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Final Plea for the Defendant R. Walther Darre

Military Tribunal IV

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Final Plea

for

the Defendant R. Walther Darre

Military Tribunal IV Case 11

submitted by Dr. Hans Tertel
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A.

Darre's position in the Third Reich.

The case of Darre is an exceptional one in the history of the Third Reich. Only a few Ministers fell from grace in the Third Reich. Darre is among them. The history of his fall is the key to the understanding of his character, his aims and his actions.

He was overthrown by Backe, his State Secretary, and Bormann, the omnipotent chief of the Party Chancellery. Perhaps the figure of Himmler also loomed in the bakeground.

1. At Easter 1947, Backe committed suicide. He was originally to have been indicted. When he did away with himself, the plan of an industrial trial was allowed to drop. Then Darre, the Minister who had been overthrown by Backe, was indicted as representative of the agrarian sector.

Again and again during this trial, the shade of Backe has reappeared. He was the first to suggest in the General Counsel for the Pour Year Plan that foreign labor should be brought to Germany, if necessary under compulsion.

Hitler and Goering commissioned Backe to make the preparations in the agricultural sphere for a possible war against Russia. At the same time, Backe received the order to keep this work secret from Darre.

Finally, Backe is the author of those two agricultural memoranda which were produced before the Russian campaign and are known under the names "Green Donkey" and "Brown Camel".

It is not necessary to investigate here, whether these ideas of Backe's were realized. Rather, it is the character which is revealed in these documents, which is of decisive importance.

Dr. Haushofer, an expert on the agrarian policy of the Third Reich, of non-aryan origin and victim of the 20th of June 1944, empresses his view as follows:

- "There was an extraordinarily marked difference between Derré and Backe, Whether in praise or in blame, Darré was always described as an idealist. So long as the Party maintained the facade of idealism, it was wont to speak warmly of this idealism of Darré's. At the instant when the Party went over to the realism of its neo-imperialism, Darré's idealism was repeatedly referred to in a derogatory and contemptous manner.
- "Backe was a realist who had very early taken the stand of the utter cynic. Backe probably soon reached the conclusion that Darre would not be able to succeed against the mighty constellation of his opponents, which included such diverse powers as Gooring, Himmler and Ley and he therefore probably recommended himself as the coming successor."

Witness Dr. Schmitt, chairman of the Society of Persecutees of the Nazi Regime, confirms this statement. This man, who lay for 6 years in concentration camp, was Darre's doctor from 1938 to 1941. Schmitt speaks of "Backe's cynical perfidy and his ambition, for which he would commit murder". He had succeeded in taking Darre's place with the slogan: "the slack and feeble Darre must go!"

2. Backe's rise and Darre's fall took place in three stages.

In 1936 the Four Year Plan was announced. The Ministry of Good was put under Goering's command. Backe was Gooring's agricultural advisor.

At the beginning of the war Backe became the leading figure in the Ministry of Food. Darre had informed Hitler that he refused responsibility for Backe. Hitler replied that he wanted to work with Dacke. Darre handed in his resignation. Hitler refused it.

Early in 1942, Backe brought the matter to a head. Hitler decided in his favor. Darre was overthrown and banished. The public was told of a sickness of Darre's and people spread the rumour that he was mad.

Weakened in 1936, deprived of authority in 1939, overthrown in 1942, these are the three descending stages of Darre's ministerial career.

5. To the same degree, Darre came into conflict with Goring and the economic policy supported by him.

By 1936, the grave crisis in German agriculture had been dealt with by the market regulations. The Four Year Plan started a new crisis for German agriculture. Large numbers began to fly from the land.

Darre felt himself obliged to bring this flight to the attention of the public. He demanded that the Party propagate farming. If the flight from the land was not overcome, then the Party had feeled. This speech and the Reich Farmers Conference in Goslar at the end of 1938 aroused an extraordinary sensation. In leading political circles Darre was called a Frondeur.

A second result of Goering's economic policy was that prices and wages in industry increased. Thus the purchasing power of agriculture for industrial necessities was seriously impaired. Darré decided on a second thrust. In a memorandum to Goering and Mittler on 21 January 1939 he pointed out that all just and harmonious relationship between industry and agriculture had been lost. The final consequence of this chaotic condition in German economy was the unstable currency.

Finally, Darre saw the increasing danger of an economic imparialism which would undoubtedly injure the farmers severely. On 25 January 1939 he spoke in Munich before leading representatives of German industry. "I emphasize this once again because we want to hold ourselves clearly aloof from imperialist tendencies. The new order can only be based on honest cooperation between the peoples and never on dictatorship and exploitation, for these were the nothods of the old imperialism and capitalism."

Thus Darre and his agrarian policy came into sharp conflict with Goering and his industrial policy.

- between Darré and the Party.

 Darré did not enter the Party until 1930. He was not among the old warriors who marched with Hitler in 1923. In background and oducation he differed fundamentally from the radical powers of the Party. As a scientist his view of the world was organic and could not be understood by the dull materialism of many party circles. His sympathy went out to the farmers, He wanted to ensure the inner powers of resistance and stability of agriculture. He wanted to maintain and protect it in a world filled with capitalist and collectivist powers. This fight might have seemed hopeless. Darré took up the fight and tenaciously pursued his path until his downfall.
- 5. Darro made German agriculture professionally self-administrative.

 Such self-administration had been demanded in general by the papel encyclical Quadragesimo anno. The great Viennese Sociologist Othmar Spann supported similar theories. The Party, on the other hand, rejected these theories and saw in the Reich Food Estate the embodiment of these ideas which they opposed.

The Party considered the Reich Food Estate as an alien body. They called it "the Reich Contrary Estate" (Reichsquerstand) or the "Reich Reactionary Estate" (Reichsreaktionaerstand). They wanted an organization of agriculture which, like the German Labor Front, was inclined in favor of the Party organization. Darre on the other hand, created the Reich

Food Estate purposely, as a corporation of public rights which was independent of the Party. Thus he naturally came into conflict with the Party's demand for totalitarianism.

His bitterest opponents here were Gauleiters Goebbels, Koch, Terboven, Buerckel and a few others whose names are less well known.

*Another enemy was Ley. He wanted to incorporate land workers into the German Labor Front. The result would have been that class warfare would have been carried into the villages. Darre, however, succeeded in keeping them in the organization for agricultural professions.

All these currents united in the Party Chancellery. When Bormann, an embittered opponent of Darre, became chief of the Party Chancellery, these powers prepared to strike the final blow. Bormann declared Darre unfit for the Party. In the Party handbook it was stated with regard to Darre that the Party rejected all forms of the corporate State. It was, moreover, bluntly stated, that such leaders as were not recognized by the Party would be dismissed.

At one time Darre had been a representative of the farmers' and conservative wing of the Party. The more the radical powers came to the fore, however, the more his position was weakened until he was finally overthrown.

6. Originally Darre was in close contact with Himmler, which consolidated in the years 1944 to 1946 into a political coalition. At that time,

Darre was conducting a defensive battle against the Party, the

German Labor Front and major powers in industry.

Originally Darre had been protected to a certain extent by Rochm.

After his death Darre welcomed the opportunity to reinforce his his heavily contested position through a coalition with Himmler.

From 1936 onwards, however, Himmler evinced tendencies towards an ever stricter police regime, which Darre opposed. The tensions grew. On 8 February 1938 Darre resigned his honorary post as chief of the Rasse- und Siedlungshauptamt. This was immediately after the Blomberg-Fritsch crisis.

When, at the beginning of the war, Hirrler became Reich Commissar I for the Strengthening of Germanism, Darre broke with him completely. He did this regardless of the fact that he brought upon himself the enmity of one of the most powerful men of the Third Reich.

Only through them can one understand Darrb's position in the Emird
Reich. Goering, Goebbels, Himmler, Ley and Bormann had unrestricted
access to Hitler, and so had those Gewleiters who were known as
particularly staunch opponents of Darrb. These men formed the localing
political group of the Third Reich, Goering in the sphere of economic
policy, Goebbels in cultural life, Himmler in the sector of covernment
and police, Ley in the spheres of labor and social welfare policy,
Bormann, as the man who hold the reins of Party policy in his hands,
first behind the scenes and then blatantly in the open. Those men,
not Darrb, had Hitler's car. Darrb was rejected by this close circle
about Hitler. For them, he was a rementic. He was not a men of
violence and was therefore rejected by these men of quite a different
stamp.

Small wonder that Fitler embraced the outlook of this circle, dropped Darr8 and gradually took Eache in his place.

B .

The period before the war.

I.

The Racial Question ..

1. The Prosecution described Darre as a supporter of National Socialist racial theories. Darre, however, rejected the idea of the "Master Race" in its radical anti-semitic form as well as in its imperialist expression.

Dr. Haushofer and Dr. Schmitt agree in stating that there was a lot to be said for Darre's racial theories. Neither in origin nor in aims did they have anything to do with nihilist theories which led to mass extermination.

The Prosecution also states that Darre supported a theoretical anti-semitism. Theories are not facts and anti-semitism as such is not a crime against humanity. The IMT judgment has already affirmed this. In meality, however, Darre was strongly opposed to all violence and himself prevented attacks against Jews in so far as he learned of them.

- on the grounds that it is an expression of Nazi ideologies. But in actual fact the tradition of the inherited estate in Germany is very old and has nothing to do with racial problems. Nor is this tradition of the inheritance of family estates restricted to the sphere of Germanic law. The Jewish land regulations were also based on the principle of family estates at a time when the Jews were still an agricultural people. This is revealed by the Third Book of Hoses, Chapter 25, whereby every tribe, every race, every family, was to remain on the portion of inheritance allotted to them by God. Thy not should such a Law / be introduced in Germany, especially since it was in accordance with ancient German traditions?
- 3. The Prosecution considers the arganisation of the soil a crime against humanity. The judgment in Case No. 5 held a different view. The confiscation of property for an adequate remuneration is not a crime against humanity. Crimes against humanity are crimes directed against the life and liberty of suppressed peoples, but not against their property. And besides, every country has its expropriation laws.

Darre signed neither the law itself nor the implementary decree.

This means that under national law he was not responsible for either law. But he had to accept the legal position established by other ministers, and to issue an implementary decree. The practical significance of this decree was negligible because Jewish property in the form of

farms and estates was very small indeed in Germany.

4. Finally, Darre is alleged to have promoted the Jewish policy instituted by the SS.

It is true that Darre was honorary chief of the Rasse- und Siedlungs-hauptemt until 8 February 1938 and that in this capacity he also took a share in the instruction of the S^S. But he had differences with Himmler even here. Himmler did not like Darre's policy.

And the judgment in Case No 8 rightly emphasised that the activities of the Rasse- und Siedlungshauptemt could not be complained of during Darre's term of office. Darre had no influence, however, on the later period.

II.

Reich Food Estate, Markot regulations, Rearmement.

- L. The Prosecution charges Darre with the so-called co-ordination policy. According to the IMT judgment the coordination policy was not a crime. Besides, co-ordination in the agricultural sphere took place on the basis of free votes and Darre did not build up the Reich Food Estate as a Party affiliation but as an agricultural organization, independent of the organization of the Party. Therefore there can be no question of the Nazification of agriculture.
- 2. Agricultural market regulations have been/central problem of agrarian policy in all countries since 1930. Similar measures were taken everywhere, serving to

standardize the markets and to raise the national revenue. In every country the market regulations were adapted to the needs of war and kept on after the end of the war. In Germany it started as a peace-time institution and it would have been continued even if there had been no war. To-day the demand for market regulations is listed in the Bavarian constitution as a constitutional principle. All this surely proves that the market regulations were not a preparation for war.

- 3. Rearmament in itself is not an offense under international law.

 This was declared in the IMT judgment. But now the Prosecution has related the activity of the Reich Defense Committee during the period from 1934 to 1936 with preparations for war. But the complete text of the documents reveals that the committee had only a possible war of defense in mind.
- Darre signed the law on the procurement of land for Wehrmacht purposes. But only the expropriation of land serves armament purposes. For this the High Command of the Wehrmacht was the responsible authority. The Minister for Food had quite a different task. He had to take care of agricultural interests threatened or damaged by the Wehrmacht. It was his particular duty to procure new land for farmers whose estates had been appropriated. His activity was confined to these limits and so was his responsibility for the law and proceedings from the law. His activity, then, did not serve armament purposes but was designed to remedy the damage agriculture had suffered because of rearmament.

Flenipotentiary General for Military Economy. Schacht.

In the meeting of the Reich Defense Committee of 26 June 1935 it was established that on Schacht's orders a coupon system was propored on the basis of a decree for the provisional ensurement of the requirements of the German people. This was to guarantee uniform supplies for the German people. It was established in the report by the Plenipotentiary General for Military Economy that this coupon system which had been developed would come into immediate effect in the event of mobilization. The Reich Minister of Food had prepared a skeleton agreement on the organization of Food Economy in wartime as well as various decrees for the public control of the various agricultural products.

The Ministry of Food was "subject in wartime" to the Plenipotentiary General for Military Economy "and was to abide by his instructions". Schacht was acquitted in the IMT judgment. Thus, this tribunal did not see anything in the legislation for which Schacht was responsible, which could be objected to from the point of view of International Law. And this was quite correct. For such precautionary measures against the possible event of war are customary in all countries.

6. In the report made at the end of 1937 by the Plenipotentiary General for Military Economy, are listed a number of precautionary necsures for economic mobilization in the food sector. These were to be carried out at the direction of the Plenipotentiary General.

The appropriate instructions were issued by the Supreme Command of the Mehrmacht or the Plenipotentiary General for Economy to the Reich Linistry of Food and by the latter to the Reich Peasants. Uniformity in the handling of these questions was the responsibility of the Office for the Safeguarding of Food Supplies. (Stelle fuer Ernaehrungssicherung). Such precautionary measures are a matter of common practice in all countries, even today.

7. The measures necessary in the event of mobilization are sketched in advence in lobilization Handbooks in all countries. As in France, Germany provided for a state of emergency which should preceed any mobilization. The Head of the State gave orders to the Supreme Command of the Wehrmacht that a state of emergency was to be declared. The latter corrunicated the order to the Plenipotentiary General for Economy, who in turn transmitted it to the Reich Minister of Food. Thus he was the third link in the chain of recipients of orders. Having received this order, he was obliged by the law of the State, to put into effect the measures outlined in the Mobilization Handbook. In so doing, he did not create a legal precedent. For the organization of the wartime food economy and the rationing of individual agricultural products were effected in accordance with the provisions of two basic orders issued by the Plenipotentiary General for Economy. These two orders also stipulated that the Reich Minister of Food should issue the necessary implementation orders. These were drawn up by order of Schacht.

These implementation orders centained werely the provisions governing the commandeering of agricultural products and the control

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of consumption. Their sole purpose was to provent the grave economic and social sufferings which threatened the broad masses of the people as a result of the war, particularly the danger of marding and profiteering.

In the authentic social catechism of the Roman Catholic Church are developed the fundamental ideas expressed in the encyclical "Quadragesino". Fig. 111 reads as follows:

"In the event of war or of the scarcity of goods, or of the serious and blatant misuse of goods, it is not only the right, but also the duty of the State to introduce a special system, the purpose of which is to prevent hearding and the increase of profiteering in essential commodities."

It was this very purpose which was served by introduction of the wartime food economy. These organizations are still in existence today, three and a half years after the end of the war. They operate in the same way today as during the war. Their purpose today, too, is to meet the contingencies of a period of grave emergency. At that time, the emergency was created by the war; today it is the outcome of economic chaos. A system which public opinion and the Roman Catholic Church regard as the duty of statesmen cannot be considered as a crime judged by the standards of International Law.

III.

The Accumulation of Grain Reserves

1. The reason for the building up of stores of grain was the bumper harvest in 1938. In the Reich proper, it yielded 26.2 million tens

and was four millions tons higher than that of the year 1937. The major export countries were swamped with surplus supplies. Germany had trade agreements with the South Eastern countries, which stipulated certain minimum figures for the quantities of grain to be bought by Germany. These countries insisted that Germany take the surplus supplies. The everseas export countries likewise sought to buy grain. Thus it was that in 1938, large supplies of grain were imported. Yet it should be observed in this connection that maize imports alone, amounting to 1.9 million tons in the year 1938 were entirely used as fooder.

2. Imports of bread grain in the period from January to July
1939 were reduced to a minimum. In all, approximately 300,000 tons
of wheat and approximately 90,000 tons of rye were imported. The
value of those imports was 47 million Reichsnark. They amounted to
sufficient to supply the requirements of the German people for 12 days.

Germany's imports, however, were totally insignificant as compared with these of Great Britain, Belgium or the Netherlands. Germany's imports of bread grain in the year 1938 amounted to only a quarter of Great Britain's imports of bread grain.

this time, the total cf grain reserves (including fodder grain) amounted to 5.5 million tons. Of this quantity, only 3.4 million tons were grain produced in Germany itself. Thus the storage problem in Germany had become acute. The acuteness of this problem applied not only to Germany, however, but also to the United States. There 13.5 million tons had to be stored, that is to say, two and a half times as much as in Germany. Germany, however, did not possess the huge storage facilities available in the New World.

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It was therefore necessary to make to with a large number of auxiliary stores and, as a result, storage costs were outraordinarily high.

I have indicated the amount of these storage costs, by submitting an official bulletin issued by the Bizonal Office for Food and Agriculture in Frankfurt/Main.

4. In 1939, Darre, too, considered the storage costs extremely high and therefore raised objections to the building up of excessive reserves. This fact is expressed in a memorandum to Hitler and Goering, dated 29 January 1939.

"On the other hand, it must be clearly understood that a few average or good harvests in succession will increase grain stocks to such an extent that, particularly in view of the pressure of the world market, the storage costs would no longer be economically justifiable.

Storage costs for 3 1/2 million tons of grain in the current year alone amount to 150 million Reichsmark ... With this sum which is expended solely for storage, approximately 1 million tons of grain could be bought from domestic sources.

The present extremely favorable grain supply situation" would make it possible to use some of the grain as fodder. The result would be "that the Minister of Finance would be able to save considerable sum of money on grain storage costs".

5. The Prosecution has submitted various exportises which were written in the middle of February 1939. They deal with the grain situation in the event of a hypothetical military situation, i.c., in the event of the loss of East Prussia and the territory left of the Rhine,

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thus, purely of defensive action. The expertises are analysed in detail in my Closing Brief and consequently I have only to refer to it.

While Darre vigwed the accumulation of grain reserves which had been rendered necessary by circumstances as a move of agrarian policy, Georing new domanded that the reserves become permanent, in case of war, and be national reserves.

This thought was an obvious one to anyone holding Gooring's views.

For many countries, particularly Great Dritain, had purchased considerable quantities of grain abroad and built up stores in case of war.

The reserves stored in Germany, on the other hand, consisted, for the most part, of grain produced in the country. Once Georing had domanded that a national reserve be established, only very limited quantities of grain were purchased abroad. Not even all the supplies guaranted to Cermany by trade agreements, were taken up. I have proved all these facts with the help of detailed statistical material, particularly in my Sur-Rebuttal documents.

6. It is, in any case, difficult to comprehend how grain reserves can be held to be instruments of aggressive warfare. In former times, stocks were held in besieged fortresses, but not by armies which merched out to wage aggressive wars. But above all, the cultivation of grain is not a war industry. Grain is the staff of life, not a weapon of destruction. Grain is not a weapon, much less a weapon of aggression such as phosphorus, long-range bembers or long-range missiles. Grain has never been a direct weapon of war. It is and will remain the staff of life.

It serves to preserve life and not to deal death.

7. The really week spot in Germany's armour was her fats supply.

Chly 40% of Germany's requirements were mot by domestic supplies.

As far as grain was concerned, there had been no choice about accumulating reserves. As far as fats were concerned, there were no reserves worth speaking of. But Germany made no attempt to build up reserves. It is very characteristic that in summer 1939, Germany declined an offer of a large consignment of whale oil from Norway.

It was not Germany but Britain which bought up this consignment.

C.

During tho War.

I.

The Polish Question.

1. At the beginning of the war, Darrd was denuded of his power, in the sphere of feed, by Backe, in the sphere of settlement, by Himmler, Himmler, Chief of Police, became Reich Commissioner for

the Consolidation of Germandom. Darre never worked hand in hend with the Reich Commissioner. On the contrary, he was strongly opposed to his measures and to his policy. To the extent to which the Reich

Ministry of Food had anything whatsoover to do with this particular sphere of work, it operated under Himmler's orders.

The work of settlement as such was the responsibility of the Offices of the Roich Commissioner. The Siedlungsgesellschaften (Settlement Organizations) which came under the command of the Ministry of Food, were responsible for the economic organization no cessary in connection with the settlers. They

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worked to improve the preductivity of the country, granted extensive loans and increased the production capacity of the farms.

The Ostdeutsche Landbewirtschaftungsgesellschaft (Eastern German Agricultural Control Organization) did not commandeer land. This had been done by Iain Trustee Office East and Himmler's Central Soil Office long before the organization was founded. The Ostland had, on the contrary, received instructions from Goering, based on the provisions of the law, to supervise the cultivation of the land, in order that it might be used to the best possible advantage. This task it discharged in an examplary manner. Hundreds of millions of Reichsmark flowed into the incorporated Eastern areas. In so far as the Ostland was working by order of Goering, it acted on orders and not by virtue of its own authority.

2. Both the Siedlungsgesellschaften and the Ostdeutsche Landbewirtschaftungsgesellschaft were founded only in the spring of 1940. They did not create a legal precedent. This had been done long age by the organizations administered by Goering and Himmler, which alone were authorized to take such action and responsible for it, without the assistance, knowledge or consent of Darre. In so far as Goering or Himmler or their agencies may have violated International Law in their action in the incorporated areas, the Siedlungsgesellschaften and the Ostland had no part in their activities. The administrative work and the work of increasing production performed by these organisations served the interests of production and not of destruction. It served the interests of order and not of chaos. Had the areas in question been occupied territory, it is precisely such administrative and general supervisory work which would have formed part of the duties of the occupying power. Since the incorporated Eastern territories had become part of the Reich by order of the Chief of State, however,

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it was the duty of the Minister of Food, in accordance with the law of the land, to ensure orderly control of production and care of farms. This task was carried out correctly and in the best possible way. There are no indication whatsoever of violation of International Law in the execution of this work.

3. Finally, noither the economic control of settlers nor the trustee administration of land is a crime against humanity. They are merely measures of economic development. Moreover, no proof has been brought of the fact that Darrd took any part whatseever in crimes against humanity, either by giving active assistance or passive consent.

II.

Spoliation.

- 1. Darro had no independent authority in the occupied creas. Gooring, as Commissioner for the Four-Year-Plan, was responsible for economic control as a whole. Both officially and in practice, the responsibility for the individual occupied areas lay with the appointed Military Commanders-in-Chief, Chiefs of Civil Administration, Reich Commissars or, in the case of Poland, with the Governor General.
- There was, in fact, no speliation of the occupied areas from the point of view of agriculture during Darre's period of office. Even the British Pristry of Economic Warfare stresses that, until the end of 1941, Germany endeavoured to bring these areas up to the highest possible stendard from the commonic point of view.

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Everyone looked upon the areas incorporated into the Reich as parts they of the Reich, and were given full occurring support. The inhabitants of these areas received the same attention as those of the Reich proper. There can be no question of speliation of these areas. On the contrary, it was the duty of the Reich Minister of Food to introduce agricultural laws there. For, since these areas had been declared Reich territory, they had to be supported, serviced and supplied in accordance with these laws. But this was only possible if the basis of legal and occurring action was made uniform.

3. Dotailed analysis of the wartime food balances confirms the statement of the British Himistry of Economic Warfare cited above. For this,
I refer the Court to my Closing Brief. Taking into account the admissible removal of goods by the German Wehrmacht, the German population
by no means lived on the occupied territories during Darre's period of
office.

III.

Foreign Workers.

nust be indo between the recruitment of workers abread and the employment of such workers in Cormany. Darro had nothing to d with the recruitment of foreign workers. This was the concern of the Reich Ministry of Labor. And, in fact, the Coneralrat of the Bur Year-Plan dealt with this question at the beginning of 1940. In this connection, it Backe, Georing's agricultural advisor, requested that, should be necessary, Polish workers be recruited by force for work in the Reich. The enly person authorized to issue such an order was

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Frank, Governor General of Poland. Only Georing, as Commissioner of the Four-Year-Plan, was in a position to issue instructions to him.

Backe, Chief of the Department for Food within the organization of the Four-Year-Plan had no authority whatseever to make such a move.

If compulsory measure were in fact taken, he may have been involved, in that he gave his consent. Darrd know nothing of the matter. He rejecte himself declined to take such measures and had no part in the taking of them.

If such measures were, in fact, taken, they couldnot have been taken on any very considerable scale. For as early as May 1940, hundreds of thousands of French prisoners were pouring into the Reich. Manpower shortages were made good by them. This fact was established by the British Ministry of Beenomic Warfare too. Its statements equicide with those of the German experts. Only small numbers of civilians came into the Reich as workers that year.

2. The foreign agricultural workers were well treated in Germany.

The leading farmers of Western Germany confirm this fact unanimously.

Orders to the contrary issued by the Party and the Police were only on paper. For, in view of the special circumstances provailing in German agriculture, it was impossible to put such orders into practice on the farms.

IV. Rationing.

1. Giving way to Party pressure, Backe gave orders for a reduction in the rations of the Jows at the beginning of the war.

This reduction rates a difference of some 40-50 calories per day. Recordingly, the Jour had been receiving 2,400 calories from the beginning of the war onwards, andwere pecciving 2,000 calories at the time of arress overthrow. This cannot be considered a crime against humanity. For, for more than three years, the consumers of Bizonia have been receiving an average of 60% of this ration. Furthermore, Darre was not in closed in this measure in any way. He had no previous impledge of it, and would not have approved it hadhe been in possession of such imposeds. The quantities involved played not the slightest role within the supply system as a whole.

2. The rations issued to prisoners of war were laid down by the Supreme Journal of the Chrischt. The Minister of Foodwas in no way responsible for them. Horeover, the British Ministry of Economic Marfare has stated that the rations issued to prisoners of war were adjusted to those of the civilian population. In the three years following the war, the German civilian population of Bizonia has not received even 30%, and in the French and Russian Zones, not even 50% of the rations issued to prisoners of war during the war.

D.

Homborship of Criminal Organizations.

1. SS Daire was not an active SS-Juehrer. He resigned his honorary position as Chief of the Race and Settlement Main Office on 8 February 1958.

At the beginning of the war, he allowed the rift between himself and Himmler to become apparent. As Hitler, the Chief of State, had forbidden him to resign from the SS, he had no choice but to remain and let the rift be apparent to the outside world. Thus from the beginning of the war onwards, Darre no longer even held the position of honorary 35 Fuebrer. He broke off all but the strictly necessary connections with Finnler and the SS and did not take part in any of the gatherings of the higher SS Fuebrers. On the contrary, Himmler forbad individual higher 35 Fuebrer to have any dealings with him. He had not further connections with the SS. Thus Darre cannot be considered to number among the group which has been declared a criminal organization in the Judgment of the II.

2. Darre was a laichsleiter of the NEDLP, Chief of the Reich Office for Agrarian college, and handled the Party mechinery which dealt with agrarian policy.

The latter was closed down in 1835 following the formation of the Professional Agricultural Association (Perufsorganisation der Lendwirtschaft). The Reich Office for Agrarian Policy performed no actual work of its own worth mentioning, and became completely dermant with the outbreak of war. From this time onwards, the title of "Reichsleiter" was purely a matter of form. Darré performed no special work in his capacity as deschalator and took no part in any activity describedes criminal by the LIT Judgment. Leasures ordered by the Party Administration after Darré's domifall cannot possibly be attributed to Darré. But it is precisely such orders which led to the decision contained in the LIT Judgment that contain groups within the Party were criminal organizations.

In any case, from the beginning of the war onwards, Darred took no active part whatsoever in and gave no support to the work of the Party. On the contrary, he was declared totally unsuitable for Party purposes by the Party Edministration, and was therefore removed from office. A member of an organization who is declared unsuitable for membership of this organization and is treated as such by the organization, does not further the ends of this organization, but impedes its progress, and is regarded by the organization not as a positive but as a negative force.

For this reason, Darre cannot be considered as one of that group within the Party organization declared criminal by the ILT Judgment. Here the old legal principle of "Cessante, legis ratione cossat lex ipsa" applies. There the spirit of the law is not certinent, the law itself cannot be applied.

E.

Conspiracy?

From Littler's point of view, there were two groups of leading men.

1. The group concerned with matters of military importance and of foreign policy. The members of this group took part in the four secret sessions which the LIT Judgment considers to be of decisive importance.

2. The Party political group. This consisted of Goering, Hess, Himmler, Ley, Goebbels and Bormann.

Goering done was a member of both groups. During the war, Speer grew in importance as a member of Mitter: sentourage, without actually being a member of one of these groups. The majority of the members of the leading larty political group

died by their own hand.

Darre belonged to neither of these two groups. He did not take part in any of the four secret meetings and did not even know of them.

Hereover he was not one of the Linisters who had any influence on Hitler. Since 1956, the importance of his position as Linister had been decreasing and from the beginning of the war onwards, it carried absolutely no weight. Ind this is not surprising. For Hitler himself described Hitler as a defeatist. This attitude on Darre's part is confirmed by the testimonies of a number of witnesses.

The vitness Dr. Haushofer reports a statement made by Darrd during the period before the war. Darrd determinedly rejected any thought of war with the Bast:

Tor even if I did consider it possible that such an idea might be correct, it would be the greatest disaster for the German people to embark upon a campaign of conquest towards the last. For it would mean the end of the German people as a nation.

At the outbreak of war, he said:

" At the end of this war, grass will be growing over the asphalt of Berlin".

He spoke too of the madness of war between the notions of Europe in view of the threat of Bolshevism. The article by Lord Lymington, however, which he put at Barrd's disposal for his newspaper "Odal" at the latter's request, and which Darrd published in this newspaper two months before the outbreak of war, is particularly characteristic. This article, with which Darrd thus identified himself

reads as follows:

The impolarlypse is upon us. It is for us to decide whether the horsemen will trample us under foot. Their names are fand, Tator and Hunger. And as rear-guard comes Postilence, riding hard on the heels of Hunger. These four, like war or Bolshovish are the outridors of the dark, new age from which there is no returning to the light."

The inn who empresses such thoughts is no emponent of war and no var criminal. Darrd executed his duties in his own special sphere of work correctly. He won himself acclaim within his own profession, not only at home but abroad. His opinions frequently deviated from the prevailing opinions of the Third Reich. He joined battle with the larty, he broke with Himser at a time when few men willingly incurred the displeasure of one in such a powerful position. Ind for these reasons it was that he not with opposition, was ridiculed and finally accused of madness. This type of resistance was in keeping with his character. He took no part in war crimes, either by giving active support or even passive consent. I therefore nove that he be acquitted.

The Jovish High Priests, when entering the presence of Jehova, bore on their breasts the words "Urin we Thummim", Light and Right. In these dark days through which we are passing, light and right are sorely needed to vanquish darkness, hatrod and destruction. In this be the purpose served by the verdict of this Court.

CERTIFICATE OF TRANSLATION

5 November 1948

We, the undersigned, hereby certify that we are duly appointed translators for the English and German languages and that the above is a true and correct translation of the Final Plea Darre.

Beryl BESWICK, No. 20183 (Pages: 13 - 27)

Patricia C. WOOD Nc. 20139 (Pages: 1 - 12)