 12 October 1939 took effect, by which the Generalgouvernement fuer die Besetzten Polnischen Gebiete (General Government for the occupied Polish territories)^{8/} was established and the defendant was appointed Governor General. He held this position until the forces of the USSR entered Poland.

As Governor General of the occupied Polish territories, the defendant was, according to the decree of 12 October 1939, immediately responsible to Hitler. His territory comprised the following districts: Krakow, Warsaw, Radom, Lublin and Galicia - a region comprising 145,180 sq. km. and inhabited by 14,850,000 people.^{9/} All branches of the administration were placed under the single authority of the defendant, although, according to Section 5 of the Decree, the Four Year Plan Organization and the Ministerial Council for the Defense of the Reich could operate independently.

^{6/} Op cit, p. 92.

^{7/} For full details see R&A 2500.10.

^{8/} Changed to simply General Government by decree of 31 July 1940.

^{9/} Krakauer Zeitung, 8 December 1943.

The defendant's first decree as Governor General of 26 October 1939^{10/} established the pattern of his rule. It provided not only for a chief of the Governor General's Office but also for a Higher SS and Police Leader, ^{11/} a position which the defendant himself held for some time (?).^{12/}

According to one of the defendant's decrees, the Higher SS and Police Leader was obliged to obtain his consent in all matters "of fundamental importance" but was otherwise able to undertake, on his own authority, any steps necessary for the maintenance of security and order.^{13/}

The defendant was thus in charge of all German civilian administrative personnel and of all SS, Police and SD forces operating in the territory of the Government General. The defendant established Special Courts,^{12/} and summary police courts manned by SS and Police personnel.^{13/} By virtue of his position alone, the defendant assumed responsibility for all criminal acts committed in his territory from 16 October 1939 until the end of his tenure of office.

The defendant FRANK is thus guilty of:

1. Having participated in the overthrow of the Republic;
2. Having played the decisive role in the creation of National Socialist law;
3. Having preached anti-Semitism;
4. Having, as Reich Minister in the Reich Cabinet, endorsed all Nazi Policies;
5. Having as Reichsleiter helped to shape all Nazi policies;
6. Having as Governor General of Poland committed crimes against the articles of war and against humanity.

^{10/} Verordnungsblatt, 1939, p. 3.

^{11/} Verordnungsblatt, 1939, p. 5.

^{12/} Verordnungsblatt, 1939, p. 34.

^{13/} Verordnungsblatt, 1939, p. 18.