

Cross Examination of Hermann Goering, I

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[Testimony on 3/18/46]

THE PRESIDENT: Do the Chief prosecutors wish to cross examine?

MR. JUSTICE JACKSON: You are perhaps aware that you are the only living man who can expound to us the true purposes of the Nazi Party and the inner workings of its leadership?

GOERING: I am perfectly aware of that.

MR. JUSTICE JACKSON: You, from the very beginning, together with those who were associated with you, intended to overthrow and later did overthrow, the Weimar Republic?

GOERING: That was, as far as I am concerned, my firm intention.

MR. JUSTICE JACKSON: And, upon coming to power, you immediately abolished parliamentary government in Germany?

GOERING: We found it to be no longer necessary. Also I should like to emphasize the fact that we were moreover the strongest parliamentary party, and had the majority. But you are correct when you say that parliamentary Procedure was done away with because the various parties were disbanded and forbidden.

MR. JUSTICE JACKSON: You established the Leadership Principle, which you have described as a system under which authority existed only at the top, and is passed downwards and is imposed on the people below; is that correct?

GOERING: In order to avoid any misunderstanding, I should like once more to explain the idea briefly, as I understand it. In German parliamentary procedure in the past responsibility rested with the highest officials, who were responsible for carrying out the anonymous wishes of the majorities, and it was they who exercised the authority. In the Leadership Principle we sought to reverse the direction, that is, the authority existed at the top and passed downwards, while the responsibility began at the bottom and passed upwards.

MR. JUSTICE JACKSON: In other words, you did not believe in and did not permit government, as we call it, by consent of the governed, in which the people, through their representatives, were the source of power and authority?

GOERING: That is not entirely correct. We repeatedly called on the people to express unequivocally and clearly what they thought of our system, only it was in a different way from that previously adopted and from the system in practice in other countries. We chose the way of a so-called plebiscite. We also took the point of view that even a

government founded on the Leadership Principle could maintain itself only if it was based in some way on the confidence of the people. If it no longer had such confidence, then it would have to rule with bayonets, and the Fuehrer was always of the opinion that that was impossible in the long run-to rule against the will of the people.

MR. JUSTICE JACKSON: But you did not permit the election of those who should act with authority by the people, but they were designated from the top downward continuously, were they not?

GOERING: Quite right. The people were merely to acknowledge the authority of the Fuehrer, or, let us say, to declare themselves in agreement with the Fuehrer. If they gave the Fuehrer their confidence then it was their concern to exercise the other functions. Thus, not the individual persons were to be selected according to the will of the people, but solely the leadership itself.

MR. JUSTICE JACKSON: Now, was this Leadership Principle supported and adopted by you in Germany because you believed that no people are capable of self-government, or because you believed that some may be, not the German people; or that no matter whether some of us are capable of using our own system, it should not be allowed in Germany?

GOERING: I beg your pardon, I did not quite understand the question, but I could perhaps answer it as follows:

I consider the Leadership Principle necessary because the system which previously existed, and which we called parliamentary or democratic, had brought Germany to the verge of ruin. I might perhaps in this connection remind you that your own President Roosevelt, as far as I can recall-I do not want to quote it word for word-declared, "Certain peoples in Europe have forsaken democracy, not because they did not wish for democracy as such, but because democracy had brought forth men who were too weak to give their people work and bread, and to satisfy them. For this reason the peoples have abandoned this system and the men belonging to it." There is much truth in that statement. This system had brought ruin by mismanagement and according to my own opinion, only an organization made up of a strong, clearly defined leadership hierarchy could restore order again. But, let it be understood, not against the will of the people, but only when the people, having in the course of time, and by means of a series of elections, grown stronger and stronger, had expressed their wish to entrust their destiny to the National Socialist leadership.

MR. JUSTICE JACKSON: The principles of the authoritarian government which you set up required, as I understand you, that there be tolerated no opposition by political parties which might defeat or obstruct the policy of the Nazi Party?

GOERING: You have understood this quite correctly. By that time we had lived long enough with opposition and we had had enough of it. Through opposition we had been completely ruined. It was now time to have done with it and to start building up.

MR. JUSTICE JACKSON: After you came to power, you regarded it necessary, in order to maintain power, to suppress all opposition parties?

GOERING: We found it necessary not to permit any more opposition, yes.

MR. JUSTICE JACKSON: And you also held it necessary that you should suppress all individual opposition lest it should develop into a party of opposition?

GOERING: Insofar as opposition seriously hampered our work of building up, this opposition of individual persons was, of course not tolerated. Insofar as it was simply a matter of harmless talk it was considered to be of no consequence.

MR. JUSTICE JACKSON: Now, in order to make sure that you suppressed the parties, and individuals also, you found it necessary to have a secret political police to detect opposition?

GOERING: I have already stated that I considered that necessary just as previously the political police had existed, but on a firmer basis and larger scale.

MR. JUSTICE JACKSON: And upon coming to power you also considered it immediately necessary to establish concentration camps to take care of your incorrigible opponents?

GOERING: I have already stated that the reason for the concentration camps was not because it could be said, "Here are a number of people who are opposed to us and they must be taken into protective custody." Rather they were set up as a lightning measure against the functionaries of the Communist Party who were attacking us in the thousands, and who, since they were taken into protective custody, were not put in prison. But it was necessary, as I said, to erect a camp for them one, two, or three camps.

MR. JUSTICE JACKSON: But you are explaining, as the high authority of this system, to men who do not understand it very well, and I want to know what was necessary to run the kind of system that you set up in Germany. The concentration camp was one of the things you found immediately necessary upon coming into power, was it not? And you set them up as a matter of necessity, as you saw it?

GOERING: That was faultily translated- it went too fast. But I believe I have understood the sense of your remarks. You asked me if I considered it necessary to establish concentration camps immediately in order to eliminate opposition. Is that correct?

MR. JUSTICE JACKSON: Your answer is "yes," I take it?

GOERING: Yes.

MR. JUSTICE JACKSON: Was it also necessary, in operating this system, that you must not have persons entitled to public trials in independent courts? And you immediately issued an order that your political police would not be subject to court review or to court orders, did you not?

GOERING: You must differentiate between the two categories; those who had committed some act of treason against the new state or those who might be proved to have committed such an act, were naturally turned over to the courts. The others, however, of whom one might expect such acts, but who had not yet committed them,

were taken into protective custody, and these were the people who were taken to concentration camps. I am now speaking of what happened at the beginning. Later things changed a great deal. Likewise, if for political reasons-to answer your question- someone was taken into protective custody, that is, purely for reasons of state, this could not be reviewed or stopped by any court. Later, when some people were also taken into protective custody for nonpolitical reasons, people who had opposed the system in some other way, I once, as Prussian Prime Minister and Reich Minister of the Interior, I remember...

MR. JUSTICE JACKSON: Let's omit that. I have not asked for that. If you will just answer my question, we shall save a great deal of time. Your counsel will be permitted to bring out any explanations you want to make.

You did prohibit all court review and considered it necessary to prohibit court review of the causes for taking people into what you called protective custody?

GOERING: That I answered very clearly, but I should like to make an explanation in connection with my answer.

MR. JUSTICE JACKSON: Your counsel will see to that. Now, the concentration camps and the protective custody...

THE PRESIDENT: Mr. Justice Jackson, the Tribunal thinks the witness ought to be allowed to make what explanation he thinks right in answer to this question.

MR. JUSTICE JACKSON: The Tribunal thinks that you should be permitted to explain your answer now, and it will listen to your answers.

THE PRESIDENT: I did not mean that to apply generally to his answers. I meant it to apply to this particular answer.

GOERING: In connection with your question that these cases could not be reviewed by the court, I want to say that a decree was issued through me and Frick jointly to the effect that those who were turned over to concentration camps were to be informed after 24 hours of the reason for their being turned over, and that after 48 hours, or some short period of time, they should have the right to an attorney. But this by no means rescinded my order that a review was not permitted by the courts of a politically necessary measure of protective custody. These people were simply to be given an opportunity of making a protest.

MR. JUSTICE JACKSON: Protective custody meant that you were taking people into custody who had not committed any crimes but who, you thought, might possibly commit a crime?

GOERING: Yes. People were arrested and taken into protective custody who had not yet committed any crime, but who could be expected to do so if they remained free, just as extensive protective measures are being taken in Germany today on a tremendous scale.

MR. JUSTICE JACKSON: Now, it is also a necessity, in the kind of state that you had, that you have some kind of organization to carry propaganda down to the people and to get their reaction and inform the leadership of it, is it not?

GOERING: The last part of that question has not been intelligibly translated.

MR. JUSTICE JACKSON: Well, you had to have organizations to carry out orders and to carry your propaganda in that kind of state, didn't you?

GOERING: Of course, we carried on propaganda, and for this we had a propaganda organization.

MR. JUSTICE JACKSON: And you carried that on through the Leadership Corps of the Nazi Party, did you not?

GOERING: The Leadership Corps was there, of course, partly to spread our ideas among the people. Secondly, its purpose was to lead and organize the people who made up the Party.

MR. JUSTICE JACKSON: Through your system of Gauleiter and Kreisleiter down to Blockleiter, commands and information went down from the authority, and information as to the people's reactions came back to the leadership, didn't it?

GOERING: That is correct. The orders and commands that were to be given for propaganda or other purposes were passed down the grades as far as necessary. On the other hand, it was a matter of course that the reactions of the broad masses of the people were again transmitted upwards, through the various offices, in order to keep us informed of the mood of the people.

MR. JUSTICE JACKSON: And you also had to have certain organizations to carry out orders-executive organizations, organizations to fight for you if necessary, did you not?

GOERING: Yes, administrative organizations were, of course, necessary. I do not quite understand-organizations to fight what?

MR. JUSTICE JACKSON: Well, if you wanted certain people killed you had to have some organization that would kill them didn't you? Rohm and the rest of them were not killed by Hitler's own hands nor by yours, were they?

GOERING: Rohm-the Rohm affair I explained here clearly- that was a matter of State necessity...

MR. JUSTICE JACKSON: I did not ask you . . .

GOERING: ... and was carried out by the police.

MR. JUSTICE JACKSON: But when it was State necessity to kill somebody, you had to have somebody to do it, didn't you?

GOERING: Yes, just as in other countries, whether it is called secret service or something else, I do not know.

MR. JUSTICE JACKSON: And the SA, the SS, and the SD, organizations of that kind, were the organizations that carried out the orders and dealt with people on a physical level, were they not?

GOERING: The SA never received an order to kill anybody, neither did the SS, not in my time. Anyhow, I had no influence on it. I know that orders were given for executions, namely in the Rohm Putsch, and these were carried out by the police, that is, by a State organ.

MR. JUSTICE JACKSON: What police?

GOERING: As far as I recall, through the Gestapo. At any rate, that was the organization that received the order. You see, it was a fight against enemies of the State.

MR. JUSTICE JACKSON: And the SS was for the same purpose, was it not?

GOERING: Not in north Germany at that time; to what extent that was the case in south Germany, where the Gestapo and the SS were still separated, and who carried out the action in south Germany, I do not know.

MR. JUSTICE JACKSON: Well, the SS carried out arrests and carried out the transportation of people to concentration camps, didn't they? You were arrested by the SS, weren't you?

GOERING: Yes, I say, yes; but later.

MR. JUSTICE JACKSON: At what time did the SS perform this function of acting as the executor of the Nazi Party?

GOERING: After the seizure of power, when the police came to be more and more in the hands of Himmler. It is difficult for me to explain to an outsider where the SS or where the Gestapo was active. I have already said that the two of them worked very closely together. It is known that the SS guarded the camps and later carried out police functions.

MR. JUSTICE JACKSON: And carried out other functions in the camps?

GOERING: To what functions do you refer?

MR. JUSTICE JACKSON: They carried out all of the functions of the camps, didn't they?

GOERING: If an SS unit was guarding a camp and an SS leader happened to be the camp commander, then this unit carried out all the functions.

MR. JUSTICE JACKSON: Now, this system was not a secret system. This entire system was openly avowed, its merits were publicly advocated by yourself and others, and every person entering into the Nazi Party was enabled to know the kind of system of government you were going to set up, wasn't he?

GOERING: Every person who entered the Party knew that we embraced the Leadership Principle and knew the fundamental measures we wanted to carry out, so far as they were

stated in the program. But not everyone who joined the Party knew down to the last detail what was going to happen later.

MR. JUSTICE JACKSON: But this system was set up openly and was well known, was it not, in every one of its details? As to organization, everybody knew what the Gestapo was, did they not?

GOERING: Yes, everyone knew what the Gestapo was.

MR. JUSTICE JACKSON: And what its program was in general, not in detail?

GOERING: I explained that program clearly. At the very beginning I described that publicly, and I also spoke publicly of the tasks of the Gestapo, and I even wrote about it for foreign countries.

MR. JUSTICE JACKSON: And there was nothing secret about the establishment of a Gestapo as a political police, about the fact that people were taken into protective custody, about the fact that these were concentration camps? Nothing secret about those things, was there?

GOERING: There was at first nothing secret about it at all.

MR. JUSTICE JACKSON: As a matter of fact, part of the effectiveness of a secret police and part of the effectiveness of concentration camp penalties is that the people do know that there are such agencies, isn't it?

GOERING: It is true that everyone knows that if he acts against the state he will end up in a concentration camp or will be accused of high treason before a court, according to the degree of his crime. But the original reason for creating the concentration camps was to keep there such people whom we rightfully considered enemies of the State.

MR. JUSTICE JACKSON: Now, that is the type of government the government which we have just been describing-the only type of government which you think is necessary to govern Germany?

GOERING: I should not like to say that the basic characteristic of this government and its most essential feature was the immediate setting up of the Gestapo and the concentration camps in order to take care of our opponents, but that over and above that we had set down as our government program a great many far more important things, and that those other things were not the basic principles of our government.

MR. JUSTICE JACKSON: But all of these things were necessary things as I understood you, for purposes of protection?

GOERING: Yes, these things were necessary because of the opponents that existed.

MR. JUSTICE JACKSON: And I assume that that is the only kind of government that you think can function in Germany under present conditions?

GOERING: Under the conditions existing at that time, it was, in my opinion, the only possible form, and it also demonstrated that Germany could be raised in a short time from the depths of misery, poverty, and unemployment to relative prosperity.

MR. JUSTICE JACKSON: Now, all of this authority of the State was concentrated- perhaps I am taking up another subject. Is it the intent to recess at this time?

THE PRESIDENT: The Tribunal will adjourn.

[The Tribunal recessed until 1400 hours.]

Afternoon Session

DR. STAHLER: The witness Dahlerus has been in Nuremberg for several days and is waiting to testify. He has informed me that he must be in Stockholm again by Thursday without fail. or this reason he requests, and I am asking the High Tribunal's permission that he be called as a witness tomorrow morning, even if the cross examination has not been completed. The Prosecution have all agreed to my proposal.

THE PRESIDENT: Did you say the Prosecution had agreed to your proposal?

DR. STAHLER: Yes, My Lord. I contacted the four gentlemen involved and they have agreed to this.

THE PRESIDENT: How long do you anticipate that the examination in chief of the witness will take? You cannot answer for the cross-examination.

DR. STAHLER: I believe that I will need half a day, that is until tomorrow noon. I cannot say definitely, but it is quite probable it will last as long as that.

THE PRESIDENT: His evidence is relevant only to the fe days before the 9/1/1939?

DR. STAHLER: There are two additional questions, but these questions may be answered very briefly. He seems to have made two further efforts after September, but those are very brief questions.

THE PRESIDENT: It appears to the Tribunal that half a day is a totally unnecessary time for the examination in chief of a witness who is going to speak about events during a few days before the war began.

DR. STAHLER: I would not say that, Mr. President. It is not just a few days. These negotiations started already at the end of June or the beginning of July. I should like to add further that I shall naturally limit myself to such questions as are necessary or the Trial, but these questions should be asked.

THE PRESIDENT: The Tribunal agrees, if the Prosecution is willing for this evidence to be interposed. The Tribunal trusts that you will find it possible to make your examination in chief Much shorter than you have indicated.

MR. JUSTICE JACKSON: Witness, you have related to us the manner in which you and others co-operated in concentrating all authority in the German State in the hands of the Fuehrer is that right?

GOERING: I was speaking about myself and to what extent I had a part in it.

MR. JUSTICE JACKSON: Is there any defendant in the box you know of who did not co-operate toward that end as far as was possible?

GOERING: That none of the defendants here opposed or obstructed the Fuehrer in the beginning is clear, but I should like to call your attention to the fact that we must always distinguish between different periods of time. Some of the questions that are being put to me are very general and, after all, we are concerned with a nod extending over 24 to 25 years, if a comprehensive survey is to be made.

MR. JUSTICE JACKSON: Now, I want to call your attention to the fruits of this system. You, as I understand it, were informed in 1940 of an impending attack by the German Army on Soviet Russia?

GOERING: I have explained just how far I was informed of these matters.

MR. JUSTICE JACKSON: You believed an attack not only to be unnecessary, but also to be unwise from the point of view of Germany itself?

GOERING: At that particular time I was of the opinion that this attack should be postponed in order to carry through other tasks which I considered more important.

MR. JUSTICE JACKSON: You did not see any military necessity or an attack at that time, even from the point of view of Germany?

GOERING: Naturally, I was fully aware of Russia's efforts in the deployment of her forces, but I hoped first to put into effect the other strategic measures, described by me, to improve Germany's POSITION I thought that the time required for these would ward off the critical moment. I well knew, of course, that this critical moment for Germany might come at any time after that.

MR. JUSTICE JACKSON: I can only repeat my question, which I submit you have not answered.

Did you at that time see any military necessity for an attack by Germany on Soviet Russia?

GOERING: I personally believed that at that time the danger had not yet reached its climax, and therefore the attack might not yet be necessary. But that was my personal view.

MR. JUSTICE JACKSON: And you were the Number 2 man at that time in all Germany?

GOERING: It has nothing to do with my being second in importance. There were two conflicting points of view as regards strategy.

The Fuehrer, the Number 1 man, saw one danger, and I, as the Number 2 man, if you wish to express it so, wanted to carry out another strategic measure. If I had imposed my will every time then I would probably have become the Number 1 man. But since the Number 1 man was of a different opinion, and I was only the Number 2 man, his opinion naturally prevailed.

MR. JUSTICE JACKSON: I have understood from your testimony-and I think you can answer this "yes" or "no," and I would greatly appreciate it if you would-I have understood from your testimony that you were opposed, and told the Fuehrer that you were opposed, to an attack upon Russia at that time. Am I right or wrong?

GOERING: That is correct.

MR. JUSTICE JACKSON: Now, you were opposed to it because you thought that it was a dangerous move for Germany to make; is that correct?

GOERING: Yes, I was of the opinion that the moment-and I repeat this again-had not come for this undertaking, and that measures should be taken which were more expedient as far as Germany was concerned.

MR. JUSTICE JACKSON: And yet, because of the Fuehrer system, as I understand you, you could give no warning to the German people; you could bring no pressure of any kind to bear to prevent that step, and you could not even resign to protect your own place in history.

GOERING: These are several questions at once. I should like to answer the first one.

MR. JUSTICE JACKSON: Separate them, if you wish.

GOERING: The first question was, I believe, whether I took the opportunity to tell the German people about this danger. I had no occasion to do this. We were at war, and such differences of opinion, as far as strategy was concerned, could not be brought before the public forum during war. I believe that never has happened in world history. Secondly, as far as my resignation is concerned, I do not wish even to discuss that, for during the war I was an officer, a soldier, and I was not concerned with whether I shared an opinion or not. I had merely to serve my country as a soldier.

Thirdly, I was not the man to forsake someone, to whom I had given my oath of loyalty, every time he was not of my way of thinking. If that had been the case there would have been no need to bind myself to him from the beginning. It never occurred to me to leave the Fuehrer.

MR. JUSTICE JACKSON: Insofar as you know, the German people were led into the war, attacking Soviet Russia under the belief that you favored it?

GOERING: The German people did not know about the declaration of war against Russia until after the war with Russia had started. The German people, therefore, had nothing to

do with this. The German people were not asked; they were told of the fact and of the necessity for it.

MR. JUSTICE JACKSON: At what time did you know that the war, as regards achieving the objectives that you had in mind, was a lost war?

GOERING: It is extremely difficult to say. At any rate, according to my conviction, relatively late-I mean, it was only towards the end that I became convinced that the war was lost. Up till then I had always thought and hoped that it would come to a stalemate.

MR. JUSTICE JACKSON: Well, in 11/1941 the offensive in Russia broke down?

GOERING: That is not at all correct. We had reverses because of weather conditions, or rather, the goal which we had set was not reached. The push of 1942 proved well enough that there was no question of a military collapse. Some corps, which had pushed forward, were merely thrown back, and some were withdrawn. The totally unexpected early frost that set in was the cause of this.

MR. JUSTICE JACKSON: You said, "relatively late." The expression that you used does not tell me anything, because I do not know what you regard as relatively late. Will you fix in terms, the of events or time, when it was that the conviction came to you that the war was lost?

GOERING: When, after 1/12/1945, the Russian offensive pushed forward to the Oder and at the same time the Ardennes offensive had not penetrated, it was then that I was forced to realize that defeat would probably set in slowly. Up to that time I had always hoped that, on the one side, the position at the Vistula toward the East and, on the other side, the position at the West Wall towards the West, could be held until the flow of the new mass produced weapons should bring about a slackening of the Anglo-American air war.

MR. JUSTICE JACKSON: Now, will you fix that by date; you told us when it was by events.

GOERING: I just said 1/1945; middle, or end of 1/1945. After that there was no more hope.

MR. JUSTICE JACKSON: Do you want it understood that, as a military man, you did not realize until 1/1945 that Germany could not be successful in the war?

GOERING: As I have already said, we must draw a sharp distinction between two possibilities: First, the successful conclusion of a war, and second, a war which ends by neither side being the victor. As regards a successful outcome, the moment when it was realized that that was no longer possible was much earlier, whereas the realization of the fact that defeat would set in did not come until the time I have just mentioned.

MR. JUSTICE JACKSON: For some period before that, you knew that a successful termination of the war could only be accomplished if you could come to some kind of terms with the enemy; was that not true?

GOERING: Of course, a successful termination of a war can only be considered successful if I either conquer the enemy or, through negotiations with the enemy, come to a conclusion which guarantees me success. That is what I call a successful termination. I call it a draw, when I come to terms with the enemy. This does not bring me the success which victory would have brought but, on the other hand, it precludes a defeat. This is a conclusion without victors or vanquished.

MR. JUSTICE JACKSON: But you knew that it was Hitler's policy never to negotiate and you knew that as long as he was the head of the Government the enemy would not negotiate with Germany, did you not?

GOERING: I knew that enemy propaganda emphasized that under no circumstances would there be negotiations with Hitler. That Hitler did not want to negotiate under any circumstances, I also knew, but not in this connection. Hitler wanted to negotiate if there were some prospect of results; but he was absolutely opposed to hopeless and futile negotiations. Because of the declaration of the enemy in the West after the landing in Africa, as far as I remember, that under no circumstances would they negotiate with Germany but would force on her unconditional surrender, Germany's resistance was stiffened to the utmost and measures had to be taken accordingly. If I have no chance of concluding a war through negotiations, then it is useless to negotiate, and I must strain every nerve to bring about a change by a call to arms.

MR. JUSTICE JACKSON: By the time of 1/1945 you also knew that you were unable to defend the German cities against the air attacks of the Allies, did you not?

GOERING: Concerning the defense of German cities against Allied air attacks, I should like to describe the possibility of doing this as follows: Of itself...

MR. JUSTICE JACKSON: Can you answer my question? Time may not mean quite as much to you as it does to the rest of us. Can you not answer "yes" or "no"? Did you then know, at the same time that you knew that the war was lost, that the German cities could not successfully be defended against air attack by the enemy? Can you not tell us "yes" or "no"?

GOERING: I can say that I knew that, at that time, it was not possible.

MR. JUSTICE JACKSON: And after that time it was well known to you that the air attacks which were continued against England could not turn the tide of war, and were designed solely to effect a prolongation of what you then knew was a hopeless conflict?

GOERING: I believe you are mistaken. After 1/1945 there were no more attacks on England, except perhaps a few single planes, because at that time I needed all my petrol for the fighter planes for defense. If I had had bombers and oil at my disposal, then, of course, I should have continued such attacks up to the last minute as retaliation for the attacks which were being carried out on German cities, whatever our chances might have been.

MR. JUSTICE JACKSON: What about robot attacks? Were there any robot attacks after 1/1945?

GOERING: Thank God, we still had one weapon that we could use. I have just said that, as long as the fight was on, we had to hit back; and as a soldier I can only regret that we did not have enough of these V-1 and V-2 bombs, for an easing of the attacks on German cities could be brought about only if we could inflict equally heavy losses on the enemy.

MR. JUSTICE JACKSON: And there was no way to prevent the war going on as long as Hitler was the head of the German Government, was there?

GOERING: As long as Hitler was the Fuehrer of the German people he alone decided whether the war was to go on. As long as my enemy threatens me and demands absolutely unconditional Surrender I fight to my last breath, because there is nothing left for me except perhaps a chance that in some way fate may change, even though it seems hopeless.

MR. JUSTICE JACKSON: Well, the people of Germany who thought it was time that the slaughter should stop had no means to stop it except revolution or assassination of Hitler, had they?

GOERING: A revolution always changes a situation, if it succeeds. That is a foregone conclusion. The murder of Hitler at this time, say 1/1945, would have brought about my succession. If the enemy had given me the same answer, that is, unconditional surrender, and had held out those terrible conditions which had been intimated, I would have continued fighting whatever the circumstances.

MR. JUSTICE JACKSON: There wa's an attack on Hitler's life on 7/20/1944?

GOERING: Unfortunately, yes.

MR. JUSTICE JACKSON: And there came a time in 1945 when Hitler made a will in Berlin whereby he turned over the presidency of the Reich to your co-defendant, Admiral Doenitz. You know about that?

GOERING: That is correct. I read of this will here.

MR. JUSTICE JACKSON: And in making his will and turning over the Government of Germany to Admiral Doenitz, I call your attention to this statement:

"Goring and Himmler, quite apart from their disloyalty to my person, have done immeasurable harm to the country and the whole nation by secret negotiations with the enemy which they conducted without my knowledge and against my wishes, and by illegally attempting to seize power in the State for themselves."

And by that will he expelled you and Himmler from the Party and from all offices of the State.

GOERING: I can only answer for myself. What Himmler did I do not know.

I neither betrayed the Fuehrer, nor did I at that time negotiate with a single foreign soldier. This will, or this final act of the Fuehrer's, is based on an extremely regrettable mistake, and one which grieves me deeply-that the Fuehrer could believe in his last hours

that I could ever be disloyal to him. It was all due to an error in the transmission of a radio report and perhaps to a misrepresentation which Bormann gave the Fuehrer. I myself never thought for a minute of taking over power illegally or of acting against the Fuehrer in any way.

MR. JUSTICE JACKSON: In any event you were arrested and expected to be shot?

GOERING: That is correct.

MR. JUSTICE JACKSON: Now, in tracing the rise of power of the Party you have omitted some such things as, for example the Reichstag fire of 2/27/1933. There was a great purge following that fire, was there not, in which many people were arrested and many people were killed?

GOERING: I do not know of a single case where a man was killed because of the Reichstag fire, except that of the incendiary, Van der Lubbe, who was sentenced by the court. The other two defendants in this trial were acquitted. Herr Thalmann was not, as you recently erroneously believed, accused; it was the communist representative Torgler. He was acquitted, as was also the Bulgarian, Dimitroff. Relatively few arrests were made in connection with the Reichstag fire. The arrests which you attribute to the Reichstag fire are the arrests of communist functionaries. These arrests, as I have repeatedly stated and wish to emphasize once more, had nothing to do with this fire. The fire merely precipitated their arrest and upset our carefully planned action, thus allowing several of the functionaries to escape.

MR. JUSTICE JACKSON: In other words, you had lists of Communists already prepared at the time of the Reichstag fire, of persons who should be arrested, did you not?

GOERING: We had always drawn up, beforehand, fairly complete lists of communist functionaries who were to be arrested. That had nothing to do with the fire in the German Reichstag.

MR. JUSTICE JACKSON: They were immediately put into execution-the arrests, I mean- after the Reichstag fire?

GOERING: Contrary to my intention of postponing this action for a few days and letting it take place according to plan, thereby perfecting the arrangements, the Fuehrer ordered that same night that the arrests should follow immediately. This had the disadvantage, as I said, of precipitating matters.

MR. JUSTICE JACKSON: You and the Fuehrer met at the fire, did you not?

GOERING: That is right.

MR. JUSTICE JACKSON: And then and there you decided to arrest all the Communists that you had listed?

GOERING: I repeat again that the decision for their arrests had been reached some days before this; it simply meant that on that night they were immediately arrested. I would rather have waited a few days according to plan; then some of the important

men would not have escaped. MR. JUSTICE JACKSON: And the next morning the decree was presented to President Von Hindenburg, suspending the provisions of the constitution which we have discussed here, was it not?

GOERING: I believe so, yes.

MR. JUSTICE JACKSON: Who was Karl Ernst?

GOERING: Karl Ernst-whether his first name was Karl I do not now-was the SA leader of Berlin.

MR. JUSTICE JACKSON: And who was Helldorf?

GOERING: Count Helldorf was the subsequent SA leader of Berlin.

MR. JUSTICE JACKSON: And Heines?

GOERING: Heines was the SA leader of Silesia at that time.

MR. JUSTICE JACKSON: Now, it is known to you, is it not that Ernst made a statement confessing that these three burned the Reichstag and that you and Goebbels planned and furnished the incendiary materials of liquid phosphorus and petroleum which were deposited by you in a subterranean passage for them to get, which passage led from your house to the Reichstag building? You knew of such a statement, did you not?

GOERING: I do not know of any statement by the SA leader Ernst. But I do know of some fairytale published shortly after in the foreign press by Rohm's chauffeur. This was after 1934.

MR. JUSTICE JACKSON: But there was such a passage from the Reichstag building to your house, was there not?

GOERING: On one side of the street is the Reichstag building, and opposite is the palace of the Reichstag president. The two are connected by a passage along which the wagons run which carry the coke for the central heating.

MR. JUSTICE JACKSON: And, in any event, shortly after this, Ernst was killed without a trial and without a chance to tell his story, was he not? "

GOERING: That is not correct. The Reichstag fire was in 2/1933. Ernst was shot on 6/30/1934, because together with Rohm he had planned to overthrow the Government and had plotted against the Fuehrer. He, therefore, had a year and a quarter in which he could have made statements regarding the Reichstag fire, if he had wished to do so.

MR. JUSTICE JACKSON: Well, he had begun to make statements, had he not, and you were generally being accused of burning the Reichstag building? You knew that, did you not? That was the . . .

GOERING: That accusation that I had set fire to the Reichstag came from a certain foreign press. That could not bother me because it was not consistent with the facts. I had no reason or motive for setting fire to the Reichstag. From the artistic point of

view I did not at all regret that the assembly chamber was burned- I hoped to build a better one. But I did regret very much that I was forced to find a new meeting place for the Reichstag and, not being able to find one, I had to give up my Kroll Opera House, that is, the second State Opera House, for that purpose. The opera seemed to me much more important than the Reichstag.

MR. JUSTICE JACKSON: Have you ever boasted of burning the Reichstag building, even by way of joking?

GOERING: No. I made a joke, if that is the one you are referring to, when I said that, after this, I should be competing with Nero and that probably people would soon be saying that, dressed in a red toga and holding a lyre in my hand, I looked on at the fire and played while the Reichstag was burning. That was the joke. But the fact was that I almost perished in the flames, which would have been very unfortunate for the German people, but very fortunate for their enemies.

MR. JUSTICE JACKSON: You never stated then that you burned the Reichstag?

GOERING: No. I know that Herr Rauschnig said in the book which he wrote, and which has often been referred to here, that I had discussed this with him. I saw Herr Rauschnig only twice in my life and only for a short time on each occasion. If I had set fire to the Reichstag, I would presumably have let that be known only to my closest circle of confidants, if at all. I would not have told it to a man whom I did not know and whose appearance I could not describe at all today. That is an absolute distortion of the truth.

MR. JUSTICE JACKSON: Do you remember the luncheon on Hitler's birthday in 1942 at the Kasino, the officers' mess, at the headquarters of the Fuehrer in East Prussia?

GOERING: No.

MR. JUSTICE JACKSON: You do not remember that? I will ask that you be shown the affidavit of General Franz Halder, and I call your attention to his statements which may refresh your recollection. I read it.

"On the occasion of a luncheon on the Fuehrer's birthday in 1942, the people around the Fuehrer turned the conversation to the Reichstag building and its artistic value. I heard with my own ears how Goring broke into the conversation and shouted: 'The only one who really knows the Reichstag is I, for I set fire to it.' And saying this he slapped his thigh."

GOERING: This conversation did not take place and I request that I be confronted with Herr Halder. First of all I want to emphasize that what is written here is utter nonsense. It says, "The only one who really knows the Reichstag is I." The Reichstag was known to every representative in the Reichstag. The fire took place only in the general assembly room, and many hundreds or thousands of people knew this room as well as I did. A statement of this type is utter nonsense. How Herr Halder came to make that statement I do not know. Apparently that bad memory, which also let him down in military matters, is the only explanation.

MR. JUSTICE JACKSON: You know who Halder is?

GOERING: Only too well.

MR. JUSTICE JACKSON: Can you tell us what position he held in the German Army?

GOERING: He was Chief of the General Staff of the Army, and I repeatedly pointed out to the Fuehrer, after the war started, that he would at least have to find a chief who knew something about such matters.

MR. JUSTICE JACKSON: Now, the Rohm purge you have left a little indefinite. What was it that Rohm did that he was shot? What acts did he commit?

GOERING: Rohm planned to overthrow the Government, and it was intended to kill the Fuehrer also. He wanted to follow it up by a revolution, directed in the first place against the Army, the officers' corps-those groups which he considered to be reactionary.

MR. JUSTICE JACKSON: And you had evidence of that fact?

GOERING: We had sufficient evidence of that fact.

MR. JUSTICE JACKSON: But he was never tried in any court where he would have a chance to tell his story as you are telling yours, was he?

GOERING: That is correct. He wanted to bring about a Putsch and therefore the Fuehrer considered it right that this thing should be nipped in the bud-not by a court procedure, but by smashing the revolt immediately.

MR. JUSTICE JACKSON: Were the names of the people who were killed in that purge, following the arrest of Rohm, ever published?

GOERING: Some of the names, yes; but not all of them, I believe.

MR. JUSTICE JACKSON: Who actually killed Rohm? Do you know?

GOERING: I do not know who personally carried out this action.

MR. JUSTICE JACKSON: To what organization was the order given?

GOERING: That I do not know either, because the shooting of Rohm was decreed by the Fuehrer and not by me, for I was competent in north Germany.

MR. JUSTICE JACKSON: And who took into custody those who were destined for concentration camps, and how many were there?

GOERING: The police carried out the arrest of those who were, first of all, to be interrogated, those who were not so seriously incriminated and of whom it was not known whether they were incriminated or not. A number of these people were released very soon, others not until somewhat later. Just how many were arrested in this connection I cannot tell you. The arrests were made by the police.

MR. JUSTICE JACKSON: The Gestapo, you mean?

GOERING: I assume so.

MR. JUSTICE JACKSON: And if Milch testified that he saw 700 or 800 in Dachau in 1935, there must have been a very much larger number arrested, since you say many were released. Do you know the number that were arrested?

GOERING: I state again, I do not know exactly how many were arrested because the necessary arrests, or the arrest of those who were considered as having a part in this, did not go through me. My action ended, so to speak, on the date when the revolt was smashed. I understood Milch a little differently and I sent a note to my counsel in order that it be made clear, through a question whether Milch meant by these 700 people those concerned with the Rohm Putsch or whether he meant to say that he saw altogether 700 arrested persons there. That is the way I understood it. But to clarify this statement we should have to question Milch again, for I believe this number of 500, 600, or 700, to be far too high for the total number of people arrested in connection with the Rohm Putsch.

MR. JUSTICE JACKSON: Among those who were killed were Von Schleicher and his wife. He was one of your political opponents, was he not?

GOERING: That is right.

MR. JUSTICE JACKSON: And also Erich Klausner, who had been Chief of the Catholic Action of Germany?

GOERING: Klausner was likewise among those who were shot. Actually, it was Klausner's case which caused me, as I stated recently to ask the Fuehrer to give immediate orders to cease any further action, since, in my opinion, Klausner was quite wrongfully shot.

MR. JUSTICE JACKSON: And Strasser, who had been the former Number 2 man to Hitler and had disagreed with him in 12/1932-Strasser was killed, was he not?

GOERING: Of Strasser it cannot be said that he was Number 2 man after Hitler. He played an extremely important role within the Party before the seizure of power, but he was banned from the Party already before the seizure of power. Strasser participated in this revolt and he was also shot.

MR. JUSTICE JACKSON: And when it got down to a point where there were only two left on the list yet to be killed, you intervened and asked to have it stopped; is that correct?

GOERING: No, that is not entirely correct. I made it fairly clear and should like to repeat briefly that not when there were only two left on the list did I intervene; I intervened when I saw that many were shot who were not concerned with this matter. And when I did so, two persons were left who had taken a very active part, and the Fuehrer himself had ordered that they be shot. The Fuehrer was particularly furious with one of them, the chief instigator of the action. What I wanted to make clear was that I

said to the Fuehrer, "It is better for you to give up the idea of having these two main perpetrators executed, and put an end to the whole thing immediately." That is what I meant.

MR. JUSTICE JACKSON: What date was that? Did you fix the time?

GOERING: Yes, I can give you a definite time. As far as I recall the decisive day was Saturday; on Saturday evening between 6 and 7 o'clock the Fuehrer arrived by plane from Munich. My request to stop the action was made on Sunday, some time between 2 and 3 o'clock in the afternoon.

MR. JUSTICE JACKSON: And what happened to the two men who were left on the list- were they ever brought to trial?

GOERING: No. One, as far as I remember, was taken to a concentration camp, and the other was for the time being placed under a sort of house arrest, if I remember correctly.

MR. JUSTICE JACKSON: Now, going back to the time when you met Hitler; you said that he was a man who had a serious and definite aim, that he was not content with the defeat of Germany and with the Versailles Treaty; do you recall that?

GOERING: I am very sorry, the translation was rather defective and I cannot understand it. Please repeat.

MR. JUSTICE JACKSON: When you met Hitler, as I understand your testimony, you found a man with a serious and definite aim, as you said, in that he was not content with the defeat of Germany in the previous war and was not content with the Versailles Treaty.

GOERING: I think you did not quite understand me correctly here, for I did not put it that way at all. I stated that it had struck me that Hitler had very definite views of the impotency of protest; secondly, that he was of the opinion that Germany must be freed from the dictate of Versailles. It was not only Adolf Hitler; every German, every patriotic German had the same feelings- and I, being an ardent patriot, bitterly felt the shame of the dictate of Versailles, and I allied myself with the man about whom I felt that he perceived most clearly the consequences of this dictate, and that probably he was the man who would find the ways and means to set it aside. All the other talk in the Party about Versailles was, pardon the expression, mere twaddle.

MR. JUSTICE JACKSON: So, as I understand you, from the very beginning publicly and notoriously, it was the position of the Nazi Party that the Versailles Treaty must be set aside and that protest was impotent for that purpose?

GOERING: From the beginning it was the aim of Adolf Hitler and his movement to free Germany from the oppressive fetters of Versailles, that is, not from the whole Treaty of Versailles, but from those terms which were strangling Germany's future.

MR. JUSTICE JACKSON: And to do it by war, if necessary?

GOERING: We did not debate about that at all at the time. We debated only about the foremost condition, that Germany should acquire a different political structure, which

alone would enable her to raise objections to this dictate, this one-sided dictate- everybody always called it a peace, whereas we Germans always called it a dictate and not merely objections, but such objections as would demand consideration.

MR. JUSTICE JACKSON: That was the means-the means was the reorganization of the German State, but your aim was to get rid of what you call the dictate of Versailles.

GOERING: Liberation from these terms of the dictate of Versailles, which in the long run would make German life impossible, was the aim and the intention. But by that we did not go as far as to say, "We want to wage war on our enemies and be victorious." Rather, the aim was to suit the methods to the political events. Those were the basic considerations.

MR. JUSTICE JACKSON: And it was for that end that you and all of the other persons who became members of the Nazi Party gave to Hitler all power to make decisions for them, and agreed, in their oath of office, to give him obedience?

GOERING: Again here are several questions. Question One: The fight against the dictate of Versailles was for me the most decisive factor in joining the Party. For others, perhaps, other points of the program or of the ideology, which seemed more important, may have been more decisive. Giving the Fuehrer absolute powers was not a basic condition for getting rid of Versailles, but for putting into practice our conception of the Leadership Principle. To give him Our oath before he became the head of the State was, under the conditions then existing, a matter of course for those who considered themselves members of his select leadership corps. I do not know and I cannot tell exactly, just how the oath was given before the seizure of power; I can only tell you what I myself did. After a certain period of time, when I had acquired more insight into the Fuehrer's personality, I gave him my hand and said: "I unite my ate with yours for better or for worse: I dedicate myself to you in good times and in bad, even unto death." I really meant it-and still do.

MR. JUSTICE JACKSON: If you would answer three or four questions for me "yes" or "no," then I would be quite willing to let you give your entire version of this thing. In the first place, you wanted a strong German State to overcome the conditions of Versailles.

GOERING: We wanted a strong State anyhow, regardless of Versailles; but in order to get rid of Versailles the State had, first of all, to be strong, for a weak State never makes itself heard; that we know from experience.

MR. JUSTICE JACKSON: And the Fuehrer principle you adopted because you thought it would serve the ends of a strong State?

GOERING: Correct.

MR. JUSTICE JACKSON: And this aim, which was one of the aims of the Nazi Party, to modify the conditions of Versailles, was a public and notorious aim in which the people generally joined-it was one of your best means of getting people to join with you, was it not.

GOERING: The dictate of Versailles was such that every German in my opinion, could not help being in favor of its modification, and there is no doubt that this was a very strong inducement for joining the movement.

MR. JUSTICE JACKSON: Now, a number of the men who took part in this movement are not here; and, for the record, there is no doubt in your mind, is there, that Adolf Hitler is dead?

GOERING: I believe there can be no doubt about that.

MR. JUSTICE JACKSON: And the same is true of Goebbels?

GOERING: Goebbels, I have no doubt about that, for I heard from someone whom I trust completely, that he saw Goebbels dead.

MR. JUSTICE JACKSON: And you have no doubt of the death of Himmler, have you?

GOERING: I am not certain of that, but I think that you must be certain, since you know much more about it than I, as he died a prisoner of yours. I was not there.

MR. JUSTICE JACKSON: You have no doubt of the death of Heydrich, have you?

GOERING: I am absolutely certain about that.

MR. JUSTICE JACKSON: And probably of Bormann?

GOERING: I am not absolutely certain of this. I have no proof. I do not know, but I assume so.

MR. JUSTICE JACKSON: And those are the chief persons in your testimony, who have been mentioned as being responsible-Hitler for everything, Goebbels for inciting riots against the Jews, Himmler, who deceived Hitler, and Bormann, who misled him about his will?

GOERING: The influence exerted on the Fuehrer varied at different times. The chief influence on the Fuehrer, at least up till the end -of 1941 or the beginning of 1942, if one can speak of influence at all, was exerted by me. From then until 1943 my influence gradually decreased, after which it rapidly dwindled. All in all, I do not believe anyone had anything like the influence on the Fuehrer that I had. Next to me, or apart from me, if one can speak of influence at all, Goebbels, with whom the Fuehrer was together quite a good deal, exerted an influence in a certain direction from the very beginning. This influence wavered for a time and was very slight, and then increased greatly in the last years of the war, for it was easy to win influence by means of...

Before the seizure of power and during the years immediately following the seizure of power, Hess had a certain influence, but only in regard to his special sphere. Then, in the course of the years, Himmler's influence increased. From the end of 1944 on this influence decreased rapidly. The most decisive influence on the Fuehrer during the war, and especially from about 1942-after Hess went out in 1941 and a year had elapsed-was exerted by Herr Bormann. The latter had, at the end, a disastrously strong influence. That

was possible only because the Fuehrer was filled with profound mistrust after 20 July, and because Bormann was with him constantly and reported on and described to him all matters. Broadly speaking these are the persons who had influence at one time or another.

MR. JUSTICE JACKSON: You took over a special intelligence organization in 1933 which was devoted to monitoring the telephone conversations of public officials and others inside and outside of Germany, did you not?

GOERING: I have explained that I had erected a technical apparatus which, as you said, monitored the conversations of important reigners to and from foreign countries- telegrams and wireless communications which were transmitted not only from Germany to foreign countries, but also from one foreign country to the other through the ether, and which were intercepted. It also monitored telephone conversations within Germany of: (1) all important foreigners; (2) important firms, at times; and (3) persons who for any reason of a political or police nature were to be watched.

In order to prevent any abuse on the part of the police, this department had to obtain my personal permission when it was to listen to telephone conversations. Despite this there could, of course, be uncontrolled tapping of wires at the same time, just as that is technically possible everywhere today.

MR. JUSTICE JACKSON: You kept the results of those reports to yourself, did you not?

GOERING: No; this was the procedure: These reports in which the Foreign Office was interested were released to the Foreign Office. Those reports which were important to the Fuehrer went to the Fuehrer. Those which were important to the military authorities went to the Minister of War, or to the Air Ministry, or to the Ministry of Economy. I or my deputy decided whether a report was important for this or that office. There was a man there whose job and responsibility it was to see that these secret reports were submitted only to the chief. I could, of course, order at any time that this or that report should be exclusively for my knowledge and not be handed on. That was always possible.

MR. JUSTICE JACKSON: You had a good deal of difficulty with other police authorities who wanted to get possession of that organization, did you not?

GOERING: That is correct. The police did strive to get this instrument into their hands. But they did not get it from me, and perhaps they kept a watch of their own here and there. But the decisive control which had to be directed through the Ministry of Posts could technically be ordered only by me.

MR. JUSTICE JACKSON: You have listened to the evidence of the Prosecution against all of the defendants in this case, have you not?

GOERING: Yes.

MR. JUSTICE JACKSON: Is there any act of any of your co-defendants which you claim was not one reasonably necessary to carry out the plans of the Nazi Party?

GOERING: At present those are only assertions by the Prosecution; they are not yet facts which have been proved. In these assertions there are a number of actions which would not have been necessary.

MR. JUSTICE JACKSON: Will you specify which acts, of which defendants, you claim, are beyond the scope of the plans of the Party?

GOERING: That is a very difficult question which I cannot answer straight away and without the data.

DR. STAHLER: I object to this question. I do not believe that this is a question of fact, but rather of judgment, and that it is not possible to give an answer to such a general question.

THE PRESIDENT: Mr. Justice Jackson, the Tribunal thinks that the question is somewhat too wide.

MR. JUSTICE JACKSON: You have said that the program of the Nazi Party was to rectify certain injustices which you considered in the Treaty of Versailles; and I ask you whether it is not a fact that your program went considerably beyond any matter dealt with in that Treaty?

GOERING: Of course, the program contained a number of other points which had nothing to do with the Treaty of Versailles.

MR. JUSTICE JACKSON: I call your attention to a statement in Mein Kampf as follows:

"The boundaries of 1914 do not mean anything for the future of the German nation. They did not constitute a defense in the past nor do they constitute a power in the future. They will not give to the German people inner security or ensure their food supply, nor do these boundaries appear to be favorable or satisfactory from a military point of view."

That is all true, is it not?

GOERING: I should like to reread the original passage in Mein Kampf in order to determine if it is exactly as you have read it. I assume that it is correct. If so, I can reply that this is the text of a public book and not the Party program.

MR. JUSTICE JACKSON: The first country to be absorbed by Germany was Austria, and it was not a part of Germany before the first World War, and had not been taken from Germany by the Treaty of Versailles; is that correct?

GOERING: For this very reason this point was distinctly separated from Versailles in the program. Austria is directly connected with Versailles only insofar as the right of self-determination, as proclaimed there, was most gravely infringed; for Austria and the purely German population were not allowed the Anschluss which they wanted to see accomplished as early as 1918, after the revolution.

MR. JUSTICE JACKSON: The second territory taken by Germany was Bohemia, then Moravia, and then Slovakia. These were not taken from Germany by the Treaty of Versailles, nor were they part of Germany before the first World War.

GOERING: As far as the Sudetenland is concerned the same applies as for Austria. The German representatives of the German Sudetenland likewise sat in the Austrian Parliament, and under their leader, Lottmann, cast the same vote. It is different in the case of the last act, that is, the declaration of the Protectorate. These parts of Czech territory, especially Bohemia and Moravia were not constituent parts of the smaller German Reich before the Treaty of Versailles, but formerly they had been united to the German Reich for centuries. That is an historical fact.

MR. JUSTICE JACKSON: You still have not answered my question, although you answered everything else. They were not taken from you by the Treaty of Versailles, were they?

GOERING: Of course Austria was taken away by the Versailles Treaty and likewise the Sudetenland, for both territories, had it not been for the Treaty of Versailles and the Treaty of St. Germain would have become German territories through the right of the people to self-determination. To this extent they have to do with it.

MR. JUSTICE JACKSON: You have testified, have you not, on interrogation, that it was Hitler's information that the United States would never go to war, even if attacked, and that he counted on the isolationists of that country to keep it out of war?

GOERING: This interrogation must have been recorded entirely incorrectly. That is the very reason why I refused from the beginning to give my oath to these interrogations before I had been able to look carefully at the German transcript and determine whether it had been correctly understood and translated. Only once, and that was on the part of the Russian Delegation, was a completely correct transcript submitted to me. I signed it page by page and thereby acknowledged it. Now, as far as this statement is concerned, I should like to put it right. I said that, at first, the Fuehrer did not believe that America would intervene in the war, and that he was confirmed in this belief by the attitude of the isolationist press, while I, on the contrary, unfortunately feared from the very beginning that America would in any case intervene in the war. Such nonsense-I hope you will excuse me-as to say that America would not come into the war even if she were attacked, you will understand that I could never have uttered, because, if a country is attacked, it defends itself.

MR. JUSTICE JACKSON: Do you know Axel Wennergren?

GOERING: He is a Swede whom I have seen two or three times.

MR. JUSTICE JACKSON: You talked with him about this subject, did you not?

GOERING: About the subject of America's entering the war I can very well have talked with him; it is even probable.

MR. JUSTICE JACKSON: You told him that a democracy could not mobilize and would not fight, did you not?

GOERING: I did not tell him any such nonsense, for we had one democracy as our chief enemy, namely England, and how this democracy would fight we knew from the last World War, and we experienced it again during this war. When I talked with Wennergren the war with England was in full swing.

MR. JUSTICE JACKSON: You have testified on interrogation, if I understand you correctly, that there were at all times two basic ideas in Hitler's mind, either to ally himself with Russia and seek increase in living space through the acquisition of colonies, or to ally himself with Britain and seek acquisition of territories in the East. But in view of his orientation, he would very much have preferred to ally himself with Great Britain, is that true?

GOERING: That is correct. I need only to refer to the book *Mein Kampf*, where these things were set down in thorough detail by Hitler.

MR. JUSTICE JACKSON: Now, as early as 1933 you began a real program to rearm Germany regardless of any treaty limitations, did you not?

GOERING: That is not correct.

MR. JUSTICE JACKSON: All right; tell us when you started.

GOERING: After all the proposals of disarmament which the Fuehrer made were refused, that is, shortly after our withdrawal from the disarmament conference he made several proposals for a limitation; but, since these were not taken seriously or discussed, he ordered a complete rearmament. At the end of 1933 already certain slight preparations were started by me personally, to the extent that I had made some inconsiderable preparations in regard to the air and had also undertaken a certain militarization of the uniformed police. But that was done by me personally; I bear the responsibility.

MR. JUSTICE JACKSON: Well, then, the militarization of the police auxiliary was not a state affair. It was your personal affair. What do you mean by that?

GOERING: Not the auxiliary police, but the municipal police; that is, there was one uniformed police force which had simply police duty on the streets, and a second which was grouped in formations and was at our disposal for larger operations-not created by us, let it be understood, but existing at the time of the seizure of power. This municipal police, which was grouped in units, uniformed armed, and housed in barracks, I formed very soon into a strong military instrument by taking these men out of the police service and having them trained more along military lines and giving them machine guns and such things, in addition to their small arms. This I did on my own responsibility. These formations were taken into the Armed Forces as regular Army units when the Armed Forces Law was declared.

MR. JUSTICE JACKSON: I want to ask you some questions from your interrogation of the 10/17/1945. I will first read you the questions and answers as they appear in the interrogations and I shall then ask you whether you gave those answers, and then you can make the explanations if you desire, and I assume you do. The interrogation reads:

"I wanted to ask you today about some of the economic history of the period. When was the armament program first discussed, that is, the rearmament program? What year?

"Answer: Immediately; in 1933.

"Question: In other words, Schacht had assumed the obligation at that time already, to raise funds for the rearmament program?

"Answer: Yes. But, of course, in co-operation with the Minister of Finance.

"Question: During the years 1933-1935, before general conscription came in, naturally, the rearmament was a secret rearmament, was it not?

"Answer Yes.

"Question: So that money that was used outside of the budget would have to be raised by some secret means not to be known to foreign nations?

"Answer: Yes, unless they could be raised from normal Army funds.

"Question: That is to say, you had a small budget for the standing 100000 man Army which was open, and the rest of the rearmament had to be from secret sources?

"Answer: Yes."

Were you asked those questions and did you give these answers, in substance?

GOERING: More or less; generally speaking that is correct. I have these remarks to make: Firstly, I was asked when rearmament had been discussed, not when it had been started. It had, of course, been discussed already in the year 1933, because it was clear at once that our government had to do something about it, that is to say, to demand that the others should disarm, and, if they did not disarm, that we should rearm. These things required discussion. The conclusion of the discussion and the formulation into a definite order followed after the failure of our attempts to get other countries to disarm. As soon as we, or rather the Fuehrer, saw that his proposals would not be accepted under any circumstances, a gradual rearmament, of course, began to take place. There was no reason whatsoever why we should inform the world about what we were doing in the way of rearmament. We were under no obligation to do that, nor was it expedient.

Herr Schacht, in the year 1933 at the very beginning, could not raise any funds because at the start he held no office. He was able to do this only at a later date. And here it was understandable that the funds had to be raised through the Minister of Finance and the President of the Reichsbank according to the wishes and the orders of the Fuehrer, especially as we had left no doubt that, if the other side did not disarm, we would rearm. That had already been set down on our Party program since 1921, and quite openly.

MR. JUSTICE JACKSON: Is it not a fact that on the 5/21/1935, by a secret decree, Schacht was named Plenipotentiary for the War Economy?

GOERING: The date-if you will kindly submit the decree to me, then I can tell you exactly. I have not the dates of decrees and laws in my head, especially if they do not have anything to do with me personally; but that can be seen from the decree.

MR. JUSTICE JACKSON: At any event, shortly after he was named, he suggested you as Commissioner for Raw Materials and Foreign Currency, did he not?

GOERING: If Herr Schacht made this suggestion shortly after his appointment, then that appointment could not have taken place until 1936, because not until the summer of 1936 did Herr Schacht, together with the Minister of War, Von Blomberg, make the proposal that I should become Commissioner for Raw Materials and Foreign Currency.

MR. JUSTICE JACKSON: Well, I ask you if you did not give this answer to the American interrogator on the 10/10/1945, referring to Schacht:

"He made the suggestion that I was to become the Commissioner for Raw Materials and Foreign Currency. He had the idea that, in that position, I could give the Minister for Economics and the President of the Reichsbank valuable support."

How did you give that answer, and is that information correct?

GOERING: Will you please repeat.

MR. JUSTICE JACKSON: Referring to Schacht, the record shows that you said:

"He made the suggestion that I was to become the Commissioner for Raw Materials and Foreign Currency. He had the idea that, in that position, I could give the Minister for Economics and the President of the Reichsbank valuable support."

GOERING: That is absolutely correct, with the exception of the word "Reichstagsprasident;" that ought to be President of the Reichsbank.

MR. JUSTICE JACKSON: Yes. That is the way I have it.

GOERING: It sounded like "Reichstagsprasident" over the earphones.

MR. JUSTICE JACKSON: "Moreover, he was very outspoken in the suggestion that he and Blomberg made, that I should be put in charge of the Four Year Plan. However, Schacht's idea was that I did not know very much about economy, and that he could easily hide behind my back."

GOERING: That I said the other day quite clearly.

MR. JUSTICE JACKSON: Now, from that time on you and Schacht collaborated for some time in preparing a rearmament program, did you not?

GOERING: From that time on I worked together with Schacht in economic matters and covered the whole field of German economy, including the armament program, which of course was a sine qua non for the reassumed German military sovereignty.

MR. JUSTICE JACKSON: And you and he had some jurisdictional differences and executed an agreement settling your different spheres of authority, did you not?

GOERING: Yes.

MR. JUSTICE JACKSON: And that was on 7/7/1937, right?

GOERING: On that day a certain proposal for a settlement was made, but this did not lead to anything final being accomplished. That was because of the nature of the two posts and our personalities. Both of us, I, as Delegate for the Four Year Plan, and Herr Schacht, as Minister of Economics and President of the Reichsbank, were able to exercise very great influence on German economy. As Herr Schacht also had a very strong personalitY and felt his position keenly, and I likewise was not inclined to hide my light under a bushel, whether we were friends or not we could not help getting in each other's way because of this question of authority, and one of us had finally to give in to the other.

MR. JUSTICE JACKSON: And there came a time when he left the Ministry and the Reichsbank?

GOERING: First he resigned from the Reich Ministry of Economy in 11/1937, and, as far as I know, he resigned as President of the Reichsbank at the end of 1938, but I cannot be certain about that date.

MR. JUSTICE JACKSON: There was no disagreement between you and him that the program of rearmament should be carried through, was there? You disagreed only in the methods of doing it.

GOERING: I assume that Herr Schacht also, as a good German, was, of course, ready to put all his strength at the disposal of Germany's rearmament, in order that Germany should be strong; and therefore differences could have occurred only in regard to methods, for neither Herr Schacht nor I was arming for a war of aggression.

MR. JUSTICE JACKSON: And after he left the rearmament work he remained as a Minister without Portfolio and sat in the Reichstag for some time, did he?

GOERING: That is correct. The Fuehrer wished it because, I believe, he wanted in this way to express his recognition of Herr Schacht.

MR. JUSTICE JACKSON: And do you recall the time when you considered the calling up of 15-year-olds, the conscription of 15-year-olds?

GOERING: During the war you mean?

MR. JUSTICE JACKSON: Yes.

GOERING: It was a question of Air Force auxiliaries, that is correct. They were 15- or 16-year-olds, I do not remember exactly which, and were called in as Air Force auxiliaries.

MR. JUSTICE JACKSON: I will ask that you be shown Document Number 3700-PS and ask you whether you received from Schacht the letter of which that is a carbon copy.

[The document was handed to the witness.]

GOERING: Yes, I certainly did receive that letter. The year is not given here; that is missing in the copy.

MR. JUSTICE JACKSON: Could you fix, approximately, the date of its receipt?

GOERING: It says here 3rd of November, but from the incidents described on the other side, I assume it must be 1943. On this copy the year, strangely enough, is not given, but I believe it was in the year 1943, I received this letter.

MR. JUSTICE JACKSON: Did you reply to Document 3700-PS? Did you reply to this letter?

GOERING: I cannot say that today with certainty-possibly.

MR. JUSTICE JACKSON: Now, the Four Year Plan had as its purpose to put the entire economy in a state of readiness for war, had it not?

GOERING: I have explained that it had two tasks to fulfill-1) to safeguard German economy against crises, that is to say, to make it immune from export fluctuations, and, as regards food, from harvest fluctuations, as far as possible; and 2) to make it capable of withstanding a blockade, that is to say, in the light of experiences in the first World War, to put it on such a basis that in a second World War a blockade would not have such disastrous consequences. That the Four Year Plan in this respect was a basic prerequisite for the entire building-up and expansion of the armament industry goes without saying. Without it the rearmament industry could not have been shaped in this way.

MR. JUSTICE JACKSON: To get a specific answer, if possible did you not say in a letter to Schacht, dated the 12/18/1936, that you saw it to be your task, using these words "within 4 years to put the entire economy in a state of readiness for war"? Did you say that or did you not?

GOERING: Of course I said that.

MR. JUSTICE JACKSON: Now, do you recall the report of Blomberg in 1937 in which- and you may examine if you wish Document Number C-175-in which he starts his report by saying:

"The general political position justifies the supposition that Germany need not expect an attack from any side."

GOERING: That may have been quite possible at that moment. I took a most reassuring view of the German situation in 1937. It was after the Olympic games and at that time the general situation was extraordinarily calm. But that had nothing to do with the fact that I felt obliged, quite apart from passing fluctuations from a calmer to a more tense atmosphere, to make German economy ready for war and proof against crises or blockades, for exactly 1 year later incidents of a different nature occurred.

MR. JUSTICE JACKSON: Well now, does not Blomberg continue: "Grounds for this are, in addition to the lack of desire for war in almost all nations, particularly the Western Powers, the deficiencies in the preparedness for war of a number of states, and of Russia in particular"?

That was the situation in 1937, was it not?

GOERING: That is the way Herr Von Blomberg saw the situation Concerning the readiness for war in Russia, Herr Von Blomberg in the same way as all those representatives of our Reichswehr mentality, was always really mistaken in contrast to the opinion pressed in other quarters with regard to Russian armaments. This is merely the opinion of Herr Von Blomberg-not the Fuehrer's, not mine, and not the opinion of other leading people.

MR. JUSTICE JACKSON: That, however, was the report of the Commander-in-chief of the Armed Forces on the 6/24/1937, was it not?

GOERING: That is correct.

MR. JUSTICE JACKSON: You organized, 1 month later, the Hermann Goring Works?

GOERING: Right.

MR. JUSTICE JACKSON: And the Hermann Goring Works were concerned with putting Germany in the condition of readiness for war, were they not?

GOERING: No, that is not right. The Hermann Goring Works were at first concerned solely with the mining of German iron ore in the region of Salzgitter and in a district in the Oberpfalz, and, after the annexation, with the iron ore works in Austria. The Hermann Goring Works first established exclusively mining and refining plants for this ore and foundries. Only much later steel works and rolling mills were added, that is to say, an industry.

MR. JUSTICE JACKSON: The Hermann Goring Works were a part of the Four Year Plan, were they not?

GOERING: That is right.

MR. JUSTICE JACKSON: And you have already said that the Four Year Plan had as its purpose to put the economy in a state of readiness for war; and the Hermann Goring Works were organized to exploit ore mining and iron smelting resources and to carry the process through to completed guns and tanks, were they not?

GOERING: No, that is not correct; the Hermann Goring Works had at first no armament works of their own, but merely produced, as I again repeat, the basic product, steel, crude steel.

MR. JUSTICE JACKSON: Well, at all events, you continued your efforts and on the 11/8/1943, you made a speech describing those efforts to the Gauleiter in the Fuehrer building at Luebeck, is that right?

GOERING: I do not know the exact date, but about that time I made a short speech, one of a series of speeches, to the Gauleiter about the air situation, as far as I remember, and also perhaps about the armament situation. I do not remember the words of that speech, since I was never asked about it until now; but the facts are correct.

MR. JUSTICE JACKSON: Well, let me remind you if you used these terms, refreshing your recollection:

"Germany, at the beginning of the war, was the only country in the world possessing an operative, fighting air force. The other countries had split their air fleets up into army and navy air fleets and considered the air arm primarily as a necessary and important auxiliary of the other branches of the forces. In consequence, they lacked the instrument which is alone capable of dealing concentrated and effective blows, namely, an operative air force. In Germany we had gone ahead on those lines from the very outset, and the main body of the Air Force was disposed in such a way that it could thrust deeply into the hostile areas with strategic effect while a lesser portion of the air force, consisting of Stukas and, of course, fighter planes, went into action on the front line in the battlefields. You all know what wonderful results were achieved by these tactics and what superiority we attained at the very beginning of the war through this modern kind of air force."

GOERING: That is entirely correct; I certainly did say that, and what is more, I acted accordingly. But in order-that this be understood and interpreted correctly, I must explain briefly:

In these statements I dealt with two separate opinions on air strategy, which are still being debated today and without a decision having been reached. That is to say: Should the air force form an auxiliary arm of the army and the navy and be split up to form a constituent part of the army and the navy, or should it be a separate branch of the armed forces? I explained that for nations with a very large navy it is perhaps understandable that such a division should be made. From the very beginning, thank God, we made the correct, consistent decision to build up a strong-I emphasize the word "strong"-and independent Air Force along with the Army and the Navy; and I described how we passed from a tentative air force to an operative air force. As an expert I am today still of the opinion that only an operative air force can have a decisive effect. I have also explained in regard to two- and four-engine bombers, that at first I was quite satisfied with the two-engine bombers because, firstly, I did not have four-engine bombers; and secondly, the operational radius of the two-engine bombers was wide enough for the enemy with whom we had to deal at that time. I further pointed out that the main reason for the swift ending of the campaign in Poland and in the West was the effect of the Air Force.

So that is quite correct.

MR. JUSTICE JACKSON: I remind you of the testimony of the witness Milch, sworn on your behalf, as to a subject on which I have not heard you express yourself. He said:

"I had the impression that already at the time of the occupation of the Rhineland, he, Goring, was worried lest Hitler's policy should lead to war."

Do you remember that?

GOERING: Yes.

MR. JUSTICE JACKSON: And was it true or false? True or mistaken, perhaps, I should say.

GOERING: No, I did not want a war and I thought the best way to avoid a war was to be strongly armed according to the well known adage, "He who has a strong sword has peace."

MR. JUSTICE JACKSON: Well, you are still of that opinion?

GOERING: I am of that opinion today, now that I see the entanglements more than ever.

MR. JUSTICE JACKSON: And it is true, as Milch said, that you were worried that Hitler's policies would lead to war at the time of the occupation of the Rhineland?

GOERING: Excuse me, I just understood you to ask whether it is also my opinion today that only a nation that is strongly armed can maintain peace. That is what I meant to answer with my last statement.

If you are connecting this question to the statement of Milch, that I was worried lest the policy of the Fuehrer might lead to war, I should like to say that I was worried lest war might come; and if possible I wanted to avoid it, but not in the sense that the policy of the Fuehrer would lead to it, because the Fuehrer also desired to carry out his program by agreements and diplomatic action.

In regard to the occupation of the Rhineland I was somewhat worried at the time about the reactions; all the same, it was necessary.

MR. JUSTICE JACKSON: And when nothing happened, the next step was Austria?

GOERING: The one has nothing to do with the other. I never had any misgivings about Austria leading to a war, as I had with the Rhineland occupation, for in the case of the Rhineland occupation I could well imagine that there might be repercussions. But how there could be any repercussions from abroad over the union of two brother nations of purely German blood was not clear to me, especially since Italy, who always pretended that she had a vital interest in a separate Austria, had somewhat changed her ideas. It could not have mattered in the least to England and France nor could they have had the slightest interest in this union. Therefore I did not see the danger of its leading to a war.

MR. JUSTICE JACKSON: I ask you just a few questions about Austria. You said that you and Hitler had felt deep regret about the death of Dollfuss, and I ask you if it is not a fact that Hitler put up a plaque in Vienna in honor of the men who murdered Dollfuss, and went and put a wreath on their graves when he was there. Is that a fact? Can you not answer that question with "yes" or "no"?

GOERING: No, I cannot answer it with either "yes" or "no," if I am to speak the truth according to my oath. I cannot say "Yes, he did it," because I do not know; I cannot say, "No, he did not do it," because I do not know that either. I want to say that I heard about this event here for the first time.

MR. JUSTICE JACKSON: Now, in 6/1937, Seyss-Inquart came to you and State Secretary Keppler, and you had some negotiations.

GOERING: Yes.

MR. JUSTICE JACKSON: And it was Seyss-Inquart's desire to have an independent Austria, was it not?

GOERING: As far as I remember, yes.

MR. JUSTICE JACKSON: And Keppler was the man who was sent by Hitler to Vienna at the time of the Anschluss and who telegraphed to Hitler not to march in, do you recall?

GOERING: Yes.

MR. JUSTICE JACKSON: That is the telegram that you characterized as impudent and senseless from the man who was on the spot, and who had negotiated earlier with Seyss-Inquart, do you recall that?

GOERING: I did not characterize the telegram with this word which has just been translated to me in German, that is "impudent." I said that this telegram could no longer have any influence and was superfluous, because the troops were already on the move and had their order; the thing was already underway.

MR. JUSTICE JACKSON: You had demanded that Seyss-Inquart be made Chancellor? Is that right?

GOERING: I did not desire that personally, but it arose out of the circumstance that at that time he was the only man who could assume the Chancellorship because he was already in the Government.

MR. JUSTICE JACKSON: Now, did Seys-Inquart become Chancellor of Austria with the understanding that he was to surrender his country to Germany, or did you lead him to believe that he would be independent, have an independent country?

GOERING: I explained the other day that even at the time when I left by plane the next morning, the Fuehrer himself had still -not made up his mind as to whether the union with Austria should not be brought about by means of a joint head of state. I also said that

I personally did not consider this solution far-reaching enough and that I was for an absolute, direct, and total Anschluss.

I did not know exactly what Seyss-Inquart's attitude was at this time. Nevertheless I feared that his attitude was rather in the direction of continued separation with co-operation, and did not go as far as my attitude in the direction of a total Anschluss. Therefore I was very satisfied when this total Anschluss crystallized in the course of the day.

MR. JUSTICE JACKSON: I respectfully submit that the answers are not responsive, and I repeat the question.

Did Seyss-Inquart become Chancellor of Austria with an understanding that he would call in the German troops and surrender Austria to Germany, or did you lead him to believe that he could continue an independent Austria?

GOERING: Excuse me, but that is a number of questions which I cannot answer simply with "yes" or "no."

If you ask me, "Did Seyss-Inquart become Chancellor according to Hitler's wishes and yours?"-yes.

If you then ask me, "Did he become Chancellor with the understanding that he should send a telegram for troops to march in?"-I say, "No," because at the time of the Chancellorship there was no question of his sending us a telegram.

If you ask me, thirdly, "Did he become Chancellor on the understanding that he would be able to maintain an independent Austria?" -then I have to say again that the final turn of events was not clear in the Fuehrer's mind on that evening.

That is what I tried to explain.

MR. JUSTICE JACKSON: Is it not true that you suspected that he might want to remain as independent as possible, and that that was one of the reasons why the troops were marched in?

GOERING: No. Excuse me, there are two questions: I strongly Suspected that Seyss-Inquart wanted to be as independent as possible. The sending of troops had nothing at all to do with that Suspicion; not a single soldier would have been needed for that. I gave my reasons for the sending of the troops.

MR. JUSTICE JACKSON: But it was never intimated to Seyss-Inquart that Austria would not remain independent until after-as You put it- the Fuehrer and you were in control of Austria's fate? Is that a fact?

GOERING: That was certainly not told him beforehand by the Fuehrer. As far as I was concerned, it was generally known that I desired it, and I assume that he knew of my attitude.

MR. JUSTICE JACKSON: Now, you have stated that you then in conversation with Ribbentrop in London, stressed that no ultimatum had been put to Seyss-Inquart, and you have said that legally that was the fact.

GOERING: I did not say "legally," I said "diplomatically."

THE PRESIDENT: Is that a convenient time to break off?

MR. JUSTICE JACKSON: Yes, Your Honor.

[The Tribunal adjourned until 3/19/1946 at 1000 hours.].