

## INTRODUCTION

The "Ministries case" was officially designated *United States of America vs. Ernst von Weizsaecker, et al.* (Case 11.) The case quickly became commonly known as the "Ministries case" because most of the 21 defendants were charged with criminal conduct arising principally out of their functions as officials of the Reich government. Some of the defendants, in addition, held important positions in the Nazi Party and its affiliated organizations. The broad scope of the trial is indicated by summary mention of some of the more important positions held by particular defendants.

Three of the defendants were Reich Ministers—the defendant Lammers, Reich Minister and Chief of the Reich Chancellery; the defendant Schwerin von Krosigk, Reich Minister of Finance; and the defendant Darré, Reich Minister of Food and Agriculture. The defendant Meissner was State Minister and Chief of the Presidential Chancellery. In the German Foreign Office, the defendant Weizsaecker was State Secretary (Staatssekretaer) from 1938 to 1943, when he was succeeded by the defendant Steengracht von Moyland. The defendant Keppler was also given the rank of State Secretary in the Foreign Office in connection with his activities in Austria in 1938, and after the German occupation of Austria, he became Reich Plenipotentiary for Austria. The defendant Stuckart was State Secretary first in the Reich Ministry of Science and Education and later in the Reich Ministry of the Interior. In the Ministry for Armament and War Production, the defendant Kehrl was head of the Raw Materials Office. The defendant Puhl was Vice President of the Reich Bank. The defendant Berger was Chief of Prisoner of War Affairs under Himmler from 1944 until the German collapse.

In the Nazi Party and its affiliated organizations, a number of the defendants held various positions in the complicated hierarchy. The defendant Dietrich was Reich Press Chief of the Nazi Party, as well as Reich Press Chief of the Reich government and a State Secretary in the Reich Ministry of Propaganda and Public Enlightenment. The defendant Bohle was chief of the Foreign Organization of the Nazi Party and a Gauleiter of the Nazi Party. After 1937, Bohle also held the position of State Secretary in the German Foreign Office. The defendant Darré was Reich Peasant Leader of the Nazi Party. The defendant Berger was Chief of the SS Main Office, directly subordinate to Reichsfuehrer SS Himmler. In Himmler's Reich Security Main Office (RSHA), the defendant Schellenberg was Chief of the Foreign Intelligence Division. Beginning in 1932, the defendant Keppler was economic adviser to Hitler. In the early years of the Nazi regime, the defendants Kehrl and Pleiger were officials

in the so-called "Keppler Office." In its judgment the Tribunal found twelve defendants guilty of membership in one or more of the organizations declared criminal by the International Military Tribunal: eleven in the SS; one in the SD (Schellenberg); and four in the Leadership Corps of the Nazi Party (Bohle, Darré, Dietrich, and Keppler).

A number of the defendants held leading positions in special government agencies or institutions established during the Hitler regime. The defendant Koerner was Goering's permanent deputy for the execution of the Four Year Plan, a member of the Central Planning Board, and in the Prussian State Ministry he held the position of State Secretary. The defendant Pleiger was chairman of the Reich Association Coal and chairman of the Vorstand (managing board) of the Reich-owned Hermann Goering Works. The defendant Kehrl was head of the "Planning Office" of the Central Planning Board.

The defendants were charged under an indictment containing eight counts, including 75 paragraphs of specifications, although not all defendants were charged under all counts (see section I, hereinafter). The judgment of the Tribunal found some of the defendants guilty under six counts of the indictment (see section XV, volume XIV). Count four was dismissed as to all defendants charged during the prosecution's case in chief (see section VIII, volume XIII). Count two was dismissed as to all defendants in the judgment of the Tribunal. Judge Powers dissented from the judgment of the Tribunal in finding some of the defendants guilty under counts one, three, five and six. Upon motions alleging errors of fact and law in the Tribunal's judgment, the Tribunal set aside its conviction of two defendants under count one and of one defendant under count three (see section XVIII, volume XIV).

The Ministries case was tried at the Palace of Justice in Nuernberg before Military Tribunal IV A (often referred to as Tribunal IV after the original Tribunal IV completed the trial of the Flick case). The Tribunal convened on 168 separate days. Testimony was also taken before three commissioners appointed by the Tribunal. One of the commissioners took testimony in Copenhagen. On another occasion a commission consisting of two members of the Tribunal heard testimony in Vienna. Seventeen months elapsed between indictment and judgment and just over 2 years between indictment and the postjudgment rulings of the Tribunal upon defense motions alleging error in the judgment. The trial, therefore, lasted considerably longer than any of the other Nuernberg trials, not excepting the first trial of Hermann Goering and others before the International Military Tribunal.

The general outline of the progress of the trial is shown by the following schedule:

Original indictment filed	4 November 1947
Amended indictment filed	18 November 1947
Arraignment	20 November 1947
Prosecution opening statement	6 January 1948
Tribunal order dismissing count four	26 March 1948
Opening of the defence case	4 May 1948
Prosecution closing statement	9 November 1948
Defense closing statements	9-18 November 1948
Prosecution rebuttal statement	18 November 1948
Judgment	11-13 April 1949
Dissenting Opinion of Judge Powers	13 April 1949
Sentences	13 April 1949
Orders of the Tribunal on motions alleging errors in judgment	12 December 1949
Revision of sentences by the United States High Commissioner for Germany	31 January 1951

The English transcript of the court proceedings runs to 28,813 pages, inclusive of judgment and sentences, but exclusive of the dissenting opinion, and of the postjudgment orders and memoranda on the defense motions alleging error in the judgment. The prosecution introduced into evidence over 3,200 written exhibits (some of which contained several documents) and the defense over 4,800 written exhibits. The testimony of 339 witnesses was heard by the Tribunal or taken before commissioners appointed by the Tribunal. Of the 21 defendants 19 testified in their own behalf, and each of these defendants was subject to examination on behalf of the other defendants. The defendants Dietrich and von Erdmannsdorff elected not to testify. Approximately three-fifths of the witnesses heard were defense witnesses. Of the prosecution's written exhibits 282 were affidavits, whereas 2,298 of the written exhibits of the defense were affidavits. Most of the cross-examination of affiants concerning their affidavits was conducted before commissioners of the Tribunal. The exhibits offered by both prosecution and defense contained documents, photographs, affidavits, letters, charts, and other written evidence. The prosecution rested its case on 27 March 1948, and the Tribunal was in recess until 3 May 1948 to give the defense additional time to prepare its case.

Concerning the captured official documents introduced in evidence and the nature of the record as a whole, the Tribunal in its judgment stated:

“Hundreds of captured official documents were offered, received and considered, which were unavailable at the trial before the International Military Tribunal (sometimes herein referred to as the IMT), and which were not offered in any of the previous cases before United States Military Tribunals, and the record here presents, more fully and completely than in any other case, the story of the rise of the Nazi regime, its programs and its acts.”

Because of space limitations less than one-twentieth of the evidence of record is reproduced in the three volumes of this series devoted to the Ministries trial. This evidence has been grouped for the most part in six sections according to the counts of the indictment. The first of these sections (section VI, Crimes Against Peace) contains evidence principally bearing on the first two counts. Each of five other sections (sections VII, IX, X, XI, and XII, all in volume XIII) contain evidence mainly dealing with a single count. Section VIII, dealing with count four, contains only argumentation concerning the jurisdiction of the Tribunal and the Tribunal's ruling dismissing the count. Since particular items of evidence frequently concerned more than one count, considerable overlapping has been unavoidable, and in some cases an item of evidence reproduced in one section perhaps could as well have been placed in another section. Because of the complexity of the issues and the large number of governmental, Party, and other positions held by the defendants, an early section of this volume (section IV) is devoted to the organization of the government and economic system of the Third Reich; and all of the opening statements of the respective defendants as well as the opening statement for the prosecution have been placed in section V, preceding the sections containing evidence on the individual counts.

The members of the Tribunal, the commissioners of the Tribunal, and prosecution and defense counsel are listed on the ensuing pages. Prosecution counsel were assisted in preparing the case by Walter H. Rapp (Chief of the Evidence Division); Mr. Fred Niebergall (Chief of the Document Branch); Rudolph Auerbach, Jules Beaumont, Elsie Dolling, Wolfgang von Eckhardt, Henry Einstein, Henry Elias, Robert von Engel, Ossip Flechtheim, Marie-Anne Garnier, Friedrich Gaus, Gustava Hanna, Norbert Heilpern, Charles Ippen, Clarissa Kohn, Selinda Kranz, Jane Lester, Myra Letz, Ellen Levy, Margot Lipton, Thomas J. Mays, Werner Meyer, Helmuth von Rabenau, Irene Renteln, Betty Richardson, Mark Schaffer, Susan Schaffer, Helen Shea, Paul Siebenschein, Walter Speyer, Herbert Steinitz, Louise Stubing, Eddie I. Wahler, and Elsa Wolffsohn, research and documentary analysts; and Peter Beauvais, Henry Cohen, Paul H. Katcher,

Sigmund Kaufmann, Herbert Meyer, Eric Ortmann, Rudolph Pinz, Curt Ponger, Fred Rodell, Victor Singer, Otto Verber, and Larry Wolff, interrogators.

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John H. E. Fried, Special Legal Consultant to the Tribunals, reviewed and approved the selection and arrangement of the material as the designated representative of the Nuernberg Tribunals.

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