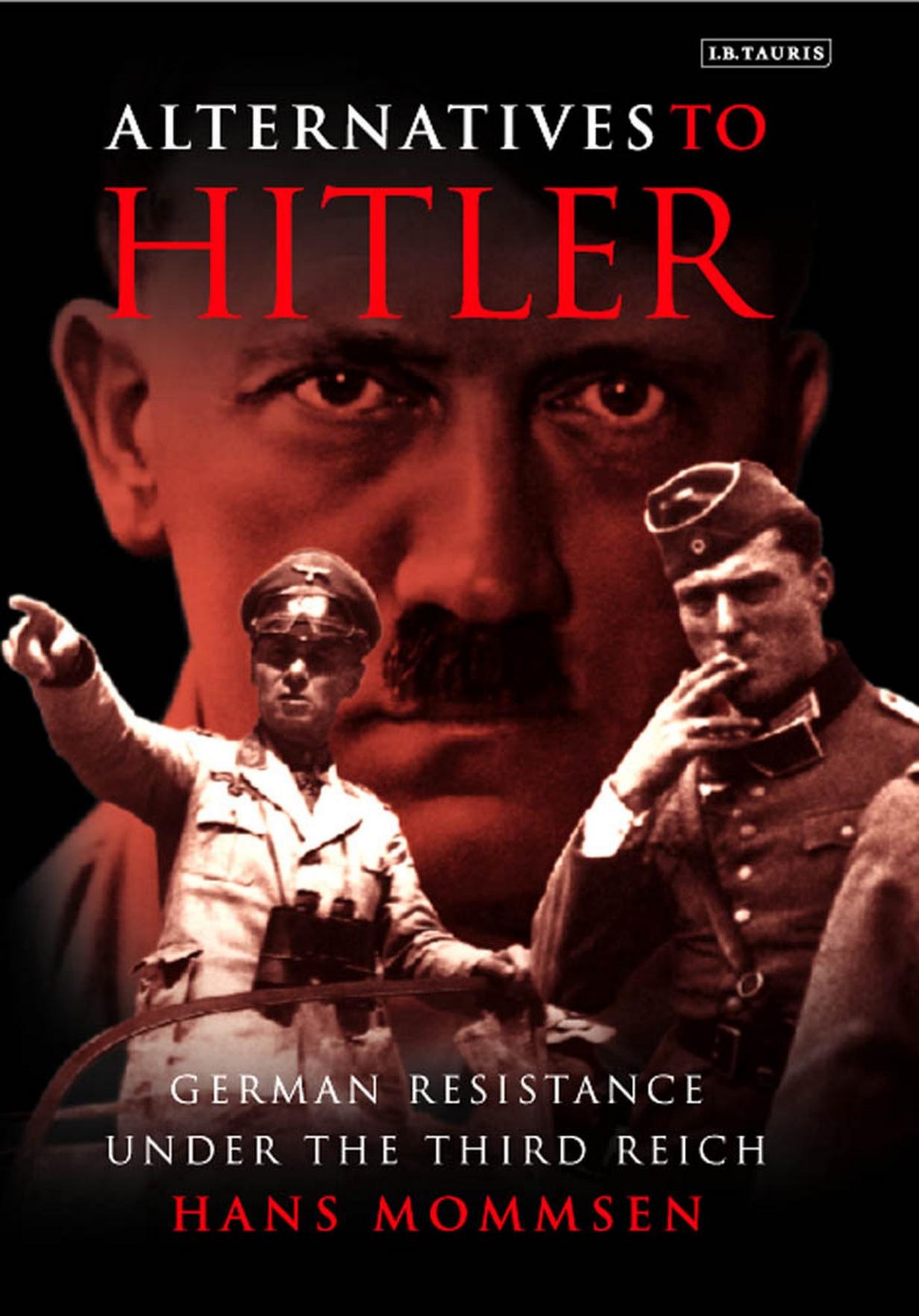


I.B. TAURIS

ALTERNATIVES TO HITLER



GERMAN RESISTANCE
UNDER THE THIRD REICH

HANS MOMMSEN

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Introduction

Between 1933 and 1945 tens of thousands of Germans were actively involved in various forms of resistance to the Nazi regime and many thousands suffered death or long periods of incarceration in prison or concentration camp as a result. Among these actions were a series of concerted efforts to overthrow the regime between 1938 and 1944. They were undertaken by a number of partially inter-linked circles, consisting mainly of army officers, senior civil servants, clergy and individuals formerly associated with the labour movement. Their actions culminated in the unsuccessful attempt to assassinate Hitler by planting a bomb in his military headquarters in East Prussia on 20 July 1944. Though the bomb went off, Hitler survived. It is these efforts and the people associated with them that have been the main focus of interest, both for historians and the wider public, because they represented the form of resistance most likely to succeed in destroying Nazism; these men had thought longest and hardest about the alternatives to Hitler and it is they who form the subject of this book. However, we should not forget that there were many other resisters, unconnected with these conspiracies, such as the simple Württemberg carpenter, Georg Elser, who very nearly killed Hitler with a bomb in a Munich beer hall in November 1939. They showed equal courage and commitment in their resistance.

Ever since the defeat of Germany in 1945, the question of resistance by Germans to the Nazi regime has provoked controversy

both within Germany itself and in the rest of the world. Outside Germany the Resistance has, on the whole, not had a very good press. 'Too little, too late and for the wrong reasons' might be a fair summary of how it has generally been viewed. Yet such a perception, although not without an element of truth, both seriously underestimates the difficulties facing any resistance to the Third Reich from within and grossly oversimplifies and misconceives the complex and varied motives of those who became involved.

Within Germany politicians in both the successor states of the Third Reich, the Federal Republic in the West and the German Democratic Republic in the East, tried to exploit aspects of the Resistance to legitimise their respective regimes and, in the process, the history of the resistance became caught up in the Cold War. The East argued with some justification that the Communists had been the earliest, most consistent and most persecuted of the resisters, glossing over the party's ambiguous behaviour during the period of the Nazi-Soviet pact in 1939–1941. They also pointed out the extent to which many of the 'bourgeois' resisters had occupied various positions within the regime and had come to resist only rather late in the day. By contrast, some in West Germany tried to denigrate the Communist resisters by arguing that, since they were seeking to establish a totalitarian dictatorship in Germany, there was little to distinguish them from the Nazis, and hence their resistance was politically and morally flawed. Moreover, in response to foreign accusations of the collective guilt of the Germans, the Federal Republic claimed that it was the true heir of that 'other Germany' which in the dark days of the Third Reich had sustained Germany's true humane values. However, for most Germans of that generation, who had succumbed in various ways and in varying degrees to the temptations of Nazism, the heritage of the resistance remained deeply problematic. It gave rise to a general unease and even outright hostility among some who regarded the resisters as traitors for plotting against their nation's rulers in time of war. It is only comparatively recently, aided by the ending of the Cold War and above all by the change of generations, that Germans have been able to achieve a balanced perspective on the resistance through a deeper understanding of

its flaws, certainly, but above all of the daunting personal challenges faced by those who took part in it. In this process of a nation's coming to terms with the resistance German historians have played a key role and none more so than Professor Hans Mommsen.

Behind this book is almost 40 years' research into the history of the German resistance. Professor Mommsen's major contribution has been his thorough and sensitive elucidation of the ideas and plans for a post-Nazi Germany, elaborated by the various individuals and groups within the resistance. Mommsen was criticised in some quarters for demonstrating that these ideas and plans had little in common with the notions of Western liberal democracy that came to be accepted, first in the Bonn republic and then, following the fall of the Berlin Wall, in the whole of reunited Germany. Yet he was right to point out the need to understand the ideas and actions of the resisters within the historical context in which they were operating. It was a situation in which liberal democracy, whose roots in Germany were shallow at best, appeared to have been comprehensively discredited, not just in Germany – through the failure of the Weimar Republic – but in much of the rest of Europe as well.

In this situation the resisters sought alternatives to Nazism within existing German political and cultural traditions. Their diagnosis of the problem focussed on the alleged 'massification' (*Vermassung*), atomisation and alienation produced by an industrialised and urbanised society operating under unbridled capitalism and fragmented by a political system (parliamentary democracy) driven by divisive and selfishly motivated political parties. They saw this as a systemic crisis that required a fundamental transformation of German politics, society and culture. They sought a 'third (German) way' between western liberal democracy and eastern 'Bolshevism'. Some of them had initially welcomed the Nazi takeover in 1933 with its rhetoric of a 'national revival' and its promise to reunite Germany in a 'national community', as offering precisely the kind of fundamental social and cultural transformation required to produce a German revival. And the following years saw them forced to undergo a painful learning process through which they came to view Nazism no longer as the solu-

tion but as part of the problem. For some it required an agonising reappraisal, since they had succumbed to the temptations of Nazism and in fact shared some of its core beliefs and values – its nationalism, its hostility to western liberal democracy, its anti-Communism, even to a degree its anti-Semitism.

Depending on the individuals concerned, this learning process was initiated either by professional disappointment, or by particularly shocking actions on the part of the regime (notably the Röhm purge of 1934 and the *Reichskristallnacht* pogrom in November 1938), or, in the case of many military and diplomatic personnel, by the fear of war and defeat by the West in 1938 and 1939. It was then reinforced by the day-to-day experience of the lawlessness, corruption and fundamental mendacity of the regime. In this situation resisters took their stand on the need to reassert humane values, drawing in particular on their religious beliefs. Even those who had hitherto not been active churchgoers, when confronted with the diabolical nature of Nazism and in the personal crisis provoked by the mortal danger involved in resisting a totalitarian regime, found comfort in religion.

These impulses also informed their plans for an alternative order to that of the Third Reich. Distrusting mass and party democracy, which had apparently been incapable of providing stable government and had proved vulnerable to plebiscitary dictatorship, they turned to the German traditions of corporatism and federalism, local and regional self-government, hoping to overcome the ‘massification’ of the modern world by reviving a sense of responsible citizenship rooted in local communities and building up the polity from below with a stress on the importance of subsidiarity. In many respects an elitist and utopian vision, it nevertheless marked a fundamental repudiation of Nazi political theory and practice.

In the case of the more conservative resisters the nation state remained the central political category and German leadership in Europe was assumed, albeit distinguished from Nazi notions of German hegemony by a respect for the interests and cultures of other nations. However, the group which came to be known as the Kreisau Circle envisaged the replacement of the nation states

by a federation of sub-national European regions. In fact what emerges very clearly from Professor Mommsen's work is the variety and complexity of the views of the various individuals and groups who composed the resistance and how they reflect the different generations and the social and occupational backgrounds of those involved. Even within the group of left-wing conspirators, as his chapters on Julius Leber and Wilhelm Leuschner demonstrate, there were marked differences of emphasis, for example on the nature and role of trade unions within a post-Nazi Germany. It has sometimes been argued that the resisters spent too much time and energy discussing and planning the future state and not enough on getting rid of the existing one. Again, while there is an element of truth in this, given the experience of the revolution of 1918, it was understandable that they should have wished to establish sound foundations for a state capable of filling the enormous vacuum that would have been left by the fall of the Third Reich.

Responsibility for overthrowing the regime had to be in the hands of those with access to the instruments of power – the Army. In fact, the military is considered the most controversial group among the resisters. Only a tiny fraction of the German officer corps took part in the resistance. By 1933 its proud traditions had been largely eroded in the process of its becoming merely a functional elite. Moreover, this had been accelerated by its rapid expansion following the introduction of conscription in March 1935. This had led to a dilution through the large influx of young officers who had been through the Hitler Youth. The military resisters have been accused of trying to overthrow the regime only when it appeared that Germany might be defeated in war, first in 1938 over the Czech crisis and then when the tide of war itself began to turn against them in 1942. There is some truth in this accusation but, as Professor Mommsen points out, it applies to some officers more than others (mostly the senior generals) and for a certain number it does not apply at all. Colonel Hans Oster of the military intelligence department (*Abwehr*) is perhaps the most striking example of an officer who, from 1938 onwards, systematically resisted the regime. He uncompromisingly confronted the dilemma that faced the German people at this time,

as the pastor and theologian, Dietrich Bonhoeffer, put it: 'either to hope for the defeat of their nation in order that Christian civilization might survive, or to hope for victory entailing the destruction of our civilization'. This was a particularly acute dilemma for the military whose whole professional *raison d'être* was to try to win any war in which they were engaged. However, by informing the Dutch military attaché of the German invasion plans, Oster, who was steeped in the traditions of pre-First World War Germany, showed that it was still possible for a German officer to rise above his purely functional role and affirm his wider responsibilities, both to his country and as a human being, thereby acting as a true patriot.

However, in his chapter on the military opposition to Hitler, Mommsen has drawn attention to a second criticism of the officer corps which has emerged from recent research on the Wehrmacht and, in particular, on its role in the Soviet Union. For it has been shown that a number of key figures in the military resistance, including Tresckow, Gersdorff, Stülpnagel and Wagner, were involved either, as in the case of Quartermaster General Wagner, in the planning of the war of extermination in the East, or, as many others did, participated in its execution, at least to the extent of condoning brutal actions against partisans and Jews, although they evidently became increasingly unhappy about such actions.

This raises the sensitive issue of the attitude of the resisters towards the Jews, covered in the final chapter. Professor Mommsen shows that almost all the resisters shared the basic prejudices against the Jews that were common among those from their backgrounds at the time. In the case of the Jews in the Soviet Union they were influenced by the association of the Jews with Bolshevism that had been widely prevalent among the European upper and middle classes since 1917. Some of the resisters sympathised with the Nazis' initial policy of segregating the Jews from German society to the extent of treating them legally as aliens, thereby reversing the emancipation measures of the nineteenth century. However, where they parted company from the Nazis was in their rejection of the savage methods with which the Jews were treated and which

led ultimately to the programme of extermination. Indeed, in the case of individual resisters these measures prompted them to embark on resistance to the regime in the first place; in the case of all of them the actions against the Jews provided an additional motive for their resistance.

Following the successful Allied landings in Normandy in June 1944, Colonel Claus von Stauffenberg, leader of the 20th July plot to kill Hitler, posed the question to his colleague Henning von Tresckow, as to whether it was worth carrying out the assassination plan since it would no longer serve any practical purpose. Tresckow's reply was uncompromising:

The assassination attempt must take place at whatever cost. Even if it does not succeed we must still act. For it is no longer a question of whether it has a practical purpose; what counts is the fact that in the eyes of the world and of history the German Resistance dared to act. Compared with that nothing else is important.

It is at this point that the moral principles which lay at the core of the German resistance were clearly revealed and it acquired a heroic dimension. For these men were fully aware of how isolated they were among their own people, a fact demonstrated only too clearly by the subsequent strongly negative response by the German public to the assassination attempt. On the day following the failure of the coup Tresckow told a fellow-conspirator:

The whole world will vilify us now. But I am still firmly convinced that we did the right thing. I consider Hitler to be the arch-enemy not only of Germany but of the world. When, in a few hours, I appear before the judgement-seat of God, in order to give an account of what I have done and left undone, I believe I can with a good conscience justify what I did in the fight against Hitler. If God promised Abraham that he would not destroy Sodom if only ten righteous men could be found there, then I hope that for our sakes God will not destroy Germany. None of us can complain about our own deaths. Everyone who joined our circle put on the 'Robe of Nessus'. A person's moral integrity only begins at the point where he is prepared to die for his convictions.

In his first chapter Professor Mommsen draws attention to Germany's flawed tradition of the right of resistance, the result of a philosophical and legal tradition which saw the state as an expression of moral as well as political values and conceived of the law primarily in formal terms as the expression of the sovereign will of the state. As he makes clear, arguably the most valuable contribution of the German resistance was to demonstrate the importance of refusing to treat the state and the nation as absolutes. Through their actions they were urging that citizens should give their primary allegiance to a set of values that transcends state and nation and affirms mankind's humanity. It is a lesson whose relevance is not confined to Germany and one that needs constantly to be reaffirmed.

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CHAPTER

1

**Carl von Ossietzky
and the concept of a right to resist
in Germany**

Carl von Ossietzky (1889–1938) was the pacifist editor of a small weekly paper, Die Weltbühne, ('The World Stage'), in which he exposed the secret rearmament of Weimar Germany under General von Seeckt. The Reichswehr (the regular army of the Weimar Republic) called for Ossietzky's prosecution and he was jailed briefly in 1932. When the Reichstag was burnt down in 1933 he was suspected by the Nazis of involvement and sent to Oranienburg concentration camp. During his imprisonment he was awarded the Nobel Peace Prize. He died of tuberculosis in Oranienburg in 1938. [Tr.]

On the morning before the Reichstag Fire, on 27 February 1933, Carl von Ossietzky was urged by friends to go abroad and escape imminent arrest by the political police. He felt that such a move was premature, but probably also hesitated because of his wife Maud's poor health. However, the crucial consideration was that by leaving Germany he would be abandoning his life's work as a political activist and pamphleteer. It was the very thing for which, years before, he had reproached Erich Maria Remarque.¹

Ossietzky had already been faced with the question of whether to go into exile after his conviction in the *Weltbühne* trial. Before beginning his prison sentence he published an editorial about the trial in the *Weltbühne* of 10 May 1932. In it he wrote:

When someone who opposes the government leaves his country,

his words soon sound hollow to those who remain. To be more precise, in the long run the pamphleteer cannot survive if dissociated from everything he is fighting against, or fighting for; he will simply lapse into hysteria and distortion. To be really effective in combating the contamination of a country's spirit, one must share its entire destiny.

Ossietzky sacrificed his life for this conviction.

The 'contamination' to which Ossietzky was referring arose from the rampant authoritarianism which he, as a dedicated pacifist, pointed to in the historically inappropriate glorification of the military. Indeed, the enforced demilitarization of the German Reich under the Treaty of Versailles brought about an all-embracing *militarization* of civil society, which, from the start, Ossietzky consistently fought against, especially in the pages of the *Weltbühne*. Ossietzky possessed an astonishing knowledge of the internal political imbroglios which led to the build-up of the 'Black Reichswehr' and later the preparations for the creation of an army of 21 divisions. Thus Ossietzky's clash with the authorities was in a way pre-ordained. In November 1931 proceedings were opened in the Fourth Criminal Chamber of the Reich High Court against Ossietzky as publisher of the *Weltbühne*, on a charge of treason. The so-called 'Weltbühne Trial' was one of the most spectacular political court cases under the Weimar Republic, and it attracted great international attention. The fact that more than a year and a half had elapsed between the publication of the incriminating article and the laying of charges strongly suggests that the Reich Defence Ministry under Wilhelm Groener, operating in the background, intended to make an example of Ossietzky to the pacifist movement, and to the parties of the left, whose criticism of the illegal rearmament was increasing in vehemence.

In Ossietzky they were targeting one of the most consistent opponents of the creeping militarization of the Weimar political system – a system which with good reason he mercilessly attacked as 'the military state in intellectual form'. He repeatedly and sarcastically pointed out that the 'enthusiasm for arms' promoted chiefly by Groener and his successor, Kurt von Schleicher, had

replaced the civilian virtues of the Republic. The essential falseness of the Republic lay not least in the fact that in 1919 it had not conclusively called the representatives of the imperial army to account. It was these men who posed a threat to the stability of the democratic system well beyond the early days of the Republic. True, Gustav Stresemann² had, despite holding on to the notion of a powerful Germany, put up some modest opposition to the ambitions of the military under von Seeckt. But on 2 June 1932 Chancellor Papen's cabinet decided to dissolve the Reichstag; in the new phase of rule by presidential decree, as Ossietzky stressed, there was a fundamental change. Government thinking and rearmament were now indissolubly linked.

It was symptomatic that not only the noisy nationalist right but also the 'bourgeois' centre parties were unwilling to take pacifist positions seriously, let alone tolerate them. The sentence to 18 months' imprisonment, for the publication of facts that had long been known to the initiated, was blatantly unjust. Yet it was happily accepted by his opponents, as were subsequent similar verdicts. Resistance to the power of the state in this area was considered intolerable. Very few voices were raised in protest; but one was the liberal *Frankfurter Zeitung*, which wrote ironically:

It is true that we live in a democracy, but anyone who applies its principles, particularly against military authorities, or those which would like to be seen as such, is punished with imprisonment and – what is worse – with the odium of being branded a traitor.

The paper was alluding to the fact that, unlike normal press trials, Ossietzky was accused of acting not out of conviction, but from dubious motives. It was a charge which, despite being inured to ignominious accusations, he had difficulty in disproving.

It was precisely this evidence which the Nazi arrest warrant on 28 February 1933 made specific reference to. It described Ossietzky as a 'malicious agitator' who had not hesitated 'to betray the vital interests of the Reich'. This continuity from the latter days of the Weimar Republic reveals the murkiness of the allegedly constitutional nature of the presidential regime, even though it adhered nominally to due processes of the law. In many

respects Ossietzky's battle against the militarization of Weimar anticipated the later resistance to the Nazi regime. Ossietzky challenged the way in which the nationalist loyalty of the ordinary citizen was being perverted for the purpose of establishing absolute military power.

In the 'final report' written by Ossietzky before he went to prison in Berlin, he committed himself to maintaining the *Weltbühne* as a voice of opposition:

Even in this country trembling under the elephantine tread of fascism, it will keep the courage of its convictions. Whenever a nation sinks to the murkiest moral depths, anyone who dares to take an opposing line is always accused of having violated national sentiment.

Very similar words were spoken by Henning von Tresckow³ in the weeks before the attempted coup of 20 July 1944, when he referred to the 'Robe of Nessus' that the conspirators had donned, in the full knowledge that the patriotism which had prompted them to act would never be apparent to the mass of the people.

Ultimately Ossietzky was fighting against Germany's persistent belief in the supremacy of the state, against an idealized concept of the state which lay at the heart of German governmental tradition, and which made it impossible set the interests of the individual citizen against a state seen as standing above party politics. As Ossietzky repeatedly observed, the authoritarian attitudes of broad sections of the population had by no means been removed with the collapse of the Kaiser's empire. The problem was not simply that the overt or covert opponents of the parliamentary system were in the majority and were forcing the democratic parties into ever greater concessions. It was rather that the leftwing liberals, among whom Ossietzky counted himself, had since the beginnings of the Weimar Republic found themselves in a dwindling minority.⁴ Ossietzky wanted a different, genuinely liberal republic, based on broad civic participation, and it is clear that he assumed too much political insight on the part of the majority of citizens, in whose name he expressed unconditional opposition to the encroachment of the state apparatus.

It is a fact that, precisely because his views were ethically based,

Ossietzky belonged to the minority of political activists under Weimar, who shared a western understanding of politics that viewed the state as essentially an instrument for the service of the citizen. In his book *The German Idea of Freedom*,⁵ Leonard Krieger, the most important American historian writing on Germany in the early post-war years, was one of the first to point out the fact that German liberalism, unlike its counterpart in western Europe, ultimately claimed that state and society were identical. This can largely be traced back to the impact of Kantian philosophy, which conceived of the state primarily as a moral structure and assumed the virtual identity of the citizens' interests with those of the state, whether this took the form of a monarchical regime or a constitutional system.

This can be demonstrated by the role of the right to resist, which Adolf Arndt, the social-democrat constitutionalist, once called an inalienable human right. It is significant that this right does not get a mention in the philosophy of Immanuel Kant and is only developed in a rudimentary form in Hegel's philosophy of government. Similarly, Friedrich Christoph Dahlmann⁶ and Karl Rotteck,⁷ the two principal advocates of liberal constitutional theory in Germany, rejected this legal concept. They saw the state as a moral entity and invested it with a purpose that was independent of the individual citizen. Hence they did not relegate the state to being a guarantor of civil liberty, with the added task of providing the greatest possible happiness to its members, as conceived by western pragmatism.

This loading of ethical content into the concept of state was most pronounced in Protestant church circles and found theoretical expression in the philosophy of identity developed by Kant. The notion that there could be justified civil protest against arbitrary acts by the state, as in the case of the Göttingen Seven in 1833,⁸ and later with the revision of the constitution of the Saxon monarchy in 1851, may still have been alive in the first half of the nineteenth century. But in the wake of the newly acquired national confidence of the German Empire it became completely obsolete. This is perfectly demonstrated by the views of the historian Heinrich von Treitschke, which were representative of German