

1
00:00:00,000 --> 00:00:03,325

2
00:00:03,325 --> 00:00:06,970
This is not the time
to review the evidence

3
00:00:06,970 --> 00:00:10,720
against each particular
organization which

4
00:00:10,720 --> 00:00:12,790
we take it should be
reserved for summation

5
00:00:12,790 --> 00:00:17,560
after the evidence
is all presented.

6
00:00:17,560 --> 00:00:20,680
But it is timely to say that
the selection of the six

7
00:00:20,680 --> 00:00:23,650
organizations named
in the indictment

8
00:00:23,650 --> 00:00:26,650
was not a matter of chance.

9
00:00:26,650 --> 00:00:30,730
The chief reasons they
were chosen are these.

10
00:00:30,730 --> 00:00:35,260
Collectively, they were
the ultimate repositories

11
00:00:35,260 --> 00:00:39,220
of all power in the Nazi regime.

12

00:00:39,220 --> 00:00:42,580

They were not only the most powerful, but the most

13

00:00:42,580 --> 00:00:46,000

vicious organizations in the regime.

14

00:00:46,000 --> 00:00:49,300

And they were organizations in which membership

15

00:00:49,300 --> 00:00:53,050

was generally voluntary.

16

00:00:53,050 --> 00:00:55,720

The Nazi leadership core consisted

17

00:00:55,720 --> 00:01:01,030

of the directors and principal executors of the Nazi Party.

18

00:01:01,030 --> 00:01:04,660

And the Nazi Party was the force lying behind and dominating

19

00:01:04,660 --> 00:01:07,390

the whole German state.

20

00:01:07,390 --> 00:01:11,920

The Reich cabinet was the facade through which the Nazi Party

21

00:01:11,920 --> 00:01:17,050

translated its will into legislative, administrative and

22

00:01:17,050 --> 00:01:19,650

executive acts.

23

00:01:19,650 --> 00:01:23,770

The two pillars on which the

security of the regime rested

24

00:01:23,770 --> 00:01:27,250

were the armed forces,
directed and controlled

25

00:01:27,250 --> 00:01:29,620

but the general staff
of the high command,

26

00:01:29,620 --> 00:01:35,050

and the police forces, the
Gestapo the SA, the SD,

27

00:01:35,050 --> 00:01:37,420

and the SS.

28

00:01:37,420 --> 00:01:40,750

These organizations exemplify
all of the evil forces

29

00:01:40,750 --> 00:01:43,330

of the Nazi regime.

30

00:01:43,330 --> 00:01:45,580

These organizations
were also selected

31

00:01:45,580 --> 00:01:49,240

because while
representative they

32

00:01:49,240 --> 00:01:53,320

were not so large or extensive
as to make it probable

33

00:01:53,320 --> 00:01:58,810

that innocent, passive, or
indifferent Germans might

34

00:01:58,810 --> 00:02:03,130

be caught up in the same
net with the guilty.

35
00:02:03,130 --> 00:02:06,010
State officialdom
is represented,

36
00:02:06,010 --> 00:02:08,979
but not all the administrative
officials or department

37
00:02:08,979 --> 00:02:12,130
heads or civil servants.

38
00:02:12,130 --> 00:02:16,390
Only the Reichs
cabinet, the very heart

39
00:02:16,390 --> 00:02:19,900
of not Nazidom within
the government, is named.

40
00:02:19,900 --> 00:02:24,280
The armed forces are accused,
but not the average soldier

41
00:02:24,280 --> 00:02:27,610
or officer, no matter
how high ranking.

42
00:02:27,610 --> 00:02:31,120
Only the top policymakers.

43
00:02:31,120 --> 00:02:35,500
The general staff of the
high command are named.

44
00:02:35,500 --> 00:02:40,900
The police forces are accused,
but not every policeman,

45
00:02:40,900 --> 00:02:43,420
not the ordinary police
which performed only

46
00:02:43,420 --> 00:02:46,390
the normal police functions.

47
00:02:46,390 --> 00:02:50,230
Only the most terroristic and
repressive police elements,

48
00:02:50,230 --> 00:02:53,680
the Gestapo and
the SD are named.

49
00:02:53,680 --> 00:02:59,440
The Nazi Party is accused, but
not every Nazi voter, not even

50
00:02:59,440 --> 00:03:02,920
every member, only the leaders.

51
00:03:02,920 --> 00:03:06,085
And not even every party
official or worker is included.

52
00:03:06,085 --> 00:03:08,650

53
00:03:08,650 --> 00:03:13,360
Only the bearers of sovereignty
and the metaphysical jargon

54
00:03:13,360 --> 00:03:18,370
of the Party who were the
actual commanding officers

55
00:03:18,370 --> 00:03:24,670
and their staff officers
on the highest levels.

56
00:03:24,670 --> 00:03:34,520
I think it's important that
we observe, in reference

57
00:03:34,520 --> 00:03:41,660

to the Nazi Party just what
it is that we are doing here

58
00:03:41,660 --> 00:03:45,140
and compare it with
the denazification

59
00:03:45,140 --> 00:03:50,900
program in effect without any
declaration of criminality

60
00:03:50,900 --> 00:03:56,980
in order to see in
it's true perspective

61
00:03:56,980 --> 00:04:00,670
the indictment which we
bring against the Nazi Party.

62
00:04:00,670 --> 00:04:03,820
Some charges have
been prepared by Mr.--

63
00:04:03,820 --> 00:04:18,589

64
00:04:18,589 --> 00:04:25,220
First column are the 79
million German citizens.

65
00:04:25,220 --> 00:04:29,015
We make no accusation against
the citizenry of Germany.

66
00:04:29,015 --> 00:04:32,280

67
00:04:32,280 --> 00:04:38,670
The next is the 48 million
voters who at one time

68
00:04:38,670 --> 00:04:43,650
voted to put, or keep rather,

the Nazi Party in power.

69

00:04:43,650 --> 00:04:47,730

They voted in response
to the referendum.

70

00:04:47,730 --> 00:04:52,770

We make no charge against those
who supported the Nazi Party,

71

00:04:52,770 --> 00:04:57,210

although in some aspects of
the denazification program

72

00:04:57,210 --> 00:05:01,240

the supporters are included.

73

00:05:01,240 --> 00:05:05,350

Then comes the 5
million Nazi members,

74

00:05:05,350 --> 00:05:09,820

persons who definitely
join the Nazi Party

75

00:05:09,820 --> 00:05:15,730

by an act of affiliation,
by an oath of fealty.

76

00:05:15,730 --> 00:05:21,310

We don't attempt to reach
that entire 5 million persons,

77

00:05:21,310 --> 00:05:24,790

although I have no hesitation
in saying that there would

78

00:05:24,790 --> 00:05:26,650

be good grounds for doing so.

79

00:05:26,650 --> 00:05:29,670

80

00:05:29,670 --> 00:05:32,910

But as a mere matter
of the practicalities

81

00:05:32,910 --> 00:05:38,550

of this situation, it
is not possible to reach

82

00:05:38,550 --> 00:05:45,900

all of those who are technically
and perhaps morally well

83

00:05:45,900 --> 00:05:50,890

within the confines
of this conspiracy.

84

00:05:50,890 --> 00:05:55,800

So the voters are
just disregarded.

85

00:05:55,800 --> 00:05:57,870

We don't accuse
Nazi organizations

86

00:05:57,870 --> 00:06:00,330

which have some
legitimate purpose,

87

00:06:00,330 --> 00:06:04,260

like welfare organizations.

88

00:06:04,260 --> 00:06:06,330

Only two of these
Party formations

89

00:06:06,330 --> 00:06:10,950

are named, the SA and
the SS, the oldest

90

00:06:10,950 --> 00:06:14,340

of the Nazi organizations.

91

00:06:14,340 --> 00:06:18,810
Groups which had no purpose
other than carrying out

92
00:06:18,810 --> 00:06:22,260
the Nazi schemes
and which actively

93
00:06:22,260 --> 00:06:27,840
participated in every crime
denounced by the charter.

94
00:06:27,840 --> 00:06:31,710
--and punish the manpower
for most of the crimes

95
00:06:31,710 --> 00:06:34,570
which we proved.

96
00:06:34,570 --> 00:06:37,900
In administering
preventive justice,

97
00:06:37,900 --> 00:06:41,950
with a view to forestalling
repetition of these crimes

98
00:06:41,950 --> 00:06:47,990
against peace, crimes against
humanity and war crimes,

99
00:06:47,990 --> 00:06:50,800
it would be a
greater catastrophe

100
00:06:50,800 --> 00:06:54,280
to acquit these
organizations than it

101
00:06:54,280 --> 00:06:58,210
would be to acquit the entire
22 individual defendants

102

00:06:58,210 --> 00:06:58,840
in the box.

103
00:06:58,840 --> 00:07:02,770

104
00:07:02,770 --> 00:07:06,070
These defendants'
power for harm is past.

105
00:07:06,070 --> 00:07:08,650
They are discredited men.

106
00:07:08,650 --> 00:07:13,051
That of these
organizations goes on.

107
00:07:13,051 --> 00:07:17,320
If these organizations
are exonerated here,

108
00:07:17,320 --> 00:07:21,580
the German people will
infer that they did no wrong

109
00:07:21,580 --> 00:07:26,230
and they will easily be
regimented and reconstituted

110
00:07:26,230 --> 00:07:33,320
organizations under new names
behind the same program.

111
00:07:33,320 --> 00:07:36,830
In administering
retributive justice,

112
00:07:36,830 --> 00:07:41,030
it would be possible to
exonerate these organizations

113
00:07:41,030 --> 00:07:44,540
only by concluding that no

crimes have been committed

114
00:07:44,540 --> 00:07:47,920
by the Nazi regime.

115
00:07:47,920 --> 00:07:50,120
For these organizations'
sponsorship

116
00:07:50,120 --> 00:07:54,020
of every Nazi purpose
and their confederation

117
00:07:54,020 --> 00:07:56,840
to execute every
measure to attain

118
00:07:56,840 --> 00:08:01,040
these ends is beyond denial.

119
00:08:01,040 --> 00:08:04,400
A failure to condemn these
organizations under the terms

120
00:08:04,400 --> 00:08:10,820
of the charter can only mean
that such Nazi ends and means

121
00:08:10,820 --> 00:08:14,240
cannot be considered
criminal and that the charter

122
00:08:14,240 --> 00:08:17,800
of the tribunal declaring
them so is annulled.

123
00:08:17,800 --> 00:08:27,990

124
00:08:27,990 --> 00:08:33,780
I think my colleagues who have
somewhat different aspects

125

00:08:33,780 --> 00:08:37,260

of the case to deal

with would like

126

00:08:37,260 --> 00:08:40,549

to be heard on this subject.

127

00:08:40,549 --> 00:08:42,091