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Military government weekly information bulletin. Number 58 September 1946

[S.I.]: Office of the Assistant Chief of Staff, G-5 Division USFET, Information Branch, September 1946

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US SPORTS FOR GERMAN YOUTH



WEEKLY
INFORMATION BULLETIN



UNITED STATES ZONE, GERMANY

Greater Hesse, Wuerttemberg-Baden

MILITARY GOVERNMENT



WEEKLY INFORMATION BULLETIN

OFFICE OF MILITARY GOVERNMENT FOR GERMANY, U. S.
CONTROL OFFICE APO 742 U. S. ARMY

OFFICIAL INSTRUCTIONS

Top Secret Control Procedure	AG 371.2 GBI-AGO 12 August 1946, USFET
Emergency Return of Military Personnel to Zone of Interior	AG 210.711 GAP-AGP 22 August 1946, USFET
Excess Issue of Black Dyed Clothing	AG 420 RMJ-AGO 24 August 1946, USFET
Employees' Suggestion and Awards Program	AG 415 (PO) 24 August 1946, OMGUS
Allied Military Missions	AG 091.112 (SG) 24 August 1946, OMGUS
German Personnel Working in Rear Echelon and OMGUS Field Agencies	AG 230 (CO) 26 August 1946, OMGUS
Authorized Allowances of Insect, Vermin, Rodent Control Items and Office Supplies	AG 729 RMJ-AGO 26 August 1946, USFET
Use of "Documents Classified 'Restricted'" by Responsible Officials of German Government	AG 380.01 (SG) 26 August 1946, OMGUS
Establishment of an Employee Council in OMGUS	AG 322 (PO) 26 August 1946, OMGUS
German Personnel Receiving One Meal Daily	AG 230 (CO) 26 August 1946, OMGUS
Limitation of the Characteristics of Ships Left at the Disposal of Germany, CORC/P(46)264 (Final)	AG 560.1 (CO) 26 August 1946, OMGUS
Reduction of Personnel	AG 200.3(PO) 26 August 1946, OMGUS
Monthly Report of Ministers for Political Liberation Relating to Persons in German Labor Camps	AG 050 (CO) 27 August 1946, OMGUS
Reorganization of the Railway Police	AG 014.12 (TD) 28 August 1946, OMGUS
Fares for Allied Personnel on German Local Conveyances	AG 500 (TD) 28 August 1946, OMGUS
Land Representatives at Office of Military Government for Germany (US).	AG 091.112 (PO) 28 August 1946, OMGUS
Vetting of Employees of Military Installations	APO 333 (IA) 28 August 1946, OMGUS
Recommendations to Zone Commanders on Factory Inspection	AG 004.06 (MD) 29 August 1946, OMGUS

Copies of Official Instructions listed in the **Weekly Information Bulletin** may be obtained by writing directly to the originating headquarters.



Signal Corps Photo

US SPORTS FOR GERMAN YOUTH – The picture on this week's cover shows a group of German children at an elementary school in Heidelberg engaged in the recreation program which the American Army has set up for them. A GI from the 17th Cavalry Regt. does his part by supervising the game.

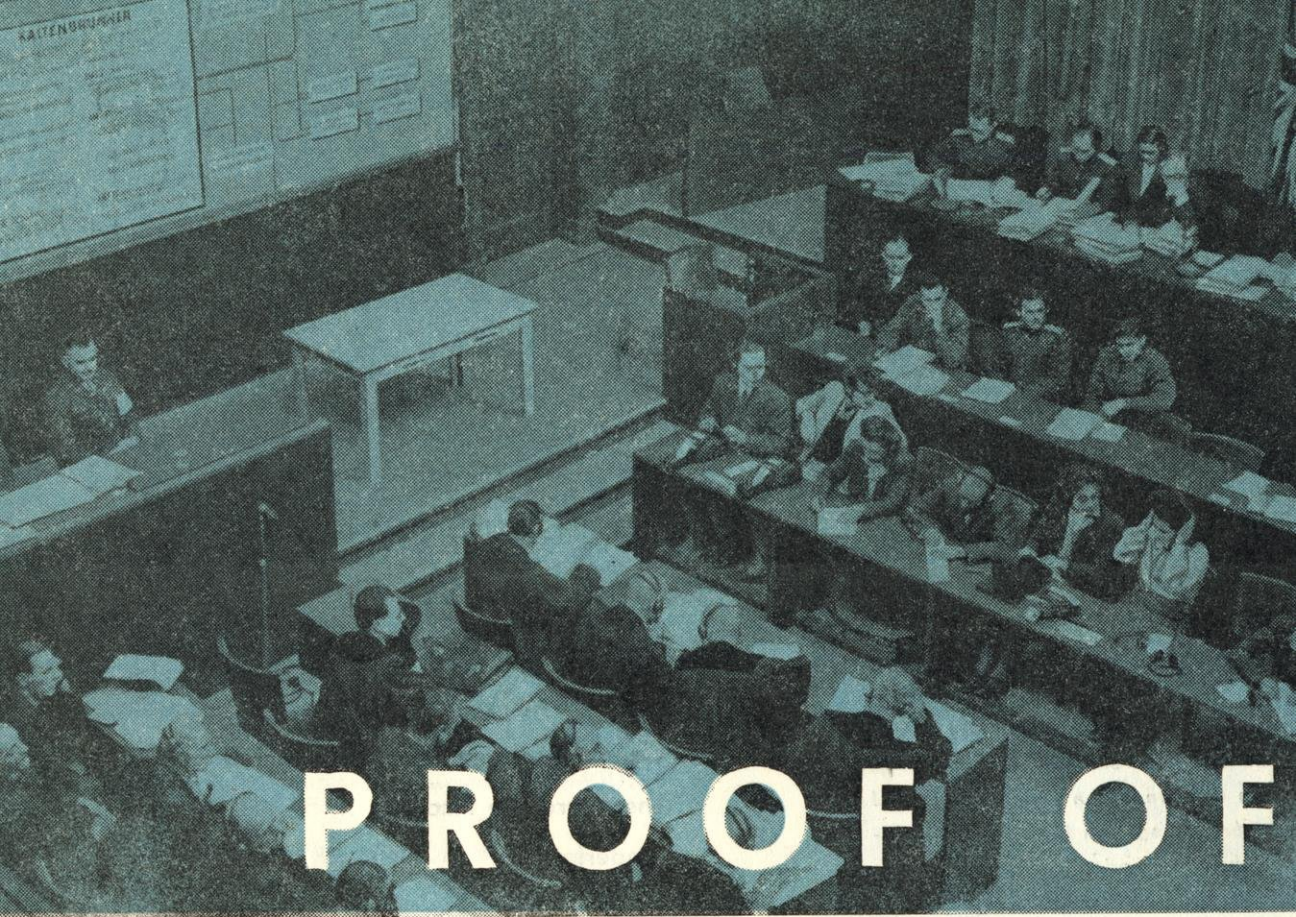
OUR CONTRIBUTORS

"Proof of Nazi Guilt" is an abstract of the summation address by **Robert H. Jackson**, Associate Justice of the US Supreme Court and US chief prosecutor at the International War Trials in Nuremberg. His opening address was published in Issue No. 33 of the "Weekly Information Bulletin" on 16 March 1946.

The need for a central department for food and agriculture is outlined in **Central German Agencies: Part 5**. This is the fifth in a series of eight articles taken from the OMGUS report of the same title. The report is the first concrete blueprint for central German agencies as outlined in the Potsdam Agreement.

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PROOF OF

Justice Jackson Shows Hitler's Acts Were Shared by All 22 Defendants in Summation of Nuremberg Trial Evidence

In eight months . . . we have introduced evidence which embraces as vast and varied a panorama of events as has ever been compressed within the framework of a litigation. It is impossible in summation to do more than outline with bold strokes the vitals of this trial's mad and melancholy record, which will live as the historical text of the Twentieth Century's shame and depravity.

It is common to think of our own time as standing at the apex of civilization, from which the deficiencies of preceding ages may patronizingly be viewed in the light of what is assumed to be "progress." The reality is that in the long perspective of history the present century will not hold an admirable position, unless its second half is to redeem its first . . .

No half-century ever witnessed slaughter on such a scale, such cruelties and inhumanities, such wholesale deportations of peoples into slavery, such annihilations of minorities . . . If we cannot eliminate the causes and prevent the repetition of these barbaric events, it is not irresponsible prophecy to say that this Twentieth Century may yet succeed in bringing the doom of civilization.

REDRESSING BLIGHT ON OUR ERA

Goaded by these facts, we have moved to redress the blight on the record of our era. The defendants complain that our pace is too fast. In drawing the Charter of this Tribunal, we thought we were recording an accomplished advance in International Law . . . The society of nations . . . seeks



NAZI GUILT

(Above, left) The prosecution at the Nuremberg trials presents evidence against Ernst Kaltenbrunner; (above) US Chief Judge Francis Biddle, participates in the questioning of Fritz Sauckel, Nazi labor leader.

Signal Corps Photos

to apply sanctions to enforce International Law, but to guide their application by evidence, law and reason

I shall rest upon the law of these crimes as laid down in the Charter. The defendants, who except for the Charter would have no right to be heard at all, now ask that the legal basis of this trial be nullified. This Tribunal, of course, is given no power to set aside or to modify the Agreement between the Four Powers, to which eighteen other nations have adhered. The terms of the Charter are conclusive upon every party to these proceedings

The future will never have to ask, with misgiving, "What could the Nazis have said in their favor?" History will know that whatever could be said, they were allowed to say. They have been given the kind of

a trial which they, in the days of their pomp and power, never gave to any man . . . The fact is that the testimony of the defendants has removed any doubts of guilt which, because of the extraordinary nature and magnitude of these crimes, may have existed before they spoke. They have helped write their own judgment of condemnation.

ON TRIAL FOR OVERT ACTS

But justice in this case has nothing to do with some of the arguments put forth by the defendants or their counsel. We have not previously and we need not now discuss the merits of all their obscure and tortuous philosophy. We are not trying them for possession of obnoxious ideas The intellectual bankruptcy and moral perversion of the Nazi regime might have been no con-

cern of International Law had it not been utilized by the *Herrenvolk* across international frontiers. It is not their thoughts, it is their overt acts which we charge to be crimes....

We charge unlawful aggression but we are not trying the motives, hopes or frustrations which may have led Germany to resort to aggressive war as an instrument of policy.... We do say that it is now, as it was for sometime prior to 1939, illegal and criminal for Germany or any other nation to redress grievances or seek expansion by resort to aggressive war....

The United States has no interest which would be advanced by the conviction of any defendant if we have not proved him guilty on at least one of the counts charged against him in the indictment.... But in summation we now have before us the tested evidences of criminality and have heard the flimsy excuses and paltry evasions of the defendants.... The time has come for final judgment....

CRIMES OF THE NAZI REGIME

The strength of the case against these defendants under the conspiracy count.... involves but three ultimate inquiries: First, have the acts defined by the Charter as crimes been committed; second, were they committed pursuant to a common plan or conspiracy; third, are these defendants among those who are criminally responsible?.... The pillars which uphold the conspiracy charge may be found in five groups of overt acts, whose character and magnitude are important considerations in appraising the proof of conspiracy.

1. **The Seizure of Power and Subjugation of Germany to a Police State....** Goering, in 1934, pointed out that its enemies were legion and said, "Therefore the concentration camps have been created where we have first confined thousands of Communists and Social Democrat functionaries." In 1933, Goering forecast the whole program of purposeful cruelty and oppression when he publicly announced: "Whoever in the future raises a hand against a representative of the

National Socialist movement or of the State, must know he will lose his life in a very short while."

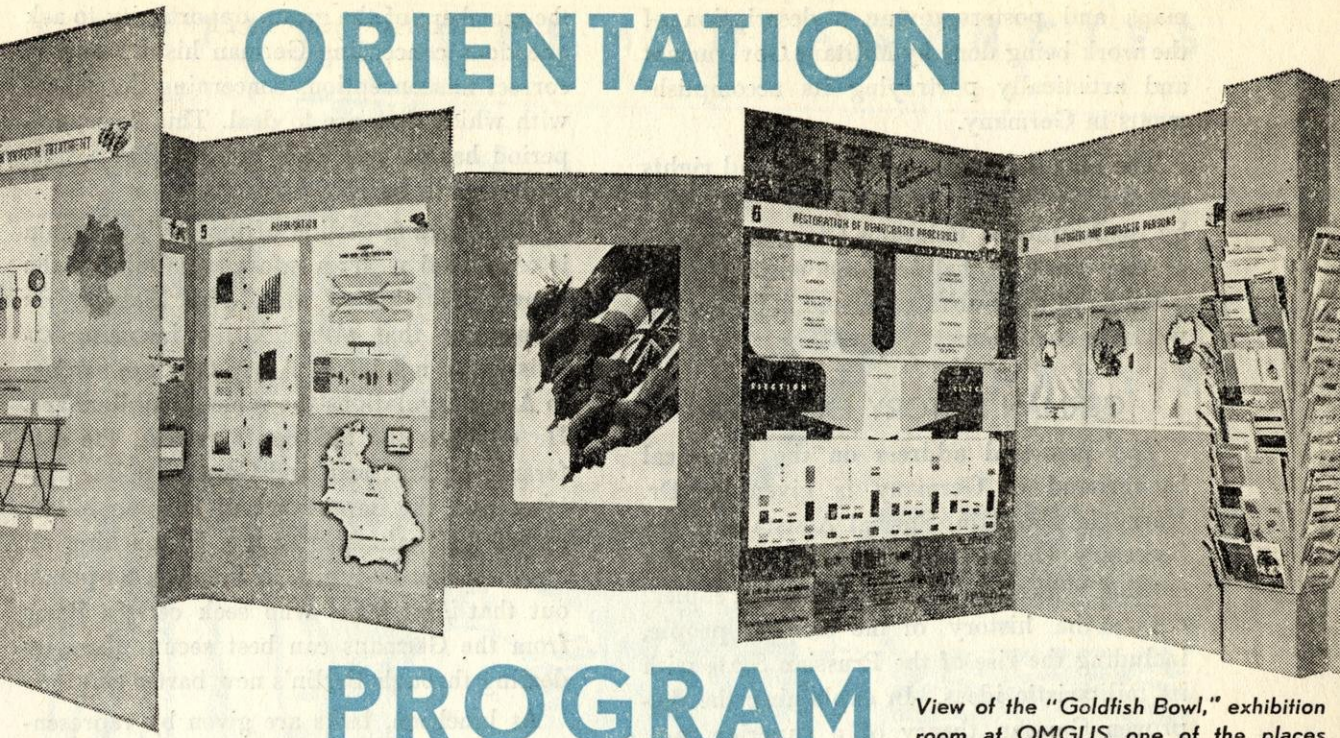
New political crimes were created to this end. It was made a treason, punishable with death, to organize or support a political party other than the Nazi party.... Laws were enacted of such ambiguity that they could be used to punish almost any innocent act.... The doctrine of punishment by analogy was introduced to enable conviction for acts which no statute forbade.... The Gestapo and the SD were instrumentalities of an espionage system which penetrated public and private life.... With all administrative offices in Nazi control and with the Reichstag reduced to impotence, the judiciary remained the last obstacle to this reign of terror. But its independence was soon overcome and it was reorganized to dispense a venal justice.... Special courts were created to try political crimes, only party members were appointed judges....

The result was the removal of all peaceable means either to resist or to change the government. Having sneaked through the portals of power, the Nazis slammed the gate in the face of all others who might also aspire to enter. Since the law was what the Nazis said it was, every form of opposition was rooted out, and every dissenting voice throttled. Germany was in the clutch of a police state, which used the fear of the concentration camp as a means to enforce non-resistance. The Party was the State, the State was the Party, and terror by day and death by night were the policy of both.

2. **The Preparation and Waging of Wars of Aggression.** From the moment the Nazis seized power, they set about feverish but stealthy efforts, in defiance of the Versailles Treaty, to arm for war. In 1933 they found no air force. By 1939 they had 21 squadrons.... In 1933 they found an army of three infantry and three cavalry divisions. By 1939 they had raised and equipped an army of 51 divisions.... In 1933 they found a navy of one cruiser and six light cruisers. By 1939 they had built a navy of four battleships, one aircraft carrier, six cruisers,

(Continued on page 21)

ORIENTATION



PROGRAM

View of the "Goldfish Bowl," exhibition room at OMGUS, one of the places visited in the new orientation program.

Photo by PRO, OMGUS

American personnel arriving in the European Theater to engage in occupational activities are being given a comprehensive eight-hour briefing to orient them in the conditions in Germany today; the peculiarities in German life, customs and attitudes, and the general situations which may confront them.

The orientation course, set up and increased from two to eight hours in accordance with a recent USFET directive, eliminates many of the doubts, mistaken ideas and misconceptions which many newcomers have on their arrival. It gives them in one day a clearer conception of Germany and Military Government than previously might have been acquired in months of experience.

The OMGUS orientation course, which is given the second and fourth Mondays of each month, is opened with a message of welcome by the Chief of Staff. The group is given a brief view of the over all policy in Germany and the accomplishments of Military Government. Another speaker outlines the OMGUS suggestion campaign, in

which employees are urged to make suggestions for developing greater efficiency in the organization and greater economy in its operations.

A detailed explanation of the organization of Military Government in Germany, its accomplishments during the past year and its present policies of occupation is given by the Chief of the Training Section, Personnel Office. The Potsdam Agreement, basic pattern for the treatment of occupied Germany and for instilling democratic ideas and principles in its government and institutions, is explained along with a summary of progress toward accomplishing the Agreement's goals. With the aid of charts, a resume is presented of the organization and functions of USFET, the Allied Control Authority, the Berlin Kommandantura and various quadripartite organizations functioning in Germany.

The group is taken on a visit to the "Goldfish Bowl," famed exhibition room located in the Director's Building at OMGUS Headquarters. In this room are graphs, charts,

maps and posters giving a description of the work being done by Military Government and artistically portraying its accomplishments in Germany.

The responsibilities, limitations and rights of the individual worker are explained by the Employee Relations Officer. He tells of his work in helping the employees in ironing out their difficulties and in improving working conditions.

GERMAN HISTORY EXPLAINED

The principal address on the historical background of Germany is given by Dr. Harry L. Franklin, Special Assistant to the Secretary General of OMGUS. His talk, entitled "Germany and the German People," covers the history of the German people, including the rise of the Prussian State with its militaristic ideas. In explaining the disproven German theory of a superior race, Dr. Franklin says:

"Pan-Germanism taught the German people that they were a superior race, that militarism was a fine thing developing superior qualities in the Germans, and that democracy was an inferior form of political life. At first this theory was more or less restricted to the upper classes and intelligentsia of Germany, but Hitler took the theory of pan-Germanism and popularized it on a vast scale until it penetrated all German life and became a passion of all the German people."

In describing the efforts of the Germans to seek sympathy and to exaggerate their troubles, Dr. Franklin warns the group, "All of them will hand you a line. They will tell you of the evils of the Versailles Treaty, that the Poles started the war, and so forth. It is part of our duty to tell them some straight facts for a change. Don't walk away without answering them because they will think they have convinced you of their line. Instead, stand up to these people and tell them that Hitler's rise to power is their own responsibility and that we don't intend to let them do it again."

A brief discussion follows the talk to give

the members of the group opportunity to ask questions concerning German history and to correct misconceptions concerning the people with which they are to deal. This discussion period has created such interest that a time limit had to be set.

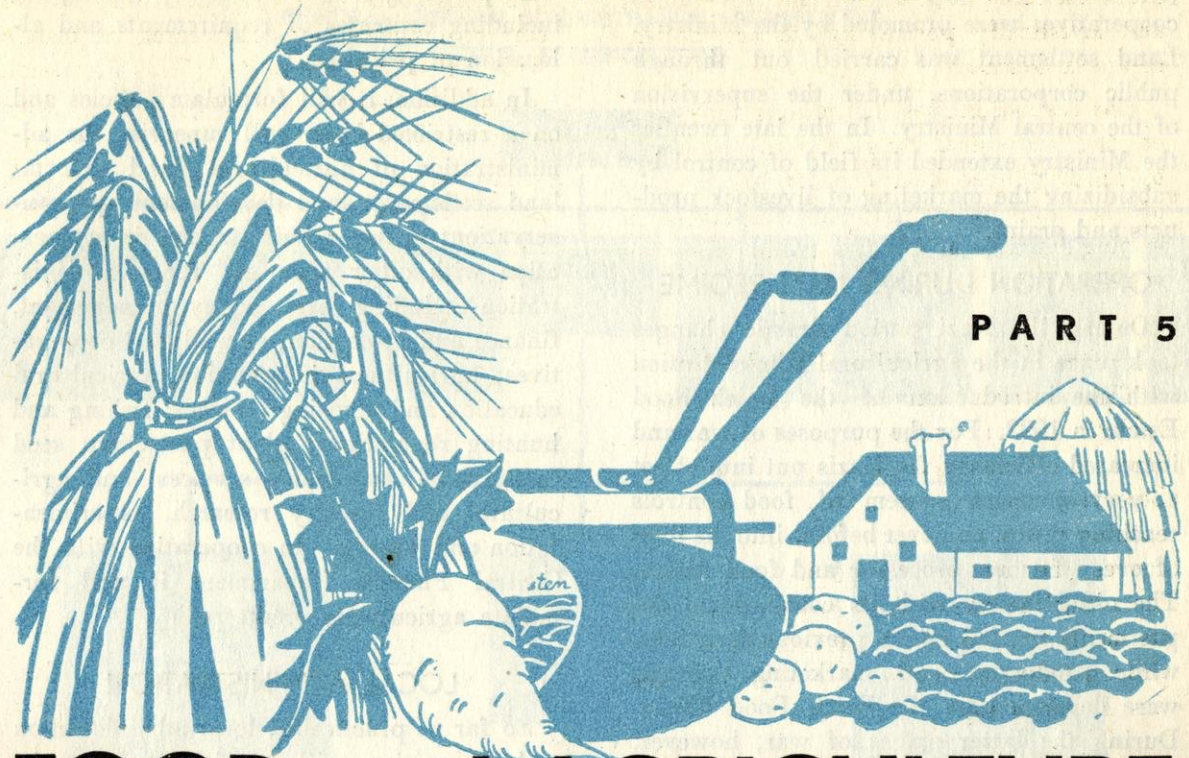
The morning session of the day's program is concluded with an informative talk by the Provost Marshal of the Berlin District. He points out that although the incoming civilians are not in the Army they are subject to Army regulations the same as soldiers are. He explains the MG court system, the difference in American and German police systems, and the importance of keeping billets locked and valuables secure. In touching on black market activities in the city, he points out that Americans who seek certain items from the Germans can best secure them by dealing through Berlin's new barter shop.

At luncheon, talks are given by representatives of social and recreational organizations, such as Information and Education Services, Special Services, American Red Cross and religious services. The newcomers are told of the pleasures offered in the Red Cross tours of Berlin and Potsdam, programs of study at the American University of Berlin sailing and boating parties on Wannsee, church services and library facilities.

TALKS BY BRANCH OFFICIALS

An official of a branch in OMGUS is the principal luncheon speaker, presenting a detailed account of the operations of his particular field. At the first session of the course, the speaker was James S. Martin, Chief of the Decartelization Branch, Economics Division. In telling of the rise of the gigantic combines in Germany, he said trusts, like I. G. Farben, controlled either directly or indirectly practically all the industry in Germany. Also six banks which had common or interlocking directorates and were closely linked with the large trusts, controlled most of the finance business in Germany. These giant cartels and monopolies are being broken up so that the concentration of economic power will never again be in the

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PART 5

FOOD and AGRICULTURE

The German Central Administrative Department for Food and Agriculture is to be responsible to the Allied Control Authority and in general exercise such central powers and controls, and provide such overall coordination in matters of food and agriculture, as the Allied Control Authority may assign to it in accordance with the objectives of Military Government and the Berlin Protocol.

The Department has the double function of an advisory and executive body. In the initial stage its functions will be predominantly of an advisory character; as close supervision and direction by the Allied Control Authority will be reduced, its executive functions will increase. The Department's activities will be limited, as far as possible, to planning and programming, while the actual execution of the program will be left to the Laender and Provincial governments. It will, however, be responsible for its execution and will, therefore, have supervisory jurisdiction.

Governmental control of agricultural matters was, on the whole, not centralized under the German Monarchy, but in accordance with the federal structure of the Reich, was left to the administration of the various Laender. No central Reich authority for agriculture existed before the First World War. Only during the war a centralized system was adopted and allocation and distribution of foodstuffs were handled by various war agencies and war corporations.

REICH MINISTRY OF AGRICULTURE

The Reich Ministry of Agriculture which was established by the Weimar Republic exercised only limited functions and had no regional and local administrative apparatus. Responsibility for most functions rested with the Land Ministries. The Reich Ministry functioned predominantly as advisor to the Reich government with regard to farm credits, subsidies, tariffs and taxes. In addition, improved practices in agricultural

production, farm credit institutions and cooperatives were promoted by the Ministry. Land settlement was carried out through public corporations, under the supervision of the central Ministry. In the late twenties the Ministry extended its field of control by subsidizing the marketing of livestock products and grains.

OPERATION DURING NAZI REGIME

During the Nazi period drastic changes took place in the agricultural administration with the introduction of the Reich Food Estate in 1933. For the purposes of war and increased efficiency the Nazis put into effect a very complex system of food controls reaching down, as never before, into the lives of every farmer, processor and food dealer. The old Ministry with its conventional departments carried on its previous functions, while production and marketing controls were developed by the Reich Food Estate. During the latter stages of war, however, the two agencies were merged and the Reich Food Estate became an executive branch of the Ministry.

FUNCTIONS OF PROPOSED AGENCY

It is now proposed to establish a department with the following functions: All statistical work and the determination of food surpluses; available for export and the recommendations of food import requirements; planning production programs, including methods of fulfilling them; allocating production and delivery quotas to the Laender and Provinces as well as materials and facilities required for production, marketing, and processing; supervising the enforcement of collections; supervising of marketing and processing activities; coordinating the assignment of overall commodity quotas to marketing and processing agencies; managing the overall rationing system including the establishment and enforcement of uniform ration scales, recommendation of policy for overall control and revision of farm product prices and tariffs; coordination of plans for wages, wage arbitration, organization and conditions of work for agricultural labor;

and planning nationwide food transport, including estimates of requirements and allocation of priorities.

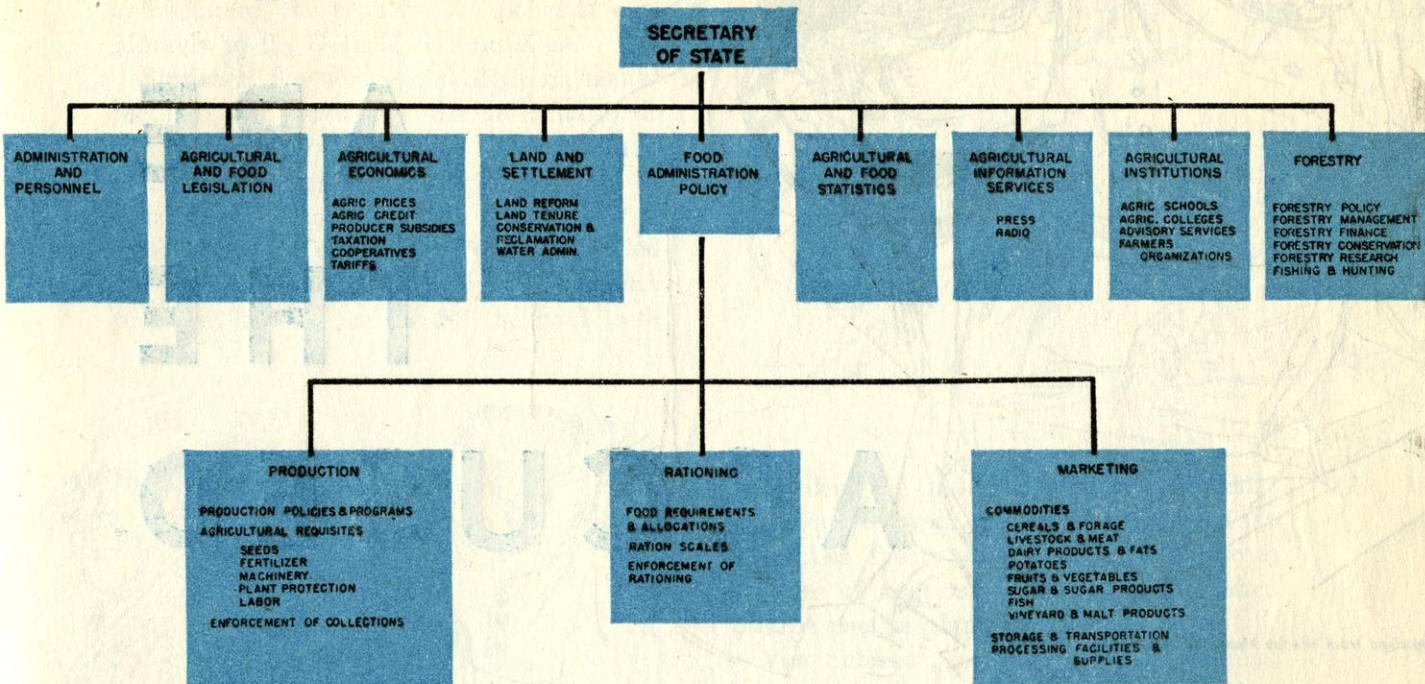
In addition, it will formulate policies and on a restricted basis will supervise the administration of agricultural land reform; land settlement; land development and conservation; water administration in cooperation with other agencies; forest administration including forest policy, management, finance and protection; agricultural cooperatives; agricultural information, agricultural education and advising services; fishing and hunting regulations; plant protection; seed certification; veterinary services; and agricultural and forestry research, experimentation and testing. In cooperation with the Central Finance Department it will formulate agricultural credit policy.

LOCAL ADMINISTRATION

So far as practicable, local administration and supervision will be delegated to the Laender which will be charged with implementation of production programs, suballocation of quotas assigned to the Land, supervision of marketing and processing activities, administration of the rationing system, of agricultural schools and inland fisheries, administration of public land and the execution of policies decided by the Department.

The Central Food and Agriculture Department will be responsible to the Allied Control Authority. In order to exercise effectively this control a Quadripartite Bureau for Food and Agriculture should be established within the Allied Control Authority under the Food and Agriculture Committee and should be charged with full responsibility for the supervision of the German Central Agency. The Bureau should be given definite executive powers within established policies, so that supervision of the operation of the German Central Agency can be effectively carried out, and the Bureau should be authorized to communicate directly with other sections of the Allied Control Authority on matters relating to

**CENTRAL GERMAN ADMINISTRATIVE DEPARTMENT
FOOD & AGRICULTURE**



food and agriculture, such as foreign trade, internal commerce and industry.

The relationship between the Central German Agency and Allied Control Authority will gradually change. During the initial stage of organization and staffing, specific and detailed supervision and direction by the Allied Bureau for Food and Agriculture will be necessary. During a second stage, the Food and Agriculture Department will have to secure the assent of the Allied Bureau in all major policy questions, and all functions assigned to it by Allied Control Authority will be reviewed at regular intervals.

REVIEW OF POLICY MATTERS

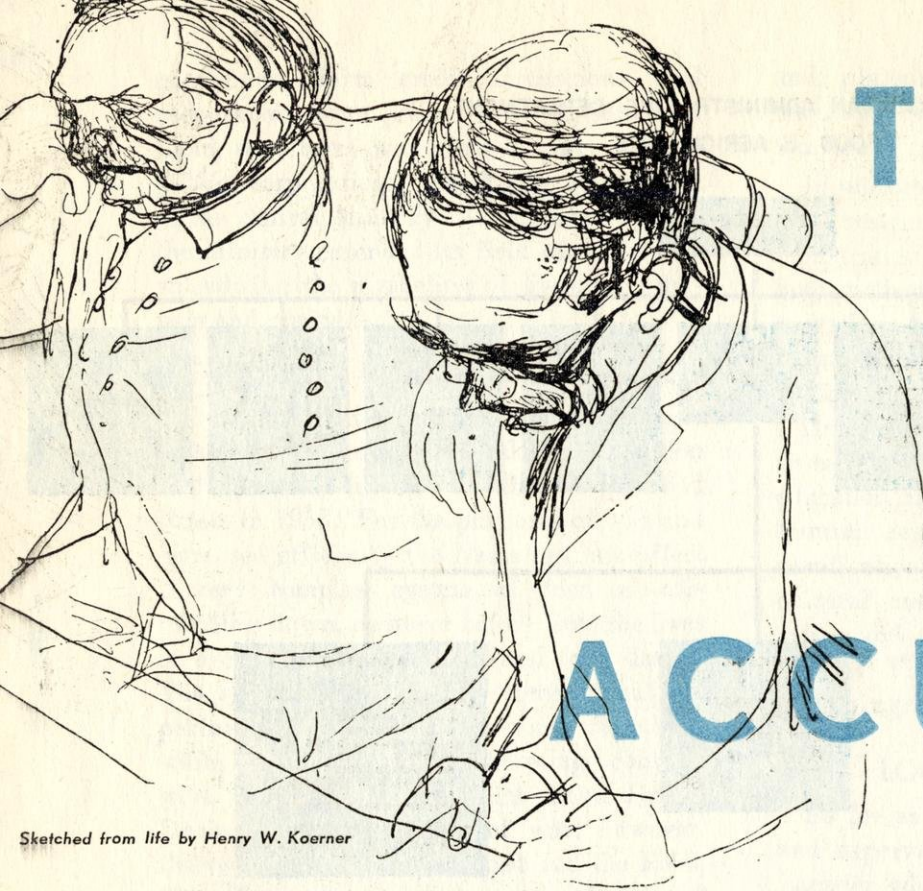
During the final stage, controls may be limited to a broad review of policy matters. Routine matters which fall within the frame of delegated powers will be reported to the Allied Bureau at certain stated intervals. The Allied Bureau will in turn decide most other issues brought to it by the German Central Agency. Only

matters of highest policy nature will be referred by the Allied Bureau to the Control Council through the Coordinating Committee for specific decision.

The Department is headed by a Secretary of State responsible for the entire agency to the Allied Control Authority through the Allied Bureau for Food and Agriculture. The principal divisions and their functions are as follows:

1. Administration and Personnel Division — Internal administrative matters including financial arrangements, organization and personnel.
2. Agriculture and Food Legislation Division — Draft new agricultural and food legislation to carry out a uniform food and agricultural program.
3. Agricultural Economics Division — Functions of planning and supervision of agricultural prices, the agricultural credit system, producers subsidies, farm taxes, farmers' cooperatives, tariffs and related subjects.
4. Land and Settlement Division —

(Continued on page 28)



Sketched from life by Henry W. Koerner

THESE ARE THE ACCUSED

The characterizations given by Justice Jackson of the defendants in his summation address at the Nuremberg war crimes trials follow:

The large and varied role of **Goering** as half militarist and half gangster, sticking a pudgy finger in every pie . . . He was, next to Hitler, the man who tied the activities of all the defendants together in a common effort.

The zealot **Hess**, before succumbing to wanderlust, was the engineer tending the Party machinery, passing orders and propaganda down to the Leadership Corps, supervising every aspect of Party activities, and maintaining the organization as a loyal and ready instrument of power.

When apprehensions abroad threatened the success of the Nazi scheme for conquest, it was the duplicitous **Ribbentrop**, the salesman of deception, who was detailed to pour oil on the troubled waters of suspicion by preaching the gospel of limited and peaceful intentions.

Keitel, weak and willing tool, delivered

the armed forces, the instrument of aggression, over to the Party and directed them in executing its felonious designs.

Kaltenbrunner, the grand inquisitor, took up the bloody mantle of Heydrich to stifle opposition and terrorize compliance, and buttressed the power of National Socialism on a foundation of guiltless corpses.

It was **Rosenberg**, the intellectual high priest of the "master race," who provided the doctrine of hatred which gave the impetus for the annihilation of Jewry, and put his infidel theories into practice against the eastern occupied territories. His woolly philosophy also added boredom to the long list of Nazi atrocities.

The fanatical **Frank**, who solidified Nazi control by establishing the new order of authority without law, so that the will of the Party was the only test of legality, proceeded to export his lawlessness to Poland, which he governed with the lash of Caesar and whose population he reduced to sorrowing remnants.

Frick, the ruthless organizer, helped the Party to seize power, supervised the police agencies to insure that it stayed in power, and chained the economy of Bohemia and Moravia to the German war machine.

Streicher, the venomous vulgarian, manufactured and distributed obscene racial libels which incited the populace to accept and assist the progressively savage operations of "race purification."

As minister of economics **Funk** accelerated the pace of rearmament, and as Reichsbank president banked for the SS the gold teeth



Raeder, the political admiral, stealthily built up the Germany navy in defiance of the Versailles Treaty, and then put it to use in a series of aggressions which he had taken a large part in planning.

Von Schirach, poisoner of a generation, initiated the German youth in Nazi doctrine, trained them in legions for service in the SS and Wehrmacht, and delivered them up to the Party as fanatic, unquestioning executors of its will.

Sauckel, the greatest and cruelest slaver

(Continued on page 27)

fillings of concentration camp victims — probably the most ghoulish collateral in banking history.

It was **Schacht**, the facade of starched respectability, who in the early days provided the window dressing, the bait for the hesitant, and whose wizardry later made it possible for Hitler to finance the colossal rearmament program, and to do it secretly.

Doenitz, Hitler's legate of defeat, promoted the success of the Nazi aggressions by instructing his pack of submarine killers to conduct warfare at sea with the illegal ferocity of the jungle.





KIND

R FEST



The pictures on these two pages show activity at a recent outing sponsored by US Constabulary units near Plentigen, Germany. Desiring to do their part in the goodwill program being carried out by US personnel towards German children, the constabulary soldiers invited scores of children to the "Kinderfest" and treated them to everything from refreshments to swing rides.

(Above) Candy collected by the GI's for the "Kinderfest;" (below right) athletic equipment being distributed; (below left) the children being returned to their homes; (opposite page, left) the children take a swing ride; (opposite page, right) a constabulary soldier holding one of his youthful guests. Signal Corps Photos





Zone Food Revival Praised

"Progress on food production in the American Occupation Zone is particularly significant in the light of handicaps under which American officials and German farmers have operated," Norris E. Dodd, US Under-Secretary of Agriculture, declared after a 30-day tour of ten countries and the four zones of Germany.

Mr. Dodd added, "The progress made in establishing home gardens and the contribution these gardens are making to the overall food supply . . . are particularly noticeable."

Mr. Dodd is the chairman of a mission touring Europe to obtain first-hand information on food production, and to determine how much food must be supplied by the United States to meet the food needs of Europe. After attending the UNRRA conference in Geneva, the party visited Rome, Athens, Bucharest, Vienna, Prague, Frankfurt, Paris, Brussels, The Hague and Berlin.

The group was impressed by the comeback in food and agricultural conditions which has been made throughout most of Europe in the past six months, but Mr. Dodd felt that the real problems could be solved only by full cooperation of the occupying nations and the German people.

Insulin Shipments

Approximately 17,000,000 units of insulin, enough to make up the deficiency between the amount produced monthly in the US Zone and that needed to sustain life for the Zone's 20,000 diabetics, will arrive soon in Germany from the United States. Shipments will be handled during the next six months by the Council of Relief Agencies Lincensed to Operate in Germany (CRALOG).

Present indigenous insulin production is between six and seven million units per month, while the minimum amount required for the Zone's diabetics is estimated at

21,000,000 units. German production of insulin had fallen off because of the failure in delivery of essential organs of slaughtered cattle to chemical plants.

Upon arrival of the insulin in Germany, it will be turned over to German medical authorities for distribution under strictest medical supervision to the diabetics of the US Zone. The insulin will not be used for treatment of any disease other than diabetes.

Political Advisor Honored

US Ambassador Robert D. Murphy, Political Advisor to the Military Governor, was awarded the French military Croix de Guerre with Palms for his work with the French in preparing the successful landing of American troops in North Africa in November, 1942. The citation accompanying the medal presented by Gen. Pierre Koenig, French Commander-in-Chief and Military Governor in Germany, said, "Mr. Robert D. Murphy, Personal Representative of President Roosevelt in North Africa in 1941—1942, played an important role in the liberation of French North Africa . . . and reduced to a minimum the collision between the American forces and the French forces under the authority of Vichy."

Mr. Murphy served as Consul and First Secretary in Paris from 1936 to 1939 and Counselor of the Embassy from 1939 to 1941. Under a Presidential directive of November 1940, he proceeded to French North Africa where he worked to keep France on the side of the Allies and where he was later influential in facilitating the North African landings of the American Expeditionary Forces under General Eisenhower. For this he was awarded the Distinguished Service Medal in 1943.

In 1943-1944 he was given the personal rank of Ambassador and made the US Member of the Advisory Council of the Allied Control Commission in Italy. Since

August, 1944, he has served as Political Advisor first to General Eisenhower and then to General McNarney.

OMGUS Personnel

Alvin J. Rockwell has been appointed Director of the Legal Division, OMGUS, and Legal Advisor to the Military Governor and Deputy Military Governor. He has been with the Legal Division for a year, being its acting director since June.

Col. John M. Raymond was named as Associate Director of the Legal Division.

Maj. Harold F. Mullaney has been named Chief of the Labor Relations Branch, Manpower Division, OMGUS. He has been with the branch since June, 1945.

William P. Abbey was named Denazification Legal Officer of the Office of Personal Advisor to the Deputy Military Governor on Denazification. He succeeded Philip Elman.

Dr. Albert B. Newman is returning to his post as Dean of Engineering in the College of the City of New York after serving 14 months as head of the Chemicals Section, Industry Branch, Economics Division, OMGUS.

Theodore H. Ball was named Deputy Director of the Finance Division, OMGUS, after serving several months as Chief of the Foreign Exchange and Blocking Control Branch.

Col. Walker W. Holler became Deputy Director of the Armed Forces Division, OMGUS, succeeding Col. Frank E. Emery, Jr.

British Housing Plan

A coordinated housing policy recognizing the needs of the British authorities and those of the German civil population has been introduced in the British Zone. Standing committees for accommodation are being set up at zonal and regional levels. The regional housing officer will receive 14-day notice of property to be requisitioned and the agreement of the local Kreis officer must also be obtained except in an emergency.

No housing property will be requisitioned without the consent of the Kreis officer. In cases of dispute the regional committee will

adjudicate. The Kreis officer is responsible to see that the interests of the Germans receive fair consideration.

British Zone Activities

The grain harvest in the British Zone was nearly double the estimate for the first two weeks in August. The yield of more than 60,000 tons during this period brought the total grain harvest up to 15 August to nearly 74,000 tons.

A survey in the western part of Schleswig-Holstein showed the population overwhelmingly in favor of a newspaper which places nationalism above politics. Political parties, however, are demanding party papers in Schleswig-Holstein.

Henry Vaughan Berry, formerly Regional Commissioner for Westphalia, has assumed the duties of Commissioner of Hansestadt Hamburg.

Approximate population figures for the British Zone have been announced as totaling 22,691,463 on 1 August. These excluded the British Sector of Berlin and the stadtkreise of Wesermunde and Bremen.

Indications of large numbers of forged ration documents were uncovered during July, but ration card thefts decreased. Germans were being constantly warned against carelessness and neglect concerning their ration cards.

Monthly bicycle production increased from about 5,000 in January to 25,000 in June. The majority of the new bicycles were for officials and workers of the mining industry, railroad workers and those engaged in essential MG services.

Air Mail from US

The first foreign air mail from the United States to Germany arrived in Berlin on 29 August. In a brief ceremony the mail was received in the name of the German Reichspost, which used the cancelling stamp "Berlin Zentralflughafen" for the first time since 1933. Fifteen hundred first covers were backstamped and carried back to La Guardia Field by the same airmail Plane.

ZONE NEWS BRIEFS

Employment in the US Zone increased by 163,000, or three percent, during July to a new record of 5,638,000. Industry accounted for 52 percent of the new employment and agriculture 14 percent. Unemployment declined by 43,000, or more than nine percent, during July to a new low of 416,000.

The first Land trade union federation, "Freier Gewerkschaftsbund Hessen," was formed provisionally in Greater Hesse. Autonomy of the Land unions was insured by constitutional guarantees providing that (1) industrial unions are to remain independent in all matters affecting special interests of their membership, and (2) only 15 percent of dues collections will be given to the federation, the remaining 85 percent to be retained by the industrial unions.

Two-page supplements will be permitted all newspapers for the purpose of printing full text of draft of constitutions prepared by the Land constitutional assemblies.

EXPERIMENTAL SCHOOL

The Rudolf Steiner School at Nuremberg has been approved as an experimental private elementary school. This was the second school of this type approved in Bavaria.

The authority of the Laenderrat Food Commissioner, originally delegated by the Ministers-President until 31 August, was extended to 30 November. The food commissioner, in conjunction with the Land ministers of food and agriculture, has prepared a preliminary delivery program for 1946-47 for grains, oil seeds and potatoes.

The Bill of Rights of the Bavarian constitution, containing 50 articles dealing with fundamental rights and duties of the individual, marriage and family life, education and schools, religion and religious organizations, was passed by the Constitutional Assembly and transmitted to OMGUS for review.

The identity card program has been handicapped by lack of personnel. The trial tribunals have objected to the employment of former Nazis as clerks in the registration program. The labor offices cannot provide replacements for the persons removed.

During the first 24 days of August, 8,600 tons of bread grains and 10,700 tons of other foods from the United States for German civilian consumption were unloaded at Bremen.

PRODUCE DELIVERY PROGRAM

The preliminary farm produce delivery program in the Zone calls for permitted annual retention by the farm-producers of about 343 pounds of bread grains for each adult and 172 pounds for children under six years of age. Permitted annual retention of potatoes is 605 pounds per person for food and about one ton per acre for seed. Not more than 15 percent of crops is to be retained as unfit for human consumption and fed to livestock.

In order to retain his increased food ration, an individual miner must have produced in August two percent more than his best month in the second quarter of 1946. His production must continue to show at least a ten percent increase in September and ten percent progressively each month until half of the established goal is reached, at which time his ration will be increased again.

ATHLETIC EQUIPMENT RELEASED

Fifteen thousand pairs of soccer shoes are being released from US Army stocks for German youth activities.

In connection with American participation in plans to orient Germans in democratic ideas, 35 WAC's in Frankfurt volunteered to participate in discussion groups and sports, or to teach English. A discussion group in Wiesbaden has increased in three weeks from 14 to 80 members.



Importance of Independent German Press Emphasized

The character of a nation's press is a higher sign of democracy than the type of government of that country, said the **Wuerzburg Main-Post** in a feature article 20 August on the necessity of opposing attempts by German governmental offices to tell what could be published. Entitled "Freedom of the Press and Official Mentality," the article said:

"One must realize clearly that this official mentality, which as the civilian variant of militarism is just as old as the latter, had been just as much the breeding-ground and pathfinder for Nazism as its militant brother . . . What danger this official mentality signifies for a growing democracy is obvious. And this danger is directed mainly against the quaintessence of democracy, the press.

"We speak today of the licensed press as a 'democratic press,' but this should be a redundancy. Because 'press' in the real significance of the word is democratic anyway. The sign of democracy is less its state-form, which can be republican or monarchical, as the character of the press. Only if the new German press can keep itself free and independent of the guardianship and limitations of opinion imposed by the official mind, can there be the possibility of democracy in Germany

"The American Military Government has recently directed the licensed press to oppose actively the attempts of German governmental offices which are aiming that press and radio receive official news only through official press bureaus. All efforts of the state to hinder the free work of German information media are to be combatted by the press"

* * *

Zonal unity, discussed in four major news stories, dominated the front pages of the

licensed newspapers of the US Zone during the week of 18—24 August, according to the weekly analysis of the Office of Information Control, OMGUS. The monthly report of the Military Governor was bannerlined: "Zonal Unity Necessary." Newspapers of Greater Hesse, and to a lesser extent the entire press of the Zone, featured the Newman-Geiler visit to Thuringia, climaxed by the announcement of future economic discussions between the two Laender. The economic unity meeting at Kissingen and the announcement of the lifting of the travel barriers between the British and US Zones produce optimistic accounts.

The Paris Peace Conference was reported fully but there was little editorial comment. The **Rhein-Neckar Zeitung** (Heidelberg) said, "In the year and a quarter since the end of hostilities in Europe, the unity of the Big Four has succeeded to such an extent that they could lay before all the nations concerned their proposals. That represents progress on the way toward a stabilization of Europe"

* * *

Criticism voiced concerning present-day conditions was assailed by the **Fuldaer Volkszeitung** which said, "Anyone in public life learns daily that members of all classes of society have fallen victim to a plague of criticism which knows no limits. Each knows only 'his own truth,' wants to know nothing of the rights and wishes of others and complains from morning to evening, reinforced by a dictionary of new words he heard in the rough days of war and bombing."

In similar vein, the **Mittelbayerische Zeitung** (Regensburg) commented. "We Germans as a whole have brought untold misery on a whole world, robbed hundreds of thousands of American mothers and wives of their sons and husbands, and are costing the victors millions. Should we not be grateful for not being paid back an eye for an eye?"



US Press Supports Motives Behind Yugoslav Ultimatum

Highlighting comment in the American press on the US note to Yugoslavia is the emphasis placed on the paragraph which said that if Yugoslavia failed to comply within 48 hours to the demands made "the US Government will call upon the security council of the United Nations to meet promptly and to take appropriate action."

Editorials acclaimed this expression of faith in international rather than unilateral action. Many editors maintained the Yugoslav issue is symbolic of wider problems facing the world and mirrors more resolute defense by the United States of its principles and position.

The *New York Times* said in part: "In 1914 and 1939 ultimatums were accompanied by immediate mobilizations, and were followed by the clash of arms immediately upon their expiration. This time, instead of threatening immediate war; the American ultimatum merely put the Government addressed on notice that if it failed to comply with the American demands it would be hauled into court: it would be brought before the security council of the United Nations for appropriate action in conformity with the best judgement of the world rather than the unilateral judgment of the aggrieved nation alone. This is in itself dramatic illustration not only of America's self-restraint and love of peace, but even more of the value of a world authority like UN in prevention of war . . ."

"That an ultimatum in this new style does produce results is proved by the immediate release of Americans aboard one of the downed planes, who had been in Yugoslav custody since August 9, and by the fact Tito has issued orders to his forces not to fire on foreign planes again. This action does not comply with all conditions

in the ultimatum But pending other evidence to the contrary, it may be accepted as at least an expression of Yugoslav intentions to comply in full"

"But even such a development cannot by itself solve the deeper issues out of which the crisis arose, and which are also justification for America's resort to so drastic a measure as an ultimatum. One of these issues is represented by the insolent attitude of the Yugoslav Government, which turned its guns upon the United States which armed and fed it"

False Rumors

Richard Eaton, commentator over Mutual Broadcasting System, said after his recent return from a trip through western and central Europe: "Rumors fly thick and fast around Berlin as to the exploits of the Russian soldiers after dark. Most of them are false; but undoubtedly there have been many cases of indiscipline in the Russian Zone, more so than elsewhere. The result has been an unreasoning, unjustified fear of the Russians instilled in the heart of the German people, which has spread to our own men."

"When I told a sergeant in the railway transportation office in Berlin that I was leaving for the Russian Zone, he almost begged me not to risk my life in that jungle; four American officers had disappeared while traveling in the Russian Zone the week before; you take your life in your hands. Yet conversation with Allied officers on the Control Commission, in daily contact with the Russians, convinced me they are loyal and cooperative. One of the chiefs of the American Constabulary, for example, on the Russo-American frontier zone, was loud in his praise of Russian cooperation."

"Small wonder that the Control Commission has now named a special subcommittee simply to answer false rumors."

22 destroyers and 54 submarines. They had also built up in that period an armament industry as efficient as that of any country in the world.

These new weapons were put to use, commencing in September 1939, in a series of undeclared wars against nations with which Germany had arbitration and non-aggression treaties, and in violation of repeated assurances. . . . By any test ever put forward by any responsible authority, by all the canons of plain sense, these were unlawful wars of aggression in breach of treaties and in violation of assurances.

3. Warfare in Disregard of International Law. . . . Goering asserts that the Rules of Land Warfare were obsolete, that no nation could fight a total war within their limits. . . . We need not, therefore, for purposes of the conspiracy count, recite the revolting details of starving, beating, murdering, freezing and mass exterminating admittedly used against the eastern soldiery. Also, we may take as established or admitted that the lawless conduct such as shooting British and American airmen, mistreatment of western prisoners of war, forcing French prisoners of war into German war work, and other deliberate violations of the Hague and Geneva Conventions, did occur, and in obedience to highest levels of authority.

4. Enslavement and Plunder of Populations in Occupied Countries. The defendant Sauckel, plenipotentiary general for the utilization of labor, is authority for the statement that "out of five million foreign workers who arrived in Germany, not even 200,000 came voluntarily." It was officially reported to defendant Rosenberg that in his territory "recruiting methods were used which probably have their origin in the blackest period of the slave trade". . . .

Populations of occupied countries were otherwise exploited and oppressed unmercifully. Terrorism was the order of the day. Civilians were arrested without charges, committed without counsel, executed without hearing. Villages were destroyed, the male

inhabitants shot or sent to concentration camps, the women sent to forced labor, and the children scattered abroad. . . .

Those who will enslave men cannot be expected to refrain from plundering them. Boastful reports show how thoroughly and scientifically the resources of occupied lands were sucked into the German war economy, inflicting shortage, hunger and inflation upon the inhabitants. Besides this grand plan to aid the German war effort there were the sordid activities of the Rosenberg *Einsatzstab*, which pillaged art treasures for Goering and his fellow-bandits. . . .

International Law at all times before and during this war spoke with precision and authority respecting the protection due civilians of an occupied country, and the slave trade and plunder of occupied countries were at all times flagrantly unlawful.

5. Persecution and Extermination of Jews and Christians. The Nazi movement will be of evil memory in history because of its persecution of the Jews, the most far-flung and terrible racial persecution of all time. Although the Nazi party neither invented nor monopolized anti-Semitism, its leaders from the very beginning embraced it, incited it and exploited it. They used it as "the psychological spark that ignites the mob." After the seizure of power, it became an official state policy. . . .

The program progressed in fury and irresponsibility to the "final solution." This consisted of sending all Jews who were fit to work to concentration camps as slave laborers, and all who were not fit, which included children under 12 and people over 50, as well as any others judged unfit by an SS doctor, to concentration camps for extermination. . . .

Of course, any such program must reckon with the opposition of the Christian Church. This was recognized from the very beginning. Defendant Bormann wrote all *Gauleiters* in 1941 that "National Socialism and Christian concepts are irreconcilable," and that the people must be separated from

the Churches and the influence of the Churches totally removed. . . . The Gestapo appointed "Church specialists" who were instructed that the ultimate aim was "destruction of the confessional Churches". . . .

These, then, were the five great substantive crimes of the Nazi regime. Their commission, which cannot be denied, stands admitted. . . . I pass now to the inquiry whether these groups of criminal acts were integrated in a common plan or conspiracy.

THE COMMON PLAN OR CONSPIRACY

The prosecution submits that these five categories of premeditated crimes were not separate and independent phenomena but that all were committed pursuant to a common plan or conspiracy. . . . The central crime in this pattern of crime, the kingpin which holds them all together, is the plot for aggressive war. The chief reason for international cognizance of these crimes lies in this fact. Have we established the plan or conspiracy to make aggressive war?

Certain admitted or clearly proven facts help answer that question. First is the fact that such war of aggression did take place. Second, it is admitted that from the moment that Nazis came to power, everyone of them and every one of the defendants worked like beavers to prepare for some war. The question therefore comes to this: Were they preparing for the war which did occur, or were they preparing for some war which never has happened? . . .

But I submit that the defendants either knew or are chargeable with knowledge that the war for which they were making ready would be a war of German aggression. This is partly because there was no real expectation that any power or combination of powers would attack Germany. But it is chiefly because the inherent nature of the German plans was such that they were certain sooner or later to meet resistance and that they could then be accomplished only by aggression.

The plans of Adolf Hitler for aggression were just as secret as "Mein Kampf," of

which over six million copies were published in Germany. He not only openly advocated overthrowing the Treaty of Versailles, but made demands which went beyond a mere rectification of its alleged injustices. He avowed an intention to attack neighboring states and seize their lands, which he said would have to be won with "the power of a triumphant sword." . . .

Immediately after the seizure of power the Nazis went to work to implement these aggressive intentions by preparing for war. They first enlisted German industrialists in a secret rearmament program. . . . Krupp (von Bohlen of the great Krupp armament works) later boasted of the success in keeping the German war industries secretly alive and in readiness despite the disarmament clauses of the Versailles Treaty, and recalled the industrialists' enthusiastic acceptance of "the great intentions of the Fuehrer in the rearmament period of 1933—39" . . .

The Nazis moved to harness industrial labor to their aggressive plans. In April 1933 Hitler ordered Dr. Ley "to take over the trade unions," numbering some six million members. By Party directive Ley seized the unions, their property and their funds. Union leaders, taken into "protective custody" by the SS and SA, were put into concentration camps. The free labor unions were then replaced by a Nazi organization known as the German Labor Front. . . .

ADAPTING GOVERNMENT TO WAR

The Nazis also proceeded at once to adapt the government to the needs of war. In April 1933 the Cabinet formed a Defense Council. . . . In January 1934 . . . the Council planned a mobilization calendar and mobilization order for some 240,000 industrial plants. . . . On May 21, 1935, the top-secret Reich Defense Law was enacted. Defendant Schacht was appointed Plenipotentiary General for War Economy . . . Schacht's secret efforts were supplemented in October 1936 by the appointment of defendant Goering as Commissioner of the Four-Year Plan, with the duty of putting the entire economy in

a state of readiness for war within four years.

A secret program for the accumulation of the raw materials and foreign credits necessary for extensive rearmament was also set on foot immediately upon seizure of power. . . . Foreign currency controls were at once established. . . .

The General Staff, of course, also had to be enlisted in the war plans. Most of the generals, attracted by the prospect of rebuilding their armies, became willing accomplices. . . . Hitler assumed for himself Supreme Command of the Armed Forces. . . . The generals did not confine their participation to merely military matters. They participated in all major diplomatic and political maneuvers. . . .

As early as November 5, 1937, the plan to attack had begun to take definiteness as to time and victim. In a meeting which included defendants Raeder, Goering and von Neurath, Hitler stated the cynical objective: "The question for Germany is where the greatest possible conquest could be made at the lowest possible cost". . . . The aim he stated boldly and baldly as the acquisition of additional living space in Europe, and recognized that "The German question can be solved only by way of force". . . . All along the line preparations became more definite for a war of expansion, on the assumption that it would result in world-wide conflict. . . .

ASSURANCES GIVEN WORLD

This Tribunal knows what categorical assurances were given to an alarmed world after the Anschluss, after Munich, and after the occupation of Bohemia and Moravia, that German ambitions were realized and that Hitler had "no further territorial demands to make in Europe." The record of this trial shows that those promises were calculated deceptions and that those high in the bloody brotherhood of Nazidom knew it.

The defendants Goering, Keitel, Raeder, Frick and Funk, with others, met as the Reich Defense Council in June of 1939. The minutes, authenticated by Goering, are re-

vealing evidence of the way in which each step of Nazi planning dovetailed with every other. These five key defendants, three months before the first panzer unit had knifed into Poland, were laying plans for "employment of the population in wartime". . . . It is the minutes . . . which disclose how the plan to start the war was coupled with the plan to wage the war through the use of illegal sources of labor to maintain production. . . . The use of prisoner-of-war labor as here planned also grew with German needs.

The Geneva Convention would have been thrown overboard openly except that Jodl objected because he wanted the benefits of Allied observance of it while it was not being allowed to hamper the Germans in any way.

OTHER CRIMES PLANNED

Other crimes in the conduct of warfare were planned with equal thoroughness as a means of insuring the victory of German arms. . . . The Supreme Command circulated a most secret list of devious explanations to be given by the Propaganda Minister in such cases. . . . After the war was in progress the orders increased in savagery. A typical Keitel order, demanding the use of the "most brutal means," provided that "It is the duty of the troops to use all means without restriction, even against women and children, so long as it insures success". . . . Raeder ordered violations of the accepted rules of warfare wherever necessary to gain strategic successes. Doenitz urged his submarine crews not to rescue survivors of torpedoed enemy ships

Thus, the war crimes against Allied forces and the crimes against humanity committed in occupied territories are incontestably part of the program of making the war because, in the German calculations, they were indispensable to its hope of success. Similarly, the whole group of pre-war crimes, including the persecutions within Germany, fall into place around the plan for aggressive war. . . .

A glance over the dock will show that,

despite quarrels among themselves, each defendant played a part which fitted in with every other, and that all advanced the common plan. It contradicts experience that men of such diverse backgrounds and talents should so forward each other's aims by coincidence.

The large and varied role of Goering was half militarist and half gangster. He stuck a pudgy finger in every pie. . . . He was, next to Hitler, the man who tied the activities of all the defendants together in a common effort. The parts played by the other defendants, although less comprehensive and less spectacular than that of the Reichsmarshal, were nevertheless integral and necessary contributions to the joint undertaking, without any one of which the success of the common enterprise would have been in jeopardy. There are many specific deeds of which these men have been proven guilty.

The activities of all these defendants, despite their varied backgrounds and talents, were joined with the efforts of other conspirators not now in the dock, who played still other essential roles. They blend together into one consistent and militant pattern animated by a common objective to reshape the map of Europe by force of arms. Some of these defendants were ardent members of the Nazi movement from its birth. Others, less fanatical, joined the common enterprise later, after successes had made participation attractive by the promise of rewards

LACKED TECHNICAL COMPETENCE

It was the fatal weakness of the early Nazi band that it lacked technical competence. It could not from among its own ranks make up a government capable of carrying out all the projects necessary to realize its aims. Therein lies the special crime and betrayal of men like Schacht and von Neurath, Speer and von Papen, Raeder and Doenitz, Keitel and Jodl. It is doubtful whether the Nazi master plan could have succeeded without their specialized intelligence which they so willingly put at its command. They did so with knowledge of its announced aims and

methods, and continued their services after practice had confirmed the direction in which they were tending. Their superiority to the average run of Nazi mediocrity is not their excuse. It is their condemnation.

The dominant fact which stands out from all the thousands of pages of the record of this trial is that the central crime of the whole group of Nazi crimes — the attack on the peace of the world — was clearly and deliberately planned. The beginning of these wars of aggression was not an unprepared and spontaneous springing to arms by a population excited by some current indignation. . . . These were the most carefully plotted wars in all history. Scarcely a step in their terrifying succession and progress failed to move according to the master blueprint or the subsidiary schedules and timetables until long after the crimes of aggression were consummated.

ALL CRIMES PART OF PLAN

Nor were the war crimes and the crimes against humanity unplanned, isolated or spontaneous offenses. . . . Each part of the plan fitted into every other. The slave labor program meshed with the needs of industry and agriculture, and these in turn synchronized with the military machine. The elaborate program apparatus geared with the program to dominate the people and incite them to a war their sons would have to fight. The armament industries were fed by the concentration camps. The concentration camps were fed by the Gestapo. The Gestapo was fed by the spy system of the Nazi Party. Nothing was permitted under the Nazi iron rule that was not in accordance with the program. Everything of consequence that took place in this regimented society was but a manifestation of a premeditated and unfolding purpose to secure the Nazi State a place in the sun by casting all others in to darkness.

Common Defenses Against the Charge of Common Responsibility:

The defendants meet this overwhelming case, some by admitting a limited respon-

sibility, some by putting the blame on others, and some by taking the position, in effect, that while there have been enormous crimes there are no criminals. . . . The Charter concept of a common plan really represents the conspiracy principle in an international context. . . . The forms of this grand type of conspiracy are amorphous, the means are opportunistic, and neither can divert the law from getting at the substance of things.

The defendants contend, however, that there could be no conspiracy involving aggressive war because (1) none of the Nazis wanted war; (2) rearmament was only intended to provide the strength to make Germany's voice heard in the family of nations; and (3) the wars were not in fact aggressive wars but were defensive against a "Bolshevik menace". . . .

They wanted things which they knew they could not get without war. They wanted their neighbors' lands and goods. Their philosophy seems to be that if the neighbors would not acquiesce, then they are the aggressors and are to blame for the war. The fact is, however, that war never became terrible to the Nazis until it came home to them, until it exposed their deceptive assurances to the German people. . . .

The defendants claim, "To be sure we were building guns. But not to shoot. They were only to have given us weight in negotiating." At its best this argument amounts to a contention that the military forces were intended for blackmail, not for battle. . . .

ESTABLISHED FACTS IGNORED

Some of the defendants argue that the wars were not aggressive and were only intended to protect Germany against some eventual danger from the "menace of Communism," which was something of an obsession with many Nazis. At the outset this argument of self-defense falls because it completely ignores this damning combination of facts clearly established in the record: First, the enormous and rapid German preparations for war; second, the repeatedly avowed intentions of the German leaders to attack, . . . and third, the fact that a series

of wars occurred in which German forces struck the first blows, without warning, across the borders of other nations.

Even if it could be shown — which it cannot be — that the Russian war was really defensive, such is demonstrably not the case with those wars which preceded it. It may also be pointed out that even those who would have you believe that Germany was menaced by Communism also compete with each other in describing their opposition to the disastrous Russian venture. Is it reasonable that they would have opposed that war if it were undertaken in self-defense? . . .

NO FEAR OF ATTACK SHOWN

In all the documents which disclose the planning and rationalization of these attacks, not one sentence has been or can be cited to show a good-faith fear of attack. . . . Germany faced a Europe that not only was unwilling to attack, but was too weak and pacifist even adequately to defend, and went to the very verge of dishonor, if not beyond, to buy its peace. The minutes we have shown you of the Nazis' secret conclaves identify no potential attacker. They bristle with the spirit of aggression and not of defense. They contemplate always territorial expansion, not the maintenance of territorial integrity. . . .

If these defendants may now plead self-defense, although no good-faith need of self-defense was asserted or contemplated by any responsible leader at the time, it reduces non-aggression treaties to a legal absurdity. They become only additional instruments of deception in the hands of the aggressor, and traps for well-meaning nations. If there be in non-aggression pacts an implied condition that each nation may make a *bona fide* judgment as to the necessity of self-defense against imminent threatened attack, they certainly cannot be invoked to shelter those who never made any such judgment at all. . . .

One of the chief reasons the defendants say there was no conspiracy is the argument that conspiracy was impossible with a dictator. The argument runs that they all had to obey Hitler's orders, which had the force

of law in the German State, and hence obedience cannot be made the basis of criminal charge. In this way it is explained that while there have been wholesale killings, there have been no murderers.

This argument is an effort to evade Article 8 of the Charter, which provides that the order of the government or of a superior shall not free a defendant from responsibility but can only be considered in mitigation. This provision of the Charter corresponds with the justice and with the realities of the situation. . . . The contention that the absolute power of Hitler precluded a conspiracy crumbles in face of the facts of record. The *Fuehrerprinzip* of absolutism was itself a part of the common plan, as Goering has pointed out. The defendants may have become slaves to a dictator, but he was their dictator. To make him such was, as Goering has testified, the object of the Nazi movement from the beginning. . . .

ALL SHARE HITLER'S GUILT

What these men have overlooked is that Adolf Hitler's acts are their acts. It was these men among millions of others, and it was these men leading millions of others, who built up Adolf Hitler and vested in his psychopathic personality not only innumerable lesser decisions but the supreme issue of war or peace. They intoxicated him with power and adulation. They fed his hates and aroused his fears. They put a loaded gun in his eager hands. It was left to Hitler to pull the trigger, and when he did they all at that time approved. His guilt stands admitted, by some defendants reluctantly, by some vindictively. But his guilt is the guilt of the whole dock, and of every man it.

But it is urged that these defendants could not be in agreement on a common plan or in a conspiracy because they were fighting among themselves or belonged to different factions or cliques. Of course, it is not necessary that men should agree on everything in order to agree on enough things to make them liable for a criminal conspiracy. Unquestionably there were conspiracies with-

in the conspiracy, and intrigues and rivalries and battles for power. . . . Nowhere do we find an instance where any one of the defendants stood up against the rest and said, "This is wrong and I will not go along with it." Wherever they differed, their differences were as to method or disputes over jurisdiction, but always within the framework of the common plan. . . .

All over Germany today, in every zone of occupation, little men who carried out these criminal policies under orders are being convicted and punished. It would present a vast and unforgiveable caricature of justice if the men who planned these policies and directed those little men should escape all penalty. . . .

The defendants have been unanimous, when pressed, in shifting the blame on other men. . . . The names they have repeatedly picked are Hitler, Himmler, Heydrich, Goebbels and Bormann. All of these are dead or missing. . . . It was these dead whom these living chose to be their partners in this great conspiratorial brotherhood, and the crimes that they did together they must pay for one by one. . . .

RESPONSIBILITY OF DEFENDANTS

Hitler ordered every one else to fight to the last and then retreated into death by his own hand. But he left life as he lived it, a deceiver; he left the official report that he had died in battle. This was the man whom these defendants exalted to a Fuehrer. It was they who conspired to get him absolute authority over all of Germany. And in the end he and the system they created for him brought the ruin of them all. . . . For the defendants to put all blame on him is neither manly nor true. We know that even the head of a state has the same limits to his senses and to the hours of his day as do lesser men. He must rely on others to be his eyes and ears as to most that goes on in a great empire. Other legs must run his errands; other hands must execute his plans. On whom did Hitler rely for such things more than upon these men in the dock? . . .

These men had access to Hitler, and could control the information that reached him and on which he must base his policy and his orders. . . .

Credibility is one of the main issues of this trial. Only those who have failed to learn the bitter lessons of the last decade can doubt that men who have always played on the unsuspecting credulity of generous opponents would not hesitate to do the same now.

It is against such a background that these

THESE ARE THE ACCUSED *(Continued from page 13)*

since the Pharaohs of Egypt, produced desperately needed manpower by driving foreign peoples into the land of bondage on a scale unknown even in the ancient days of tyranny in the kingdom of the Nile.

Jodl, betrayer of the traditions of his profession, led the Wehrmacht in violating its own code of military honor in order to carry out the barbarous aims of Nazi policy.

Von Papen, pious agent of an infidel regime, held the stirrup while Hitler vaulted into the saddle, lubricated the Austrian annexation, and devoted his diplomatic cunning to the service of Nazi objectives abroad.

Seyss-Inquart, spearhead of the Austrian fifth-column, took over the government of his own country only to make a present of it to Hitler, and then, moving north, brought terror and oppression to the Netherlands and pillaged its economy for the benefit of the German juggernaut.

Von Neurath, the old-school diplomat, who cast the pearls of his experience before Nazis, guided Nazi diplomacy in the early

defendants now ask this tribunal to say that they are not guilty of planning, executing or conspiring to commit this long list of crimes and wrongs. They stand before the record of this trial as blood-stained Gloucester stood by the body of his slain king. He begged of the widow, as they beg of you: "Say I slew them not." And the queen replied, "Then say they were not dead. But dead they are . . ." If you were to say of these men that they are not guilty, it would be as true to say there has been no war, there are no slain, there has been no crime.

years, soothed the fears of prospective victims, and as Reich Protector of Bohemia and Moravia, strengthened the German position for the coming attack on Poland.

Speer, as Minister of Armaments and War Production, joined in planning and executing the program to dragoon prisoners of war and foreign workers into German war industries, which waxed in output while the laborers waned in starvation.

Fritsche, radiopropaganda chief, by manipulation of the truth, goaded German public opinion into frenzied support of the regime and anesthetized the independent judgment of the population so that they did without question their master's bidding.

And **Bormann**, who has not accepted our invitation to this reunion, sat at the throttle of the vast and powerful engine of the Party, guiding it in the ruthless execution of Nazi policies, from the scourging of the Christian Church to the lynching of captive Allied airmen.

ORIENTATION PROGRAM *(Continued from page 8)*

hands of a few individuals.

A conducted tour occupies the afternoon portion of the course. This permits the members of the group to see at first hand some of the operations of the occupation agencies about which they heard in the morning. At the Allied Kommandantura building, they

see where the regulations and decisions for governing the city of Berlin are made and hear some of the officials explain particular phases in city government. A similar visit is made to the building of the Allied Control Authority, the seat of joint action by the occupying authorities of the four zones.

Functions of equalization of conditions resulting from the different zonal treatment of land reform and land tenure, the continued planning for conservation, reclamation and water administration in cooperation with other agencies. Agricultural and Food Statistics Division would supply all sections of the Ministry with the necessary statistical information and would be a depository for records.

5. Agricultural Information Services — The press and radio functions;

6. Agricultural Institutions Division — Functions of supervision of agriculture schools and colleges, the organization of advisory services and unification of various farmers' organizations;

7. Forestry and Fisheries — Functions of forest policy, forest management, forest finance, conservation, and fishing and hunting regulations. The administration of marine and inland fisheries could be carried out as a special function of this Department;

8. Food Administration Policy Division — has three principal subdivisions:

(a) Production Department would prepare production policies and programs, plan for the production and allocation of agricultural requisites and supervise the enforcement of farm collections.

(b) Marketing Department should be organized on a commodity basis incorporating former useful features of the central marketing associations, planning for the storage, transportation, processing and distribution of foodstuffs. The following commodity sections are necessary: (1) cereals and forage; (2) livestock and meats; (3) dairy products and fats; (4) potatoes; (5) fruits and vegetables; (6) sugar and sugar products; (7) fish; (8) vineyard and malt products.

(c) Rationing Section would work out food balances on the basis of available production and requirements. It would fix ration scales and supervise the oper-

ation and enforcement of consumer food rationing.

The Central German Agency is basically concerned with making policy decisions, or advising the Allied Control Council on policy decisions. Such decisions will for the present be binding on the Land governments, except in the fields of functions which are specifically reserved to the Laender.

Besides its policy-making functions, the Central Agency will exercise primary executive and supervisory functions. In so far as possible, food, agricultural and forestry programs will be administered by the Laender, subject to supervision of the Central Agency.

CONSULTATION WITH LAENDER

The Central German Agency will consult with representatives of the Laender Ministries before making decisions which closely affect the economics of the Laender. In policy matters the Central Agency will deal with the Land Ministers of Agriculture or their counterpart in the Provinces, while communications on routine, technical matters can be made directly to the Land Food Offices. The Land governments will be held responsible for executing centrally issued directives, and will set up adequate uniform machinery and apply uniform procedures.

Top management positions consist of one Secretary of State, nine division heads, and three branch chiefs. All non-top management positions and all personnel will be appointed by the Secretary of State, but will be subject to Allied Control Authority approval. The total number will amount to 400 to 500 persons.

Basically Berlin is not a suitable headquarters for a Central Food and Agriculture Office because of its geographical location. It would be more suitable to have the Ministry in a medium-sized town which is less damaged than Berlin. However, the location of other central agencies will be the decisive factor in the selection of a site for this Ministry.