

THE GERMAN FOREIGN OFFICE REVISITED

REVIEW OF *DAS AMT UND DIE VERGANGENHEIT: DEUTSCHE DIPLOMATEN IM DRITTEN REICH UND IN DER BUNDESREPUBLIK*, BY ECKART CONZE, NORBERT FREI, PETER HAYES, AND MOSHE ZIMMERMANN (MUNICH: BLESSING, 2010).

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For historians interested in the relationship between the German Foreign Office and the *Judenpolitik* of the Third Reich, three books (in three different languages) have long been available: Eliahu Ben Elissar's *La Diplomatie du IIIe Reich et les Juifs 1933-1939* (1969), my *The Final Solution and the German Foreign Office* (1978), and Hans-Jürgen Döscher's *Das Auswärtige Amt im Dritten Reich: Diplomatie im Schatten der 'Endlösung'* (1987). Taken together, these books established a number of key points. First, the Foreign Office quickly transformed itself into an ardent defender of Nazi Jewish policy in the 1930s, largely out of a reflexive defense of Germany's image abroad combined with a general aversion toward German Jews so typical of the national conservative mentality that dominated the diplomatic ranks. Second, the Nazification of Foreign Office personnel proceeded rapidly, especially after 1937, not only through the "infiltration" and recruitment of NSDAP and SS members into the Foreign Office but also through prior personnel obtaining Party and SS membership, whatever the mixed motivation of ideological conviction, career opportunism, and fatalistic resignation. Third, the Foreign Office was deeply implicated in the Final Solution, first promoting the Madagascar Plan for the total "ethnic cleansing" of Jews from Europe (that in practice would have been extremely lethal), and then expanding the number of Jews killed by pressuring Germany's allies and satellites to impose Nazi-style anti-Jewish measures and ultimately to surrender their Jews to deportation. And finally, two additional books by Döscher have studied the controversial return of a considerable number of Foreign Office personnel—the so-called *Ehemaligen*—to the Adenauer Foreign Office in the early 1950s.¹

As the author of one of these earlier books, whose scholarship was necessarily going to be put to the test by the Commission as it once again examined the archival record and wrote *Das Amt*, I am quite gratified that all of these basic earlier findings have been fully confirmed. Moreover, in doing so, *Das Amt* has brought these findings to a far wider public. Much as it needed the *Wehrmacht Ausstellung*

¹ Hans-Jürgen Döscher, *Verschworene Gesellschaft: Das Auswärtige Amt unter Adenauer zwischen Neubeginn und Kontinuität* (Berlin, 1995), and idem, *Seilschaften: Die verdrängte Vergangenheit des Auswärtigen Amtes* (Berlin, 2005).

in the 1990s to dispose of the myth of the clean Wehrmacht, though numerous scholarly studies had for decades documented Wehrmacht complicity, it has taken this highly publicized Commission report to dismantle the myth of the Foreign Office as untainted by the crimes of the Third Reich and a center of anti-Nazi opposition—a myth that has persisted into the twenty-first century, largely through its own self-representation, despite long-standing scholarship to the contrary. One of the shrewdest decisions of the Commission was to include a chapter on the real resistance within the Foreign Office, which honors the remarkable courage and moral acuity of the few men clustered around Adam von Trott zu Solz and Hans Bernd von Haeften, as well as the isolated Rudolf von Schelila and Fritz Kolbe, but in so doing also makes clear what a tiny, marginal group it was. By no reasonable sense of proportion can the Foreign Office be deemed to have been a center of opposition to rather than an instrument of the Third Reich. If such useful myth demolition were all that the book accomplished, we should be grateful for its appearance.

For the prewar period, *Das Amt* effectively documents how quickly in the spring of 1933, under the guidance of State Secretary Bernhard Wilhelm von Bülow, the Foreign Office became the ardent defender of Nazi Jewish policy abroad. But Bülow was also torn by a “crisis of conscience” that one does not cease to serve one’s country just because it has a bad government.² Clearly Bülow did not consider the de-emancipation and persecution of Germany’s Jews to be at the root of his “crisis of conscience.” *Das Amt* documents similar paradoxical behavior on the part of Bülow’s eventual successor, Ernst von Weizsäcker, who on the one hand clearly sought to keep Germany out of war, and on the other supported the denaturalization of Thomas Mann. In the key case of Weizsäcker, however, a stronger indictment could have been made. In the summer of 1938, Weizsäcker tried to block any negotiations with the representative of the Evian Conference, George Rublee, on how to facilitate German Jewish emigration. He treated the Rublee mission as a bald attempt to shift blame to Germany for the failure of other countries to take its Jews, noting acridly that “many countries produced Jews but not a single one wants to consume them.”³ However, Hitler and Göring overrode Foreign Office objections and sanctioned the ensuing Schacht-Rublee talks. Subsequently, the notorious memorandum of the Foreign Office Jewish *Referent*, Emil Schumburg, on “The Jewish Question as a Factor in German Foreign Policy in the Year 1938” offered support for a different way to achieve a *judenrein* Germany

2 Peter Krüger and Erich J.C. Hahn, “Der Loyalitätskonflikt des Staatssekretärs Bernhard Wilhelm von Bülow im Frühjahr 1933,” *Vierteljahrshefte für Zeitgeschichte* 20 (1972): 376-410.

3 Politisches Archiv des Auswärtigen Amtes (hereafter PA), Inland II A/B 45/1, Weizsäcker Memorandum, August 2, 1938.

through Jewish emigration, namely through intensified persecution and economic ruination that would overcome the absence of any negotiated agreement. Schumburg's memorandum, endorsing a position identical to that of Heydrich's SD "Jewish experts," was then circulated to all German missions abroad—a dissemination that could scarcely have occurred without the approval of the State Secretary.

The pattern of Weizsäcker's paradoxical behavior continued during the war. After the war he wrote, "I still believe today that I went to the border of the possible in direct, visible resistance."⁴ For that there is little in the way of compelling evidence, but there certainly is clear evidence that Weizsäcker was well informed. As early as September 5, 1941, he received personal correspondence "that we don't treat the Jews with kid gloves and that in the east already many a Jew no longer lives."⁵ Subsequent access to the *Einsatzgruppen* reports only solidified this early awareness. There are hints that Weizsäcker struggled with what course to take, as evidenced by his minor amendments to various documents drafted in the *Judenreferat*, in one case correcting that the Foreign Office "raised" no objections rather than "had" no objections to the deportation of Jews from France and in another that Slovakia's cessation of deportations "would cause surprise" rather than "would leave a bad impression in Germany." Only late in his tenure as State Secretary did he suggest the policy that the Foreign Office ought to limit itself "to the general remark that in each case the more lenient solution is the preferable one from the foreign policy point of view."⁶ If only he had come to this formulation earlier and stuck to it tenaciously, his fate before the Nuremberg court and in the judgment of historians might have been much better. But it is still worth noting that in his response to Nazi *Judenpolitik*, at least after the fateful turn from racial persecution to mass murder, he was troubled rather than enthusiastic or indifferent.

For me, the sections of *Das Amt* that covered the postwar period were most interesting, perhaps because I was much less familiar with this material. One of the most fascinating themes that the Commission chose to examine was the succession of trials involving Foreign Office personnel and how the Foreign Office and *Ehemaligen* responded. I had studied the testimony and documents of these trials as sources of evidence for my own book, but it was a revelation to learn about the behind-the-scenes maneuvering that, needless to say, was not part of the official trial record. Far more important than the conviction of

4 *Die Weizsäcker-Papiere 1933-1950*, ed. by Leonidas Hill (Berlin, 1974), 426-27.

5 PA, Politische Abteilung IX 93, Hübner to Weizsäcker, September 5, 1941.

6 Christopher R. Browning, *The Final Solution and the German Foreign Office* (New York, 1978), 143.

Ribbentrop and Neurath before the International Military Tribunal for the postwar image of the Foreign Office and future re-employment of the *Ehemaligen* was Case XI before the American Military Tribunal in 1948—the so-called Wilhelmstrasse or Ministries trial—in which State Secretary Ernst von Weizsäcker (alongside seven other diplomats) was the most prominent defendant.

The defense of Weizsäcker became the cause around which the diplomats closed ranks and, under the guidance of an inner circle of Wilhelm Melchers, Theo and Erich Kordt, Hans Schröder, Ernst Achenbach, and others, articulated both a legal defense and rewriting of history. In this version, the professional diplomats were apolitical servants of the state who held themselves aloof from the crimes of the regime and whose subsequent party and SS memberships were nominal and meaningless. Insofar as *Judenpolitik* was implemented in concert with the Foreign Office, this was the work of a truly separate and newly created branch of the Foreign Office filled with Ribbentrop's creatures (Martin Luther and Franz Rademacher in Abteilung Deutschland; Horst Wagner and Eberhard von Thadden in Inland II). The attempted resistance of the professional diplomats within the Foreign Office was first betrayed by British appeasement in 1938 and then rendered hopeless by the Casablanca formula of unconditional surrender. Insofar as professional diplomats had signed documents that now appeared incriminating, these in fact had had no effect on decisions made and policies carried out (about which, of course, the diplomats had no knowledge), and were the necessary price to be paid for heroically staying at one's post to prevent worse. The goal of the Case XI trial, therefore, was not individual justice but the destruction of Germany's elites, and the moving demonic spirit behind this act of victors' vengeance was the returned Jewish émigré, Robert Kempner.

Because the defendants of Case XI had been restricted to officials of higher rank, those mid-level officials of the Foreign Office *Judenreferat* upon whom the Weizsäcker circle placed all the blame beyond the now-deceased Martin Luther—Franz Rademacher, Horst Wagner, and Eberhard von Thadden—were not in the dock. But the trial of Franz Rademacher that opened in 1952 before the Landgericht Nürnberg-Fürth did not elicit eagerness on the part of the *Ehemaligen* to help bring to justice the culprit who, by their earlier testimony, had brought such disrepute on them. On the contrary, feeling themselves under attack from the investigative journalism of the *Frankfurter*

Rundschau and subjected to uncomfortable questioning by a parliamentary committee, they did everything they could both to avoid appearing as witnesses and to discredit the trial once again as an act of vengeance. Rademacher's attorney even intimated that he was led to believe that his client's infamous expense form, listing the purpose of his October 1941 trip to Belgrad as "the liquidation of Jews," might be withheld as evidence if he were cooperative in shielding others from the ramifications of the trial.

The Rademacher trial was dependent upon the documents selected for the Nuremberg trials, but after 1958 the entire captured files of the Foreign Office were returned to the Politisches Archiv in Bonn, making available to future prosecutors far more extensive incriminating evidence. Moreover, one of Rademacher's assistants, Fritz-Gebhardt von Hahn, who had falsely characterized his own involvement during denazification, supported the Weizsäcker defense in 1948, and re-entered government service in 1951, was apparently so confident about immunity from prosecution that in the 1960s he openly and frankly admitted his earlier knowledge of the extermination of the Jews. This act of hubris led to a thorough investigation of the archival evidence now available, and subsequently to von Hahn's indictment, trial, and conviction in Frankfurt in 1968. It also put investigators on the trail of another assistant in the *Judenreferat*, Herbert Müller. He had re-entered the Foreign Office in 1951 without revealing his prior assignment under Rademacher and changed his name to Müller-Roschach in 1953. His career prospered, and by the late 1960s he was ambassador to Portugal. He had initialed summaries of *Einsatzgruppen* reports circulated to his superiors, and when the German Red Cross approached the Foreign Office to pass on an inquiry about the possibility of sending food relief to Jews in the Lodz ghetto, the matter ended up on Müller's desk. He informed the Legal Division: "The planned Final Solution for the European Jewish question, known to you, does not permit food shipments to be made from abroad to Jews in Germany and in the General Government."⁷ Thus, he advised the German Red Cross not to reply to the inquiry. After considerable hesitation, the Foreign Office first put Müller on vacation and then retired him from his ambassadorship. The investigation dragged on and was finally halted in 1972 without coming to trial, since none of Müller's actions in the *Judenreferat* when his awareness of the Final Solution could be proven could also be shown to have resulted in loss of life. Even if Müller's denial of his own past was hardly commendable, in both his person and activity in the *Judenreferat*, he was

⁷ Ibid., 85.

nonetheless quite different from the ambitious and proud Nazi von Hahn, and the difference in judicial outcomes was not unjustified. The two other deeply implicated Foreign Office officials, Eberhard von Thadden and Horst Wagner, who unlike von Hahn and Müller were not brought back into government service, were never tried. The former died in an auto accident in 1964, and the latter successfully employed an array of delaying actions—change of attorney and certificates of ill health—until his death.

Alongside demonstrating the reentry of the *Ehemaligen* and the numerous awkward ways in which the past hung over the Foreign Office in the postwar period, *Das Amt* also notes important contexts in which to put this postwar story into perspective. The presence of the *Ehemaligen*, however embarrassing, did not hinder either Adenauer's path to the West, Brandt's *Ostpolitik*, or Germany's increasing participation as a model citizen of the international community, which was crucial for international acquiescence to reunification in 1990. Just as many of them had been opportunistic or compliant servants of the Third Reich, they similarly adapted to the postwar era as well. Moreover, new generations of recruits, trained and professionalized in a very different diplomatic environment, ably filled the new roles that professional diplomats now had to play. In general, the Foreign Office was part of the success story of German democratization at home and living in peace with its neighbors—the two crucial developments that had proved so elusive in the past. Nonetheless, a handful of retired *Ehemaligen* fought a rearguard action to preserve their version of the history of the Foreign Office during the Nazi era, and the last chapter of *Das Amt* is a fascinating tale of the final unraveling of this “coverup.”

Given a book of more than 700 pages, it is perhaps churlish to suggest where yet more should have been included. But I do think that greater differentiation among the Third Reich diplomats and the ways in which they either participated in or responded to Nazi *Judenpolitik* would have added greater depth and subtlety to the study. To establish a spectrum of behavior, the book does open with a brief sketch about three diplomats with different career trajectories: Franz Krapf, who joined the NSDAP in 1936, served in the Tokyo embassy during the war years and re-entered the Foreign Office in the postwar period; Fritz Kolbe, who refused to join the NSDAP, was shocked by Nazi terror and criminality, provided information to the American secret service during the war and to the Nuremberg prosecution after the war,

and was stigmatized as a traitor and refused postwar reemployment in the Foreign Office; and Franz Nüsslein, a Nazi Party member and lawyer who served in the occupation of the Protectorate during the war and in the Foreign Office after the war. Unfortunately, concerning Krapf, it is conceded that little is known about his activities in Tokyo, yet it is nonetheless asserted that “Selbst im fernen Ostasien waren deutsche Diplomaten mit der ‘Endlösung’ der Judenfrage befasst”—a generalization that is both indiscriminate and unsubstantiated. *Das Amt* is very effective in contrasting the real resisters with those who were culpable in various ways, but it could have been more explicit in differentiating between active complicity (the “crimes of commission” by the likes of Rademacher and von Hahn) and passive complicity (the “crimes of omission” for which Weizsäcker is the prime example).

Perhaps the greatest opportunity that *Das Amt* missed to explore the full complexities of human behavior in both the war and postwar periods is the case of Wilhelm Melchers. In *Das Amt*, he is identified as the originator of the myth about the Foreign Office as a center of opposition, when he wrote a memorandum invoking an alleged “dispensation” from Adam von Trott zu Solz shortly before the latter’s arrest and execution declaring that the bulk of its officials had resisted Nazification and remained “healthy.” Melchers then worked with the *Ehemaligen* both to defend Weizsäcker and to facilitate their subsequent reentry into the Foreign Office. What *Das Amt* does not explore is the irony that on certain occasions during the war Melchers behaved quite differently from the bulk of the *Ehemaligen* with whom he subsequently made common cause. Contrary to the counterfeit claims of so many others, by staying at his post he had actually prevented worse and “threw sand” in the machinery of destruction.

It was routine for the *Judenreferat* to circulate RSHA proposals for anti-Jewish actions through the Political Division, where the relevant desks were to check that they had been informed and raised no objections concerning possible foreign policy complications. Melchers used his position as head of the Near East desk first to save Palestinian Jews in German hands by raising the specter of reprisals against German colonists in Palestine. Then, when the Foreign Office informed Turkey that it had to repatriate its 2,400 Turkish Jews in Nazi-occupied France if they were not to be deported and the Turkish government showed no interest, Melchers nevertheless intervened to save the Turkish Jews abandoned by their own government. He cogently argued that the Turkish Jews posed no security risk

commensurate with the damage that would be incurred if their deportation were subsequently exploited by enemy propaganda to incite the Turkish press and damage relations with neutral Turkey. For seven months he held steadfastly to these arguments in the face of pressure from both the RSHA and von Thadden, until the Turkish government reversed itself and permitted the repatriation of Jews holding Turkish citizenship.⁸

Adding to the complexity of the Melchers case, however, is that on other occasions during the war he endangered rather than helped Jews. He urged that German deference to Italy in the Mediterranean not stand in the way of promising the Arabs a solution to the Jewish question acceptable to them in order to weaken the British position in the Near East.⁹ A longtime supporter of anti-Semitic propaganda to the Arab world, he urged continued financial support for Amin el-Husseini and other Arab exiles in Berlin even in the last months of the war in order not to provide a victory for “Jewish propaganda in Palestine.”¹⁰ Paradoxically, while Melchers protected Turkish Jews against being killed by the Germans in Poland, he supported the continuation of propaganda exhorting Arabs to kill Jews in the Near East. It was the success of the British 8th Army in preventing German forces from reaching Palestine that ultimately left Melchers as a net rescuer rather than taker of Jewish lives.

A more differentiated and nuanced treatment of the German diplomats who stayed at their posts and, while not engaged in opposition or resistance to the regime itself, nonetheless displayed a variety of responses to the regime’s murderous *Judenpolitik* would have enhanced the contribution of *Das Amt*. Even so, the basic arguments of the book are valid. As an institution, the Foreign Office contributed to the persecution of the Jews and the Final Solution. All too many of its personnel became both Nazified and complicitous, and of these, many were re-employed in the Foreign Office after the war. And though the Foreign Office supported the new German democracy and its foreign policy, it continued for decades to maintain a distorted version of its own history, a debilitating, embarrassing, and unnecessary burden from which hopefully, by virtue of this book, it has now been liberated.

⁸ Ibid., 156.

⁹ *Akten zur deutschen auswärtigen Politik*, D, XI, 689-92 (Melchers memorandum, 9.12.40).

¹⁰ Jeffrey Herf, *Nazi Propaganda for the Arab World*, 38-40, 44-53; ADAP, E, VIII, 312-13 (Melchers memorandum, 10.8.44).

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