OFFICE OF U. S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY

INTERROGATION DIVISION SUMMARY

Interrogation of Lammers, Heinrich
By: Lt. Colonel Hinkel, 23 October 1945, p.m.

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The difference between laws and decrees

Laws had to be passed by the Reich government which rarely happened. Decrees were issued by the Fuehrer alone. Ministers with and without portfolio were consulted about laws by Lamners who adjusted their differences. When irreconcilable Hitler made final decision. Decrees were referred to Ministers whose departments were affected. Thinking this unnecessary, Hitler issued decrees alone. Totalitarian government made possible substitution of decrees for normal legislation.

Totalitarian government

Changed from a constitutional state by state usage law, the law of custom, the way the state Ministers formed law by custom and partly by the empowering act, passed by Reichstag about February 1933. Lamners had nothing to do with act which was prepared by Minister of Interior.

Legality of empowering act

Not all of the members present voted, i.e. the communists who had been arrested and the social democrats who were present did not vote. He alleges the empowering act was valid since it was passed by the Reichstag and Hindenburg approved it. It did not abrogate the right of the Reichstag to handle legislative matters. Later the jurisdiction of the Reichstag became null, but formally the system of democratic decisions was never abolished.

The Fuehrer Constitution

Not violated by the empowering act because the Reichstag was empowered to change the constitution and the Reichstag had even empowered the Reich cabinet to change the constitution. The majority required, at that time, to change the constitution was available.

Further decrees

Used only for matters of organization, for instance, new agencies were established and commissars appointed by Fuehrer decree. Anything of a more permanent nature was done by regular law.

Occupied territory

The subject of a conference in July 1941, attended by Hitler, Rosenberg, Keitel, Goering, Borman and Lamners. Anticipating the invasion of Russia, Hitler ordered Rosenberg to prepare for his occupation and made him Minister for the eastern territory.

Lamners does not recall that Hitler pronounced the declaration of German intentions unnecessary and wanted to tell the world only what was advantageous for Germany. That Hitler pretended to exercise a mandate only, to avoid making enemies before it was absolutely necessary, but really planned never to leave the invaded countries. Lamners has no memoranda on the conference. May have made improvements on Rosenbergs plans or organizations but only for duration.
of war and occupation, not for future.

Numerous memoranda should be available from Stutthofheim (p.9).

**OCCUPIED TERRITORY**

Lammers was referred to a 10-page memorandum, L-221, dated 16 July 1941, referring to a conference. Lammers contends that he did not attend first part of conference due to working on draft, but recalls about latter part that Hitler spoke of conflict with Russia, ordering Rosenberg to prepare to administrate. Considers memo L-221 authentic but one-sided, and not referred to others at the conference. Probably written by Bormann (p.15-16).

Recalls that Hitler said they must rule and exploit these territories (Austria, Sudetenland and Polish Corridor) but does not recall that it was said at the conference. Hitler desired there should be no military power west of the Ural mountains and only German rule. (p.9)

**MINISTRATION OF TERRITORIES**

Hitler decided upon civil administration which Rosenberg favored, Keitel having favored a military administration. Hitler favored sterner administration. Lammers agreed with Rosenberg who advocated winning people by benevolence. (p.10)

**KOCH**

Would not subordinate himself to Rosenberg, was reported and investigated but, through Hitler's favor remained safe. Refused to open trade schools for criminals (p.11). Bormann and Lammers reported to Hitler that Koch ignored Rosenberg's orders to effect agricultural reforms, establish a university and medical schools for doctors and practitioners, give each farmer a piece of land. Hitler sided with Koch. (p.12).

Once Hitler visited the Ukraine and saw that a school had been opened for physicians and medical practitioners and that Koch had forbidden it. Hitler then sided with Rosenberg. Koch required unnecessary slave labor and evacuations. Bormann investigated the mistreatment of Ukrainians and discussed it with Lammers. Further complaints in files. (p.13)

Lammers told Hitler, Bormann, Koch and the men in the Reichschancellory, that he disapproved of Koch's treatment of the Ukrainians. Some of it was not too bad but aggravated the people needlessly, for instance, the drafting of forced labor. Rosenberg and others also protested about these methods. (p.14)
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HANS FRANK

Governor General of Poland conferred with Lammers several times. Frank angered Hitler by advocating legal procedure and protesting against arbitrary arrest. Lammers had to serve Frank a prohibition to make speeches. Frank was relieved of his positions as head of the association of attorneys, as President of the Academy of German Law and as Reichsleiter for the Legal Division of the party. Frank was officially criticized for buying luxuries and putting his relatives into advantageous government positions. (pp.17-18)

THE POLICE

Himmler had police power arbitrarily. In individual cases the police became politically active without Frank's knowledge. Himmler was backed by Kruger who had been appointed to remedy the matter. (p.19)

In all occupied territories the police situation was unbearable because Himmler meddled everywhere. Lammers conferred with Frank about corruption in the case of Governor Lohse. Frank also objected to the harsh recruiting methods of the deputy for labor, Sauckel. (p.20)

Sauckel did not cooperate with Frank but sent his own people into occupied territory to recruit labor from the lower agencies over Frank's head. Frank also complained to Hitler that his influence was undermined. Frank knew nothing about happenings at Majdanek. He asked to be relieved of his post. (p.21)

Frank protested vainly against Himmler's interference. Lammers told Himmler, that the matter would have to be brought before the Fuehrer. (p.22)

FRANK TRIED TO RESIGN

About 1942 or 1943 Hitler refused. Frank had tried to resign before when deprived of the office of Reichsleiter of the Legal Office, and because his right to make speeches was revoked, which eliminated his chance to become minister of Justice. (p.23)

GOERING'S FOUR-YEAR-PLAN

Interfered in Frank's Domain since Goering's powers of deputy extended to all authorities and agencies and Frank frequently disagreed with Goering. (p.24)

FRANK

was made Governor General of Poland because he was an old party member, because he had the necessary ability, because Hitler had by that
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Time decided not to make him minister of Justice and wanted to give him something to do. (p. 23)

**KATOKAMINATION OF POLES**

Hitler insisted that resettlement of Poles be done during war, by Himmler who again interfered in Franks territory. Lammers had nothing to do with resettlement. (p. 26)

Lammers heard by rumor of harshness against Polish Jews and Poles. Questioned Himmler who was evasive about killings. Finally said to Lammers and Hitler's physician, "Keep your fingers out of this, Hitler gave me this job and I am handling it". (p. 27)