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Defendant RUDOLF HESS
(Heumann rough drafts unedited)

Overall functions:

The defendant, Rudolf Hess, prior to May 1941 was one of the three key figures in the Nazi system. As Deputy Führer of the Nazi Party, he was Hitler's second in command for all Party affairs. As such he was personally responsible for all acts he performed both through the functions originally invested in his office and through those later delegated to him by the Führer. Furthermore, he was next in line after Goering as successor designate to Hitler as Chief of State. In addition, the defendant held the position of SS Obergruppenführer and SA Obergruppenführer.

Preparation for the seizure of power:

The defendant's affiliation with the Nazi movement is of long standing. His senior rank within the Party and, in addition, his close and strong personal association with Hitler gave the defendant a unique position within the Party hierarchy. His influence upon Hitler as well as the Party leadership in general must be regarded as a vital factor in the rise of the Nazi movement and in the maintenance and consolidation of Party control after the seizure of power in 1933.

As a student of the geopolitician Haushofer, the defendant took an active interest in the aggressive nationalism espoused by radical right-wing elements. The defendant's personal acquaintance with Hitler dates back to the early years of National Socialism. He joined the Thule Society, a precursor of the Nazi Party, and later, in 1921, became a

member of the Nazi Party itself and of the SA. As a member of the extremist faction of German nationalism, the defendant not only endorsed and practiced the application of force as a political instrument, but he openly advocated the overthrow of the government through violent means. He demonstrated his beliefs through personal participation in public brawls and street fighting and was wounded during one of the major riots in Munich. Furthermore, as leader of the student group within the SA, the shock troopers of the party, the defendant took part in the abortive putsch of 8/9 November 1923. Like Hitler he was found guilty of high treason and sentenced to serve a prison term at the Fortress of Landsberg.

During his imprisonment, the defendant assisted Hitler in writing and editing "Mein Kampf". Inasmuch as this book is the ideological textbook of Nazi politics a substantial number of which were put into practice after the seizure of power, the defendant must be regarded as the intellectual co-author of the chief arguments propagated and practiced by National Socialism.

Following his release from prison, the defendant resumed his political activities. He became assistant to Haushofer, the geopolitician, then professor at the Deutsche Akademie in Munich. In the spring of 1925, Hitler made the defendant his private secretary and he maintained this position until 1933. In December 1932, immediately preceding the seizure of power by the Nazi party, the defendant was

appointed Chairman of the Central Political Committee of the National Socialist Party, a promotion which foreshadowed the central position accorded to him in the years subsequent to the Nazi rise to power.

Responsibilities discharged since 1933:

After the seizure of power the defendant became a member of the Reichstag, and was appointed Deputy to the Führer. Due to Hitler's preoccupation with official governmental functions, the scope of the defendant's responsibilities was considerable. As the Führer's Deputy within the Party, the defendant was instrumental in the formulation and administration of policies within the Party proper as well as within most of the Party formations, affiliated associations and subsidiary organizations. This included, specifically, the appointment of Party officials, the issuance of major directives effective on the national level and the supervision of the so-called functional offices which administered specific Party policies on an international, national, regional or local level.

Over and above the authority which he enjoyed within the Party, the defendant exercised the special function of enforcing and supervising the coordination of the government apparatus and public life with the principles of National Socialism. He was the exclusive representative of the branches and affiliates of the Party in their relationship to the State. The Law to Safeguard the Unity of the Party and State of 1 December 1933 and the modifying Law of 3 July

1934 determined that "in order to guarantee closest cooperation between the offices of the Party and the public authorities, the Deputy of the Führer is a member of the Reich Cabinet." In this capacity as Reich Minister without Portfolio, the defendant signed his name to such vital parts of Nazi legislation as the Law of 15 September 1935, for the Protection of German Blood and German Honor, which codified racial diffamation of Jews, and the Decrees issued for the Execution of this Law and of the Reich Citizenship Law. Inasmuch as the Reich Cabinet was a body equipped with legislative powers, the defendant, of necessity, was a party to all legislative acts which were debated and decided by the Reich Cabinet as a whole. The defendant, thus, was the co-signer of the Law of 16 March 1935 for the Reconstruction of the Armed Forces which introduced general conscription in violation of articles . . . of the Versailles Treaty and which initiated the re-militarization of Germany preparatory to military action. In addition, as the delegate of the Party within the Government it was his function to "give concrete form in the sphere of legislation to the ideological principles for which the Party stands;" in effect, to act as a clearing office for all legislation issued by official government agencies and bodies. Consequently, no major piece of legislation was issued without the cooperation, if not consent, of the defendant. Furthermore, it is the defendant who carries the ultimate responsibility for the transformation of the German civil service into a political body utterly

subservient to the directives of the Party, and for the selection of Nazi officials which ruthlessly carried out Nazi policies inside Germany and occupied Europe. A decree of 24 September 1935 conferred upon the defendant the power to approve or veto the appointment and promotion of higher civil servants. In the defendant's own words, the criteria of selection was "whether he (the civil servant) fulfills his duty in faithful allegiance to the new State, whether he endeavors to conduct himself as a National Socialist, whether in his works he is furthering the necessary unity of Party and State in accordance with the Führer's will..."

The defendant's responsibility for the preparation of aggressive war is apparent in early statements advocating intensification of war production at the expense of civilian consumption. On 12 October 1936 he said, "We shall be prepared, if necessary, to consume in the future a little less fat and pork and fewer eggs - because we know that the foreign exchange which we shall thereby save will be turned over to our rearmament program." In 1937, before officers of the Armed Forces, the defendant explained the need for intensified rearmament as follows: "The most essential means for the preservation and strengthening of the nation is power (Macht). Foundations of power are (1) size of the space that belongs to the nation....;

(2) geographic location of the space....;

(3) the people in its total value....;

(4) the weapons created by the nation as to

quantity as well as quality.....;

(5) imponderables...."

The defendant used his "Foreign Organization" as a platform from which to launch statements threatening Party intervention in foreign affairs or directly incite acts of aggression. During the Czech crisis the defendant, at the Sixth Assembly of Germans Living Abroad, assured the Sudetan Germans of Germany's "profoundest sympathy" with "the right of millions of members of a great people to conduct their life and so to shape it as adherence to this people of culture demands." Four days before the outbreak of the war, he announced at the Seventh Assembly, "We shall follow the Führer's flag, come what may. The power responsible for the irresponsibility of Poland is England." Above and beyond its function as a propaganda agency, the "Foreign Organization" of the Party served the defendant as a vehicle for Fifth Column activities in foreign countries. The defendant, who by birth was a so-called "foreign-born German", took an active interest in the sponsorship of the "Foreign Organization" of the Party. This organization, which consisted of German citizens living abroad, was devoted to the cause of spreading National Socialism in foreign countries and to commercial, industrial and political espionage. The Foreign Organization as a network of Party agents was an invaluable instrument in setting the stage for political intervention by German diplomacy and, ultimately, for military aggression by the German Armed Forces.

In 1939, at the outbreak of the war, the defendant was appointed Successor Designate No. 2 to the Führer to assume supreme command over Government, Party and Armed Forces in the event that Hitler or Goering, as Successor Designate No. 1, should relinquish his post or be otherwise prevented from exercising his authority. The powers wielded by him made him the third most important member of the Nazi regime between 1939 and 1941.