

## FOCUS ROUTE

- 1 Complete column 2 of your own version of the table by matching up the eight institutions described in this subsection with the descriptions of their changing role under Hitler's dictatorship in column 1.
- 2 To what extent did the traditional elites maintain their power in Nazi Germany?

a) Lost its proper role, rarely met after 1933, and contained only Nazis	
b) Central government body which was kept but which fell into disuse	
c) The old democratic system was replaced by centrally appointed officials	
d) A conservative body whose members eventually had to join the Nazi Party	
e) Initially kept intact but bypassed by Nazi bodies, and eventually staffed by Nazis	
f) Traditionally independent from government and protecting the rights of the individual, this institution was co-ordinated to follow the government's will more closely	
g) Hitler worried about this body as a rival and did not reorganise it until he felt totally established in 1938	
h) This government office developed into a massive bureaucratic machine	

### The Reichstag

Under the Enabling Act, the Reichstag had granted LEGISLATIVE powers to Hitler, and only seven more laws were passed by the Reichstag. Every four years it renewed the Enabling Act. In November 1933, a Nazi list of candidates was approved in a virtual plebiscite. This was one of a series of such votes designed, successfully, to show the popularity of the regime. The Reichstag rarely met, and when it did it was mainly used as an applause machine for Nazi leaders' speeches.

### Cabinet

Like the Reichstag, the Cabinet was retained but increasingly lost its purpose. Initially, it contained only three Nazis, but this gradually increased, though some non-Nazis remained throughout the regime. This was partly a reflection of the unimportance of the Cabinet. Hitler did not believe in an orderly system of government, and increasingly decisions were made on an *ad hoc* (individual) basis, depending on who had the ear of the Führer. Although the Enabling Act gave the Cabinet legislative powers, in practice laws were just issued through Hitler, having been drawn up by the Reich Chancellery.

### Reich Chancellery

This central administrative body greatly expanded its role, since after the Enabling Act most laws/decrees were drawn up by Chancellery officials. It was responsible for co-ordinating the responses of departments to new legislation. New sections, both party and state, were created within this bureaucratic centre. These dealt with the increase in paperwork, such as letters written to Hitler, and issued government decrees. Its head, Lammers, had a major impact on the flow of information to and from Hitler, and thus on policies.

### Civil Service

Most civil servants traditionally had been conservative and anti-parliamentary; they had welcomed presidential governments from 1930, and were committed to serving the state. They thus transferred reasonably happily to the Third Reich, and remained throughout the regime. Under 5 per cent were purged in the Law for the Restoration of the Civil Service, 1933. The Civil Service gradually became more Nazi, partly as Nazis were appointed, but mainly as existing bureaucrats joined the party. This became compulsory in 1939, as was the wearing of uniforms. Civil servants generally enacted Nazi laws, but some tried to weaken the impact of arbitrary commands. By the late 1930s they were losing influence as increasing use was made of special agencies, bypassing the ministries and their civil servants.

### Local government

Despite Hitler's promise not to abolish elected state governments, they were taken over by centrally appointed officials. State governments became agents of the central government. Real power was exercised by the Reich governor, a post often held by the local *Gauleiter*.

### Meetings of the Cabinet, 1933-9

1933	72
1934	19
1935	12
1936	4
1937	7
1938	1
1939	0

### The courts and legal system

Franz Gürtner, the non-Nazi Justice Minister from 1933 to 1941, supported an authoritarian state, but one that still operated on a system of law. He wanted to keep the police and judiciary separate. Most lawyers and judges thought accommodation to the regime was the best way of maintaining their position and controlling excesses. However, as Hiden has pointed out in *Republican and Fascist Germany* (p.190): 'In embarking on self-co-ordination in order to preserve the principles of law, the judiciary effectively worked in favour of the regime.'

Inevitably, Nazi ideas penetrated. Gürtner was unable to prevent ordinary courts losing power to the SS and Gestapo. The established courts still remained, but they adapted to the new system. Initially, some judges defied the government's wishes in their verdicts, so they were increasingly bypassed with the new People's Court and Special Courts created in March 1933.

Lawyers were co-ordinated in the German Lawyers Front. In October 1933, 10,000 lawyers gave the Nazi salute and swore 'by the soul of the German people... to strive as German jurists to follow the course of our Führer to the end of our days'. Under a new penal code, judges were to act 'according to popular feeling'. From 1936 the eagle and swastika had to be worn on judges' robes. So the existing law was debased, and arbitrary actions were taken by authorities outside the law.

As in other areas, Hitler did not replace the existing legal code with a new Nazi one. New laws reflecting the Nazis' political views were passed, and judges were expected to interpret all laws according to Nazi values. The Interior Minister Wilhelm Frick summarised the Nazi view of the law thus: 'Everything which is useful for the nation is lawful; everything which harms it is unlawful.'

### The Foreign Office

One key part of the traditional bureaucracy that initially remained largely intact was the Foreign Office. Brüning's Foreign Minister Konstantin von Neurath remained until 1938. However, foreign policy was increasingly conducted outside the foreign ministry by individual Nazis – for example Goering, Goebbels, Ribbentrop – and by special missions. Furthermore, as part of a general radicalisation of the regime, key personnel changes occurred in 1938, with the Nazi Joachim von Ribbentrop replacing Neurath as Foreign Minister. Younger officials, more sympathetic to the Nazis, were promoted.

### Army

A key institution that Hitler had to treat warily was the army. We have seen how initially Hitler reassured the army by weakening the SA, thus gaining the crucial personal oath of loyalty. Even so, Hitler realised the army posed a major potential danger to the regime if it felt threatened. So he left it structurally largely unchanged until 1938, although increased in size. The army generally co-operated, since most generals shared Hitler's anti-Bolshevism, anti-liberalism, strong nationalism and desire to restore Germany's military might. Hitler said the army and the Nazi Party were two columns supporting the state. Military leaders issued internal decrees adjusting to Nazism: for example, revising the army's training guidelines to reflect a Nazi approach. The army also benefited from rearmament: with conscription, the army increased twentyfold between 1935 and 1939.

In 1937 Hitler's aggressive plans in the 'Hossbach Memorandum' (see pages 378-9) received a cool reaction from military leaders. They felt Hitler was planning to expand too quickly. However, by 1938 Hitler felt secure enough to make major changes. In February 1938 he exploited Defence Minister Blomberg's marriage to an ex-prostitute and the alleged homosexuality of Werner von Fritsch, the Commander-in-Chief of the army, to replace them, along with over 100 other generals. Hitler himself took direct command of all the armed forces, as Commander-in-Chief, supreme over a new High Command of the Armed Forces, the Oberkommando der WEHRMACHT (OKW) headed by Wilhelm Keitel. Hitler now for the first time had direct military powers (see page 383).

The consolidation of the regime was now concluded. Nazism now had sufficient power over the army, the last potential instrument of conservative power. However, elements in the army remained hostile to many aspects of Nazism, especially when the war began to go badly (see Chapter 17).